



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

FEB 14 2003

TO: ALL NRC MATERIALS LICENSEES AUTHORIZED TO CONDUCT LICENSED
ACTIVITIES IN THE STATE OF WISCONSIN

SUBJECT: PROPOSED AGREEMENT WITH THE STATE OF WISCONSIN

Dear Licensee:

As you are probably aware, the State of Wisconsin intends to enter into an Agreement with the U.S. Nuclear Regulatory Commission. Under the Agreement, the NRC would relinquish to the State of Wisconsin regulatory authority for certain licenses for byproduct, source, and special nuclear materials. It is anticipated that the Agreement will become effective in July 2003.

To assist you in understanding the effect of this proposed change in regulatory authority, the following conditions would apply on the effective date of the Agreement:

1. As an NRC materials licensee (other than as described in Item 4 below) located in and authorized to conduct licensed activities only in the State of Wisconsin, your existing NRC license will be transferred to the State. The NRC license will eventually be converted to a State of Wisconsin license at the time of next renewal, or amendment, as determined by the State.
2. As an NRC materials licensee located in Wisconsin and authorized to conduct licensed activities in non-Agreement States (i.e., States regulated by the NRC), one of two situations may exist:
 - a. If your NRC license authorizes activities in Wisconsin and at one or more **permanent locations** in any non-Agreement State, e.g., Minnesota, Michigan, etc., you will be issued a new NRC license authorizing licensed activities in the non-Agreement States. The expiration date of the new license will be the same as your previous NRC license. There will be no fee assessed for this action. Your current NRC license will be amended to remove all non-Agreement State locations of use and will be transferred to Wisconsin when the Agreement is signed.
 - b. If your NRC license authorizes activities in Wisconsin and at **temporary job sites** in non-Agreement States, you will soon be receiving a second letter requesting that you declare to our office whether or not you need both Wisconsin and NRC materials licenses. If you want to maintain an NRC license, our office will issue a new license authorizing licensed activities at temporary job sites in non-Agreement States. There will be no fee assessed for this action. When the Agreement is signed, your NRC license will be transferred to Wisconsin but will only authorize licensed activities within the State.

FEB 14 2003

3. If you are an NRC materials licensee located outside of Wisconsin and your license authorizes the use of radioactive materials at a location in Wisconsin, we will amend your license to delete the Wisconsin location. We will then issue a new NRC license authorizing the Wisconsin location and transfer this to the State after the Agreement is signed. There will be no fee assessed for this action.
4. Notwithstanding the above three categories, the following licenses will remain under NRC jurisdiction: (1) licenses issued by the NRC to Federal Government agencies operating in Wisconsin, (2) licenses authorizing the possession of special nuclear material in quantities sufficient to form a critical mass, and (3) licenses authorizing exempt distribution.

Communications with the State of Wisconsin should be addressed to:

Cheryl Rogers
Supervisor, Radioactive Materials
Division of Public Health
Department of Health and Family Services
P.O. Box 2659
Madison, WI 53701-2659
(608) 266-8135

If you have any questions regarding this letter, please contact Mr. Kevin Null, Senior Health Physicist, at (630) 829-9854 or Mr. James Lynch, Region III State Agreements Officer at (630) 829-9661.

Sincerely,


Marc Dapas, Acting Director
Division of Nuclear Materials Safety