



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

April 30, 2026

AGREEMENT STATES, INDIANA, AND WEST VIRGINIA
STATE LIAISON OFFICERS
FEDERALLY RECOGNIZED AMERICAN INDIAN
AND ALASKA NATIVE TRIBES

NOTIFICATION OF THE ISSUANCE PROCEDURE SA-500, JURISDICTIONAL
DETERMINATIONS (STC-26-027)

Purpose: To inform the National Materials Program (NMP) community (States and U.S. Nuclear Regulatory Commission, (NRC)) and Federally Recognized Tribes that Office of Nuclear Material Safety and Safeguards (NMSS) State Agreements (SA) procedure SA-500 *Jurisdictional Determinations* has been finalized and approved for use.

Background: On September 25, 2007, the last revision of SA-500 was issued (Agencywide Documents Access and Management Systems (ADAMS) Accession No. [ML072610462](#)). Since 2007, the NRC has evaluated a number of reciprocity and jurisdictional matters involving Agreement States, Tribes, and other federal agencies that were not covered in the 2007 version.

On November 17, 2023, the staff issued an interim version of SA-500 for use and public comment in STC-23-076 "Notification of the Issuance, and Opportunity to Comment on the Interim Procedure SA-500, Jurisdictional Determinations". The NRC received one response to the request for comments that suggested minor editorial changes, which were accepted.

Discussion: SA-500 has been revised to incorporate lessons learned over the last 18 years involving a wide range of reciprocity and jurisdictional questions related to the use of licensed material. The jurisdictional determinations pertain to a variety of situations including maritime, mineral rights, and inflight involving Agreement States, Tribes, other federal agencies, and foreign countries.

Reciprocity determinations for the use of byproduct, source, and special nuclear material in NRC jurisdiction is performed in accordance with NUREG-1556, Vol. 19, "Guidance for Agreement State Licensees About NRC Form 241 'Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, or Offshore Waters' and Guidance for NRC Licensees Proposing to Work in Agreement State Jurisdiction (Reciprocity)" ([ML16175A107](#)). The guidance in Section 2.8, "Nuclear Reactor Facilities," of the current version of NUREG-1556, Volume 19, regarding the use of byproduct, source, and special nuclear material at Part 50 or 52 reactors sites involving activities other than industrial radiography is not correct. Specifically, Section 2.8 of NUREG-1556, Vol. 19, incorrectly states: "When the possession and use of radioactive materials at a reactor facility are not used in connection with reactor operations, the rule of exclusive NRC jurisdiction at reactor facilities **does not apply**." The guidance in SA-500, Section III.E., as well as

Sections 2.5 and 2.6 of NUREG-1556, Vol. 19, should be followed on this topic and not the guidance in Section 2.8 of NUREG-1556, Vol. 19. NUREG-1556, Vol. 19, will be updated later to conform with SA-500.

During the revision of SA-500, the matter of whether an Agreement State must approve any use of radioactive material covered by their Agreement was raised. Provided the Agreement State applicant meets all applicable health and safety, including any applicable security requirements, the Agreement State is required to approve the application. The Agreement State cannot deny the application for use of radioactive material simply because an alternative device is available that does not contain radioactive material. The NRC plans to revise Management Directive 5.9 "Adequacy and Compatibility of Program Elements for Agreement State Programs" ([ML18081A070](#)) to include this clarification.

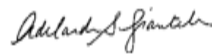
This procedure has been uploaded to the state communications portal (SCP) website for use: <https://www.nrc.gov/reading-rm/doc-collections/nmss-procedures/state-agreement.html>. The procedure can be also found in ADAMS under Accession No. [ML25098A250](#).

If you have any questions regarding this communication, please contact the individual named below:

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Sincerely,



Signed by Giantelli, Adelaide
on 04/30/26

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and Safeguards