

September 6, 2007

The Honorable Jennifer M. Granholm
Governor of Michigan
Lansing, Michigan 48909

Dear Governor Granholm:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letter of July 31, 2007, announcing the State of Michigan's intent to establish an Agreement with the NRC pursuant to Section 274b of the Atomic Energy Act of 1954, as amended. Under the Agreement, Michigan would assume regulatory authority over the acquisition, possession, use, transfer, and disposal of certain byproduct, source, and special nuclear material in quantities not sufficient to form a critical mass. The Agreement would also include radioactive materials currently regulated by Michigan but redefined as byproduct material by the Energy Policy Act of 2005.

As you requested, the NRC staff will provide Mr. Thor Strong, Chief of the Radiological Protection Section, Waste and Hazardous Materials Division, Michigan Department of Environmental Quality, with background information on the Agreement State Program, the criteria and process to become an Agreement State, and reference materials to help you meet your intended Agreement implementation date of September 2011. As discussions proceed, the NRC will assign a Project Manager to coordinate with your staff on the process of becoming an Agreement State.

The NRC looks forward to working with you throughout the Agreement process. If you have any questions please feel free to contact me. If your staff has any questions or wish to obtain additional information about the Agreement State Program, please have them contact Ms. Janet R. Schlueter, Director of the Division of Materials Safety and State Agreements, at 301-415-3340.

The Commission appreciates Michigan's interest in becoming an Agreement State.

Sincerely,

/RA/

Dale E. Klein