

U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

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| MD 5.7 | TECHNICAL ASSISTANCE TO AGREEMENT STATES | DT-20-03 |
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EXECUTIVE SUMMARY

Directive 5.7, “Technical Assistance to Agreement States,” is revised to update the process for the submission and review of a request for U.S. Nuclear Regulatory Commission (NRC) technical assistance, to clarify when NRC technical assistance will be provided on a cost reimbursable basis, and to reflect organizational changes.

Directive Handbook 5.7 is replaced by the Office of Nuclear Material Safety and Safeguards Procedure for State Agreement (SA)-1001, “Technical Assistance to Agreement States,” available at <https://scp.nrc.gov/procedures.html>.

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For updates or revisions to policies contained in this MD that were issued after the MD was signed, please see the Yellow Announcement to Management Directive index ([YA-to-MD index](#)).

VI. REFERENCES.....3

I. POLICY

It is the policy of the U.S. Nuclear Regulatory Commission (NRC) to provide technical assistance to Agreement States as authorized under Section 274 of the Atomic Energy Act of 1954, as amended. Management Directive (MD) 5.7 describes the types of technical assistance available to Agreement States and the steps that the NRC staff shall follow in determining the appropriate response to a request for technical assistance received from an Agreement State.

II. OBJECTIVES

- Provide guidance to the NRC and the Agreement States management and staff on the submission and review of technical assistance requests (TARs).
- Establish guidance in determining when and if the NRC should provide routine, special, or programmatic technical assistance to Agreement States.
- Establish a process for determining the extent and conduct of this assistance.

III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY

A. Commission

Approves policy matters related to providing technical assistance to Agreement States.

B. Executive Director for Operations (EDO)

Provides oversight of the activities described herein.

C. Director, Office of Nuclear Material Safety and Safeguards (NMSS)

Coordinates the review of technical assistance requests from Agreement States with regional administrators through the Director, Division of Materials Safety, Security, State, and Tribal Programs (MSST), Office of Nuclear Material Safety and Safeguards (NMSS).

D. Regional Administrator

Coordinates the review of technical assistance requests from Agreement States with the Director of NMSS through the Regional Division Director of Nuclear Materials Safety (DNMS).

IV. APPLICABILITY

- A. The policy and guidance in this directive and the NMSS Procedure SA-1001, “Technical Assistance to Agreement States” apply to all NRC employees.
- B. MD 5.7 does not apply to technical assistance provided by the NRC to Agreement States when responding to radiological emergencies under the National Response Framework, Nuclear and Radiological Annex. MD 5.7 also does not apply to special circumstances in which the NRC may voluntarily offer to provide technical assistance to Agreement States (for example, to help analyze and investigate a significant incident or event).

V. DIRECTIVE HANDBOOK

NMSS Procedure SA-1001, “Technical Assistance to Agreement States” (available at <https://scp.nrc.gov/procedures.html>), serves as the handbook to Directive 5.7. It provides guidance to the staff of the NRC and Agreement States on the submission and review of requests for NRC technical assistance.

VI. REFERENCES

Nuclear Regulatory Commission Documents

Commission Policy Statement—

Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States through Agreement (46 FR 7540, January 23, 1981, as amended by policy statements at 46 FR 36969, July 16, 1981, and 48 FR 33376, July 21, 1983).

Agreement State Program Policy Statement (82 FR 48535, October 18, 2017).

Management Directive 5.6, “Integrated Materials Performance Evaluation Program (IMPEP).”

Office of Nuclear Material Safety and Safeguards Procedure for SA-1001, “Technical Assistance to Agreement States,” available at <https://scp.nrc.gov/procedures.html>.

United States Code

Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).