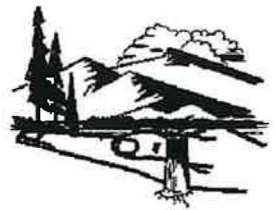




Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Mark Gordon, Governor



Todd Parfitt, Director

TO: Shane True, Chairman, Environmental Quality Council

FROM: Todd Parfitt, Director, Department of Environmental Quality

DATE: August 19, 2024

SUBJECT: Hearing Request for Source Material Program Chapters 1 through 9

The Department of Environmental Quality (Department), Land Quality Division is proposing new rules in response to 2023 House Bill 0061 for the Source Material Program Chapters 1 – General Provisions, 2 – Inspections, Violations, and Penalties, 3 – Radiation Protection Standards, 4 – Licensing Requirements for Source Material, 5 – Notices, Instructions, and Reports to Workers, 6 – Financial Assurance, 7 – Fees, 8 – Risk Informed, Performance Based Licensing and Inspection, and 9 – Transportation of Radioactive Material and is requesting the Environmental Quality Council review the proposal and consider adoption of these rules at your October 23, 2024 hearing.

Land Quality Division presented the proposed revisions to the Land Quality Advisory Board (LQAB) at the following meeting dates:

- The September 21, 2023 discussion focused on the following topics:
 - Draft Chapters 2, 3 and 5 were introduced to the LQAB and public (transcript pages 4-10);
 - The draft chapters were forwarded to the Nuclear Regulatory Commission following the meeting for compatibility review;
- The December 14, 2023 discussion focused on the following topics:
 - Draft Chapters 1, 6 and 9 were introduced to the LQAB and public (transcript pages 3-8);
 - The draft chapters were forwarded to the Nuclear Regulatory Commission following the meeting for compatibility review;
- The March 21, 2024 discussion focused on the following topics:
 - Draft Chapters 4, 7 and 8 were introduced to the LQAB and public (transcript pages 5-8);
 - The draft chapters were forwarded to the Nuclear Regulatory Commission following the meeting for compatibility review;
- The June 20, 2024 discussion focused on the following topics:
 - Chapters 1 through 9 were revised based on the NRC compatibility comments that LQD received
 - Final Draft Chapters for the Source Material Program 1 through 9 were presented to the LQAB and public;

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- LQAB voted unanimously (5-0) to advise Land Quality Division to proceed with rulemaking.
- The LQD did not receive any comments on the final drafts at the June 20, 2024 meeting.

The Department sought and has been granted approval by the Governor's Office to proceed with the proposed rule on August 17, 2024.

The enclosed statement of principal reasons and public notice summarize the nature of the revisions. We have enclosed one hard copy of the rule package including:

- Source Material Program Chapters 1 – 9, clean copy
- Source Material Program Chapters 1 – 9, strike and underline copy
- Statement of Principal Reasons for Adoption
- Governor Gordon's permission to proceed memo signed August 17, 2024
- Notice of Intent to Adopt Rules
- Takings Checklist and accompanying analysis
- Attorney General's Statutory Authority Review
- 9/21/2023, 12/14/2023, 3/21/2024, and 6/20/2024 LQAB Meeting transcripts

cc: Kyle Wendtland, Land Quality Division Administrator

Enclosures