



Conference of Radiation Control Program Directors, Inc.

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June 22, 2006

Janet Schleuter, Director
OSTP
US NRC
Washington, DC 20555-0001

Dear Mrs. *Janet* Schleuter,

Thank you for the opportunity to comment on the proposed reorganization of OSTP and INMS. This issue is of great importance and interest to both agreement and non-agreement states.

I agree with the comments made by Barbara Hamrick on behalf of OAS, especially the one regarding INMS overseeing licensing, etc. when it comes to Agreement State licenses. This must be clarified.

This effort was considered several years ago and was shelved. Now, and at that time, the States were very concerned that the loss of OSTP would diminish the visibility of the States within NRC and would negatively impact NRC/State interaction and cooperation. We still feel that coordination and cooperation between Agreement States and NRC should be clearly visible in the NRC organizational chart.

In looking at the descriptions of the divisions under the Office of NMP, I see one obvious disconnect. The DILR is the division that "serves as the primary contact for policy matters between NRC and these external groups", i.e., us. It is also responsible for maintaining "effective communications and working relationships..." and providing "guidance to states intending to become Agreement States" and reviewing new Agreements. So why is the responsibility for IMPEP reviews under the Division of IMNS? This does not seem to be an appropriate fit.

There are significant concerns among the States as to which group's operational philosophy will be the dominant mode of operation. Past experiences working with INMS has been troubling and difficult at best. The staff there doesn't seem to be familiar with Management Directive 5.3 and often times are unwilling to work under those parameters. Examples of these issues are the NARM Task Force and the Pilot Project 2 working groups. OSTP has always worked cooperatively with the States and understood that a true partnership existed. At times, we feel that INMS views us more as licensees than partners. With more and more of the expertise for regulating radioactive materials residing in the States, a true partnership is mandated.

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I am also concerned with the division of roles. It appears that the Division of Intergovernmental Liaison and Rulemaking has little technical responsibilities and its primary functions are diplomatic and coordination, while issues that more directly impact the Agreement State programs lie in INMS. Perhaps the duties of DILR should read DILR **oversees** overall coordination of interactions on waste and materials, instead of **coordinates**.

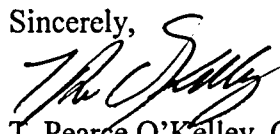
As with everything, "The devil's in the details" We need more information before we can give an accurate appraisal of this proposal by the States. This could be an improvement or it could be a giant step backwards, especially in relations between the States and NRC. Naturally, it is our desire that if this reorganization goes forward, that the operational philosophy of OSTP be the management style chosen. We would also like to know the names and positions of key management in the new structure. All this could have an impact on our comments.

It has been stated that both OAS and CRCPD would have roles or opportunities for input as the process goes forward. I would like to go on record as supporting this. We would also like the opportunity to meet with the decision-makers prior to finalization of the reorganization.

Hopefully the purpose of this proposal is as stated. Any effort to weaken the current roles of the States in NRC policy decisions would have a detrimental effect on a true national materials program. The States are committed to efficient and effective regulation of radioactive materials and look forward to continuing to partner with NRC to achieve this goal.

Again, thank you for the opportunity to comment and we look forward to continued involvement in the reorganization.

Sincerely,



T. Pearce O'Kelley, Chair
CRCPD