

October 15, 2007

ALL AGREEMENT AND NON-AGREEMENT STATES
STATE LIAISON OFFICERS

PUBLICATION OF TRANSITION PLAN FOR NARM (FSME-07- 094)

Purpose: To provide notification that on October 12, 2007, the U.S. Nuclear Regulatory Commission (Commission) forwarded its Plan for the Transition of Regulatory Authority Resulting from the Expanded Definition of Byproduct Material (transition plan) to the *Federal Register* for publication. No response to this letter is requested.

Discussion: In accordance with Section 651 of the Energy Policy Act of 2005, the Commission has approved for publication in the *Federal Register* a transition plan to facilitate an orderly transition of regulatory authority with respect to the byproduct material defined in paragraphs (3) and (4) of Section 11 e. of the Atomic Energy Act of 1954, as amended. As you are aware, Sections 11e.(3) and (4) were added to the definition of byproduct material by the Energy Policy Act of 2005.

Enclosed is a pre-publication copy of the *Federal Register* notice, including the final transition plan. The Commission anticipates termination of the time-limited waivers granted to the Agreement States and approval of the Governor certifications in conjunction with the effective date of the final rulemaking (72 FR 55864), November 30, 2007. We will continue to keep you informed of our implementation activities.

If you have any questions on this correspondence, please contact me or the contact listed below.

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Enclosure:
As stated

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