



BACKGROUND

Office of Public Affairs

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Agreement States

The Nuclear Regulatory Commission licenses and regulates the civilian uses of radioactive material to ensure the protection of public health and safety. Under the Atomic Energy Act, as amended, the NRC can relinquish its authority over certain radioactive materials to state governments that sign agreements with the agency. As of September 2020, there are 39 Agreement States that issue licenses, conduct inspections and enforce safety regulations over the industrial, medical and academic uses of radioactive material.

The NRC maintains regulatory authority over all commercial nuclear power reactors, research reactors and nuclear fuel cycle facilities, even those located in Agreement States. The NRC also maintains regulatory authority over radioactive materials in states that do not have agreements, as well as U.S. territories, the District of Columbia and certain areas of “exclusive federal jurisdiction.” Those areas are mostly Native American reservations and military bases. The NRC’s materials oversight is conducted by its regional offices, supported by the Office of Nuclear Material Safety and Safeguards at agency headquarters.

States sign agreements with the NRC for several reasons. States already have jurisdiction over sources of radiation that are not regulated by the NRC, such as naturally occurring radioactive material (radon and radium), radiation-producing machines such as X-ray machines (both medical and industrial) and particle accelerators. So they already have expertise and regulatory experience. For many states, adding oversight over radioactive material is efficient and profitable, as they then collect the licensing fees. For the NRC, agreements allow the agency to leverage state expertise and resources to help protect public health and safety.

The Agreement State Application Process

To start the process of becoming an Agreement State, the governor sends a Letter of Intent to the NRC stating that the state plans to request an agreement. The NRC staff creates a webpage that contains information about steps in the process and the progress the state makes in meeting these milestones. Links to documents submitted by the state are found on this webpage.

A state’s application includes legislation, regulations, procedures, information on qualified staff and a draft agreement. The NRC staff reviews these application materials to ensure that the state’s proposed radiation control program is adequate to protect public health and safety and compatible with the NRC’s radioactive materials program.

state's sealed source and device evaluation program, low-level radioactive waste disposal and uranium recovery, as appropriate. On average, an Agreement State or NRC regional materials program is reviewed every four years.

The NRC also coordinates with states through two organizations. The Organization of Agreement States is a professional organization that includes the directors and staffs of Agreement State programs. The Conference of Radiation Control Program Directors includes the directors and staffs of regulatory programs from both Agreement and non-Agreement States. As such, the CRCPD provides a forum for the states to interact with the NRC and coordinate the regulation of radioactive materials that are not governed by the [Atomic Energy Act](#).

More information about the Agreement States and the National Materials Program, including individual state contacts and regulations, is available on the [NRC website](#).

September 2020