

SAMPLE FSME Letter to All States Regarding Termination and Reassertion

[DATE]

ALL AGREEMENT AND NON-AGREEMENT STATES

PROGRAM MANAGEMENT INFORMATION: NRC ORDER TO TERMINATE [STATE'S NAME] REGULATORY AUTHORITY AND REASSERT NRC REGULATORY AUTHORITY (FSME-XX-XXX)

Purpose: To inform all States that effective on [date] the Nuclear Regulatory Commission (NRC) has issued an Order terminating [State's] regulatory authority over [identify part of Agreement affected and material affected] and reasserting NRC's authority in [State].

Background: Section 274j. of the Atomic Energy Act, as amended, allows the Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of such State, to terminate its Agreement with a State if such termination is required to protect the public health and safety, or if the State has not complied with one or more of the requirements of Section 274 of the Act (e.g., is found to be not compatible with the Commission's program); and/or in cases where the Commission finds that program deficiencies are such that the State can no longer protect the public health and safety or continuing incompatibility results in significant national disruption

Discussion: [This section should contain facts concerning the State's program, why termination is appropriate versus suspension. Reviews, MRB meetings, and discussions and correspondence with the State addressing the deficiencies should be documented.] The action, which was effective on [Date], is being taken to ensure that public health and safety will be protected.

Licenseses in [State] are being advised of NRC's action. In the meantime, the affected [State's Name] licenses, as currently issued, will remain in effect until they can be revised, if necessary, to meet NRC's requirements.

If you have any questions regarding this correspondence, please contact me or the individual named below.

POINT OF CONTACT: Staff Contact
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Director
Division of Material Safety and State Agreements
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Enclosure:
As stated