JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JOHN D. CHERRY, JR.
LT. GOVERNOR

October 5, 2006

Dr. Dale E. Klein, Chairman
United States Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Dr. Klein:

Thank you for your letter of August 18, 2006, regarding the provisions of the Energy Policy Act of 2005 and the potential for the State of Michigan to assume greater authority to regulate radioactive materials through an Agreement between Michigan and the United States Nuclear Regulatory Commission (NRC).

In Michigan, radiation protection programs are currently housed within the Michigan Department of Environmental Quality (MDEQ) and the Michigan Department of Community Health (MDCH). The MDEQ is the state agency with regulatory authority over radium and other radioactive materials not currently regulated by the NRC. In early 2005 the MDEQ convened a stakeholders' work group to consider the option of pursuing an Agreement with the NRC. The stakeholders generally supported the idea of Michigan pursuing an Agreement, conditioned on the consolidation of the state's radiation programs into one agency. This organizational change, along with pursuit of an Agreement with the NRC, would have the beneficial effect of consolidating the regulatory authority over radioactive materials and machine ionizing radiation sources within one regulatory agency.

I understand that the process of entering into an Agreement with the NRC is a multiyear effort, requiring statutory amendments, rules changes, and augmentation of radiological protection staff. I also understand that the long-term benefits to the State of Michigan would include a more robust radiological response capability within the state, as well as benefits to Michigan's radioactive materials licensees. Therefore, I have asked the MDEQ and MDCH to develop a proposal, including a timeline and a program funding strategy, to consolidate the current state radiation control programs and to pursue an Agreement with the NRC. We will then seek the concurrence of our regulated community and other stakeholders and make a decision on whether to proceed with the development of an Agreement. I anticipate that we will be able to make that determination by early 2007. Should you require further information on our efforts, please contact Mr. Steven E. Chester, Director, MDEQ, at 517-373-7917.

Sincerely,

Jennifer M. Granholm
Governor

JMG/pd

c: Mr. Dan Beattie, Governor's Washington Office
Mr. Steven E. Chester, Director, MDEQ
Ms. Janet Olszewski, Director, MDCH
Mr. Jim Sygo, Deputy Director, MDEQ

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