

December 5, 2008

ALL AGREEMENT AND NON-AGREEMENT STATES

PROPOSED AGREEMENT BETWEEN THE COMMONWEALTH OF VIRGINIA AND THE U.S. NUCLEAR REGULATORY COMMISSION (FSME-08- 088)

Purpose: To provide you with a copy of the *Federal Register* Notice for the proposed Agreement between the Commonwealth of Virginia (Commonwealth) and the U.S. Nuclear Regulatory Commission (NRC).

Background: Governor Kaine, on behalf of the Commonwealth, has submitted a request that the NRC enter into an Agreement with the Commonwealth pursuant to Section 274 of the Atomic Energy Act of 1954, as amended. Under the proposed Agreement, the Commonwealth would assume responsibility for regulating byproduct material, source material and special nuclear material in quantities not sufficient to form a critical mass.

Contents: Enclosed for your information is the *Federal Register* Notice published on November 20, 2008 in which NRC staff summarizes its assessment of the Virginia program for exercising this regulatory authority. The comment period ends December 22, 2008.

If you have any questions regarding this correspondence, please contact me or the individual named below.

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Office of Federal and State Materials
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Enclosure:
Federal Register Notice

December 5, 2008

FSME 08-088

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