



CHAIR

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

August 2, 2023

The Honorable Kathy Hochul
Governor of New York
Albany, NY 12224

Dear Governor Hochul:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your May 09, 2023, request to discontinue the State of New York's authority to evaluate and approve sealed source and device (SS&D) applications (Agencywide Documents Access and Management System Accession No. ML23131A254). The Commission approved your request and will assume regulatory authority for SS&D evaluations and approvals within the State of New York, effective 5 business days from the date of this letter. New York will continue to retain authority to regulate the manufacture and use of SS&Ds within the State in accordance with its Section 274b. Agreement with the NRC.

The NRC will issue a *Federal Register* notice regarding this decision. We recommend that New York provide notice of this action to your licensees.

Your staff may contact John W. Lubinski, Director, Office of Nuclear Material Safety and Safeguards, at John.Lubinski@nrc.gov or 301-415-0595, if they have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. T. Hanson", written in a cursive style.

Christopher T. Hanson

cc: Alexander Damiani, Director
Bureau of Environmental Radiation
Protection