

October 10, 2002

The Honorable Scott McCallum
Governor of Wisconsin
Madison, Wisconsin 53707

Dear Governor McCallum:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter of August 21, 2002, requesting that the NRC and the State of Wisconsin establish an agreement pursuant to Section 274b of the Atomic Energy Act of 1954, as amended (AEA). Under your proposal, Wisconsin would assume regulatory authority over the acquisition, possession, use, transfer, and disposal of byproduct material as defined in Section 11e.(1) of the AEA, source material, and special nuclear material in quantities not sufficient to form a critical mass.

As required by the AEA, the NRC staff is preparing an assessment of the compatibility of the Wisconsin program with the NRC's program and the adequacy of Wisconsin's program to protect public health and safety. NRC will publish a summary of the assessment along with the proposed agreement in the Federal Register for public comment. The AEA requires that the notice be published once a week for four consecutive weeks. A press release concerning your request will also be issued at that time. After the expiration of the comment period, the Commission will consider any comments received and make a final decision on your request. We will promptly inform you of our decision. NRC's Office of State and Tribal Programs will coordinate with Wisconsin staff to develop a final effective date for the agreement after the review of your application and the public comment process are completed.

The Commission is pleased with your interest in becoming an Agreement State. If you have any further questions on this matter, please contact me.

Sincerely,

/RA/

Richard A. Meserve