

March 20, 2006

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

MINNESOTA AGREEMENT (STP-06-024)

For your information, pursuant to Section 274b. 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 the Agreement, the State will assume certain regulatory authority over byproduct material in Section 11e.(1) of the Act, source material, and special nuclear material in quantities not sufficient to form a critical mass. The Agreement becomes effective March 31, 2006.

By letter dated July 6, 2004, Governor Tim Pawlenty requested that the Commission enter into a Section 274b. Agreement with the State of Minnesota. In that letter, Governor Pawlenty certified that Minnesota has a program for the control of the radiation hazards associated with the materials covered by the Agreement which is adequate to protect public health and safety. Governor Pawlenty further certified that the State desired to assume regulatory responsibility for such materials.

The proposed Agreement, along with a summary of the U.S. Nuclear Regulatory Commission's (NRC) 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 made available for inspection at the Commission's Public Document Room.

The Commission has determined that the Minnesota program for the regulation of Agreement materials is adequate to protect public health and safety and is compatible with NRC's program. NRC staff will conduct periodic reviews of the Minnesota program using the Integrated Materials Performance Evaluation Program to ensure that the terms of the Agreement continue to be met.

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

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STP-06-024

March 20, 2006

Distribution: DCD (SP03)
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James Lynch, RIII

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