

To: Miller, FSME

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

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AUTHOR: Mark Sanford

AFFILIATION: SC

ADDRESSEE: CHAIRMAN KLEIN

SUBJECT: South Carolina's plans to regulate certain radioactive materials

ACTION: Appropriate

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FILE LOCATION: ADAMS

DATE DUE:

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## State of South Carolina Office of the Governor

MARK SANFORD  
GOVERNOR

POST OFFICE BOX 12267  
COLUMBIA 29211

September 29, 2006

The Honorable Dale E. Klein  
Chairman  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Chairman Klein:

I am writing in response to your letter of August 18, 2006, requesting information regarding South Carolina's plans to regulate certain radioactive materials.

South Carolina understands that the Energy Policy Act of 2005 expanded the Nuclear Regulatory Commission's (NRC) authority. This expanded authority includes the regulation of radium and certain other radioactive materials, such as those made radioactive in particle accelerators. The Act requires that authority over these materials transition to the NRC.

At this time, South Carolina regulates these materials. We expect that, when requested, a certification will be submitted to the Commission, as provided for in Section 651(e) of the Energy Policy Act of 2005, allowing South Carolina to continue to regulate these materials.

We look forward to receiving your request for certification. If you have questions, please do not hesitate to contact Henry Porter, our State Liaison Officer, at (803) 896-4245. Thank you in advance and take care.

Sincerely,

A handwritten signature in dark ink, appearing to be "Mark Sanford", written over a horizontal line.

Mark Sanford

MS/kl.kh

cc: Janet Schleuter, OSTP, US NRC  
Henry Porter, SCDHEC