

Office of the Governor

February 27, 2015

Stephen G. Burns, Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

RE: Letter of Intent to Enter into an Agreement with the U.S. Nuclear Regulatory Commission

Dear Chairman Burns,

Wyoming has a strong uranium mining and milling industry and we enjoy a constructive relationship with the U.S. Nuclear Regulatory Commission (NRC). Wyoming recently passed enabling legislation allowing us to become an Agreement State with the NRC.

Pursuant to §274(b) of the Atomic Energy Act of 1954, as amended, Wyoming intends to pursue an agreement with the NRC to regulate source material and byproduct material (as defined in §11e.(2) of the Act).

I authorize Todd Parfitt, Director of the Wyoming Department of Environmental Quality, to coordinate the process with your staff. Director Parfitt can be contacted by telephone at (307) 777-7937, or by email at todd.parfitt@wyo.gov.

Sincerely,



Matthew H. Mead
Governor

MHM:mdm

cc: The Honorable Mike Enzi, U.S. Senate
The Honorable John Barrasso, U.S. Senate
The Honorable Cynthia Lummis, U.S. House of Representatives
Todd Parfitt, Director, Wyoming Department of Environmental Quality

ORIGINAL HOUSE
BILL NO. HB0027

ENROLLED ACT NO. 43, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL SESSION

AN ACT relating to environmental quality; authorizing the governor to begin negotiations with the nuclear regulatory commission to seek an agreement for the state to assume regulation of source materials from uranium mining and milling and the wastes associated with the recovery, mining and milling of such source materials, as specified; authorizing the governor to negotiate and enter a final agreement with the nuclear regulatory commission, as specified; providing for the department of environmental quality to administer the program; providing rulemaking authority; authorizing additional positions as specified; directing the department of environmental quality to adopt a fee structure under the program as specified; providing appropriations; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 35-11-2001 is created to read:

ARTICLE 20
NUCLEAR REGULATORY AGREEMENT

35-11-2001. Authorization to negotiate transfer of certain nuclear regulatory functions to the state; rulemaking.

(a) The governor, on behalf of the state, is authorized to contact the federal nuclear regulatory commission to express the intent of the state of Wyoming to enter into an agreement with the nuclear regulatory commission providing for the assumption by the state of responsibilities relating to the regulation of source materials from uranium mining and milling and the wastes associated with the recovery, mining and milling of such source materials.

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(b) The department of environmental quality shall serve as the lead agency for the regulation of source materials from uranium mining and milling and the wastes associated with the recovery, mining and milling of such source materials in the state of Wyoming under any proposed agreement negotiated under this section.

(c) The governor, through the department, is authorized to negotiate all aspects of a potential agreement under this section between the state of Wyoming and the federal nuclear regulatory commission. The governor is authorized to enter into a final agreement with the federal nuclear regulatory commission for the regulation of source materials from uranium mining and milling and the wastes associated with the recovery, mining and milling of such source materials in the state of Wyoming pursuant to the requirements of this section. A final agreement under this section shall include all necessary components of a program to regulate source materials from uranium mining and milling and the wastes associated with the recovery of such source materials.

(d) The department is authorized to promulgate reasonable rules and regulations necessary to effectuate the purposes of this section.

Section 2.

(a) The department of environmental quality is authorized up to six (6) additional positions to implement the purposes of this act. The department of environmental quality shall include these positions in its 2017-2018 standard budget request.

(b) The office of the attorney general is authorized two (2) additional full-time permanent positions to

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implement the purposes of this act. The office of the attorney general shall include these positions in its 2017-2018 standard budget request.

(c) The department of environmental quality shall adopt a fee structure which accounts for the full cost of the program developed under this act, including all positions authorized by this act and other positions assigned to implementation of the program developed under this act.

Section 3.

(a) For the period beginning with the effective date of this act through June 30, 2016, there is appropriated nine hundred twenty thousand dollars (\$920,000.00) from the general fund to the department of environmental quality to fund the full-time permanent positions authorized in subsection 2(a) of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose. Any unobligated, unexpended funds shall revert as provided by law on June 30, 2016.

(b) For the period beginning with the effective date of this act through June 30, 2016, there is appropriated two hundred twelve thousand two hundred fifty-four dollars (\$212,254.00) from the general fund to the office of the attorney general to fund the full-time permanent positions authorized in subsection 2(b) of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose. Any unobligated, unexpended funds shall revert as provided by law on June 30, 2016.

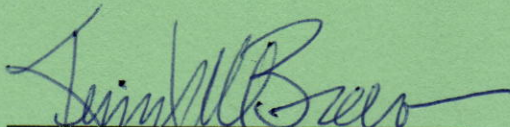
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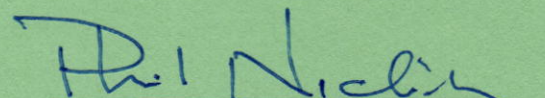
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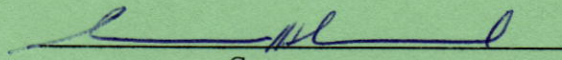
SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2015 GENERAL SESSION

Section 4. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)


Speaker of the House

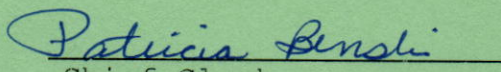

President of the Senate


Governor

TIME APPROVED: 2:09pm

DATE APPROVED: 2-27-15

I hereby certify that this act originated in the House.


Chief Clerk

