



STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

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JOHN ELIAS BALDACCI
GOVERNOR

September 18, 2006

Dale E. Klein, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Dr. Klein:

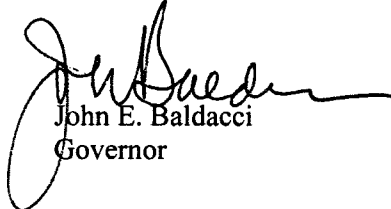
Thank you for your letter requesting Maine's desired direction in response to the Energy Policy Act of 2005. I expect to certify to the Commission that Maine will continue to regulate all radioactive materials now defined as byproduct material and continue to abide by the Articles of our agreement effective April 1, 1992.

The Maine Radiation Protection Act of 1983 requires an orderly regulatory program, "A program to promote an orderly regulatory pattern within the State, among the states and between the Federal Government and the State, and facilitate intergovernmental cooperation with respect to use and regulation of sources of radiation so that duplication of regulation may be minimized." Based upon this Act and the regulations adopted by the Department of Health and Human Services I feel that Maine has been regulating byproduct materials in this manner, as now defined, since our agreement effective date.

I am ready to formally submit a certification to the Commission, as provided for in Section 651(e) of the Energy Policy Act of 2005, once that process is made clear.

Thank you for this opportunity to work together before the implementation of the new program. I additionally appreciate the ease of this certification process as opposed to redrafting or amending our long-standing agreement.

Sincerely,


John E. Baldacci
Governor

CHAIRMAN REC'D
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