



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

October 4, 2018

ALL AGREEMENT AND NON-AGREEMENT STATES, STATE LIAISON OFFICERS,
TRIBES INTERESTED IN WYOMING

AGREEMENT BETWEEN THE U.S. NUCLEAR REGULATORY COMMISSION AND THE
STATE OF WYOMING (STC-18-063)

Purpose: To inform you that, pursuant to Section 274b. of the Atomic Energy Act of 1954, as amended (Act), "Cooperation with States," the Commission on September 10, 2018, approved an Agreement with the State of Wyoming. The Agreement became effective September 30, 2018.

Background: By letter dated November 14, 2017, Governor Matthew H. Mead requested that the Commission enter into a Section 274b. Agreement with the State of Wyoming. In that letter, Governor Mead certified that Wyoming has a program for the control of the radiation hazards associated with the materials covered by the Agreement that is adequate to protect public health and safety. Governor Mead further certified that the State desired to assume regulatory responsibility for such materials.

The proposed Agreement, along with a summary of the U.S. Nuclear Regulatory Commission's (NRC) assessment of the proposed Wyoming program, was published for public comment in the *Federal Register* beginning on June 26, 2018, for four consecutive weeks, as required by Section 274e. of the Act. Copies of the proposed Agreement and supporting documentation were made available for inspection at the Commission's Public Document Room.

In SECY-18-0082 "Section 274b. Agreement with the State of Wyoming" dated August 27, 2018 (Agencywide Documents Access and Management System Accession No. ML18190A310), the NRC staff responded to the public comments received on the proposed Agreement and draft staff assessment. The NRC staff assessment concluded that the Wyoming program for the regulation of Agreement materials is adequate to protect public health and safety and is compatible with NRC's program.

Discussion: Under the Agreement, the State has assumed regulatory authority over the management and disposal of byproduct material as defined in Section 11e.(2) of the Act and a subcategory of source material or ores involved in extraction or concentration of uranium or thorium milling in the State. As such, the State of Wyoming is now the regulatory authority over 14 uranium mill licenses. The remaining academic, medical, industrial and commercial licenses authorized to use byproduct, source and special nuclear materials in the State of Wyoming will remain under NRC's jurisdiction. Agreement State licensees needing to conduct licensed activities in the State of Wyoming under reciprocity must continue to request approval from the NRC in accordance with Title 10, Part 150.20 of the Code of Federal Regulations (10 CFR 150.20). The NRC staff will conduct periodic reviews of the Wyoming program using the Integrated Materials Performance Evaluation Program to ensure that the terms of the Agreement continue to be met.

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

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/RA/

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SUBJECT: AGREEMENT BETWEEN THE U.S. NUCLEAR REGULATORY
COMMISSION AND THE STATE OF WYOMING (STC-18-063)

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