

February 19, 2008

The Honorable Bobby Jindal
Governor of Louisiana
Baton Rouge, Louisiana 70821

Dear Governor Jindal:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing to request your appointment of a State Liaison Officer to act as the State of Louisiana's primary liaison to the NRC. Former Governor Blanco previously appointed Richard Penrod, Senior Environmental Scientist, in the Louisiana Office of Environmental Services, as the State Liaison Officer for Louisiana. The NRC will continue to work with Mr. Penrod, unless you designate a new State Liaison Officer. In addition, I am providing you an explanation of our process for the distribution of NRC security information to State contacts and of the requirements for protecting Safeguards Information (SGI).

In 1976, the NRC adopted a recommendation from several State organizations, including the National Governors Association, that we request each State appoint a single person to act as a liaison to the NRC to help improve Federal/State cooperation. The NRC looks to the Governor-appointed State Liaison Officer to provide the primary communication channel between the States and the Agency. The State Liaison Officer serves as the key person in the State to keep the Governor informed about issues under the NRC's jurisdiction (specifically matters addressing nuclear regulation, nuclear security and radiological public health and safety), and to provide the NRC with State information on particular nuclear safety, security, or environmental issues.

As a result of the September 11, 2001, terrorist attacks, the NRC has increased its communications with the Governor-appointed State Liaison Officers. State Liaison Officers' responsibilities have changed and are continuing to evolve. Moreover, there is an increased need to ensure that other State officials with a "need-to-know" have access to SGI. SGI is a special category of sensitive unclassified information authorized by Section 147 of the Atomic Energy Act of 1954, as amended, to be protected from inadvertent release and unauthorized disclosure. SGI is handled and protected more like classified National Security Information than like other sensitive unclassified information.

Your appointed State Liaison Officer should continue to serve as the primary recipient for sensitive unclassified information, including SGI, from the NRC. However, because of the State Homeland Security Advisors' responsibility for homeland security activities in the States, these State officials will also be provided copies of NRC security information in coordination with the department of Homeland Security. This will help ensure that the State Homeland Security Advisor has knowledge of and access to this information and can share such information with other authorized State officials on a need-to-know basis.

State Liaison Officers, and other State officials having access to sensitive unclassified information, need to exercise the appropriate precautions to protect the information from unauthorized disclosure. Regulatory Issue Summary 2003-08, "Protection of Safeguards Information from Unauthorized Disclosure," is contained in Enclosure 1. Enclosure 2 contains additional detailed information about SGI handling and protection requirements, including: (1) sharing SGI with those who, by reason of position, have a need-to-know; (2) protection while in use or storage; (3) preparation and marking; (4) external transmission; (5) reproduction and destruction; and (6) criminal and civil sanctions.

We will keep you informed of our programs and activities through Mr. Penrod or your appointed designee. At the same time, we will continue to work with other individuals in State agencies with whom we have established relationships. If you or your staff have any questions concerning this correspondence or wish to obtain additional information about the State Liaison Officer program, please contact Dennis K. Rathbun, Director, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs, at (301) 415-7278, or by e-mail at dkr@nrc.gov.

I thank you in advance for your assistance and the Commission looks forward to continuing an excellent working relationship with the State of Louisiana.

Sincerely,

/RA/

Dale E. Klein

Enclosures:

1. Regulatory Issue Summary 2003-08,
Protection of Safeguards Information
from Unauthorized Disclosure
2. SGI Protection Requirements

cc: Mr. Richard Penrod,
State Liaison Officer