



CHAIRMAN

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

May 17, 2019

The Honorable Philip B. Scott
Governor of Vermont
Montpelier, VT 05609-0101

Dear Governor Scott:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of April 11, 2019, in which you requested an agreement between the NRC and the State of Vermont pursuant to Section 274b of the Atomic Energy Act of 1954, as amended (Act). If approved by the Commission, Vermont would assume regulatory authority over the possession, use, and transfer of byproduct material as defined in Sections 11e.(1), 11e.(3), and 11e.(4) of the Act; source material; and special nuclear material in quantities not sufficient to form a critical mass.

The NRC staff will develop a proposed agreement and, as required by the Act, the NRC staff will 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 to be covered by the agreement. After its review, the NRC staff will provide your application to the Commission along with the proposed agreement and the staff's assessment.

If the Commission approves the proposed agreement, the NRC will publish the proposed agreement and a summary of the NRC staff's assessment in the *Federal Register* for public comment. The Act requires that the proposed agreement be published once each week for four consecutive weeks. A press release concerning your request will also be issued concurrent with the initial *Federal Register* notice. After the 30-day comment period, the Commission will consider any comments received and make a final decision on your request. You will be promptly notified of our decision.

As the review of your request and the public comment process nears completion, the NRC staff will coordinate the schedule for the effective date of the future agreement with the Vermont staff. The NRC staff is working to complete its review by your requested date of October 1, 2019.

If you have any questions please contact me or have your staff contact Ms. Andrea Kock, Director, Division of Materials Safety, Security, State, and Tribal Programs, Office of Nuclear Material Safety and Safeguards, at (301) 415-3340 or by e-mail at Andrea.Kock@nrc.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kristine L. Svinicki".

Kristine L. Svinicki