



## STP Procedure Approval

### *Implementation of the Integrated Materials Performance Evaluation Program (IMPEP) - SA-100*

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Paul H. Lohaus  
*Director, STP*

Original signed by:  
*Paul H. Lohaus*

*Date: 07/11/2000*

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Frederick C. Combs  
*Deputy Director, STP*

Original signed by:  
*Frederick C. Combs*

*Date: 07/05/2000*

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Kathleen N. Schneider  
*Procedure Contact, STP*

Original signed by:  
*Kathleen N. Schneider*

*Date: 06/30/2000*

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#### **NOTE**

*The STP Director's Secretary is responsible for the maintenance of this master copy document as part of the STP Procedure Manual. Any changes to the procedure will be the responsibility of the STP Procedure Contact. Copies of STP procedures will be distributed for information.*



**Procedure Title:**  
***Implementation of the Integrated Materials  
Performance Evaluation Program (IMPEP)***  
**Procedure Number: SA-100**

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**Issue Date:**  
**07/11/2000**

## **I. INTRODUCTION**

- A. This document describes the procedures for conducting the Integrated Materials Performance Evaluation Program (IMPEP) reviews including scheduling, assigning personnel for, and reporting the results of reviews of the Nuclear Regulatory Commission (NRC) Regional materials and Agreement State radiation control programs under IMPEP.
- B. It is the policy of the NRC to evaluate the Agreement State radiation control programs and NRC Regional materials programs in an integrated manner using common and non-common performance indicators as specified in Management Directive (MD) 5.6, *Integrated Materials Performance Evaluation Program*.
- C. The responsibility for conducting the IMPEP, is shared by the Office of State and Tribal Programs (STP) and the Office of Nuclear Material Safety and Safeguards (NMSS), as stated in NRC MD 5.6.

## **II. OBJECTIVES**

- A. To provide the guidelines that will be followed by IMPEP teams when preparing, conducting, and reporting results of IMPEP reviews of NRC Regional materials and Agreement State radioactive materials programs.
- B. To provide guidelines to STP and NMSS for coordination of IMPEP including facilitating consistency among regulatory programs by interchange of ideas between State and Federal regulators, such as the identification of good practices.

## **III. BACKGROUND**

The authority for review of Agreement States is contained in Section 274j(1) of the Atomic Energy Act, as amended.

## **IV. ROLES AND RESPONSIBILITIES**

STP is the lead office responsible for coordination of Agreement State IMPEP reviews. NMSS is the lead office responsible for coordination of NRC Regional IMPEP reviews.

A. Management Review Board (MRB).

Roles and responsibilities of the MRB and the guidelines to be followed by the MRB are contained in STP Procedure SA-106, *Management Review Board*.

B. Director, STP:

1. Assigns a Senior Project Manager for IMPEP Coordination;
2. Approves IMPEP team leader assignments for Agreement State Reviews;
3. Attends Agreement State IMPEP review exit meetings or designates the Deputy Director, STP to attend;
4. Signs out draft IMPEP reports to Agreement States;
5. Acts as an MRB member per STP Procedure SA-106, *Management Review Board*.

C. Deputy Director, STP:

1. Attends Agreement State IMPEP review exit meetings as designated by the Director, STP;
2. Signs out Agreement State review proposed final reports to the MRB per STP Procedure SA-106.

D. Senior Project Manager for IMPEP Coordination, STP:

1. Acts as the STP lead staff for the day-to-day management and oversight of Agreement State IMPEP reviews, including tracking the status of reports, maintaining statistical information on the Agreement States, interfacing with the Organization of Agreement States for State participants, coordinating NRC staff assignments for Agreement State IMPEP reviews and coordinating MRB meetings per STP Procedure SA-106;
2. Acts as the lead interface with the NMSS Senior Program Analyst for interactions regarding IMPEP;
3. Develops an annual review schedule with the NMSS Senior Program Analyst;

4. Reviews and provides feedback on all versions of Agreement State IMPEP reports to both the IMPEP team leader and STP management.
5. Develop and provide training and refresher training for IMPEP team members.

E. Director, NMSS:

1. Approves team leader for IMPEP coordination;
2. Designates the appropriate NMSS division director(s) to attend NRC Regional IMPEP review exit meetings.
3. Signs out draft IMPEP reports to the NRC Regions;
4. Acts as an MRB member per STP Procedure SA-106.

F. Director, Division of Industrial and Medical Nuclear Safety (IMNS):

1. Approves IMPEP team leader assignments for NRC Regional Reviews;
2. Attends NRC Regional IMPEP review exit meetings, as designated;
3. Signs out NRC Regional proposed final reports to the MRB per STP Procedure SA-106.

G. Senior Program Analyst, NMSS:

1. Acts as the NMSS lead staff for the day-to-day management and oversight of NRC Regional IMPEP reviews, including tracking the status of reports, maintaining statistical information on the Regions, coordinating NRC staff assignments for Agreement State IMPEP reviews and coordinating MRB meetings per STP Procedure SA-106;
2. Acts as the lead interface with the Senior Project Manager for IMPEP Coordination, STP for interactions regarding IMPEP;
3. Develops an annual review schedule with the Senior Project Manager for IMPEP Coordination, STP.

H. IMPEP Team Leader:

1. Coordinates and conducts assigned IMPEP reviews;
2. Completes the IMPEP report in accordance with MD 5.6, STP Procedure SA-106, and this procedure;
3. Designates an IMPEP team member to act as principal reviewer for each performance indicator;
4. Attends MRB meeting for IMPEP review conducted.

I. IMPEP Team Member:

1. Completes the review of assigned indicator(s) and writes corresponding section(s) of the IMPEP report;
2. Conducts the review of all indicators in accordance with the applicable STP procedures;
3. Attends the MRB meeting for the IMPEP review conducted, as appropriate, either in person, by video conference, or by teleconference.

**V. GUIDANCE**

A. Types of Reviews and Meetings

1. Routine IMPEP Reviews:
  - a. Normally, NRC Regional and Agreement State program reviews are scheduled every four years;
  - b. The interval between reviews of Agreement State and NRC Regional programs may be shortened or lengthened to another appropriate interval based on recommendations of the MRB;
  - c. Separate trips to perform specific parts of an IMPEP review are permitted and may be advantageous to the State and/or NRC. Examples are accompaniments of inspectors and visits to specific licensed facilities. Such activities, however, should be completed prior to review exit meetings.

2. Follow-up Reviews

Specific guidance on conducting follow-up reviews is contained in STP Procedure SA-119, *Follow-up Integrated Materials Performance Evaluation (IMPEP) Reviews*.

3. Periodic Meetings with Agreement States Between IMPEP Reviews

Specific guidance on conducting periodic meetings is contained in STP Procedure SA-116, *Periodic Meetings with Agreement States Between IMPEP Reviews*.

4. Special Meetings

a. A special meeting may be scheduled if:

- i. A radiation control program is in serious difficulty because of the loss of key staff, loss of operating funds, or other acute problem(s) having a major impact upon the program;
- ii. An Agreement State implements a change (or changes) to its regulations or operating procedures which introduces a serious conflict of compatibility, or purports to impose its regulatory authority on persons subject to Commission authority; or
- iii. NRC staff learns of special problems with a licensee or group of licensees or of an event requiring special attention.

b. A special meeting for a State or NRC Region may be scheduled upon request by NRC or when requested by the State or Region based on NRC's evaluation of the need for such a meeting.

5. New Agreement States Meetings and IMPEP Reviews.

a. Specific guidance on conducting an orientation meeting with a New Agreement State is contained in STP Procedure SA-118, *Orientation Meetings with New Agreement States*.

b. The first IMPEP review for a new Agreement State should be held approximately 18 months after the effective date of the agreement.

B. Annual IMPEP Schedule

1. Each July, NMSS and STP will coordinate in the development of the 12-month review schedule for the upcoming fiscal year.
2. The Senior Project Manager for IMPEP Coordination, STP will initiate the schedule development.
3. The proposed schedule will be distributed to the Regions, Agreement States, and MRB for their input by STP. Following receipt of comments, the schedule is finalized and copies sent to NRC offices and the Agreement States.
4. Final schedules are subject to change as circumstances require.

C. Assignment of Personnel For IMPEP Reviews

1. Assignment of staff to specific performance indicators will be according to the qualifications established in MD 5.10, *Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members*.
2. Routine IMPEP Reviews
  - a. For Agreement States, the review team will usually consist of four members: Two from STP/Regional State Agreements Officer (RSAO); One from NMSS/Region; and one Agreement State representative. The size and composition of the review team will be a function of the size and activities of the Agreement States program. The senior project manager for IMPEP coordination will provide additional guidance for each specific IMPEP review team composition for Agreement States.
  - b. For Regions, the review team will usually consist of five members: Three from NMSS/Regions; One from STP/RSAO, and one Agreement State representative. The size and composition of the review team will be a function of the size and activities of the Regional program. The senior program analyst will provide additional guidance for each specific IMPEP review team composition for the Regions.

- c. The team leader shall be approved by the Director, STP for reviews of Agreement States and by the Director, IMNS for reviews of NRC Regions.

3. Special Circumstances During Routine IMPEP Reviews

- a. Staff assignments may be made because of known or potential weaknesses in certain aspects of a program or, with STP or NMSS approval, at the request of the State or NRC Region. In such cases, a staff member with specialized training or experience in the appropriate field may be assigned to assist. Alternatively, technical assistance from other NRC offices or Agreement States may be provided.
- b. In all cases, the qualifications detailed in MD 5.10 should be followed.
- c. In States where more than one agency is involved in carrying out the radiation control program, STP management will designate the team leader responsible for the reviews to cover all agencies.

4. Personnel From Agreement States

- a. The Senior Project Manager for IMPEP Coordination will coordinate with the Organization of Agreement States (OAS) in July of each year to establish a cadre of 10 to 15 Agreement State senior technical personnel that will be trained by NRC to participate in IMPEP reviews as team members.
- b. Agreement State staff participating as IMPEP team members are expected to achieve and maintain the appropriate qualifications detailed in MD 5.10. The appropriate Agreement State management will verify the qualifications in writing.

D. Scheduling Specific IMPEP Reviews

- 1. The team leader should contact appropriate management level or levels (usually the Program Director) at the Agreement State or NRC Region to set a definite week for the program review per the designated schedule.



This scheduling should be completed as soon as possible on the issuance of the annual IMPEP schedule, but at a minimum of 120 days before the review.

2. Team leaders are encouraged to make early contact with the State or Region to "block out" the review dates with the understanding that details, such as inspector accompaniments, site visits, etc., will be established later. The team leader should indicate the time frame of the Management Review Board meeting based on the established review dates.
3. Inspector accompaniments or visits to State licensed facilities should be scheduled following the guidance in STP procedure SA-102, *Reviewing Common Performance Indicator #2, Technical Quality of Inspections*.

E. Scheduling Letter and Review Questionnaire

1. At least 60 days prior to a routine review, the team leader should send the current IMPEP questionnaire to the State or NRC Region along with a letter requesting that the completed questionnaire be returned at least two weeks before the on-site review (see Appendix A for sample letter for Agreement State IMPEP reviews and questionnaire).
2. In the case of Agreement States, the letter to the Radiation Control Program Director should reference the discussion which established the review date, detail the dates of the program review, and request the Radiation Control Program Director schedule a exit meeting of appropriate senior State managers for the purpose of discussing the results of the review.
  - a. The exit meeting should take place on the final day of the review.
  - b. Copies of the letter should be sent to the Senior Project Manager for IMPEP Coordination, NRC RSLO, and the Director, STP.
3. For NRC Regions, the letter to the Director, Division of Nuclear Material Safety should reference the discussion which established the review date, detail the dates of the program review, and request the Director to schedule an exit meeting with the Regional Administrator and other appropriate management for the purpose of discussing the results of the review.

4. In addition to the printed version of the questionnaire, an electronic copy shall be provided to the State or NRC Region at the same time as the mailing.
  5. For Agreement States, the questionnaire will include questions involving the non-common performance indicator, Legislation and Program Elements Required for Compatibility, and any of the additional areas where the Agreement State has regulatory jurisdiction (i.e., Sealed Source and Device (SS&D), Low-Level Radioactive Waste (LLRW), or uranium recovery program).
  6. For NRC Regions, the questionnaire will include questions involving the non-common performance indicator, uranium recovery program, regional fuel cycle inspection program and site decommissioning management plan as appropriate.
  7. Prior to sending the questionnaire to Agreement State, the team leader for Agreement State IMPEP reviews should verify with the Senior Project Manager for IMPEP Coordination whether any additional regulations have been added to the Table for question 29 of the questionnaire.
  8. A list of materials requested to be available for the onsite portion of the IMPEP review will also be included in the questionnaire for the Agreement States (See Appendix A).
- F. Preparation For IMPEP Reviews Of Agreement State and Regional Material Programs
1. Prior to the on-site review, the team leader and team members should review the following documents to pre-identify existing or potential problems so these issues can be fully discussed and reviewed:
    - a. The State/NRC Regional written response to the questionnaire;
    - b. At least the two most recent IMPEP review reports (routine or special), and the State or NRC Regional responses to the reports;
    - c. A printout of the nuclear materials event database (NMED) system of incidents for the specific State or NRC Region should be obtained for the review team dating back to the previous review of the Agreement State or NRC Region;

- d. Representative correspondence from NRC files dating back to the previous review of the Agreement State or NRC Region;
  - e. For Agreement States, a copy of the State's current regulations from the appropriate RSAO;
  - f. For Agreement States, a printout of the State's regulation status from the Regulation Assessment Tracking System (RATS) from STP;
  - g. For Agreement States, periodic meeting summaries for all meetings held since the most recent IMPEP review;
  - h. For Agreement States, a printout or listing of all NRC allegations referred to the State should be obtained from the RSAO and the STP allegation coordinator dating back to the previous review of the Agreement State or NRC Region;
  - i. Other documents or files relating to State or NRC Regional activities, such as preliminary notices of incidents, abnormal occurrence reports, technical assistance requests and responses, and pending requests for information by STP or NMSS.
- 2. If repetitive problems or deficiencies are identified by the review team from past reviews, the review team should review more than two previous routine reviews as well as additional documents to determine possible root causes of problems or deficiencies.
  - 3. Prior to the onsite review, the team leader should contact State or NRC Regional program management and request that a meeting room or otherwise suitable location(s) be available for the team as a base of operations over the course of the onsite review.
  - 4. One week prior to the onsite portion of the IMPEP review, the team leader should communicate with the review team to ensure all team members are prepared for the review.
  - 5. Appendix B contains a sample checklist for the team leader to assist in preparation for the IMPEP review.

G. Entrance Meeting

1. During the entrance meeting for the onsite portion of the IMPEP review, the team leader should present the purpose and the scope of the review, introduce the team members and their respective areas of review, and describe the general time-line and sequence of activities.
2. The team leader should request introductions to program management and staff.
3. Information which was requested but which has not yet been furnished by the State or Region should be obtained.
4. The time, location, and participants of the exit meeting should be finalized, if possible. Also, the need for any additional meetings (such as daily meetings with program management or additional exit meetings) should be discussed.
5. Accompaniments of inspectors and visits to licensed facilities conducted prior to the team's arrival on site should be mentioned.
6. The team leader should be prepared to discuss items of current interest to Agreement States or NRC Regions. This could include new information such as changes in NRC licensing and inspection procedures, proposed changes to NRC organization and administration, new regulations affecting the Agreement State programs, new training programs, changes or innovations by the Agreement State, etc.

H. On-Site Review

1. Specific procedures for reviewing the common performance indicators are contained in STP Procedures SA-101 through 105.
2. Specific procedures for reviewing the non-common performance indicators are contained in STP Procedure SA-107 or under development. Contact either the Senior Project Manager for IMPEP Coordination or the Senior Program Analyst as appropriate for the latest guidance in these areas.
3. Questions regarding the information provided in the questionnaire response should be discussed and corrections made, if necessary.

4. Periodic meeting reports, previous review reports, and responses of the Region or State should be used to focus the review on any program deficiencies or problem areas.
  - a. The team should evaluate any follow-up actions taken and the current status of any previously identified program deficiencies during the on-site review.
  - b. The status of recommendations from the previous IMPEP review should be evaluated following the guidance given in periodic meeting summaries, as follows:
    - i. If the recommendation has been recommended “close at the next IMPEP review,” the team should do minimal, if any, evaluation of the subject matter.
    - ii. If the recommendation has been recommended “verify at the next IMPEP review,” the team should complete a brief review of the subject matter to formally confirm all follow-up actions and to properly close the recommendation.
    - iii. If the recommendation remains open, the team should complete a full evaluation of the subject matter in order to evaluate the impact on the performance of the program and take steps to close the recommendation.
5. The review team should acquire information necessary to document and evaluate the Region's or State's performance relative to each applicable performance indicator.
6. Upon direction of STP or NMSS management, the review team may need to obtain additional or more detailed information. Such a request may be specific to the State or NRC Region or may be generic, as appropriate.
7. Deficiency Findings
  - a. Individual team members should discuss casework deficiencies with the State or NRC Regional license reviewer or inspector whenever possible.

- b. The team leader should discuss any deficiencies with State or NRC Regional management as they are identified on a daily basis.
- c. In the discussions with State or NRC Regional management, the team leader and review team should seek to identify the root cause(s) of the problems (e.g., inadequate training, lack of procedures). This can serve as the basis for developing recommendations for corrective actions.
- d. The review team should determine the indicator areas under which the deficiency falls and determine whether the deficiency is a significant problem. The review team's recommendation should relate directly to program performance by a State or NRC Region. A response will be requested from the State or NRC Region to all recommendations in the final report.
- e. The review team may also identify areas under a specific indicator area that the review team believes could enhance the State's or NRC Region's program. These discussions should be documented in the IMPEP report.
- f. All problems or deficiencies should be discussed with State or NRC Regional staff and management prior to the summary meeting at the end of the review, including the team's recommended finding on each indicator if possible.
- g. When a finding relates to potentially significant health and safety issues (such as an omission of a critical element of a safety plan for a facility), the problem should be brought to the attention of the State or NRC Region immediately, and dealt with as soon as possible. The review report should indicate how the matter is being addressed.
- h. The review team may also identify shortcomings or weakness in the NRC's oversight program. These issues should be documented in the IMPEP report and any recommendations developed by the review team should be listed in the report as a recommendation to be addressed by NRC.

**I. Third Party Attendance in Reviews**

1. Reviews of Agreement States are meetings between fellow regulators conducted in compliance with Sec. 274j.(2) of the Atomic Energy Act, as amended. From time to time, members of the public or media may learn of a review and ask to attend all or parts of a review. In such cases, the final decision in an Agreement State is up to State management since the review activities (other than field activities) take place in State offices.
2. If the public or media is permitted by a State to attend, the NRC position is that they may observe and may offer comments or questions at the conclusion of the team's summary presentation. In some cases, the team may arrange for a separate meeting with public or media representatives to answer any questions they may have. The review team should state that the findings of the IMPEP review are preliminary, that a draft report will be publically issued within 30 days from the end of the review, discuss the process and note that the findings will be reviewed and approved by the MRB. Other questions can be referred to the Deputy Director, STP.
3. In all cases where public or media representatives request attendance at or are allowed to attend reviews, promptly inform the Deputy Director, STP and Regional Public Information Officer.
4. Similarly, reviews of the NRC Regions are considered internal management reviews. As such, reviews are not subject to requirements for public notice, nor are they normally accessible to public attendance.

**J. Summarizing Review Findings**

1. Refer to MD 5.6 for additional guidance in making overall program findings. The team leader should conduct discussions regarding the results of the program review at both staff and management levels for Agreement States and NRC Regions.
2. It is the NRC management's practice to attend IMPEP review exit meetings for Agreement States and NRC Regions. If NRC management will not be attending the exit meeting, the Director, IMNS or the Deputy Director, STP should be called prior to the exit meeting to discuss the preliminary findings of the review.

3. Comments (i.e., recommendations) are intended to be constructive and to promote improvements. Comments made during meetings, particularly on deficiencies, should be made in programmatic terms and should not reflect on individual performance, to the extent possible.
4. The team leader is responsible for assuring that ample time is provided for State or NRC Regional staff to express their reactions to the comments. Any disagreements with the comments should be acknowledged by the team leader. If time is running short during a review, priority shall be given to assuring adequate time is left for full discussion of the findings with staff and management. In such cases, the STP or IMNS management should be consulted.
5. Ongoing discussions should be at the working staff level during the onsite review period. It may be advantageous to hold a summary discussion with the entire materials staff at the conclusion of the review.
  - a. The discussions should be in sufficient detail to ensure the inspector or the license reviewer and immediate supervisors are aware of each specific deficiency, the reason it was considered a deficiency, and the corrective action needed.
  - b. Actions by the working staff which are considered to be meritorious should be discussed.
  - c. Good practices by the State or NRC Region should be noted.
6. The first level of discussion with the management should be with the Director, Radiation Control Program or Regional Director, Division of Nuclear Materials Safety, and supervisors.
  - a. The review team should discuss the comments and recommendations for each indicator and whether or not each problem is significant. These discussions should be detailed as to deficiencies and corrective actions needed.
  - b. Items or areas considered meritorious should be emphasized.
  - c. The review team should identify the recommendations that will be made to the senior State manager or NRC Regional Administrator (RA) at the scheduled summary meeting.



- d. If one or more significant problems exist with respect to the common or non-common performance indicators, the Director should be informed that improvements in these areas are critical and that recommendations will be made to the MRB, which will make the final decision on program adequacy and compatibility.
- 7. The final level of discussion should be with the senior State manager or RA.
  - a. The summary discussion with the senior State manager or RA should normally be confined to those items expected to be included in the formal review report. The discussion should be sufficient to explain that other comments relating to the technical aspects of the program were discussed with the Director during the review meeting and were resolved. If requested, the team leader or individual team members should be prepared to cover these findings in the discussion. See Appendix C for onsite summary discussion guidance.
  - b. Any meritorious aspects, such as good practices should be noted.
  - c. If there are no significant problems with respect to the common or non common performance indicators, the team leader should state that the review team will recommend to the MRB that the program is adequate, and for Agreement States, compatible. If significant problems exist in one or more common performance indicator, inform the senior State manager or RA that the need for improvements in these areas is critical and that recommendations to the MRB will reflect this fact.
  - d. The team leader should state during the summary meeting that all findings are preliminary until reviewed and concurred by the MRB, and that formal recommendations will be provided in the final report. In all cases, inform the senior State management or RA that the MRB makes the final decision on program adequacy.
  - e. If one or more significant problems are found, a summary meeting or discussion should be held with the senior State manager or RA rather than with his or her designee, if possible. In such cases, the team leader is to keep the STP or IMNS management advised of the arrangements for such meetings.

K. Draft and Proposed Final Reports

1. The team leader is responsible for preparing the draft and proposed final reports following an IMPEP review. Appendix D contains the format guidance for IMPEP reports. Appendix E contains a sample cover letter and boilerplate for a draft report.
2. For Agreement States:
  - a. The review team members should complete assigned sections of the draft report and submit them to the team leader within 7 days of the exit meeting (NOTE: Calendar days, not work days).
  - b. The team leader is responsible for integrating the information from the team members and submitting both the IMPEP draft report and letter to the State requesting factual comments to the Senior Project Manager for IMPEP Coordination, within 17 days of the exit meeting.
  - c. The draft report and cover letter should be transmitted within 30 days following the summary meeting. The review report shall be prepared by the team leader for concurrence by STP, and shall be signed out by the Director, STP.
  - d. A secretary, STP, will be designated as lead administrative support for that IMPEP review and will work with the team leader (i.e., proofreading, contacting participants, and scheduling MRB meetings).
3. For NRC Regions:
  - a. The review team should complete their portions of the draft report and submit them to the team leader within 5 calendar days of the exit meeting.
  - b. The team leader is responsible for integrating the information from the team members and submitting both the IMPEP draft report and letter to the Region requesting factual comments to the Division Director, IMNS within 7 days of the exit meeting.

- c. The draft report and cover letter should be transmitted within 30 days following the summary meeting. The review report shall be prepared by the team leader for concurrence by IMNS, and shall be signed out by the Director, NMSS.
4. The State or NRC Region will be requested to review the draft report and address any factual errors or misstatements within four weeks from receipt of the draft report.
5. Upon review of the State or Region response, the team leader will be responsible for making any appropriate corrections, developing a team recommendation regarding the program for the MRB, and submitting the report to the MRB for its consideration. If the comments are extensive, a separate comment resolution document should be prepared by the team leader for submittal to the MRB. Contact the Senior Project Manager for IMPEP Coordination for additional guidance on format.
6. The lead secretary, STP will schedule the MRB for Agreement State reviews in consultation with the team leader (See SA-106) for State and Regional reviews. A copy of the State's or NRC Region's comments on the draft report will accompany the proposed final report presented to the MRB.

**L. MRB Meeting**

Specific guidance on conducting MRB meetings and the proposed final report is contained in STP Procedure SA-106.

**M. Issuance of Final Reports and Follow-up Actions**

1. The team leader will be responsible for preparation of the final review report and letter for the Deputy Executive Director for Materials, Research and State Programs signature. See Appendix F for a sample letter to accompany final reports.
2. When responses to the final report are required, the Senior Project Manager for IMPEP Coordination, for Agreement States or the Senior Program Analyst for Regions will track replies to all reports. If a reply is requested but not received within 30 days or other appropriate time, STP

or NMSS shall contact the Agreement State or NRC Region and established a target date for a reply. If no reply is received by the target date, STP or NMSS will coordinate further action with the MRB.

3. Responses to comments made in the review report will be evaluated by the team leader in consultation with the review team as needed.
4. An acknowledgment letter shall be prepared by the team leader for review and signature within 30 days after the team leader reviews the State or NRC Regional responses. In cases where the program has been found less than adequate or, in the case of Agreement States, not compatible, the State or NRC Regional reply shall be evaluated by the team leader in consultation with STP or IMNS management prior to preparing the acknowledgment letter. A sample acknowledgment letter is shown in Appendix G.
5. For Agreement States, the lead secretary, STP is responsible for forwarding copies of review reports and responses to Agencywide Document Access and Management System (ADAMS) and the STP contractor for the Office of State and Tribal Programs homepage. For Regions, the Chief, Materials Safety and Inspection Branch, IMNS is responsible for forwarding copies of review reports and responses to ADAMS.

## **VI. APPENDICES**

- Appendix A - Sample letter scheduling the IMPEP review and questionnaire for an Agreement State.
- Appendix B - Checklist for Team Leader to assist in preparation for IMPEP reviews
- Appendix C - Onsite summary discussion guidance.
- Appendix D - Format Guidance for IMPEP Reports
- Appendix E - Draft cover letter and report format with the boilerplate for the report
- Appendix F - Sample letters for final report.
- Appendix G - Sample acknowledgment letter.

## **VII. REFERENCES**

1. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program*.
2. NRC Management Directive 5.10, *Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members*.
3. STP Procedure SA-101, *Reviewing Common Performance Indicator #1, Status of Materials Inspection Program*.
4. STP Procedure SA-102, *Reviewing Common Performance Indicator #2, Technical Quality of Inspections*.
5. STP Procedure SA-103, *Reviewing Common Performance Indicator #3, Technical Staff and Training*.
6. STP Procedure SA-104, *Reviewing Common Performance Indicator #4, Technical Quality of Licensing Actions*.
7. STP Procedure SA-105, *Reviewing Common Performance Indicator #5, Response to Incidents and Allegations*.
8. STP Procedure SA-106, *Management Review Board*.
9. STP Procedure SA-107, *Review Non-Common Performance Indicator #1, Legislation and Program Elements Required for Compatibility*
10. STP Procedure SA-116, *Periodic Meetings with Agreement States Between IMPEP Reviews*
11. STP Procedure SA-118, *Orientation Meeting for New Agreement States*
12. STP Procedure SA-119, *Follow-up Integrated Materials Performance Evaluation (IMPEP) Reviews*.

## Appendix A

### Sample Letter Scheduling the IMPEP Review and Questionnaire for An Agreement State

[RADIATION CONTROL PROGRAM DIRECTOR]

Dear [*Radiation Control Program Director*]:

As you are aware, the Nuclear Regulatory Commission (NRC) is using the Integrated Materials Performance Evaluation Program (IMPEP) for the evaluation of Agreement State Programs. Per our discussion, I will be the team leader for the IMPEP review of the [STATE] program scheduled for the week of [DATE]. The team will include [*Names of IMPEP team members, Title, NRC or State affiliation*].

Enclosed is the document, "IMPEP Questionnaire." The questionnaire is being furnished to you electronically as well as in printed form. I ask that you send your responses by Internet ([TEAM LEADER'S INTERNET ADDRESS]) or return the disk to me by [DATE - 2 WEEKS PRIOR TO REVIEW]. I am sending the document and disk in advance of the IMPEP review in order to provide time for you to allocate the staff resources necessary to complete the document by the due date.

Part A of the questionnaire contains questions on the common performance indicators. Part B contains questions on the non-common performance indicators for Agreement States.

Also included with the questionnaire is the document "Materials Requested to Be Available for the Onsite Portion of an IMPEP Review." We encourage States to have the items listed prepared prior to the IMPEP team's arrival.

I request that you set up an appointment with the appropriate State Senior Management Official to discuss the results of the IMPEP review of the [STATE] program on [LAST DAY OF IMPEP REVIEW].

If you have questions, please call me at [*team leader phone number*].

Sincerely

[TEAM LEADER]

Enclosures:  
As stated

cc: [STATE HEALTH OFFICER OR APPROPRIATE SENIOR STATE MANAGEMENT]

Distribution: DCD (SP01) [Regional or Office distribution]

**INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM**

**QUESTIONNAIRE**

Name of State/Regional Program

Reporting Period: Month XX, [YEAR], to Month XX, [YEAR]

**A. COMMON PERFORMANCE INDICATORS**

**I. Status of Materials Inspection Program**

1. Please prepare a table identifying the licenses with inspections that are overdue by more than 25% of the scheduled frequency set out in NRC Inspection Manual Chapter 2800. The list should include initial inspections that are overdue.

<u>Licensee Name</u>	<u>Insp. Frequency (Years)</u>	<u>Due Date</u>	<u>Months O/D</u>
----------------------	------------------------------------	-----------------	-------------------

2. Do you currently have an action plan for completing overdue inspections? If so, please describe the plan or provide a written copy with your response to this questionnaire.
3. Please identify individual licensees or groups of licensees the State/Region is inspecting more or less frequently than called for in NRC Inspection Manual Chapter 2800 and state the reason for the change.
4. Please complete the following table for licensees granted reciprocity during the reporting period.
5. Other than reciprocity licensees, how many field inspections of radiographers were performed?

<sup>1</sup> Estimated burden per response to comply with this voluntary collection request: 45 hours. Forward comments regarding burden estimate to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0183), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Priority	Number of Licensees Granted Reciprocity Permits Each Year	Number of Licensees Inspected Each Year
Service Licensees performing teletherapy and irradiator source installations or changes	YR YR YR YR	YR YR YR YR
1	YR YR YR YR	YR YR YR YR
2	YR YR YR YR	YR YR YR YR
3	YR YR YR YR	YR YR YR YR
4		
All Other		

6. For NRC Regions, did you establish numerical goals for the number of inspections to be performed during this review period? If so, please describe your goals, the number of inspections actually performed, and the reasons for any differences between the goals and the actual number of inspections performed.

## II. Technical Quality of Inspections

7. What, if any, changes were made to your written inspection procedures during the reporting period?
8. Prepare a table showing the number and types of supervisory accompaniments made during the review period. Include:

<u>Inspector</u>	<u>Supervisor</u>	<u>License Cat.</u>	<u>Date</u>
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9. Describe internal procedures for conducting supervisory accompaniments of inspectors in the field. If supervisory accompaniments were documented, please provide copies of the documentation for each accompaniment.
10. Describe or provide an update on your instrumentation and methods of calibration. Are all instruments properly calibrated at the present time?

## III. Technical Staffing and Training

11. Please provide a staffing plan, or complete a listing using the suggested format below, of the professional (technical) person-years of effort applied to the agreement or radioactive material program by individual. Include the name, position, and, for Agreement States, the fraction of time spent in the following areas: administration, materials licensing & compliance, emergency response,



LLW, U-mills, other. If these regulatory responsibilities are divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials program. Include all vacancies and identify all senior personnel assigned to monitor work of junior personnel. If consultants were used to carry out the program's radioactive materials responsibilities, include their efforts. The table heading should be:

- |     | <u>Name</u>  | <u>Position</u> | <u>Area of Effort</u> | <u>FTE%</u> |
|-----|--|-----------------|-----------------------|-------------|
| 12. | Please provide a listing of all new professional personnel hired since the last review, indicate the degree(s) they received, if applicable, and additional training and years of experience in health physics, or other disciplines, if appropriate.  |                 |                       |             |
| 13. | Please list all professional staff who have not yet met the qualification requirements of license reviewer/materials inspection staff (for NRC, Inspection Manual Chapters 1246; for Agreement States, please describe your qualifications requirements for materials license reviewers and inspectors). For each, list the courses or equivalent training/experience they need to attend and a tentative schedule for completion of these requirements. |                 |                       |             |
| 14. | Please identify the technical staff who left the RCP/Regional DNMS program during this period.   |                 |                       |             |
| 15. | List the vacant positions in each program, the length of time each position has been vacant, and a brief summary of efforts to fill the vacancy.   |                 |                       |             |

#### IV. Technical Quality of Licensing Actions

16. Please identify any major, unusual, or complex licenses which were issued, received a major amendment, were terminated, decommissioned, submitted a bankruptcy notification or renewed in this period. Also identify any new or amended licenses that now require emergency plans.
17. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the review period.
18. What, if any, changes were made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?
19. For NRC Regions, identify by licensee name, license number and type, any renewal applications that have been pending for one year or more.

#### V. Responses to Incidents and Allegations

20. Please provide a list of the reportable incidents (i.e., medical misadministration, overexposure, lost and abandoned sources, incidents requiring 24 hour or less notification, etc. See Handbook on Nuclear Material Event Reporting in Agreement States for additional guidance.) that occurred in the Region/State during the review period. For Agreement States, information included in previous submittals to NRC need not be repeated (i.e., those submitted under OMB clearance number 3150-0178, Nuclear Material Events Database). The list should be in the following format:

Licensee Name                      License #                      Date of Incident/Report                      Type of Incident

21. During this review period, did any incidents occur that involved equipment or source failure or approved operating procedures that were deficient? If so, how and when were other State/NRC licensees who might be affected notified? For States, was timely notification made to NRC? For Regions, was an appropriate and timely PN generated?
22. For incidents involving failure of equipment or sources, was information on the incident provided to the agency responsible for evaluation of the device for an assessment of possible generic design deficiency? Please provide details for each case.
23. In the period covered by this review, were there any cases involving possible wrongdoing that were reviewed or are presently undergoing review? If so, please describe the circumstances for each case.
24. Identify any changes to your procedures for handling allegations that occurred during the period of this review.
  - a. For Agreement States, please identify any allegations referred to your program by the NRC that have not been closed.

VI. General

25. Please prepare a summary of the status of the State's or Region's actions taken in response to the comments and recommendations following the last review.
26. Provide a brief description of your program's strengths and weaknesses. These strengths and weaknesses should be supported by examples of successes, problems or difficulties which occurred during this review period.

**B. NON-COMMON PERFORMANCE INDICATORS**

I. Legislation and Program Elements Required for Compatibility

27. Please list all currently effective legislation that affects the Radiation Control Program (RCP).
28. Are your regulations subject to a "Sunset" or equivalent law? If so, explain and include the next expiration date for your regulations.
29. Please complete the enclosed table based on NRC chronology of amendments. Identify those that have not been adopted by the State, explain why they were not adopted, and discuss any actions being taken to adopt them. Identify the regulations that the State has adopted through legally binding requirements other than regulations.
30. If you have not adopted all amendments within three years from the date of NRC rule promulgation, briefly describe your State's procedures for amending regulations in order to maintain compatibility with the NRC, showing the normal length of time anticipated to complete each step.

## II. Sealed Source and Device Program

31. Prepare a table listing new and revised SS&D registrations of sealed sources and devices issued during the review period. The table heading should be:

<u>SS&amp;D Registry Number</u>	<u>Manufacturer, Distributor or Custom User</u>	<u>Type of Device or Source</u>	<u>Date Issued</u>
---	---	---	------------------------

32. What guides, standards and procedures are used to evaluate registry applications?
33. Please include information on the following questions in Section A, as they apply to the Sealed Source and Device Program:

Technical Staffing and Training - A.III.11-15  
Technical Quality of Licensing Actions - A.IV.16-18  
Responses to Incidents and Allegations - A.V.20-23

## III. Low-Level Waste Program

34. Please include information on the following questions in Section A, as they apply to the Low-level Waste Program:

Status of Materials Inspection Program - A.I.1-3, A.I.6  
Technical Quality of Inspections - A.II.7-10  
Technical Staffing and Training - A.III.11-15  
Technical Quality of Licensing Actions - A.IV.16-18  
Responses to Incidents and Allegations - A.V.20-23

## IV. Uranium Mill Program

35. Please include information on the following questions in Section A, as they apply to the Uranium Mill Program:

Status of Materials Inspection Program - A.I.1-3, A.I.6  
Technical Quality of Inspections - A.II.7-10  
Technical Staffing and Training - A.III.11-15  
Technical Quality of Licensing Actions - A.IV.16-18  
Responses to Incidents and Allegations - A.V.20-23

TABLE FOR QUESTION 29.

10 CFR RULE	DATE DUE	DATE ADOPTED	OR	
			CURRENT STATUS	EXPECTED ADOPTION
Any amendment due prior to 1993. Identify each regulation (refer to the Chronology of Amendments)				
Emergency Planning; Parts 30, 40, 70	4/7/93			
Standards for Protection Against Radiation; Part 20	1/1/94			
Safety Requirements for Radiographic Equipment; Part 34	1/10/94			
Notification of Incidents; Parts 20, 30, 31, 34, 39, 40, 70	10/15/94			
Quality Management Program and Misadministrations; Part 35	1/27/95			
Licensing and Radiation Safety Requirements for Irradiators; Part 36	7/1/96			
Definition of Land Disposal and Waste Site QA Program; Part 61	7/22/96			
Decommissioning Recordkeeping: Documentation Additions; Parts 30, 40, 70	10/25/96			
Uranium Mill Tailings: Conforming to EPA Standards; Part 40	7/1/97			
Timeliness in Decommissioning Parts 30, 40, 70	8/15/97			
Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use; Parts 30, 32, 35	1/1/98			
Frequency of Medical Examinations for Use of Respiratory Protection Equipment	3/13/98			
Low-Level Waste Shipment Manifest Information and Reporting	3/1/98			
Performance Requirements for Radiography Equipment	6/30/98			
Radiation Protection Requirements: Amended Definitions and Criteria	8/14/98			
Medical Administration of Radiation and Radioactive Materials	10/20/98			
Clarification of Decommissioning Funding Requirements	11/24/98			
10 CFR Part 71: Compatibility with the International Atomic Energy Agency	4/1/99			

10 CFR RULE	DATE DUE	DATE ADOPTED	OR	
			CURRENT STATUS	EXPECTED ADOPTION
Termination or Transfer of Licensed Activities: Recordkeeping Requirements.	6/16/99			
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act	1/9/2000			
Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State	2/27/2000			
Criteria for the Release of Individuals Administered Radioactive Material	5/29/2000			
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations; Final Rule	6/27/2000			
Radiological Criteria for License Termination	8/20/2000			
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea	1/2/2001			
Deliberate Misconduct by Unlicensed Persons	2/12/2001			
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations; Clarifying Amendments and Corrections	7/9/2001			
Minor Corrections, Clarifying Changes, and a Minor Policy Change	10/26/2001			
Transfer for Disposal and Manifest; Minor Technical Conforming Amendments	11/20/2001			
Radiological Criteria for License Termination of Uranium Recovery Facilities	6/11/2000			
Respiratory Protection and Controls to Restrict Internal Exposure	2/2/2003			

# MATERIALS REQUESTED TO BE AVAILABLE FOR THE ONSITE PORTION OF AN IMPEP REVIEW

## ORGANIZATION CHARTS

Clean, sized 8½ X 11" including names and positions

- ☐ One showing positions from Governor down to Radiation Control Program Director (RCPD)
- ☐ One showing positions of current radiation control program with RCPD as Head
- ☐ Equivalent charts for LLRW and mills programs, if applicable

## LICENSE LISTS

- ☐ Printouts of current licenses, showing total, as follows:

Name	License #	Location	License Type	Priority	Last Inspection	Due Date
------	-----------	----------	--------------	----------	-----------------	----------

Sort alphabetically

Also, sort by due date and by priority (if possible)

## THE FOLLOWING LISTS

- ☐ List of open license cases, with date of original request, and dates of follow up actions
- ☐ List of licenses terminated during review period.
- ☐ Copy of current log or other document used to track licensing actions
- ☐ Copy of current log or other document used to track inspections
- ☐ List of Inspection frequency by license type
- ☐ Listing or log of all incidents and allegations occurring during the review period. Show whether incident is open or closed and whether it was reported to the NRC

## THE FOLLOWING DOCUMENTS

- ☐ All State regulations
- ☐ Statutes affecting the regulatory authority of the state program
- ☐ Standard license conditions
- ☐ Technical procedures for licensing, model licenses, review guides
- ☐ SS&D review procedures
- ☐ Instrument calibration records
- ☐ Inspection procedures and guides
- ☐ Inspection report forms
- ☐ Records of results of supervisory accompaniments of inspectors
- ☐ Emergency plan and communications list
- ☐ Procedures for investigating allegations
- ☐ Enforcement procedures, including procedures for escalated enforcement, severity levels, civil penalties (as applicable)
- ☐ Copies of job descriptions

## Appendix B

### Sample Checklist for the Team Leaders to Assist in Preparation for the IMPEP Review.

- ☐ Contact team members and determine their availability for projected IMPEP review target dates.
- ☐ Assign indicators to team members.
- ☐ Contact State or Region and establish dates for IMPEP review no later than 120 days before a review schedule target.
- ☐ Motel Reservations for team and NRC management attending exit.
- ☐ Inspector Accompaniments should be completed by appropriate team member before onsite review.
- ☐ Send Questionnaire at 60 days prior to onsite portion
  - ☐ Received completed Questionnaire at least 2 weeks prior to the review
- ☐ Request and arrange location(s) for the team at State or Regional offices during the onsite portion of the IMPEP review.
- ☐ Team Leader should assemble and send to the appropriate team members as soon as the following information is available:
  - ☐ State/Regional Responses to Questionnaire
  - ☐ Electronic links for past 2 IMPEP reviews
  - ☐ NMED print out of incidents for specific State or Region
  - ☐ Appropriate correspondence
  - ☐ Electronic links, if appropriate, or copies of State's current regulations from RSAO
  - ☐ Status of State's regulations from STP's RATS
  - ☐ All periodic meetings with the Agreement State since last IMPEP
  - ☐ All NRC allegations referred to the Agreement State (contact RSAO and STP allegation coordinator)
  - ☐ Other \_\_\_\_\_
- ☐ Team Leader communicate with team 1 week prior to the onsite review to discuss any issues and team readiness.

# Appendix C

## Onsite Summary Discussion Guidance

<u>IMPEP TEAM</u>	<u>AREAS OF RESPONSIBILITY</u>
[LIST TEAM MEMBERS]	[AS APPROPRIATE]
_____, Team Leader	
_____,	Status of Materials Inspection Program
_____,	Technical Quality of Inspections
_____,	Technical Staffing and Training
_____,	Technical Quality of Licensing Actions
_____,	Response to Incidents and Allegations
_____,	Legislation and Program Elements Required for Compatibility
_____,	Sealed Source and Device Evaluation Program
_____,	Low-Level Radioactive Waste Program
_____,	Uranium Recovery Program

NRC Management, \_\_\_\_\_

State/Regional Management Attending, \_\_\_\_\_

### OPENING REMARKS - Team Leader Guidance

NRC management will present a short synopsis of IMPEP and introduce the team.

Team Leader should cover the following points:

- The review team and I want to thank the Radiation Control Director & staff for your cooperation and patience during our review. IMPEP is an evolving program and we welcome any comments to enhance the processes.
- The review team will be recommending to the MRB that the State be found [ADEQUATE AND COMPATIBLE; ADEQUATE, BUT NEEDS IMPROVEMENT, AND COMPATIBLE; OR NOT ADEQUATE AND NOT COMPATIBLE].
- At this time, I will ask each of my team members to summarize their results for the indicators that they reviewed. I want to emphasize that these ratings are preliminary and may be changed as the report is written. If a rating does get altered, I will inform you of the change before the draft report is issued.

### STATUS OF MATERIALS INSPECTION PROGRAM - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Status of Materials Inspection Program.



- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:
  - [CRITERIA FROM MD 5.6, PART III]
- The team focused on four factors in reviewing this indicator: inspection frequency, overdue inspections, initial inspection of new licenses, and timely dispatch of inspection findings to licensees. I looked at the computer generated reports of inspection tracking, as well as [number] of individual license files.
- SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### TECHNICAL QUALITY OF INSPECTIONS - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Technical Quality of Inspections.
- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:
  - [CRITERIA FROM MD 5.6, PART III]
- The team looked at [NUMBER] inspections reports conducted during the review period, for all of the State's materials inspectors and covered a sampling of the higher priority categories of license types as follows: [LIST TYPES OF LICENSES]. [NUMBER] State inspectors were accompanied. I also reviewed the laboratory facilities and equipment available to the program.
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### TECHNICAL STAFFING AND TRAINING - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Technical Staffing and Training.
- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:
  - [CRITERIA FROM MD 5.6, PART III]
- The team looked at the State’s questionnaire responses relative to this indicator, interviewed program management and staff, and considered any possible backlogs in licensing or compliance actions.
- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

#### TECHNICAL QUALITY OF LICENSING ACTIONS - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Technical Quality of Licensing Actions.
- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:
  - ☐ [CRITERIA FROM MD 5.6, PART III]
- The team looked at [NUMBER] licenses which included [LIST TYPE OF LICENSING ACTIONS SUCH AS NEW, RENEWAL, AMENDMENTS, AND TERMINATIONS.] The work of [NUMBER] license reviewers was included in the sampling covering the following types of licenses: [LIST TYPE OF LICENSE].
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### RESPONSE TO INCIDENTS AND ALLEGATIONS - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Response to Incidents and Allegations.
- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:
  - ☐ [CRITERIA FROM MD 5.6, PART III]
- The team looked at the State's actions responding to [NUMBER] incidents and [NUMBER] allegations, reviewed the incidents reported for State in the "Nuclear Material Events Database" (NMED) against those identified by you, and reviewed the casework and license files, as appropriate, for these files.
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### LEGISLATION AND PROGRAM ELEMENTS REQUIRED FOR COMPATIBILITY - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Legislation and Program Elements Required for Compatibility.

- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:  
☐ [CRITERIA FROM MD 5.6, PART III]
- The team looked at [LIST].
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### SEALED SOURCE AND DEVICE EVALUATION PROGRAM- Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Sealed Source and Device Evaluation Program
- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:  
☐ [CRITERIA FROM MD 5.6, PART III]
- The team looked at [LIST].
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### LOW-LEVEL RADIOACTIVE WASTE DISPOSAL PROGRAM - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Low-Level Radioactive Waste Disposal Program.
- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:  
☐ [CRITERIA FROM MD 5.6, PART III]
- The team looked at [LIST].
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### URANIUM RECOVERY PROGRAM - Principal Reviewer Guidance

- The team will recommend to the MRB that the State be found “[SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY]” with respect to Uranium Recovery Program.

- The criteria for [SATISFACTORY, SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT, OR UNSATISFACTORY] finding, include:  
☐ [CRITERIA FROM MD 5.6, PART III]
- The team looked at [LIST].
- [SPECIFIC RECOMMENDATIONS, IF ANY]
- [SPECIFIC GOOD PRACTICES, IF ANY]

#### SUMMARY GUIDANCE - Team Leader

- In summary, we will be recommending to the MRB that the State be found [SUMMARIZE FINDINGS FOR SPECIFIC PERFORMANCE INDICATORS- NUMBER OF SATISFACTORY, NUMBER OF SATISFACTORY WITH RECOMMENDATIONS FOR IMPROVEMENT AND NUMBER OF UNSATISFACTORY]. We will be recommending to the MRB that the State be found [ADEQUATE AND COMPATIBLE; ADEQUATE, BUT NEEDS IMPROVEMENT, AND COMPATIBLE; OR NOT ADEQUATE AND NOT COMPATIBLE] with NRC's program.
- As I mentioned in the entrance meeting, the draft IMPEP report containing the recommendations of the IMPEP team's review will be completed in approximately 30 days, and provided to you for factual review and comment. We ask that the State review the report and provide comments to NRC within 4 weeks.
- Upon receipt of the State's comments, NRC will schedule the MRB meeting within 2-3 weeks. The proposed final IMPEP report containing the IMPEP team's findings and the State's comments will be provided to both the MRB and the State.
- An MRB Meeting will be convened to discuss the report. You or your representative will be invited to attend. STP will provide travel for one State representative, yet you may send as many as you wish, and others may participate by teleconference. Video conferencing is also available.
- The final report will feature the findings and recommendations as decided upon by the MRB, based on recommendations of the IMPEP team, the State's response, and deliberations within the board. The goal is to issue the final report within 104 days of the on-site review.
- We welcome any comments you may have on the review of your State, or on the IMPEP process in general.
- Again, I want to thank you and your staff for their cooperation and assistance this week. It has been a pleasure working with you and your staff.

# Appendix D

## Format Guidance for IMPEP Reports

### GENERAL GUIDANCE FOR IMPEP REPORTS

1. Use factual and specific language:

To the extent possible, the reviewer should use specific and factual statements and use factual verbs, such as "is." Phrases or terms like "no problems," "minor," "appears," "administrative type," "generally satisfied," or "completed most Priority 1 inspections," that beg further question, should not be used. Quantification should be used where possible.

2. Do not use percentages. Instead, give the specific number of cases (i.e., "5 out of 10" as opposed to "50%").
3. Sufficient detail should be included to describe the basis for all conclusions, root cause identification, and recommendations, i.e., a clear statement of the deficiencies, the information evaluated, and what was done by the reviewer to arrive at a recommendation or finding.
4. Recommendations should be placed in each section in a location appropriate to the flow of the document (and preferably at the end of a paragraph). Do not wait until the end of a section to list all of that section's recommendations. The recommendation should follow this format: The review team recommends that the [Division/Section/Program, etc.]...
5. Previous recommendations should be closed only with the program's performance as a measure. Note, some of the previous comments are specific to one file and may not affect performance of the program.
6. The final paragraph for each Section in 3.0 and 4.0 should follow this format:

Based on the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, [Indicator Title], be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

7. Use the Arabic number when using a number over 10. Please see the "NRC Editorial Style Guide" (NUREG-1379) for further guidance.
8. Do not hyphenate words at the end of a line if they do not fit on the line. For example:

"The 28th program review meeting with the State **representatives** was held during the period of April 20-24, 1983."

9. Capitalize "State" or "Commonwealth" (as appropriate) when referring to one of the 50 States. Do not abbreviate the state name within the report.
10. Avoid using acronyms if possible. For example, use "the Department" as an abbreviation for "Department of Radiation and Environment," not "DRE."

11. The abbreviations used for the radiation control program, titles of staff, etc., should be consistent throughout the report. Check with your team leader for the correct abbreviations to be used in the report.
12. Use position titles, not employee names in the body of the report.
13. Do not use abbreviations in the Appendices.
14. In the Appendices, use the date format: mm/dd/yy. Do not use zeroes as place savers. For example, January 3, 1999 should be written as "1/3/99" not "01/03/99."
15. Comments in the Appendices should be factual, concise, and concentrate on casework deficiencies and problems. Avoid making comments on extraneous information.
16. The number of casework examples listed in the Appendices should match the number referenced in the body of the report.

## FORMATTING REPORTS

1. *Type Style* - Arial, 11 points
2. *Margins: Left and Right* - 1 inch
3. *Tab Set* - Rel; -1", every 0.5"
4. *Headers* - [State] Draft Report, Flush Right and type "page #"; for headers in Appendices, include addition line: (example) "License Casework Reviews." If you have trouble with headers, please leave them blank.
5. *Margins: Top and bottom* - 1 inch
6. *Line Spacing* - 1
7. *Justification* - Left
8. *Footer* - no footer

## IMPEP REPORT FILE NAMES

(“ST” is substituted for the two-letter State code)

(“YYYY” is substituted for the year)

### STANDARD IMPEP REVIEWS

#### **Draft**

YYYYSTdftltr.wpd Letter sent with **Draft** IMPEP report requesting comments

YYYYSTimpdft.wpd **Draft** IMPEP report

#### **Proposed Final**

YYYYSTmrbrmem.wpd Memo to the MRB announcing MRB meeting

YYYYSTimppfn.wpd **Proposed Final** IMPEP Report

#### **Final**

YYYYSTfinltr.wpd Letter sent with **Final** IMPEP report (in some cases requesting a response)

YYYYSTimpfin.wpd **Final** IMPEP report

#### **Acknowledgment Letter**

YYYYSTack.wpd Letter acknowledging STP receipt of State response to final IMPEP report (not necessary in all cases)



## Appendix E

### Draft Cover Letter and Report Format with the Boilerplate for the Report

[NAME]  
[TITLE, STATE SENIOR MANAGEMENT]  
[ADDRESS]

Dear [NAME]:

The Nuclear Regulatory Commission (NRC) uses the Integrated Materials Performance Evaluation Program (IMPEP) in the evaluation of Agreement State programs. Enclosed for your review is the draft IMPEP report which documents the results of the Agreement State review held in your office on [DATES]. [TEAM LEADER NAME, TITLE, ORGANIZATION] was the team leader for the [STATE] review. The review team's recommendations were discussed with you and your staff on the last day of the review. The review team's proposed recommendations are that the [STATE] Agreement State program be found [ADEQUATE TO PROTECT PUBLIC HEALTH AND SAFETY/ADEQUATE, BUT NEED IMPROVEMENT] and [COMPATIBLE/NOT COMPATIBLE] with NRC's program.

NRC conducts periodic reviews of Agreement State programs to ensure that public health and safety are adequately protected from the hazards associated with the use of radioactive materials and that Agreement State programs are compatible with NRC's program. The process, titled IMPEP, employs a team of NRC and Agreement State staff to assess both Agreement State and NRC Regional Office radioactive materials licensing and inspection programs. All reviews use common criteria in the assessment and place primary emphasis on performance. [NUMBER] additional areas have been identified as non-common performance indicators and are also addressed in the assessment. The final determination of adequacy and compatibility of each Agreement State program, based on the review team's report, will be made by a Management Review Board (MRB) composed of NRC managers and an Agreement State program manager who serves as a liaison to the MRB.

In accordance with procedures for implementation of IMPEP, we are providing you with a copy of the draft team report for review prior to submitting the report to the MRB. We welcome your comments on the draft report. If possible, we request comments within four weeks from your receipt of this letter. This schedule will permit the issuance of the final report in a timely manner that will be responsive to your needs.

The team will review the response, make any necessary changes to the report and issue it to the MRB as a proposed final report. Our preliminary scheduling places the [STATE] MRB meeting in the [WEEK - 74 DAYS FROM THE REVIEW]. We will coordinate with you to establish the date for the MRB review of the [STATE] report and will provide invitational travel for you or your designee to attend. NRC has video conferencing capability if it is more convenient for the State to participate through this medium. We will work with your staff to establish a video conference if you so desire.

If you have any questions regarding the enclosed report, please contact me at (301) 415-3340 or [TEAM LEADER] at [PHONE NUMBER].

Sincerely,

Director  
Office of State Programs

Enclosure:  
As stated

cc: [NAME, RADIATION CONTROL PROGRAM, STATE]

[STATE LIAISON OFFICER]

Distribution:

DIR RF DCD (SP01)  
Senior Program Analyst, NMSS PDR (YES√)  
[IMPEP TEAM MEMBERS]  
Senior Project Manager for IMPEP Coordination, STP  
IMNS Director  
ASPO  
OGC  
[STATE] File

**DOCUMENT NAME: G:\IMPEP\YYYYDRLTR.ST.WPD; G:\IMPEP\STIMPYYYY.DFT.WPD**

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	STP/RSAO		STP:DD		STP:D				
NAME	[TEAM LEADER]:								
DATE									

STP FILE CODE: SP-AG-##

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

REVIEW OF [STATE] AGREEMENT STATE PROGRAM

[Month DD-DD, YYYY]

# DRAFT REPORT

U.S. Nuclear Regulatory Commission

## 1.0 INTRODUCTION

This report presents the results of the review of the [State] radiation control program. The review was conducted during the period [Date], by a review team comprised of technical staff members from the Nuclear Regulatory Commission (NRC) and the Agreement State of [State]. Team members are identified in Appendix A. The review was conducted in accordance with the "Implementation of the Integrated Materials Performance Evaluation Program and Rescission of a Final General Statement of Policy," published in the Federal Register on October 16, 1997, and the November 25, 1998, NRC Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)." Preliminary results of the review, which covered the period [date] to [date] were discussed with [State] management on [date].

[A paragraph on the results of the MRB meeting will be included here in the final report.]

The [State] Agreement State program is administered by [describe the State's organization]. Organization charts for the [organizational units] are included as Appendix B. At the time of the review, the [State] program regulated [number] specific licenses, including [list types of major licensees]. The review focused on the materials program as it is carried out under the Section 274b. (of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the State of [State].

In preparation for the review, a questionnaire addressing the common and non-common indicators was sent to the State on [date]. The State provided a response to the questionnaire on [date]. During the review, discussions with the State staff resulted in the responses being further developed. A copy of the final response is included in Appendix [F or G, as appropriate] to this report.

The review team's general approach for conduct of this review consisted of: (1) examination of [State]'s response to the questionnaire; (2) review of applicable [State] statutes and regulations; (3) analysis of quantitative information from the [radiation control program] licensing and inspection data base; (4) technical review of selected licensing and inspection actions; (5) field accompaniments of [number] [State] inspector[s]; and (6) interviews with staff and management to answer questions or clarify issues. The team evaluated the information that it gathered against the IMPEP performance criteria for each common and non-common indicator and made a preliminary assessment of the radiation control program's performance.

Section 2 below discusses the State's actions in response to recommendations made following the previous review. Results of the current review for the IMPEP common performance indicators are presented in Section 3. Section 4 discusses results of the applicable non-common performance indicators, and Section 5 summarizes the review team's findings and recommendations. Recommendations made by the review team are comments that relate directly to program performance by the State. A response is requested from the State to all recommendations in the final report.

## 2.0 STATUS OF ITEMS IDENTIFIED IN PREVIOUS REVIEWS

During the previous routine review, which concluded on [Date], [number] comments and recommendations were made and the results transmitted to [Name], [Title], [State organization] on [Date]. The follow-up review resulted in the closure of [number] of the [total number] recommendations. The team's review of the current status of these recommendations is as follows:

1. [Comment from previous review]

Current Status: [Status of Recommendation]. This recommendation is [closed/open].

2. [Comment from previous review]

Current Status: [Status of Recommendation]. This recommendation is closed and is evaluated further in Section [x.x] the indicator "[Performance indicator]."

During the [year of previous review] review, [number] suggestions were made concerning: [list focus of all suggestions made]. The team determined that the State considered the suggestions and took appropriate actions.

### 3.0 COMMON PERFORMANCE INDICATORS

IMPEP identifies five common performance indicators to be used in reviewing both NRC Regional and Agreement State programs. These indicators are: (1) Status of Materials Inspection Program; (2) Technical Quality of Inspections; (3) Technical Staffing and Training; (4) Technical Quality of Licensing Actions; and (5) Response to Incidents and Allegations.

#### 3.1 Status of Materials Inspection Program

The team focused on four factors in reviewing this indicator: inspection frequency, overdue inspections, initial inspection of new licenses, and timely dispatch of inspection findings to licensees. The review team's evaluation is based on the [State] questionnaire responses relative to this indicator, data gathered independently from the State's licensing and inspection data tracking system, the examination of completed licensing and inspection casework, and interviews with managers and staff.

[See MD 5.6 and STP Procedure SA-101 for specific areas covered. At a minimum, this section should contain four paragraphs, one discussing each of these topics: inspection frequency, overdue inspections, initial inspection of new licenses, and timely dispatch of inspection findings to licensees.]

Based on the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, Status of the Materials Inspection Program, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

#### 3.2 Technical Quality of Inspections

The team evaluated the inspection reports, enforcement documentation, and inspection field notes and interviewed inspectors for [number] radioactive materials inspections conducted during the review period. The casework included [number] of the State's materials license inspectors, and covered inspections of various types including [list types such as radiography, medical, academic, portable gauge, nuclear pharmacy, and teletherapy]. Appendix C lists the inspection casework files reviewed for completeness and adequacy with case-specific comments.

[See MD 5.6 and STP Procedure SA-102 for specific areas covered. The following paragraph is boilerplate language that should be used as appropriate when discussing inspection casework:]

Based on casework, the review team noted that the routine inspections covered all aspects of the licensees' radiation programs. The review team found that inspection reports were thorough, complete, consistent, and of high quality, with sufficient documentation to ensure that licensee's performance with respect to health and safety was acceptable. The documentation supported violations, recommendations made to the licensee, unresolved safety issues, and discussions held with the licensee during exit interviews. Team inspections were performed when appropriate and for training purposes.

[The following paragraph is boilerplate language that should be used as appropriate when discussing inspector accompaniments:]

[Number] State inspectors were accompanied during inspections by a review team member during the period of [week of accompaniments]. Inspector accompaniments were conducted during inspections as follows: [list types such as radiography, medical, academic, portable gauge, nuclear pharmacy, and teletherapy]. These accompaniments are identified in Appendix C.

[If appropriate] During the accompaniments, each inspector demonstrated appropriate inspection techniques and knowledge of the regulations. The inspectors were trained, prepared, and thorough in their audits of the licensees' radiation safety programs. Overall, each inspector utilized good health physics practices, their interviews with licensee personnel were performed in an effective manner, and their inspections were adequate to assess radiological health and safety at the licensed facilities.

Based on the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, Technical Quality of Inspections, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

### 3.3 Technical Staffing and Training

Issues central to the evaluation of this indicator include the radioactive materials program staffing level and staff turnover, as well as the technical qualifications and training histories of the staff. To evaluate these issues, the review team examined the State's questionnaire responses relative to this indicator, interviewed program management and staff, and considered any possible workload backlogs.

[See MD 5.6 and STP Procedure SA-103 for specific areas covered.]

Based on the team's finding and the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, Technical Staffing and Training, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

### 3.4 Technical Quality of Licensing Actions

The review team examined completed licensing casework and interviewed the staff for [number] specific licenses. Licensing actions were evaluated for completeness, consistency, proper isotopes and quantities used, qualifications of authorized users, adequate facilities and equipment, and operating and emergency procedures sufficient to establish the basis for licensing actions. Licenses were evaluated for overall technical quality including accuracy, appropriateness of the license, its conditions, and tie-down conditions. Casework was evaluated for timeliness, adherence to good health physics practices, reference to appropriate regulations, documentation of safety evaluation reports, product certifications or other

supporting documents, consideration of enforcement history on renewals, pre-licensing visits, peer or supervisory review as indicated, and proper signature authority. The files were checked for retention of necessary documents and supporting data.

The licensing casework was selected to provide a representative sample of licensing actions which were completed during the review period. The sampling included the following types: [list types of licenses such as broad academic; decontamination services; in vitro laboratory; industrial radiography; small irradiator; medical (private practice, teletherapy, and high dose remote after loader); nuclear pharmacy; well logging; ordnance testing; and low-level radioactive waste disposal]. Types of licensing actions selected for evaluation included [number] new licenses, [number] amendments to existing licenses, [number] license renewals, and [number] terminations. [In discussions with [State management], it was noted that there were no major decommissioning efforts underway with regard to agreement material in [State]. Also, there were no identified sites with potential decommissioning difficulties equivalent to those sites in NRC's site Decommissioning Management Plan.] A list of the licenses evaluated with case-specific comments can be found in Appendix D.

[See MD 5.6 and STP Procedure SA-104 for specific areas covered. The following boilerplate language should be used as appropriate when discussing licensing casework:]

The team found that the licensing actions were very thorough, complete, consistent, of high quality and properly addressed health and safety issues.

Based on the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, Technical Quality of Licensing Actions, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

### 3.5 Response to Incidents and Allegations

In evaluating the effectiveness of the State's actions in responding to incidents, the review team examined the State's response to the questionnaire relative to this indicator, evaluated selected incidents reported for [State] in the "Nuclear Material Events Database" (NMED) against those contained in the [State] files, and evaluated the casework and supporting documentation for [number] material incidents. A list of the incident casework examined with case-specific comments is included in Appendix E. The team also reviewed the State's response to [number] allegations involving radioactive materials including [number] allegation(s) referred to the State by NRC during the review period.

[See MD 5.6 and STP Procedure SA-105 for specific areas covered. The following boilerplate language should be used as appropriate:]

The review team discussed the State's incident and allegation procedures, file documentation, the State's equivalent to the Freedom of Information Act, NMED, and notification of incidents to the NRC Operations Center with the program managers and selected staff.

Based on the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, Response to Incidents and Allegations, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

#### 4.0 NON-COMMON PERFORMANCE INDICATORS

IMPEP identifies four non-common performance indicators to be used in reviewing Agreement State programs: (1) Legislation and Program Elements Required for Compatibility; (2) Sealed Source and Device Evaluation Program; (3) Low-Level Radioactive Waste Disposal Program; and (4) Uranium Recovery Program. [State]'s agreement does not cover [sealed source and device evaluation program, low-level radioactive waste disposal program or uranium recovery program], so only the first [applicable number] non-common performance indicators were applicable to this review.

##### 4.1 Legislation and Program Elements Required for Compatibility

###### 4.1.1 Legislation

Along with their response to the questionnaire, the State provided the review team with the opportunity to review copies of legislation that affects the radiation control program. Legislative authority to create an agency and enter into an agreement with the NRC is granted in [State code]. The [State organizational unit] is designated as the State's radiation control agency. [The review team noted that no legislation affecting the radiation control program was passed since being found adequate during the previous review, and found that the State legislation is adequate.] or [Describe the changes]

[See MD 5.6 and STP Procedure SA-107 for specific areas covered.]

###### 4.1.2 Program Elements Required for Compatibility

The [State] Regulations for Control of Radiation, found in [regulation reference] of the [State code] apply to all ionizing radiation, whether emitted from radionuclides or devices. [State] requires a license for possession, and use, of all radioactive material including naturally occurring materials, such as radium, and accelerator-produced radionuclides.

The review team examined the procedures used in the State's regulatory process and found that [describe State regulations promulgation process].

The team evaluated [State]'s responses to the questionnaire, reviewed the status of regulations required to be adopted by the State under the Commission's adequacy and compatibility policy, and verified the adoption of regulations with data obtained from the STP Regulation Assessment Tracking System.

The team identified the following regulation changes and adoptions that will be needed in the future, and the State related that the regulations would be addressed in upcoming rulemaking or by adopting alternate legally binding requirements:

- [List the regulation and status for State adoption by either a regulation or legally binding requirement. See chronology for reference and SA-107 for correct format.]
- [List the regulation and status for State adoption by either a regulation or legally binding requirement. See chronology for reference and SA-107 for correct format.]

It is noted that Management Directive 5.9, Handbook, Part V, (1)(C)(III) provides that the above regulations issued prior to September 3, 1997 should be adopted by the State as expeditiously as possible, but not later than three years after the September 3, 1997 effective date of the Commission Policy Statement on Adequacy and Compatibility, i.e., September 3, 2000.



[See MD 5.6 and STP Procedure SA-107 for areas covered.]

Based on the IMPEP evaluation criteria, the review team recommends that [State]'s performance with respect to the indicator, Legislation and Program Elements Required for Compatibility, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

#### 4.2 Sealed Source and Device (SS&D) Evaluation Program

[FOR AGREEMENT STATES WITH SEALED SOURCE DEVICE EVALUATION AUTHORITY WHO WISH TO RETAIN THIS AUTHORITY, BUT THERE HAS BEEN NO ACTIVITY BY THE STATE, USE THE FOLLOWING BOILERPLATE:]

At the time of the review, [State] had no sealed source or device manufacturers nor were any applicants anticipated in the near future. The State, however, does not wish to relinquish the authority to regulate SS&D manufacturers in the future. The State has committed in writing to have a program in place prior to performing evaluations. Accordingly, the review team did not review this indicator.

[OR FOR STATES WITH ACTIVE PROGRAMS:]

In assessing the State's Sealed Source & Device (SS&D) evaluation program, the review team examined information provided by the State in response to the IMPEP questionnaire on this indicator. A review of selected new and amended SS&D evaluations and supporting documents covering the review period was conducted. The team observed the staff's use of guidance documents and procedures, and interviewed the staff and Program Manager involved in SS&D evaluations.

##### 4.2.1 Technical Quality of the Product Evaluation Program

The review team examined [number] new or revised SS&D registry certificates and their supporting documentation. The certificates reviewed covered the period since the last program review in [date] and represented cases completed by [number] reviewers. The SS&D certificates issued by the State and evaluated by the review team are listed with case-specific comments in Appendix [F or G, as appropriate].

[See MD 5.6 and supplementary guidance for areas covered.]

##### 4.2.2 Technical Staffing and Training

[See MD 5.6 and supplementary guidance for areas covered.]

##### 4.2.3 Evaluation of Defects and Incidents Regarding SS&Ds

[See MD 5.6 and supplementary guidance for areas covered.]

Based on the IMPEP evaluation criteria, the review team recommends that [ State]'s performance with respect to the indicator, Sealed Source and Device Evaluation Program, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

[FOR AGREEMENT STATES WITH LOW-LEVEL WASTE DISPOSAL AUTHORITY, BUT ARE NOT A HOST STATE, USE THE FOLLOWING BOILERPLATE LANGUAGE:]

#### 4.3 Low-Level Radioactive Waste (LLRW) Disposal Program

In 1981, the NRC amended its Policy Statement, "Criteria for Guidance of States and NRC in Discontinuance of NRC Authority and Assumption Thereof by States Through Agreement" to allow a State to seek an amendment for the regulation of LLRW as a separate category. Those States with existing Agreements prior to 1981 were determined to have continued LLRW disposal authority without the need of an amendment. Although [State] has LLRW disposal authority, NRC has not required States to have a program for licensing a LLRW disposal facility until such time as the State has been designated as a host State for a LLRW disposal facility. When an Agreement State has been notified or becomes aware of the need to regulate a LLRW disposal facility, they are expected to put in place a regulatory program which will meet the criteria for an adequate and compatible LLRW disposal program. There are no plans for a LLRW disposal facility in [State]. Accordingly, the review team did not review this indicator.

[FOR AGREEMENT STATES WITH LOW-LEVEL WASTE DISPOSAL AUTHORITY, AND ARE HOST STATE, USE THE FOLLOWING BOILERPLATE LANGUAGE.]

#### 4.3 Low-Level Radioactive Waste (LLRW) Disposal Program

[Short summary of low-level waste program.]

##### 4.3.1 Status of Low-Level Radioactive Waste Disposal Inspection

[See MD 5.6 and supplementary guidance for areas covered.]

##### 4.3.2 Technical Quality of Inspections

[See MD 5.6 and supplementary guidance for areas covered.]

##### 4.3.3 Technical Staffing and Training

[See MD 5.6 and supplementary guidance for areas covered.]

##### 4.3.4 Technical Quality of Licensing Actions

[See MD 5.6 and supplementary guidance for areas covered.]

##### 4.3.5 Response to Incidents and Allegations

[See MD 5.6 and supplementary guidance for areas covered.]

Based on the IMPEP evaluation criteria for the above five performance areas, the review team recommends that [State]'s performance with respect to the indicator, Low-level Radioactive Waste Disposal Program, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

#### 4.4 Uranium Recovery Program

[Short summary of the uranium recovery program.]

##### 4.4.1 Status of Uranium Recovery Operations Inspection Program

[See MD 5.6 and supplementary guidance for areas covered.]

#### 4.4.2 Technical Quality of Inspections

[See MD 5.6 and supplementary guidance for areas covered.]

#### 4.4.3 Technical Staffing and Training

[See MD 5.6 and supplementary guidance for areas covered.]

#### 4.4.4 Technical Quality of Licensing Actions

[See MD 5.6 and supplementary guidance for areas covered.]

#### 4.4.5 Response to Incidents and Allegations

[See MD 5.6 and supplementary guidance for areas covered.]

Based on the IMPEP evaluation criteria for the above five performance areas, the review team recommends that [State]'s performance with respect to the indicator, Uranium Recovery Program, be found [satisfactory/satisfactory with recommendations for improvement/unsatisfactory].

### 5.0 SUMMARY

As noted in Sections 3 and 4 above, the review team found that [State]'s performance to be satisfactory for the indicators, [list indicators]. The review team found [State's] performance to be satisfactory with recommendations for improvement for the indicator(s), [list indicators]. Accordingly, the review team recommends that the Management Review Board find the [State] Agreement State Program to be [adequate to protect public health and safety/adequate, but needs improvement] and [compatible/not compatible] with NRC's program.

Below is a summary list of recommendations, as mentioned in earlier sections of the report, for evaluation and implementation, as appropriate, by the State. [Also, the "good practice" noted in the report is identified.]

#### RECOMMENDATIONS:

1. The review team recommends that the State [Recommendation taken from the text of the report] (Section [x.x])
2. The review team recommends that the State [Recommendation taken from the text of the report] (Section [x.x])

#### GOOD PRACTICE:

1. The review team identified [text of good practice] as a good practice. (Section [x.x])

## LIST OF APPENDICES AND ATTACHMENTS

Appendix A	IMPEP Review Team Members
Appendix B	[STATE] Organization Charts
Appendix C	Inspection Casework Reviews
Appendix D	License Casework Reviews
Appendix E	Incident Casework Reviews
Appendix F	Sealed Source & Device Casework Reviews
Appendix G	[STATE'S] Questionnaire Response

APPENDIX A

IMPEP REVIEW TEAM MEMBERS

Name	Area of Responsibility
[Team Leader], [Organization]	Team Leader [List performance indicators]
[Team member], [State]	[List performance indicators]
[Team member], [Organization]	[List performance indicators]

APPENDIX B

[STATE]

[TITLE OF ORGANIZATION]

ORGANIZATION CHART[S]

## APPENDIX C

### INSPECTION CASEWORK REVIEWS

NOTE: ALL INSPECTIONS LISTED WITHOUT COMMENT ARE INCLUDED FOR COMPLETENESS ONLY; NO SIGNIFICANT COMMENTS WERE IDENTIFIED BY THE IMPEP TEAM.

File No.: 1

Licensee: [name]

Location: [city, state abbreviation]

License Type: [Type]

Inspection Date: [M/D/Y]

License No.: [i.d. number]

Inspection Type: [Routine, Special, Initial]

Priority: [#]

Inspector: [initials only]

Comments:

a)

A.

File No.: 2

Licensee: [name]

Location: [city, state abbreviation]

License Type: [Type]

Inspection Date: [M/D/Y]

License No.: [i.d. number]

Inspection Type: [Routine, Special, Initial]

Priority: [#]

Inspector: [initials only]

Comment:

a)

File No.: 3

Licensee: [name]

Location: [city, state abbreviation]

License Type: [Type]

Inspection Date: [M/D/Y]

License No.: [i.d. number]

Inspection Type: [Routine, Special, Initial]

Priority: [#]

Inspector: [initials only]

### INSPECTOR ACCOMPANIMENTS

In addition, the following inspection accompaniments were performed as part of the on-site IMPEP review.

File No.: 3

Licensee: [name]

Location: [city, state abbreviation]

License Type: [Type]

Inspection Date: [M/D/Y]

License No.: [i.d. number]

Inspection Type: [Routine, Special, Initial]

Priority: [#]

Inspector: [initials only]

## APPENDIX D

### LICENSE CASEWORK REVIEWS

NOTE: ALL LICENSES LISTED WITHOUT COMMENT ARE INCLUDED FOR COMPLETENESS ONLY; NO SIGNIFICANT COMMENTS WERE IDENTIFIED BY THE IMPEP TEAM.

File No.: 1

Licensee: [name]

License No.: [i.d. number]

Location: [city, state abbreviation]

Amendment No.: [#]

License Type: [type]

Type of Action: [New, Amendment, Termination, Renewal]

Date Issued: [M/D/Y]

License Reviewer: [initials only]

Comment:

a)

File No.: 2

Licensee: [name]

License No.: [i.d. number]

Location: [city, state abbreviation]

Amendment No.: [#]

License Type: [type]

Type of Action: [New, Amendment, Termination, Renewal]

Date Issued: [M/D/Y]

License Reviewer: [initials only]

Comments:

a)

b)

File No.: 3

Licensee: [name]

License No.: [i.d. number]

Location: [city, state abbreviation]

Amendment No.: [#]

License Type: [type]

Type of Action: [New, Amendment, Termination, Renewal]

Date Issued: [M/D/Y]

License Reviewer: [initials only]



## APPENDIX E

### INCIDENT CASEWORK REVIEWS

NOTE: ALL INCIDENTS LISTED WITHOUT COMMENT ARE INCLUDED FOR COMPLETENESS ONLY; NO SIGNIFICANT COMMENTS WERE IDENTIFIED BY THE IMPEP TEAM.

File No.: 1

Licensee: [name]

Licensee No.: [i.d. number]

Site of Incident: [city, state]

Incident Log No.: [i.d. number if any]

Date of Incident: [M/D/Y]

Type of Incident: [Transportation, Contaminated Package, etc]

Investigation Date: [M/D/Y]

Type of Investigation: [On-site, Telephone, None, etc.]

Summary of Incident and Final Disposition: [brief description, approximately 5-7 lines or less, of events]

Comments:

a)

b)

File No.: 2

Licensee: [name]

Licensee No.: [i.d. number]

Site of Incident: [city, state]

Incident Log No.: [i.d. number if any]

Date of Incident: [M/D/Y]

Type of Incident: [Transportation, Contaminated Package, etc]

Investigation Date: [M/D/Y]

Type of Investigation: [On-site, Telephone, None, etc.]

Summary of Incident and Final Disposition: [brief description, approximately 5-7 lines or less, of events]

Comment:

a)

File No.: 3

Licensee: [name]

Licensee No.: [i.d. number]

Site of Incident: [city, state]

Incident Log No.: [i.d. number if any]

Date of Incident: [M/D/Y]

Type of Incident: [Transportation, Contaminated Package, etc]

Investigation Date: [M/D/Y]

Type of Investigation: [On-site, Telephone, None, etc.]

Summary of Incident and Final Disposition: [brief description, approximately 5-7 lines or less, of events]

## APPENDIX F

### SEALED SOURCE & DEVICE CASEWORK REVIEWS

NOTE: ALL SS&D REVIEWS LISTED WITHOUT COMMENT ARE INCLUDED FOR COMPLETENESS ONLY; NO SIGNIFICANT COMMENTS WERE IDENTIFIED BY THE IMPEP TEAM.

File No.: 1

Manufacture: [company name]

Date Issued: [M/D/Y]

Registry No.: [#]

SS&D Type: [Static Eliminator, Portable Gauge, etc.]

Comments:

a)

b)

c)

File No.: 2

Manufacture: [company name]

Date Issued: [M/D/Y]

Registry No.: [#]

SS&D Type: [Static Eliminator, Portable Gauge, etc.]

Comment:

a)

File No.: 3

Manufacture: [company name]

Date Issued: [M/D/Y]

Registry No.: [#]

SS&D Type: [Static Eliminator, Portable Gauge, etc.]

## APPENDIX F

### Sample Letter for Final Report

[NAME]  
[TITLE, STATE SENIOR MANAGEMENT]  
[ADDRESS]

Dear [NAME]:

On [DATE], the Management Review Board (MRB) met to consider the proposed final Integrated Materials Performance Evaluation Program (IMPEP) report on the [STATE] Agreement State Program. The MRB found the [STATE] program [ADEQUATE TO ASSURE PUBLIC HEALTH AND SAFETY/ADEQUATE, BUT NEED IMPROVEMENT] and [COMPATIBLE/NOT COMPATIBLE] with NRC's program.

Section 5.0, page [PAGE NUMBER], of the enclosed final report presents the IMPEP team's recommendations. [WE RECEIVED YOUR [DATE] LETTER WHICH DESCRIBED THE ACTIONS TAKEN IN RESPONSE TO THE TEAM'S RECOMMENDATIONS. WE REQUEST NO ADDITIONAL INFORMATION.] or [WE REQUEST YOUR EVALUATION AND RESPONSE TO THOSE RECOMMENDATIONS WITHIN 30 DAYS FROM RECEIPT OF THIS LETTER.]

Based on the results of the current IMPEP review, the next full review will be in approximately [#] years.

I appreciate the courtesy and cooperation extended to the IMPEP team during the review and your support of the Radiation Control Program. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

[NAME]  
Deputy Executive Director  
for Materials, Research, and  
State and Tribal Programs

Enclosure:  
As stated

cc: [NAME, RCP, STATE]  
[SLO]

bcc: [CHAIRMAN]  
[NRC COMMISSIONERS]

APPENDIX F (Continued)

Distribution:

DIR RF

Senior Project Manager for IMPEP Coordination, STP

Senior Program Analyst, NMSS

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DATE										

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# APPENDIX G

## Sample Acknowledgment Letter

[NAME]  
[TITLE, STATE SENIOR MANAGEMENT]  
[ADDRESS]

Dear [NAME]:

Thank you for your letter dated [DATE], responding to our request for an evaluation and response to the recommendations of the final Integrated Materials Performance Evaluation Program (IMPEP) review report for the [STATE] Agreement State Program. We find you responses adequate and will conduct the next IMPEP review in [FY].

We appreciate the positive actions that you and your staff have taken and are continuing to implement with regard to our comments. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

[NAME]  
Deputy Executive Director  
for Materials, Research, and State Programs

Enclosure:  
As stated

cc: [NAME, RCP, STATE]  
[SLO]

### Distribution:

DIR RF  
Senior Project Manager for IMPEP Coordination, STP  
Senior Program Analyst, NMSS  
[IMPEP TEAM MEMBERS]  
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NAME	Team Leader								
DATE									

STP FILE CODE: SP-AG-##