



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 10, 2006

The Honorable Pete V. Domenici
Chairman, Subcommittee on Energy
and Water Development
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This is to inform the Subcommittee that, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended (Act), entitled "Cooperation With States," the Commission on January 26, 2006, approved an Agreement with the State of Minnesota under which the State will assume certain regulatory authority over byproduct materials in Section 11e.(1) of the Act, source materials, and special nuclear materials in quantities not sufficient to form a critical mass. The Agreement was signed by Chairman Nils J. Diaz on February 3, 2006, and by Governor Tim Pawlenty on March 2, 2006. The Agreement will become effective on March 31, 2006.

The proposed Agreement, along with a summary of the U.S. Nuclear Regulatory Commission's assessment of the proposed Minnesota program, was published in the *Federal Register* for public comment as required by Section 274e. of the Act. Copies of the proposed Agreement and supporting documentation were also made available for inspection at the Commission's Public Document Room. No public comments were received.

The Commission has determined that the Minnesota program for the regulation of Agreement materials is compatible with the Commission's equivalent program, and adequate to protect public health and safety with respect to the materials covered by the Agreement. U. S. Nuclear Regulatory Commission staff will conduct periodic reviews of the Minnesota program to ensure that the terms of the Agreement continue to be met.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca L. Schmidt".

Rebecca L. Schmidt, Director
Office of Congressional Affairs

cc: Senator Harry Reid

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