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May 15, 2017

Maria Arribas-Colón  
Office of Nuclear Materials Safety and Safeguards  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

RE: OPPORTUNITY TO COMMENT ON DRAFT U.S. NUCLEAR REGULATORY COMMISSION'S INSPECTION MANUAL CHAPTER 2800, "MATERIALS INSPECTION PROGRAM" (STC-17-036)

Dear Ms. Arribas-Colon:

The Organization of Agreement States (OAS) Executive Board (Board) has reviewed the above document and respectfully submits the following comments. The OAS acknowledges that this document is Compatibility C and regardless of the changes, many states may choose to remain with the current or more stringent inspection frequencies.

#### General Comments

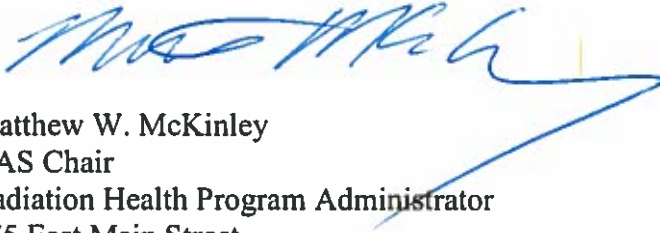
1. The OAS supports changing the current 25 percent buffer to 50 percent for inspection timeliness.
2. The OAS supports extending the initial inspection period if licensees are not in possession of licensed material, however, this is inconsistent with the time frames required for the inspection of a licensee who expands their program significantly or adds a modality. The same inspection period extension should be applied to these license categories if no material is possessed. The OAS agrees with a standard license condition on new licenses requiring them to notify the State upon initial receipt of radioactive material.
3. Some states have expressed concern with Priority T licenses because it is believed that all specific licensees should have onsite inspections.
4. The OAS believes that any change in security of Part 37 materials requires some type of verification that all security measures are in place and operable prior to authorizing any activity.
5. The OAS does not support allowing for extensions of inspection intervals based on good performance on a case-by-case basis. It would seem to create more problems, both administratively and technically, than it solves. The turnover of personnel other than the Radiation Safety Officer affects licensee performance.

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*Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wisconsin*

We appreciate the chance to comment on this subject, and stand ready to answer any questions you may have.

Sincerely,



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Radiation Health Program Administrator  
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