



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

November 25, 1996

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The Honorable Joe Skeen
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Skeen:

Thank you for your September 27, 1996 letter expressing concern about the Nuclear Regulatory Commission policy to discontinue funding for Agreement State training. This policy went into effect on October 1, 1996.

As you may know, the Commission has initiated a Strategic Assessment and Rebaselining effort that includes a review of the relationship between the NRC and the Agreement States. Funding of Agreement State training is again being addressed in this evaluation, and the NRC has conducted several public meetings to discuss this, along with other issues. While the Commission has not made a final decision on this matter, a majority of the Commission is preliminarily in favor of a compromise position in which the NRC would provide training to Agreement States without charge on a "space available" basis. Funding for travel and technical assistance would be borne by the Agreement States. Our objectives in the Strategic Assessment and Rebaselining effort with respect to this issue are to determine an equitable method of funding and an appropriate scope for NRC's Agreement State activities.

The Commission believes that the stakeholders' comments (from Agreement and non-Agreement States, Agreement and non-Agreement State licensees, and members of the public) will be important in the final resolution of this difficult issue. Your comments certainly will be considered in the analysis. Therefore, I have forwarded your September 27, 1996 letter to the Secretary of the Commission to be addressed as a comment on the Strategic Assessment and Rebaselining effort, Direction Setting Issue 4, NRC's Relationship with Agreement States. We welcome your further comments on this and other Strategic Issues. For your information, I have enclosed the public announcement and package of Direction-Setting Issues (DSI) that the Commission released for discussion at the public meetings.

You also questioned why international students attending these training courses continue to receive financial assistance while Agreement State assistance is being rescinded. Although international students do attend some of the courses presented, principally reactor-oriented courses, the travel expenses are not paid by the NRC. For example, scientists and engineers from the Former Soviet Union and Central and Eastern Europe participate in training programs which are paid for by the United States Agency for International Development. Moreover, international students attend only if the number of NRC students in attendance is below the maximum class size limit, that is, on a space available basis.

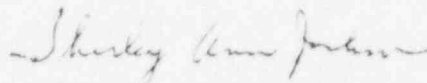
[Originated By: D. Sollenberger, SP]

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Attendance on a space available basis for scheduled materials courses is applicable to Agreement States as well. However, at this time, NRC only requires reimbursement for the pro-rata share of any technical assistance contractor costs associated with the training course, if any. Generally, an Agreement State is currently responsible for travel and per diem costs associated with training provided by NRC. NRC expects that space available training partially will reduce the need for Agreement States to seek training from other sources or to develop their own training courses and the financial burdens of doing so. Additionally, a working group consisting of representatives from the NRC and Agreement States already has been formed to evaluate the ongoing evolution of training programs for Agreement State personnel, the criteria for evaluation of Agreement State programs in the area of training qualification, and possible training options for Agreement State personnel.

The fundamental dilemma which we face in the Agreement State travel and training reimbursement issue derives from the need to recover the vast preponderance of our budget (other than high-level waste-related expenses) from fees from our licensees. The Commission has long recognized the need to address the fairness and equity issues resulting from the expenditure of NRC fee-based budget resources on costs, such as funding for Agreement State training, that cannot be attributed to an individual licensee or class of licensees. In its 1994 report to the Congress on the NRC's License Fee Policy Review, the Commission described these fairness issues and recommended that legislation be enacted to exclude these costs from the NRC's user-fee base and appropriate them separately. The Commission reaffirmed that recommendation in a response to a question from Representative Dan Schaefer that resulted from the September 5, 1996 hearing before the House Subcommittee on Energy and Power. In that response, I noted that the costs related to our work at Hanford had been placed outside the fee base, and we specifically mentioned Agreement State training and travel and international programs as areas needing similar legislative relief. We would welcome your support of such a legislative solution to the Agreement State training and travel issue.

Sincerely,



Shirley Ann Jackson

Enclosures:
As stated

The Honorable Joe Skeen

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Agreement States. We welcome your further comments on this and other Strategic Issues. For your information, enclosed are the public announcement and package of Direction Setting Issues (DSI) that the Commission has released for discussion at the public meetings.

I trust that this letter is responsive to your concerns.

Sincerely,

Shirley Ann Jackson

Enclosures:
As stated

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The Honorable Joe Skeen
United States House of Representatives
Washington, DC 20515

Dear Congressman Skeen:

Thank you for your September 27, 1996, letter to me that expressed concern about the NRC policy to discontinue funding for Agreement State training. The Commission has initiated a Strategic Assessment and Rebaselining effort which includes a review of the relationship of the NRC and the Agreement States. The funding of training to support this relationship is addressed in this evaluation and the NRC has scheduled several public meetings to discuss this along with other issues. The determination of an equitable method for funding NRC's Agreement State activities, and the determination of the appropriate scope of those activities, is an objective of this assessment. The Commission believes that the stakeholders' comments (from Agreement and non-Agreement States, Agreement and non-Agreement State licensees, and members of the public) will be important in the final resolution of this difficult and controversial issue. Your comment that States currently implement certain radiation control program functions in lieu of the NRC will certainly be considered in the analysis.

Your letter addressed the free attendance of international students attending courses while Agreement State assistance is being rescinded. While international students do attend limited numbers of the courses presented, principally reactor oriented courses, the travel expenses are not paid by NRC. The space available basis for scheduled materials courses is applicable to Agreement States; however, at this time, NRC requires reimbursement for the pro rata share of any technical assistance contractor costs associated with the training course, if any. Under that provision the State is responsible for travel and per diem costs. It is estimated that up to 50% of the State needs may be met by this provision.

Your September 27, 1996, letter has been forwarded to the Secretary of the Commission to be addressed as a comment on Direction Setting Issue 4, NRC's Relationship with Agreement States. We welcome your further comments on this and other Strategic Issues. For your information, enclosed are the public announcement and package of Direction Setting Issues (DSI) that the Commission has released for discussion at the public meetings.

I trust that this letter is responsive to your concerns.

Sincerely,

Shirley Ann Jackson

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