

Mr. Donald Howard  
 Regional Supervisor  
 for Field Operations  
 U.S. Department of Interior  
 Minerals Management Service  
 Gulf of Mexico OCS Region  
 1201 Elmwood Park Blvd., M.S. 5240  
 New Orleans, Louisiana 70123

Dear Mr. Howard:

This is the follow up to our initial letter of July 8, 1999, requesting that the U.S. Department of Interior Minerals Management Service (MMS) assist in the development of a Memorandum of Understanding (MOU) between that Office and the U.S. Nuclear Regulatory Commission (NRC) Division of Nuclear Material Safety, Region IV, concerning radiation safety inspections of NRC-licensed activities on offshore platforms and laybarges in offshore waters in Federal jurisdiction. I am pleased to provide you with a copy of the draft MOU for review and comment. Please feel free to make what corrections you deem necessary, and return your comments to us for incorporation into a finalized MOU. In particular, we encourage you to provide information in Section III.A. which describes the regulatory authority and any operational responsibilities that MMS has on offshore platforms and laybarges in offshore waters. This information will ensure that the MOU provides accurate information.

We thank you and your staff for your assistance in this matter, and look forward to working with you in the near future.

Please contact Mr. Roberto Torres-Colon of the NRC at (301) 415-8112, if you have any questions or comments concerning the above items.

Sincerely,

Dwight D. Chamberlain, Director  
 Division of Nuclear Material Safety  
 Region IV

Enclosure: As stated

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Mr. Donald Howard

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

November 3, 1999

Mr. Donald Howard  
Regional Supervisor  
for Field Operations  
U.S. Department of Interior  
Minerals Management Service  
Gulf of Mexico OCS Region  
1201 Elmwood Park Blvd., M.S. 5240  
New Orleans, Louisiana 70123

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We thank you and your staff for your assistance in this matter, and look forward to working with you in the near future.

Please contact me at (817)860-8106 or Linda Howell at (817)860-8213 if you have any questions or comments concerning the above items.

Sincerely,

A handwritten signature in cursive script that reads "Dwight D. Chamberlain".

Dwight D. Chamberlain, Director  
Division of Nuclear Material Safety  
Region IV

Enclosure: As stated

# MEMORANDUM OF UNDERSTANDING

Between the

**DEPARTMENT OF THE INTERIOR  
MINERALS MANAGEMENT SERVICE**  
and the  
**NUCLEAR REGULATORY COMMISSION**

**Concerning the  
Radiation Safety Inspections of Nuclear Regulatory Commission Licensed  
Activities on Offshore Platforms and Laybarges in Federal Jurisdiction**

## **I. INTRODUCTION**

This Memorandum of Understanding (MOU) describes the cooperative agreement between the U.S. Department of the Interior Minerals Management Service (MMS) and the U.S. Nuclear Regulatory Commission (NRC) in ensuring the protection of the public health and safety and the environment from the hazards of radioactive materials that may be used on offshore platforms and laybarges in offshore waters under Federal jurisdiction.

## **II. PURPOSE AND SCOPE**

The purpose of this MOU is to identify the areas of cooperation between MMS and the NRC to facilitate NRC inspection of the safe use of radioactive materials on offshore platforms and laybarges. Mutual interests involve the inspection of such sites in order to verify that NRC-licensed activities are conducted safely and in compliance with NRC requirements, and ensure the safety of platform and laybarge personnel during the use of NRC-licensed radioactive material. Radioactive materials within the scope of this MOU mean byproduct, source, and special nuclear materials as defined in Sections 11e., 11z., and 11aa. of the Atomic Energy Act of 1954 (AEA), as amended, and the NRC's regulations thereunder. Offshore platforms and laybarges include those that are in offshore waters under Federal jurisdiction. The term "offshore waters" means that area of land and water, beyond Agreement States' Submerged Lands Act jurisdiction, on or above the U.S. Outer Continental Shelf.

## **III. AUTHORITY AND REGULATORY PROGRAM**

### **A. MMS**

The MMS is responsible for managing the mineral resources on the Outer Continental Shelf (OCS) of the United States in an environmentally sound and safe manner. In addition, MMS is both the resource manager and fiscal manager for collecting and accounting for OCS revenues and leasing OCS lands, regulating development activities to protect the coastal and marine environment, and ensuring that when operations are completed, the site is properly abandoned.

## **B. NRC**

Under the AEA, as amended, the NRC is responsible for regulating the use of byproduct, source, and special nuclear material within the United States and its territories, consistent with its mission to ensure adequate protection of the public health and safety, to promote the common defense and security, and to protect the environment.

## **IV. AGENCY RESPONSIBILITIES**

The following are the offices responsible for this agreement:

### **For the Minerals Management Service:**

Regional Supervisor, Field Operations  
U.S. Department of the Interior  
Minerals Management Service  
Gulf of Mexico OCS Region  
1201 Elmwood Park Blvd.  
New Orleans, Louisiana 70123

### **For the Nuclear Regulatory Commission:**

Regional Administrator  
Region IV  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011

Each agency shall designate the agency organizational unit responsible for the coordination and management of activities covered by this MOU. Each agency shall designate the individual(s) who will serve as the respective coordination officer(s) or point(s) of contact (POC). The coordination officers or POCs will coordinate and facilitate actions required by their respective agencies.

NRC will notify known oil and pipeline operators working offshore that NRC, in cooperation with MMS, will be conducting unannounced inspections of NRC licensees performing licensed activities on platforms and laybarges. NRC will comply with the personal safety and site access requirements mandated by each platform or laybarge operator.

NRC will provide MMS staff with licensed material orientation and radiation safety program training as MMS staff and NRC staff schedules will allow. The purpose of this orientation and training is to enable MMS to notify NRC in case MMS recognizes irregularities in licensees' activities. NRC will also provide MMS copies of inspection reports and event reports involving licensees working in offshore Federal waters.

MMS will make seats on MMS contracted helicopters available to NRC inspectors based on availability and advance schedule coordination by NRC. MMS will provide this service at no financial charge or exchange of services to the NRC.

## **V. ELEMENTS OF COORDINATION**

Both agencies agree to exchange information with respect to relevant programs and lessons learned, resources permitting. The purpose of these exchanges is to provide expert technical assistance to both agencies. NRC will coordinate with the MMS Gulf of Mexico OCS Regional office for the scheduled inspection of licensees conducting licensed activities in offshore Federal waters. Additionally, NRC will coordinate the scheduling of offshore inspections with MMS based on guidance provided by MMS relative to seat availability on MMS contracted helicopters.

**VI. OTHER LAWS AND MATTERS**

Nothing in this MOU shall be deemed to restrict, modify, or otherwise limit the application or enforcement of any laws of the United States with respect to matters specified herein, nor shall anything in the MOU be construed as modifying the existing authority of either agency.

**VII. EFFECTIVE DATE, MODIFICATION, AND TERMINATION OF MOU**

This MOU will take effect when it has been signed and dated by the authorized representatives of the MMS and the NRC. It may be modified by mutual written consent, or terminated by either agency upon 60 days advance written notice to the other agency.

APPROVED AND ACCEPTED FOR THE  
MINERALS MANAGEMENT SERVICE

BY: \_\_\_\_\_  
Donald Howard

DATE: \_\_\_\_\_

Regional Supervisor, Field Operations  
U.S. Department of the Interior  
Minerals Management Service  
Gulf of Mexico OCS Region

APPROVED AND ACCEPTED FOR THE  
NUCLEAR REGULATORY COMMISSION

BY: \_\_\_\_\_  
Ellis W. Merschoff

DATE: \_\_\_\_\_

Regional Administrator  
U.S. Nuclear Regulatory Commission