

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

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AUTHOR: Sonny Perdue

AFFILIATION: GA-GOV

ADDRESSEE: Dale Klein

SUBJECT: Licensing of certain naturally occurring and accelerator produced radioactive materials now defined as byproduct material

ACTION: Appropriate

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ACKNOWLEDGED No

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NOTES:

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DATE DUE:

DATE SIGNED:



STATE OF GEORGIA  
OFFICE OF THE GOVERNOR  
ATLANTA 30334-0900

Sonny Perdue  
GOVERNOR

January 5, 2007

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

Dear Chairman Klein:

The purpose of this letter is to comply with the provisions of Section 651(e) of the Energy Policy Act of 2005, regarding the licensing of certain naturally occurring and accelerator produced radioactive materials now defined as byproduct material in Sections 11e(3) and 11e(4) of the Atomic Energy Act of 1954, as amended.

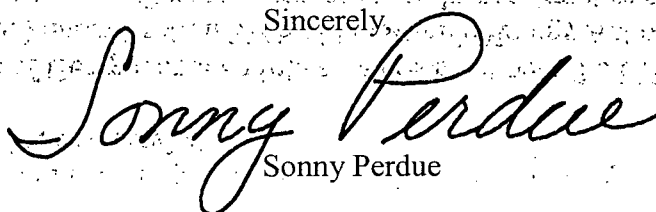
In 1969, the State of Georgia entered into an Agreement with the U.S. Nuclear Regulatory Commission (Commission) under Section 274b of the Atomic Energy Act of 1954, as amended. Under that Agreement, the State of Georgia licenses byproduct material as defined in Section 11e(1) of the Atomic Energy Act. In addition, Georgia licenses the naturally occurring and accelerator produced radioactive materials now defined as byproduct material.

Our program for licensing the new byproduct material is not separate and distinct from the program for licensing 11e(1) byproduct material; no changes have been made to the licensing program that would impact the previous performance evaluation program finding of adequacy. Further, we intend to continue to license the new byproduct material under this same program.

Accordingly, I certify to the Commission that the State of Georgia has a program for licensing byproduct material, as defined in Section 11e of the Atomic Energy Act of 1954, as amended, that is adequate to protect the public health and safety, and that the State intends to continue to implement our regulatory responsibility with respect to the byproduct material.

This certification is effective on the date of publication of the NRC's "Plan for the Transition of Regulatory Authority Resulting from the Expanded Definition of Byproduct Material."

Sincerely,

  
Sonny Perdue

SP:epdtvj