

January 18, 2006

TO: ALL NRC MATERIALS LICENSEES AUTHORIZED TO CONDUCT LICENSED ACTIVITIES IN MINNESOTA WITH ADDITIONAL AUTHORIZATION FOR USE AT TEMPORARY JOB SITES ANYWHERE IN THE UNITED STATES WHERE NRC MAINTAINS JURISDICTION (NON-AGREEMENT STATES)

SUBJECT: PROPOSED AGREEMENT WITH THE STATE OF MINNESOTA

On or about March 31, 2006, an Agreement is expected to be signed between the U.S. Nuclear Regulatory Commission (NRC) and the State of Minnesota, whereby the NRC will relinquish regulatory authority for certain licenses of byproduct, source, and special nuclear material.

In preparation for this transition, certain NRC licenses will require an amendment prior to the transfer. Your NRC license, as currently written, authorizes licensed activities to be performed in Minnesota **and** at temporary job sites anywhere in the United States where NRC maintains jurisdiction. After the Agreement is signed, the NRC will no longer have regulatory authority over your licensed activities in Minnesota. The NRC will transfer your license to Minnesota **after** we amend it to remove authorization to use material at temporary job sites under NRC jurisdiction.

You will need to determine if you require both an NRC and Minnesota license. Please review your current program and NRC license, and identify which of the following options applies to your needs.

Option 1: **Request possession of both NRC and State of Minnesota licenses**

Evaluate the extent of your work activities in non-Agreement States (i.e., states regulated by the NRC), and determine if you will need to maintain an NRC license. If you determine that you will need to keep an NRC license, we will amend that license to delete authorization to use licensed material in Minnesota. We will then issue you a new license authorizing licensed activities only in Minnesota. The new license will be transferred to the State of Minnesota and become effective on the date of the Agreement. There will be no associated fee for these licensing actions; however, you will continue to be assessed annual fees to maintain the NRC license. The State of Minnesota will also charge you license fees.

Option 2: **Request only a State of Minnesota license**

If you determine that due to limited work activities in NRC states you do not need an NRC license, we will amend your existing NRC license to delete authorization for temporary job sites in non-Agreement States. The license will then only authorize work activities in the State of Minnesota. After the Agreement is signed, you can conduct work at temporary job sites in non-Agreement States pursuant to 10 CFR 150.20

(Reciprocity; NRC Form 241, enclosed). However, please be aware that reciprocity is only allowed for a maximum of 180 days in any calendar year. You are required to file NRC Form 241 for reciprocity with the NRC whenever your work brings you into NRC jurisdiction, or into areas of Exclusive Federal Jurisdiction within an Agreement State. The current application fee for reciprocity is \$1800 per calendar year.

There will be no fee associated with amending your license. Your current license will be transferred to the State of Minnesota effective the date of the Agreement.

Enclosed is a form you must complete and return in order for us to take the appropriate licensing action. **This form will be considered an official licensing document and as such, should be signed by an individual authorized to make such a commitment on behalf of your institution.** Please respond within 30 days of receipt of this letter. A postage paid return envelope is also enclosed for your use.

We appreciate your cooperation. Should you have any questions regarding this letter, please contact Cassandra Frazier, Senior Health Physicist, at (630) 829-9830, or James Lynch, Region III State Agreements Officer, at (630) 829-9661. Questions regarding reciprocity procedures should be directed to George Parker at (630) 829-9869.

Sincerely,

/RA/

Steven A. Reynolds, Director
Division of Nuclear Materials Safety

Enclosures: As stated

cc w/encls: George Johns, State of Minnesota

*See prior concurrence

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LICENSE AMENDMENT REQUEST

Company: _____

License No. _____

Address: _____

Docket No. _____

City, State: _____

Zip Code: _____

Please check one of the following options:

' We have reviewed our current license and have determined that we need to maintain both an NRC license and a Minnesota license. We therefore request that our existing NRC license be amended to remove authorization for use of material in Minnesota, and that the NRC issue us a new license for work activities in Minnesota only. We understand that these licensing actions will become effective on the date the Agreement is signed by the NRC and the State of Minnesota, and that our new license will then be transferred to Minnesota. We further understand that we will be assessed annual fees to maintain the NRC license.

' We have reviewed our current license and no longer find it necessary for authorization to conduct licensed activities in NRC-regulated states, and therefore request that our existing NRC license be amended to authorize the use of material only in the State of Minnesota. We request that this be effective on the date the Agreement between the NRC and State of Minnesota is signed. We understand that upon the effective date of the Agreement between the NRC and State of Minnesota, we will be licensed by Minnesota to conduct work at temporary job sites in the State and as such, must file a NRC Form 241 (reciprocity) prior to performing any work in NRC jurisdiction (non-Agreement States) or in areas of Exclusive Federal Jurisdiction within an Agreement State.

Date: _____

Name (please print or type) and Title of Authorized Company Representative

Signature of Authorized Company Representative