



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Ms. Loren Sweatt  
Occupational Safety and Health  
Administration  
200 Constitution Avenue  
Washington, DC 20210

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Ms. Sweatt:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice

SUBJECT: LETTERS TO FEDERAL AGENCIES RE: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING.

**Identical letters sent to:**

U.S. Department of Energy,  
Council on Environmental Quality  
Advisory Council on Historic Preservation,  
Food and Drug Administration,  
U.S. Environmental Protection Agency,  
U.S. Department of Homeland Security  
U.S. Bureau of Land Management, Wyoming State Office

DISTRIBUTION:

C. Einberg  
B. Tharakan  
C. Roman-Cuevas  
L. Howell  
Bill VonTill

**ML18151A800**

<b>OFC</b>	NMSS/MSST		NMSS/MSST		NMSS/MSST	
<b>NAME</b>	SPoy		PMichalak		Akock	
<b>DATE</b>	06/06/18*		06/06/18		06/26/18	

**OFFICIAL RECORD COPY**



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Mr. Theodore J. Garrish  
Principle Deputy Assistant Secretary  
Congressional and Intergovernmental Affairs  
U.S. Department of Energy N3641  
1000 Independence Ave, SW  
Washington, DC 20585-0001

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Mr. Garrish:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Ted Boling, Deputy, General Counsel  
Council on Environmental Quality  
722 Jackson Place, NW  
Washington, DC 20503-0002

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Mr. Boling:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Mary Neumayr, Chief of Staff  
Council on Environmental Quality  
722 Jackson Place, NW  
Washington, DC 20503-0002

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Ms. Neumayr:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

*/RA/*

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

John M. Fowler, Executive Director  
Advisory Council on Historic Preservation  
401 F Street MW, Suite 308  
Washington, DC 20001-2637

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Mr. Fowler:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 (Paul.Michalak@nrc.gov).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Jeffrey E. Shuren, M.D., J. D.  
Director  
Center for Devices and Radiological Health  
Food and Drug Administration  
White Oak Building 66  
10903 New Hampshire Ave.  
Silver Spring, MD 20993

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Dr. Shuren:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Mr. Bill Wehrum  
Assistant Administrator for Air and Radiation  
U.S. Environmental Protection Agency  
Mail Code 6101A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Mr. Wehrum:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice





UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 2018

Mr. Benjamin L. Cassidy  
Assistant Secretary  
U.S. Department of Homeland Security  
Office of Legislative Affairs  
Mail Stop 0020  
Washington, DC. 20528

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Mr. Cassidy:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 26, 108

Ms. Mary Jo Rugwell  
State Director  
U.S. Bureau of Land Management  
5353 Yellowstone Road  
Cheyenne, Wyoming 82009

SUBJECT: NOTICE OF A PROPOSED AGREEMENT WITH THE STATE OF WYOMING

Dear Ms. Rugwell:

Governor Matthew Mead, on behalf of the State of Wyoming, has submitted a request that the U.S. Nuclear Regulatory Commission (NRC) enter into an Agreement with the State under Section 274 of the Atomic Energy Act of 1954 (AEA). Under the proposed Agreement, the Commission would discontinue, and the State of Wyoming would assume, regulatory authority within the State over the management and disposal of byproduct materials as defined in Section 11e.(2) of the AEA and a subcategory of source material associated with uranium or thorium milling. These regulatory responsibilities would be transferred to the State of Wyoming and the State of Wyoming's environmental and historic and cultural resource requirements would apply instead of the National Environmental Policy and National Historic Preservation Act requirements. The NRC would continue to retain regulatory authority over other AEA radioactive materials in the State.

Enclosed for your information is the *Federal Register* Notice (FRN) published on June 26, 2018. The FRN requests public comment on the proposed Wyoming Agreement and the NRC staff draft assessment of the State of Wyoming's formal application. The comment period ends July 26, 2018.

The enclosed FRN provides the process to submit comments. If you have any questions, you may contact Paul Michalak at (301) 415-5804 ([Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov)).

Sincerely,

/RA/

Andrea L. Kock, Acting Director  
Division of Materials Safety, Security, State,  
and Tribal Programs  
Office of Nuclear Material, Safety,  
and Safeguards

Enclosure:  
*Federal Register* Notice