

July 25, 2005

MEMORANDUM TO: Chairman Diaz  
Commissioner Merrifield  
Commissioner Jaczko  
Commissioner Lyons

FROM: Luis A. Reyes */RA/*  
Executive Director for Operations

SUBJECT: STAFF RESPONSE TO SRM FOR COMSECY-05-0015:  
INITIATIVES FOR INCREASING AGREEMENT STATE  
PARTICIPATION IN THE CONTROL OF SOURCES

On June 30, 2005, the Commission provided direction to the staff in the SRM for COMSECY-05-0015 to expeditiously engage the Organization of Agreement States, Inc. (OAS), and individual Agreement States on the viability, timing, and strategies for implementation of an approach which would allow the States to have greater participation in the oversight of the control of radioactive material. The staff has completed a survey and held discussions with each of the Agreement States. These interactions focused on the ability, willingness, and method that would be used by each of the States to implement timely and essentially identical legally binding requirements in a manner and time-frame consistent with the Commission's expectations. Based on the staff's analysis of the responses from the States, and discussions with OAS and individual Agreement States, the staff concludes that the alternative approach is viable. However, it should be noted that several States expressed concerns with respect to their final receipt of the additional controls, guidance for licensees, timing for inspections, inspection procedures, and training. These concerns have been addressed in the attached transition plan.

CONTACT: Andrew N. Mauer, STP  
301-415-3962

The transition plan with supporting documentation provide the details on how the alternative approach would be implemented by both the NRC and the Agreement States. The transition plan was developed in coordination with OAS and the individual Agreement States. The transition plan provides the additional information requested by the Commission in the SRM for COMSECY-05-0015, to further inform the Commission's decision.

SECY, please track.

Attachment:  
As stated

cc:    SECY  
      OGC  
      DOC  
      OCA  
      OPA  
      CFO

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