

November 17, 2008

The Honorable Jeff Bingaman
Chairman, Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This is to inform you that by letter dated June 12, 2008, Governor Timothy M. Kaine on behalf of the Commonwealth of Virginia submitted a proposed Agreement between the U.S. Nuclear Regulatory Commission (NRC) and the Commonwealth of Virginia under Section 274 of the Atomic Energy Act of 1954, as amended. Under this proposed agreement, Virginia would assume regulatory responsibility over 11e.(1), 11e.(3), and 11e.(4) byproduct materials, source materials, and special nuclear materials not sufficient to form a critical mass. Through the Agreement State Program, 35 States to date have signed formal agreements with the NRC.

An announcement of the proposed Agreement, along with a summary of the NRC staff assessment of the proposed Virginia program will be published in the *Federal Register*. A pre-publication copy of the *Federal Register* Notice is enclosed.

We will inform you when the Commission has completed its consideration of the proposed Agreement.

Sincerely,

/RA/

Rebecca L. Schmidt, Director
Office of Congressional Affairs

Enclosure: *Federal Register* Notice

cc: Senator Pete V. Domenici

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Identical letters sent to the attached listing of NRC Oversight Committees and the Commonwealth of Virginia Delegation.

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OFC	FSME/DMSSA	OCA	
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DATE	10/10/08*	11/17/08*	

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