

ENCLOSURE 5

**DRAFT LETTER
FROM
CHAIRMAN DALE E. KLEIN
TO
GOVERNOR TIMOTHY M. KAINÉ**

DRAFT

The Honorable Timothy M. Kaine
Governor
Commonwealth of Virginia
Richmond, VA 23219

Dear Governor Kaine:

I am pleased to inform you that the U. S. Nuclear Regulatory Commission (NRC) has approved your request for an Agreement under which the NRC will discontinue and the Commonwealth of Virginia will assume regulatory authority over the acquisition, possession, use, transfer, and disposal of certain byproduct material, source material and special nuclear material in quantities not sufficient to form a critical mass.

(Details of the arrangements for the signature ceremony to be added once finalized)

We are pleased with your interest in participating in the Agreement State program and look forward to the continued excellent relationship we have enjoyed with the Commonwealth of Virginia in the past.

Sincerely,

Dale E. Klein