



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

PDK
PDR: D. Mossburg

August 21, 1998

The Honorable George V. Voinovich
Governor of Ohio
Columbus, Ohio 43266-0601

Dear Governor Voinovich:

I have received your letter with enclosures, dated June 22, 1998, in which you request an agreement between the Nuclear Regulatory Commission (NRC) and the State of Ohio pursuant to section 274b of the Atomic Energy Act of 1954, as amended (AEA). In your request, Ohio would assume regulatory authority over the acquisition, possession, use, transfer, and disposal of source material, byproduct material as defined in section 11e.(1) of the AEA, byproduct material as defined in Section 11e.(2) of the AEA, i.e., tailings from uranium or thorium milling, and special nuclear material in quantities not sufficient to form a critical mass. The regulatory authority to be assumed would also include conducting safety-related evaluations of sealed sources and devices.

As required by the AEA, the NRC staff is preparing an assessment of the compatibility of the Ohio program with the NRC's program and the adequacy of Ohio's program to protect public health and safety. NRC will publish a summary of the assessment along with the proposed agreement in the Federal Register for public comment. The AEA requires that the notice be published once each week for four consecutive weeks. A press release concerning your request will also be issued at that time. After the expiration of the comment period, the Commission will consider any comments received and make a final decision on your request. We will promptly inform you of our decision. As we complete the review of your application and the public comment process, NRC staff will coordinate with Ohio staff to develop a revised schedule for the effective date of the future agreement.

We are pleased with your continued interest in becoming an Agreement State and look forward to the continued excellent relationship we have enjoyed in the past.

Sincerely,

Shirley Ann Jackson

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PDR COMMS NRCC
CORRESPONDENCE PDR

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