

September 2, 2005

The Honorable Janet Napolitano
Governor of the State of Arizona
1700 West Washington
Phoenix, Arizona 85007

Dear Governor Napolitano:

In cooperation with the State of Arizona, and the 32 other Agreement States, the U.S. Nuclear Regulatory Commission (NRC) has approved increased controls for radioactive material licensees possessing radioactive sources containing quantities of concern. When implemented by licensees, these controls, which supplement existing regulatory requirements, will provide both the NRC and the Agreement States reasonable assurance that our common objectives of enhancing controls over certain radioactive sources and protecting public health and safety continue to be met.

This approach comports with existing Agreements under Section 274b of the Atomic Energy Act for protection of public health and safety. The additional requirements will ensure increased control of radioactive sources containing quantities of concern, and they are consistent with ongoing national and international efforts to address the potentially significant health and safety hazards that could be posed by a loss of control of such radioactive sources. This approach to issuing the increased controls will maximize the effectiveness and efficiency of NRC and Agreement State inspection resources and reduce travel and other administrative costs, since safety and control requirements will be inspected in an integrated manner primarily during routine health and safety inspections or commensurate with an inspection prioritization scheme.

Implementation of these requirements is a matter of great importance to the NRC and to the Nation. In September 2005, the NRC requested, through the radiation control program director in each Agreement State, that all Agreement States impose the increased controls on their licensees by December 2005. The State of Arizona will have responsibility to carry out the issuance of the requirements as an immediate mandatory matter of compatibility, consistent with the Section 274b Agreement between the NRC and Arizona. The NRC is also imposing the increased controls directly on licensees under NRC jurisdiction.

The Commission appreciates the support you are providing through your radiation control program to issue the increased controls for licensees in Arizona and to verify licensee implementation. We look forward to continuing our excellent working relationship with the State of Arizona.

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If you or your staff have any questions or wish additional information, please contact Mr. Paul H. Lohaus, Director of NRC's Office of State and Tribal Programs at Headquarters at 301-415-3340.

Sincerely,

/RA/

Nils J. Diaz

Identical letter sent to:

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