



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 4, 2016

Sherrie Flaherty, Chair
Organization of Agreement States
Radioactive Materials Unit Supervisor
Minnesota Department of Health
625 Robert Street North
St. Paul, MN 55164-0975

Dear Ms. Flaherty:

By letter dated June 1, 2016, you described the Organization of Agreement States (OAS) Executive Board's concern with the Nuclear Regulatory Commission (NRC) staff's practice of withholding certain security-related information contained in NRC inspection reports. Specifically, the NRC recently inspected two dual licensees, having both an NRC and Agreement State license, against their implementation of 10 CFR Part 37 requirements in areas of NRC jurisdiction. Although the NRC Inspection Reports resulting from these inspections were shared with the applicable Agreement State, the enclosure(s) containing security-related details of the inspection(s) and associated findings were withheld.

After consideration of the OAS Executive Board's request to share this information, the NRC staff agrees that it is reasonable and appropriate to share the NRC's complete inspection results of dual licensees with the applicable Agreement State. I am confident sharing information of this nature will benefit our respective programs and the National Materials Program as a whole. Please note that this sharing protocol would not pertain to situations that involve information that is classified in accordance with the Atomic Energy Act of 1954, as amended; or other applicable Federal laws or Executive orders.

If you have any questions regarding the information contained in this letter, please contact me at (301) 415-3340, or Paul Michalak, Chief of the Agreement State Programs Branch, at (301) 415-5804 or Paul.Michalak@nrc.gov.

Sincerely,

/RA/

Daniel S. Collins, Director
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

cc: Michael Welling

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Organization of Agreement States
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