

August 22, 2006

ALL AGREEMENT AND NON-AGREEMENT STATES  
STATE LIAISON OFFICERS

**LETTERS FROM NRC CHAIRMAN TO GOVERNORS REQUESTING BUDGETARY  
INFORMATION (STP-06-077)**

**Purpose:** To alert States that a letter (enclosed) has been sent to your Governor.

**Background:** As described in STP-06-071, dated August 8, 2006, the U. S. Nuclear Regulatory Commission (NRC) is seeking, for budgetary purposes, information regarding the States' intentions for the future regulation of "new byproduct material." New byproduct material consists of certain Naturally Occurring and Accelerator Produced (NARM) radioactive material now defined as byproduct material in the new paragraphs (3) and (4) of Section 11e. of the U. S. Atomic Energy Act of 1954, as amended. Paragraphs (3) and (4) were added to the Atomic Energy Act by Section 651(e) of the Energy Policy Act of 2005. Prior to the Energy Policy Act, the States held the authority to regulate the new byproduct material as NARM. Like other Section 11e. materials, States may now regulate the new byproduct material only under a Section 274b agreement with the Commission.

**Action:** On August 18, 2006, the Chairman of the Commission signed the letters requesting information for budgetary purposes. Since NRC is already preparing its Fiscal Year 2008 budget proposal, we are requesting a response by September 27, 2006. Please be aware that the Governor of your State should receive the letter soon.

If you have any questions on this correspondence, please contact me at (301) 415-4430 or the individual named below.

POINT OF CONTACT: Richard Blanton  
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**/RA/**

Janet R. Schlueter, Director  
Office of State and Tribal Programs

Enclosure:  
As stated

STP-06-077

August 22, 2006

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**Enclosure Information:**

Different letters signed out by Chairman:

1. Letters to Agreement State Governors
2. Letters to Non-Agreement State Governors
3. Letter to Governors of Territories
4. Letter to Virginia Governor
5. Letter to New Jersey Governor

8/23/2006 E-Mailed letters to appropriate RCPDs and SLOs.

(No letter was sent to Pennsylvania's Governor; STP already had the information requested from Pennsylvania.)