

August 5, 2015

The Honorable Peter Shumlin  
Governor of Vermont  
109 State Street, Pavilion  
Montpelier, VT 05609-0101

Dear Governor Shumlin:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of July 6, 2015, in which you express your intent to pursue an agreement between the NRC and the State of Vermont pursuant to Section 274b of the Atomic Energy Act of 1954, as amended. The NRC staff is available to provide guidance to the State of Vermont in its development of an application. If approved by the Commission, Vermont would assume regulatory authority over the acquisition, possession, use, transfer and disposal of byproduct materials (as defined in Section 11e.(1), (3) and (4) of the Atomic Energy Act), source materials, and special nuclear materials in quantities not sufficient to form a critical mass. This is premised on the State's desire to assume regulatory responsibility for such material.

As required by the Act, the NRC staff will review the application and conduct an assessment of the compatibility of the Vermont program with the NRC's program and the adequacy of Vermont's program to protect public health and safety with respect to the materials covered by the proposed agreement. This process generally takes 52 weeks.

After its review, the NRC staff will provide your application to the Commission. If the Commission approves the proposed agreement, the NRC will publish the text and a summary of its assessment in the *Federal Register* for public comment. The Act requires that the proposed agreement be published once each week for 4 consecutive weeks. A press release concerning the State's 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 the request. You will be notified promptly of our decision and, if the Agreement is approved, the NRC staff will coordinate with Vermont's staff to establish an effective date for the agreement.

The Commission welcomes the State's interest in becoming an Agreement State and looks forward to the continued collegial relationship that the NRC and the State of Vermont have enjoyed in the past.

Sincerely,

/RA/

Stephen G. Burns

cc: William Irwin