

October 9, 2003

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA

**OPPORTUNITY TO COMMENT ON REVISED DRAFT STP PROCEDURE SA-116,
“PERIODIC MEETINGS WITH AGREEMENT STATES BETWEEN IMPEP REVIEWS”
(STP- 03- 077)**

Enclosed for your review and comment is a redline-strikeout revision of Office of State and Tribal Programs (STP) Procedure SA-116, “Periodic Meetings with Agreement States Between IMPEP Reviews.” This procedure provides the guidelines for conducting periodic or mid-cycle meetings with Agreement States between scheduled Integrated Materials Performance Evaluation Program (IMPEP) reviews. This procedure was revised with consideration of the comments received from the January 9, 2003, All Agreement States Letter STP-03-002, “Opportunity to Comment on Draft Options for New Periodic Meeting Procedures,” www.hsrdoornl.gov/nrc/agstates/other/sp03002.pdf and comments from NRC regional offices.

A major area of these comments related to elimination of specific focus and guidance on use of self audits as a part of the periodic meeting process. The explicit use of self-audits has been eliminated from the procedure. In addition, commenters pointed out that periodic meetings had evolved to where they were effectively gathering important performance information. This is due to an increased focus on identifying performance issues early. Current periodic meetings’ practices include: (1) increased scope of discussion that allows a better sharing of information between the NRC and the States; (2) briefing the MRB on the meeting’s results with active participation from State staff; (3) identification of Program weaknesses (e.g., staffing shortage, inspection backlogs) and implementation of corrective measures in a timely manner.

The enclosed procedure was drafted to incorporate and document these current practices and to reflect comments received on the earlier draft. We would appreciate receiving your comments within 30* days from the date of this letter. If you have any questions regarding this correspondence, please contact me at (301)-415-3340 or the individual named below.

Thank you for your attention to this matter.

POINT OF CONTACT: Osiris Siurano
TELEPHONE: (301) 415-2307

INTERNET: OSP@NRC.GOV
FAX: (301) 415-3502

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

Enclosure: As stated

* This information request has been approved by OMB 3150-0029, expiration 06/30/04. The estimated burden per response to comply with this voluntary collection is approximately 6 hours. Forward any comments regarding the burden estimate to the Information and Records Branch (T-6F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0029), Office of Management and Budget, Washington, DC 20503. If a document does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information.

STP-03-077

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OFFICE	STP		STP:DD		STP:D				
NAME	OSiurano:gd		JMPiccone (KPHsueh for)		PHLohaus				
DATE	10/2/03		10/7/03		10/9/03				

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OSP STP Procedure Approval

Periodic Meetings with Agreement States Between IMPEP Reviews - SA-116

Issue Date:

Expiration Date:

Paul H. Lohaus
Director, OSP STP

Original signed by:
Paul H. Lohaus

Date:

~~Frederick C. Combs~~
Josephine Piccone
Deputy Director, OSP STP

Original signed by:
Josephine M. Piccone ~~Frederick Combs~~

Date:

~~Lance J. Rakovan~~
Osiris Siurano
Procedure Contact, OSP STP

Original signed by:
Osiris Siurano ~~Lance J. Rakovan~~

Date:

NOTE

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

	Procedure Title: <i>Periodic Meetings with Agreement States Between IMPEP Reviews</i> Procedure Number: SA-116	Page: 1 of 11 Issue Date: / /2003
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I. INTRODUCTION

This procedure describes the general objectives and process to be followed when scheduling, assigning personnel, conducting, and ~~reporting~~ documenting a periodic meeting with an Agreement State.

II. OBJECTIVES

- A. Designate the ~~proper~~ frequency for periodic meetings. ~~in relation to an Agreement State's Integrated Materials Performance Evaluation Program (IMPEP) review frequency.~~
- B. Establish procedures for scheduling and conducting a periodic one-day meeting with an Agreement State.
- C. Identify the NRC staff and requested State staff who should participate in a periodic meeting, including staff responsible for conducting the meeting.
- D. ~~Interpret~~ Define the scope of activities and areas ~~that should be discussed~~ during a periodic meeting.
- E. Define methods and timing for documenting and communicating the results of the meeting to the State.
- F. Specify the correct steps to take when concerns are identified during a periodic meeting.

III. BACKGROUND

~~In their respective Management Review Board (MRB) meetings,~~ At the September 1996 All Agreement States Meeting, the issue of conducting a mid-cycle or periodic meeting was discussed. ~~In~~ Some Agreement States consistently commented on the need for NRC presence on a more frequent basis than once every four years. SECY-96-234, "Status Report on Implementation of the Integrated Materials Performance Evaluation Program," November 12, 1996, it was proposed that periodic one-day meetings with Agreement States not scheduled for Integrated Materials Performance Evaluation Program (IMPEP) reviews take place ~~in order~~ to help all parties to remain knowledgeable of their respective programs and to ~~conduct planning~~ for the next IMPEP review.

In 1999, NRC completed its first round of IMPEP reviews for all Agreement States. A Working Group composed of NRC and Agreement State representatives was tasked with conducting an independent examination of the IMPEP experiences to date that could further enhance the program.

The IMPEP Lessons Learned Report categorized changes to the periodic meetings' procedure as a high priority, substantive change. Such changes, as stated in the report, are needed to make the periodic meetings with Agreement States more effective. The Working Group recommended that the periodic meetings should focus on self-audits and to update the IMPEP questionnaire.

Staff developed a revision to the periodic meeting's procedure incorporating self-audits as a part of the process. Based on Agreement State and NRC comments on this revision and further evolution and changes in the periodic meeting process, the explicit guidance on the use of self-audits was eliminated from the procedure.

The periodic meeting process has evolved to the extent that it is effectively gathering important performance information. NRC staff has found that this evolution is due to an increased focus on identifying performance issues early.

This procedure documents current periodic meetings' practices, which include: (1) increased scope of discussion that allows a better sharing of information between the NRC and the Agreement States; (2) briefing the MRB on the meeting's results with active participation from Agreement State staff; (3) identification of Program weaknesses (e.g., staffing shortage, inspection backlogs) and implementation of corrective measures in an earlier manner.

IV. ROLES AND RESPONSIBILITIES

A. IMPEP Project Manager

The ~~senior~~IMPEP project manager for IMPEP coordination is responsible for ~~tracking periodic meetings as well as action items identified during the periodic meetings. The senior project manager for IMPEP coordination is responsible for:~~ informing each Regional State Agreements Officer (RSAO) of the proposed IMPEP and periodic meetings schedule for each year.

B. Periodic Meetings Coordinator

The periodic meetings coordinator is responsible for:

1. Tracking periodic meetings as well as action items identified during the meetings.

2. Identifying any meeting action items that have not been resolved at the time the meeting summary letter is dispatched.
3. Notifying the Office of State and Tribal Programs' (STP) controlled ticket coordinator to formally ticket and assign any items as necessary.
4. Follow-up on the resolution of action items.

BC. Regional States Agreement Officer

The RSAO is responsible for:

1. ~~s~~Scheduling meetings with each of those Agreement States in his/her Region at the ~~proper~~ appropriate frequency. ~~The RSAO is responsible for:~~
12. Coordinating with Regional management, Agreement State Program management, and the ~~OSPSTP~~ Agreement State Project Officer (ASPO) to assure that a suitable date for the meeting is chosen.
3. Inform ~~T~~the ~~senior~~ IMPEP project manager ~~for IMPEP~~, periodic meetings coordinator, and Regional management ~~as required by Regional procedure or practice, will be informed of the meeting date.~~
24. Developing a draft agenda for the meeting with Agreement State ~~p~~Program management. (In cases where issues are identified that require the meeting's length to be extended, ~~t~~The RSAO and ASPO will ~~also~~ consult with ~~the OSPSTP Director~~ management ~~and the ASPO~~ to estimate the ~~length of the meeting~~ meeting's length).
35. Issuing, once a proposed meeting date has been chosen, a letter to the Agreement State Radiation Control Program Director, a minimum of 60 days before the meeting, confirming the date for the meeting. The letter ~~should~~ shall include the draft agenda that was developed ~~jointly in~~ consultation with Agreement State Program management, as well as a request for any comments on the draft agenda and additional specific meeting discussion topics. The Deputy Director, ~~OSPSTP~~, the ~~senior~~ IMPEP project manager, STP periodic meetings coordinator, appropriate Regional management, ~~for IMPEP coordination~~, and the ASPO should be on distribution for the letter. A sample letter is attached as Appendix A.
46. Scheduling and planning for the meeting to ensure that State attendance ~~at the meeting~~ will include at least one Radiation Control Program representative who can speak on behalf of the Agreement State ~~p~~Program.

Preferably, the Agreement State Radiation Control Program Director will attend the meeting. Agreement State pProgram staff attendance at the meeting will be determined by the Agreement State.

57. ~~Becoming Ffamiliarizing him or herself~~ with the Agreement State pProgram prior to the meeting. The RSAO should review all the recommendations ~~and suggestions~~ made during ~~that~~ the most recent IMPEP review (if a previous periodic meeting had been held, review the Program's status as of ~~as well as their status as of~~ the date of the ~~most recent periodic~~ meeting). The RSAO should obtain a detailed printout of all State Nuclear Material Events Database (NMED) data since the last IMPEP review or periodic meeting. The RSAO should also be familiar with all allegations and concerns referred to the State for handling since the last IMPEP review or periodic meeting (obtained from the Regional Senior Allegations Coordinator, ~~and~~ the Allegation Management System, and/or the STP Allegations Coordinator), and the status of the State's regulations as detailed in the STP State Regulation Status Data Sheet ~~Assessment Tracking System (RATS)~~.
68. Serving as lead for the meeting. If the RSAO cannot serve as lead, the RSAO will reschedule the meeting, or request that the ASPO lead the meeting. If the RSAO ~~if is~~ unfamiliar with an Agreement State for any reason (e.g., there is a new RSAO or the RSAO was not a member of the previous IMPEP review team), ~~OSP-STP~~ and Regional management may choose to send an ~~OSP-STP~~ or Regional staff member more knowledgeable about the State to the meeting. This decision will be made on a case-by-case basis. The RSAO will continue to act as lead for the meeting, if in attendance.
79. ~~Preparing and sending~~ Issuing a final meeting summary and sending an electronic copy ~~of the meeting summary~~ to the Deputy Director, STP, appropriate Regional management, ~~senior IMPEP~~ project manager, ~~for IMPEP periodic meetings coordination~~ and the ASPO.
10. Providing and discussing the final periodic meeting summary with the MRB.

The ASPO will normally attend and participate in the meeting. The ASPO will also coordinate and assist the RSAO in meeting preparation and development of specific information areas that would be covered during the meeting such as event reporting, allegations and status of regulations. An alternate OSP-STP staff member may attend the meeting if the ASPO cannot attend. The ASPO may also lead the meeting if necessary.

E. Agreement State Program Director

The Program Director is responsible for :

1. In coordination with the RSAO:
 - a. Determine the meeting's date
 - b. Draft a meeting's agenda
2. Determine program staff attending the meeting
3. Provide and discuss the information requested at the meeting.

The program director (or designee) will be invited to participate in the discussion of that State's periodic meeting summary at the MRB meeting.

F. Management Review Board (MRB)

The MRB provides a senior level review of the results of the periodic meetings. Its membership includes: Deputy Executive Director for Materials, Research and State Programs (DEDMRS); Director, Office of Nuclear Material Safety and Safeguards (NMSS); Director, Office of State and Tribal Programs (STP); General Counsel; and an Agreement State Liaison to the MRB.

The MRB will always be appraised on the periodic meeting's results. The MRB provides directions on a course of action when concerns are identified during a periodic meeting. (See V.H. below).

V. GUIDANCE

- A. For a four (4) year IMPEP cycle, a midterm ~~Periodic meetings with Agreement State~~ should take place at the following intervals unless an alternative frequency is decided approximately 24 months after the IMPEP review. Additional meetings may be held if requested ~~upon~~ by OSP-STP management or the State. (see V.I, below). In such situations, the meeting frequency will be adjusted. For less than

four year IMPEP cycles, periodic meetings will be rescheduled on a case by-case-basis .

IMPEP FREQUENCY	PERIODIC MEETING FREQUENCY
4-year Cycle	16 Months (two meetings in four years)
3-year Cycle	18 Months (one meeting in three years)
2-year Cycle	12 Months (one meeting in three years)

- B. The periodic meeting ~~is for~~ serves as a forum to hold discussions, information exchange, identification of potential areas of improvement for both NRC and Agreement State Programs, to address or define significant actions and assessment of IMPEP review planning. Periodic meetings are not ~~for~~ a formal evaluation but, rather, an open, informal interactive discussion of a program's status and performance. They are ~~periodic meeting is not~~ intended to include reviews of any licensing, inspection, or incident files. Review of some documents, however, may be useful during the meeting to clarify points made in discussions (for example, summary printouts of inspection information, close-out letters in incident files, status of regulations, etc.).

As appropriate, topic areas for ~~the scope of~~ discussions during the meeting should include the following ~~(but not limited to)~~:

1. Status of State's actions to address ~~on~~ all open previous IMPEP review findings and/or open recommendations ~~that have not been recommended for closure at a previous periodic meeting.~~
2. Strengths and/or weaknesses of the State program as identified by the State or NRC including identification of actions that could diminish weaknesses.
3. Feedback on NRC's program as identified by the State, ~~and~~ including identification of any action that should be considered by NRC.
4. Status of State Program ~~or policy changes under development or recently completed~~ including:
 - a. Changes in program's Staffing and Training
 - i) Number of staff in the program and status of their training and qualifications

- ii) Program vacancies
 - iii) Staff turnover
 - iv) Adequacy of FTEs for the materials program
 - b. Materials Inspection Program
 - i) Discuss the status of the inspection program. If an inspection backlog exists, discuss the steps being taken to work off the backlog
 - c. Regulations and Legislative changes
 - i) Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements
 - d. Program reorganizations
 - i) Discuss any changes in program organization including program/staff relocations and new appointments
 - e. Changes in Program budget/funding
 - f. ~~Redistribution of responsibilities~~ For States whose Agreement became effective after August 26, 1999 determine the status of Site Decommissioning Management Plan (SDMP) sites transferred to the State. [Note that the Commission has asked that the State should notify NRC when the license has been terminated and whether the site ~~was~~ has been released for unrestricted use as defined by the Agreement State].
- 5. ~~Status of NRC program changes (similar to those in 4) that could impact Agreement States.~~ Event Reporting, including follow-up and closure information in NMED.
- 6. ~~Results of any internal program audits/self assessments conducted by the State.~~ Response to Incidents and Allegations
 - a. Status of allegations and concerns referred by the NRC for action
 - b. Significant events and generic implications
- 7. ~~Status of all allegations and concerns previously referred by NRC to the Agreement State Radiation Control Program for action, and methods used~~

~~to resolve allegations that have been closed.~~ Status of the following
Program areas (if applicable)

- a. Sealed Source and Device Evaluation Program
- b. Uranium Recovery Program
- c. Low-Level Waste Disposal Program

8. ~~Compatibility of Agreement State regulations~~ Information exchange and discussion

- a. Current State initiatives
- b. Emerging technologies
- c. Large, complicated or unusual authorizations for use of radioactive materials
 - i) Panoramic/Pool/Underwater Irradiators
 - ii) Major decommissioning and license termination actions
 - iii) Waste processing, storage and disposal licenses
 - iv) Others
- d. Mechanisms to evaluate performance. Discuss any mechanisms used by the State to evaluate performance such as:
 - i) self audits
 - ii) computer tracking
 - iii) inspector accompaniments
 - iv) other management tools
- e. NRC current initiatives

9. ~~NMED reporting including event follow-up and closure information.~~

10. ~~For States whose Agreement became effective after August 26, 1999, determine the status of Site Decommissioning Management Plan (SDMP) sites transferred to the State. The State should notify NRC when the license has been terminated and whether the site was released for unrestricted use as defined by the Agreement State.~~

11.9. Schedule for the next IMPEP review.

10. Action items resulting from the periodic meeting (e.g., provide copies of NUREG reports, guidance documents, other materials discussed and committed to during the meeting, etc.). The meeting should not be used

by the States to refer major policy issues to the NRC since these are addressed through other mechanisms.

11. Other Topics

- ~~C.~~ During the course of the meeting discussions, all of the common and applicable non-common performance indicators should be addressed to determine if any of the actions detailed in V.I., below are necessary.
- ~~DC.~~ For open IMPEP review findings that the RSAO and ASPO have determined to be closed ~~conclude have been resolved~~, a recommendation for closure should be included in the meeting summary letter. Formal closure will be completed only at the time of the next IMPEP review. Chronic problems should not be recommended for closure until sufficient time has passed to demonstrate that the problem is properly addressed.
- ~~ED.~~ ~~The single exception is the~~ The RSAO and ASPO will need to review of all allegations and concerns referred to the State by the NRC in which the alleged's identity has been withheld. In addition, any performance concerns referred to the State should be discussed. It is not necessary to perform an in-depth review on performance concerns closed through the STP Procedure SA-400 "Management of Allegations." The RSAO and ASPO need to assure that appropriate follow-up action has been taken. ~~The meeting lead should discuss and review these allegations and concerns in depth.~~
- ~~FE.~~ During the meeting, NRC representatives should request introductions to new staff or to staff that they have not met previously.
- ~~GF.~~ As time permits, open idea exchanges between NRC and Agreement State staff not in attendance at the meeting is encouraged.
- ~~HG.~~ The meeting lead should informally share, prior to its final issuance, a draft summary report with the Program Director for review and comments. The meeting lead should ~~dispatch~~ issue and send the ~~a concise~~ final summary letter of the meeting to the Agreement State Radiation Control Program Director within 30 days and provide a copy to the Deputy Director, ~~OSP-STP~~, the senior IMPEP project manager, STP's periodic meetings coordinator, appropriate Regional management, and the ASPO, for IMPEP coordination. The letter should include a list of meeting attendees, a brief synopsis of what was discussed during the meeting, the status of all open recommendations and suggestions, and a summary identifying any key facts or changes, both positive and negative, from the meeting which could affect the focus and timing of future IMPEP reviews, or program implementation.

No specific information about the allegations or concerns discussed at the meeting that could identify an alleged should be contained in the letter. The letter should state only the number of allegations and concerns discussed and whether or not the casework has been handled adequately. (If an Agreement State is not handling allegations or concerns in a manner consistent with the guidance provided in Management Directive 8.8, *Management of Allegations*, the RSAO and ASPO should report this fact separately to ~~OSP~~ STP management. That is, the Agreement State should have investigated the allegations and concerns, documented the results, and provided confidentiality in accordance with the Agreement State's statutes, rules, and procedures).

The State should be requested to provide additional comments if they believe that the letter content does not accurately reflect the meeting discussions. A sample letter is attached as Appendix B.

- ~~IIH~~. If concerns about an the Agreement State program are raised identified during the meeting:
1. The RSAO and ASPO should immediately inform ~~OSP~~ STP managers, IMPEP project manager and regional management, and recommend a course of action. The MRB should be briefed about the concerns identified and the proposed course of action.
 2. ~~OSP~~ STP management, and regional management, the IMPEP project manager along with the RSAO and ASPO will ~~agree on~~ propose a course of action for consideration by the MRB. Possible actions include altering the schedule for the next IMPEP review or scheduling an additional periodic meeting of with the specific State, conducting a special review of selected program areas, ~~or setting up~~ additional correspondence ~~or meetings~~ with the State, or placing the State on monitoring status.
 3. Once a formal course of action has been decided, an additional letter signed by the Director, ~~OSP~~ STP, may ~~should~~ be sent to the Agreement State Radiation Control Program Director along with the meeting summary letter. The letter ~~should~~ include an explanation of the specific course of action decided upon by the MRB ~~OSP management, the RSAO, and the ASPO~~, as well as a detailed summary of the reasons behind the decision. A sample letter is attached as Appendix C.

VI. APPENDICES

Appendix A - Sample meeting confirmation letter to Agreement State Radiation Control Program Director

Appendix B - Sample meeting summary letter to Agreement State Radiation
Control Program Director

Appendix C - Sample “course of action” letter to from STP Director to Agreement State
Radiation Control Program Director

VII. REFERENCES

1. NRC Management Directive 8.8, *Management of Allegations*
2. STP Procedure SA 106, *Management Review Board*
3. STP Procedure SA 400, *Management of Allegations*

Appendix A

SAMPLE MEETING CONFIRMATION LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Program Director]:

In order to help both Agreement States and the NRC remain knowledgeable of each others' programs and to conduct planning for the next IMPEP review, the IMPEP process includes holding one-day periodic meetings with Agreement States between IMPEP reviews.

In accordance with ~~OSP STP~~ Procedure SA-116, we request a meeting, no longer than one day, to discuss your Agreement State program and share programmatic information. This letter confirms that, after previous coordination, the meeting is scheduled for [date] and will be held in your offices. In addition to myself, [ASPO], Office of State and Tribal Programs, assigned as Project Officer for [State], ~~identify any other NRC staff~~ will be the other NRC representative in attendance. [identify any other NRC staff that may attend].

Based on our previous discussions the likely topics for conversation at the meeting include [add or delete topics, as appropriate, based on agenda planning discussions with the State; strictly follow the jointly developed agenda during the meeting's discussions]:

1. Status of State's actions to address ~~on~~ all open previous IMPEP review findings and/or open recommendations ~~that have not been recommended for closure at a previous periodic meeting.~~
2. Strengths and/or weaknesses of the State program as identified by the State or NRC including identification of actions that could diminish weaknesses.
3. Feedback on NRC's program as identified by the State, ~~and~~ including identification of any action that should be considered by NRC.
4. Status of State Program ~~or policy changes under development or recently completed~~ including:
 - a. ~~Changes in program's~~ Staffing and Training
 - i) Number of staff in the program and status of their training and qualifications
 - ii) Program vacancies
 - iii) Staff turnover
 - iv) Adequacy of FTEs for the materials program

Appendix A (Continued)

- b. Materials Inspection Program
 - i) Discuss the status of the inspection program. If whether an inspection backlog exists, discuss the steps being taken to work off the backlog
- c. Regulations and Legislative changes
 - i) Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements
- d. Program reorganizations
 - i) Discuss any changes in program organization including program/staff relocations and new appointments
- e. Changes in Program budget/funding
- f. ~~Redistribution of responsibilities~~ For States whose Agreement became effective after August 26, 1999, determine the status of Site Decommissioning Management Plan (SDMP) sites transferred to the State. The State should notify NRC when the license has been terminated and whether the site ~~was~~ has been released for unrestricted use as defined by the Agreement State.
- 5. ~~Status of NRC program changes (similar to those in 4) that could impact Agreement States.~~ Event Reporting, including follow-up and closure information in NMED
- 6. ~~Results of any internal program audits/self assessments conducted by the State.~~ Response to Incidents and Allegations
 - a. Status of allegations and concerns referred by the NRC for action
 - b. Significant events and generic implications
- 7. ~~Status of all allegations and concerns previously referred by NRC to the Agreement State Radiation Control Program for action, and methods used to resolve allegations that have been closed.~~ Status of the following Program areas (include if applicable)
 - a. Sealed Source and Device Evaluation Program
 - b. Uranium Recovery Program
 - c. Low-Level Waste Disposal Program

Appendix A (Continued)

8. ~~Compatibility of Agreement State regulations~~ Information exchange and discussion
 - a. Current State initiatives
 - b. Emerging technologies
 - c. Large, complicated or unusual authorizations for use of radioactive materials
 - i) Panoramic/Pool/Underwater Irradiators
 - ii) Major decommissioning and license termination actions
 - iii) Waste processing, storage and disposal licenses
 - iv) Others
 - d. Mechanisms to evaluate performance. Discuss any mechanisms used by the State to evaluate performance such as:
 - i) self audits
 - ii) computer tracking
 - iii) inspector accompaniments
 - iv) other management tools
 - e. NRC current initiatives
9. ~~NMED reporting including event follow-up and closure information.~~
10. ~~For States whose Agreement became effective after August 26, 1999, determine the status of Site Decommissioning Management Plan (SDMP) sites transferred to the State. The State should notify NRC when the license has been terminated and whether the site was released for unrestricted use as defined by the Agreement State.~~
9. Schedule for the next IMPEP review.
10. Action items resulting from the periodic meeting (e.g., provide copies of NUREG reports, guidance documents, other materials discussed and committed to during the meeting, etc.). Note: the meeting should not be used to refer major policy issues to the NRC since these are addressed through other mechanisms
11. Other topics

~~If there are any additional specific topics you would like to cover, or if you would like to focus on a specific area, please let me know.~~

Appendix A (Continued)

If you have any questions, please call me at [RSAO phone number], or e-mail to [RSAO e-mail address].

Sincerely,

[RSAO]

cc: [SLO]
[DDSTP]
[IPM]
[PMC]
[Regional Manager]
[ASPO]

Appendix B

SAMPLE MEETING SUMMARY LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Program Director]:

A periodic meeting with [State] was held on [date]. The purpose of this meeting was to review and discuss the status of [State's] Agreement State program. The NRC was represented by [ASPO and/or other OSP STP staff] from the NRC's Office of State and Tribal Programs, [any additional NRC staff in attendance including Regional staff] and me. Specific topics and issues of importance discussed at the meeting included [list a few topics discussed at the meeting that were particularly noteworthy].

I have completed and enclosed a general meeting summary, including any specific actions ~~that will be taken as a result of the meeting.~~ resulting from the discussions.

If you feel that our conclusions do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me [RSAO phone number], or e-mail to [RSAO e-mail address] to discuss your concerns.

Sincerely,

[RSAO]

Enclosure:

As stated

cc: [SLO]
[DDSTP]
[Regional Manager]
[IPM]
[PMC]
[ASPO]

Appendix B (Continued)

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR [STATE]

DATE OF MEETING: [DATE]

ATTENDEES: NRC STATE
[RSAO]
[ASPO]
[OTHER]

DISCUSSION:

The proposed status for each of the recommendations and suggestions in Section 5.0 of the [year of last IMPEP review] [State] final IMPEP report is summarized below (number corresponding to those in the final IMPEP report). A copy of Section 5.0 of the IMPEP report is attached for reference.

[List the proposed status for each recommendation and suggestion made at the most recent IMPEP review including any recommendations for closure]

Other topics covered at the meeting included [... List ~~any main~~ all meeting's discussion topics of importance other than the recommendations and suggestions listed above].

1. Status of State's actions to address all open previous IMPEP review findings and/or open recommendations
2. Strengths and/or weaknesses of the State program as identified by the State or NRC including identification of actions that could diminish weaknesses.
3. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC.
4. Status of State Program including:
 - a. Staffing and Training
 - b. Materials Inspection Program
 - c. Regulations and Legislative changes
 - d. Program reorganizations
 - e. Changes in Program budget/funding
 - f. For States whose Agreement became effective after August 26, 1999, determine the status of Site Decommissioning Management Plan (SDMP) sites transferred to the State. [Note that the Commission has asked that the State should notify NRC when the license has been terminated and whether the site was released for unrestricted use as defined by the Agreement State].

Appendix B (Continued)

5. Event Reporting, including follow-up and closure information in NMED
6. Response to Incidents and Allegations
 - a. Status of allegations and concerns referred by the NRC for action
 - b. Significant events and generic implications
7. Status of the following Program areas:
 - a. SS&D Program
 - b. Uranium Mills Program
 - c. Low-Level Waste Program
8. Information exchange and discussion
 - a. Current State initiatives
 - b. Emerging technologies
 - c. Large, complicated or unusual authorizations for use of radioactive materials
 - i) Panoramic/Pool/Underwater Irradiators
 - ii) Major decommissioning and license termination actions
 - iii) Waste processing, storage and disposal licenses
 - iv) Others
 - d. State's mechanisms to evaluate performance (as applicable)
 - i) self audits
 - ii) computer tracking
 - iii) inspector accompaniments
 - iv) other management tools
 - e. NRC current initiatives
9. Schedule for the next IMPEP review.
10. Action Items resulting from this meeting (i.e., copies of NUREG reports, listings, other).
11. Other topics

Appendix B(Continued)

CONCLUSIONS:

Conclusion #1: [conclusion as applicable]

Action #1: [as applicable]

Conclusion #2: [conclusion as applicable]

Action #2: [as applicable]

Conclusion #3: [conclusion as applicable]

Action #3: [as applicable]

Appendix C

SAMPLE FORMAL“COURSE OF ACTION” LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Program Director]:

This letter is to inform you that concerns about your program have been identified due to discussions at the [date of meeting] periodic meeting with [State]. The periodic meetings were created to help all parties involved remain knowledgeable of an Agreement State’s radiation control program and to conduct planning for the next IMPEP review. ~~In the case that c~~Concerns are identified due to ~~due to~~ during discussions at a ~~the~~ periodic meeting

~~The concerns about your program include:~~

[list in detail each individual concern about the program]

Due to these concerns, ~~the NRC has decided to [give a detailed description of what action will be taken].~~ the Management Review Board (MRB) has directed that ~~, the Office of State Programs can decide to alter~~ [the schedule for the State’s next periodic meeting or IMPEP review will be altered/~~conduct~~ a special review of selected program areas will be conducted/~~or set up~~ additional correspondence or meetings with the State ~~will be held/the program will be placed on monitoring status~~].

We ask that you respond to this letter in writing within 30 days and identify those actions you will complete to address these concerns. If you have any questions, please contact [RSAO], RSAO of Region [region], or me.

Sincerely,

[Director, Office of State and Tribal Programs]

cc: [MRB Members]
[RSAO]
[Regional Manager]
[IPM]
[SLO]
[ASPO]