

## **Regulatory Agreement, Idaho**

**AGENCY:** Nuclear Regulatory Commission

**ACTION:** Reassertion of certain regulatory authority in the State of Idaho.

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By letter dated March 25, 1991, Governor Cecil Andrus of Idaho informed the Nuclear Regulatory Commission (NRC) of his decision to return Idaho's Agreement to the NRC because of severe budget constraints, as well as other compelling reasons. A copy of the Governor's letter is on file in the Commission's Public Document Room at 2120 L. Street, NW., Washington, DC. Accordingly, the NRC is reasserting its authority over byproduct material as defined in section 11e.(1) of the Atomic Energy Act, as amended, source material and special nuclear material in quantities not sufficient to form a critical mass.

Pursuant to the provision of section 274j of the Atomic Energy Act of 1954, as amended, the Nuclear Regulatory Commission found on April 11, 1991, that is necessary to terminate the Idaho Agreement relinquishing NRC authority over byproduct material as defined as section 11e.(1) of the Atomic Energy Act of 1954, as amended, source material and special nuclear materials in quantities not sufficient to form a critical mass and to reassert NRC licensing and regulatory authority over these materials in order to protect the public health and safety. This finding ensures that there will be no lapse of licensing and regulatory authority over these activities

and materials upon relinquishment of their authority by the State of Idaho. This reassertion of authority will become effective on April 26, 1991.

Persons seeking licenses for activities within Idaho involving byproduct material as defined in section 11e.(1) of the Atomic Energy Act of 1954, as amended, or source or special nuclear material should file such application with the Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, TX 76011.

Existing licenses in Idaho are being advised of this change in regulatory authority. Pursuant to a Commission Order published with this notice, existing Idaho licenses affected by this change will become effective NRC licenses under conditions set forth in the Order.

For information regarding this reassertion action contact the NRC's Office of State Programs, Mr. Carlton Kammerer (301-492-0321).

Inquiries regarding the status of licenses or applications should be directed to NRC Region IV Office, Arlington, Texas. The contact is Jack Whitten (817-860-8197).

Dated at Rockville, Maryland, this 11<sup>th</sup> day of April, 1991.

For the United States Nuclear Regulatory Commission.

Carlton Kammerer,

Director, State Programs, Office of Governmental and Public Affairs.

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