

October 10, 2012

The Honorable Earl Ray Tomblin
Office of the Governor
State Capitol
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

Dear Governor Tomblin:

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 West Virginia's primary liaison to the NRC. I understand that the most recent State Liaison Officer, Mr. Randy Curtis, retired. Until you designate a new State Liaison Officer, the NRC will work on an interim basis with Mr. Tony Turner, Acting Director of the Radiation, Toxics and Indoor Air Division in the Department of Health and Human Resources. I am providing you with two copies of the NRC brochure entitled, "State Liaison Officer Program," which provides background information on, and describes the role of, the State Liaison Officer. I am also enclosing a copy of the NRC "2012-2013 Information Digest," NUREG 1350, Vol. 24, which provides information describing NRC's mission and its regulatory programs.

In 1976, the NRC adopted a recommendation from several State organizations, including the National Governors Association, that we request each State to 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 State and the NRC. The State Liaison Officer serves as the key person in the State to keep the Governor informed about issues under the NRC jurisdiction (specifically matters addressing nuclear regulation, nuclear security, nuclear emergency preparedness, and radiological public health and safety) and to provide the NRC with State information on particular nuclear safety, security, and environmental issues.

Since inception of the State Liaison Officer Program, State Liaison Officer responsibilities have continued to evolve. Following the September 11, 2001, terrorist attacks, the NRC increased its security-related communications with the Governor-appointed State Liaison Officers. Your appointed State Liaison Officer will serve as the recipient for sensitive unclassified information, including Safeguards Information (SGI), from the NRC. 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. Although SGI is sensitive unclassified information, it is handled and protected similarly to classified National Security Information.

NRC also concluded that there is an increased need to ensure that other authorized State officials have access to SGI. Because State Homeland Security Advisors are responsible for homeland security activities in the States, these State officials may also receive 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.

We will keep you informed of our programs and activities through 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 Dr. Josephine Piccone, Director, Division of Intergovernmental Liaison and Rulemaking, Office of Federal and State Materials and Environmental Management Programs, at (301) 415-7278 or by email at Josephine.Piccone@nrc.gov.

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

Sincerely,

/RA/

Allison M. Macfarlane

Enclosures:

1. NRC Brochure, "State Liaison Officer Program"
2. U.S. Nuclear Regulatory Commission 2012-2013 Information Digest, NUREG-1350, Volume 24

cc w/o enclosures:

T. Turner