

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

To: Miller JSME

AUTHOR: Joe Moore

aps: EDO
DEDMRS
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RIV

AFFILIATION: WY

ADDRESSEE: Dale Klein

SUBJECT: Intention not to request an agreement with the Commission concerning regulation of certain radioactive materials

ACTION: Appropriate

DISTRIBUTION: RF

LETTER DATE: 10/26/2006

ACKNOWLEDGED No

SPECIAL HANDLING: Made publicly available in ADAMS via EDO/DPC

NOTES:

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:



DAVE FREUDENTHAL
Governor

THE STATE OF WYOMING

Office of Homeland Security

Joe Moore
Director

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October 26, 2006

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

RE: Energy Policy Act (EPAct) of 2005

Dear Chairman Klein:

Governor Freudenthal has received your letter dated August 18, 2006. He has forwarded the letter to our office for review and response.

The enclosure, *Information Requested from Non-Agreement States* posed three questions. We are providing the following response to those questions.

1. We do not intend to request an agreement at this time with the Commission under Section 274b of the Atomic Energy Act, including material defined in Section 11e.(3) and 11e.(4).
2. Not applicable.
3. We acknowledge an understanding that authority over the materials identified will transition to the Nuclear Regulatory Commission as required by the EPAct.

If you or your staff have questions concerning this response or require additional information, please contact Mr. Scott Ramsay, Radiological Services Supervisor at srams@state.wy.us or by telephone at (307) 777-4951.

Sincerely,

Joe Moore
Director

JM:db

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