

June 17, 2005

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

Jared Thompson, Chair
Organization of Agreement States, Inc.

FROM: Alice Rogers, Co-Chair **/RA 6/6/2005/**
Texas Department of State Health Services

Terry Brock, Co-Chair **/RA 6/17/2005/**
Office of State and Tribal Programs

SUBJECT: CHARTER FOR THE NRC/AGREEMENT STATE WORKING
GROUP ON AGREEMENT STATE PARTICIPATION IN
WORKING GROUPS

The charter for the NRC/Agreement State working group on Agreement State Participation in Working Groups is attached for your review and approval. The Texas Department of State Health Services hosted the initial working group meeting in Austin, Texas from May 16-18, 2005. At this meeting the charter was reviewed, edited, and accepted by the working group members. We would appreciate your earliest review and approval of this request.

Attachments:

1. Working Group Charter Approval Form
2. Working Group Charter

CONTACTS: Terry Brock, NRC/STP
(301) 415-2323

Alice Rogers, TDSHS
(512) 834-6629

Paul H. Lohaus
Jared Thompson

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Working Group Charter Approval

Agreement State Participation in Working Groups

Issue Date: June 27, 2005

original signed by:
Paul H. Lohaus, Director
Office of State and Tribal Programs

Date 6/20/2005

original signed by:
Jared W. Thompson, Chair
Organization of Agreement States

Date 6/27/2005

NOTE: The contents of this charter should not be revised or altered without prior approval from the parties listed above.

Joint NRC/Agreement State Working Group On Agreement State Participation in Working Groups

CHARTER

PURPOSE

The Office of State and Tribal Programs (STP) has established a working group in response to a 2003 Organization of Agreement States (OAS) resolution on working groups and on-going State and NRC staff concerns with the working group process. The working group will examine the process of forming working groups and the roles and responsibilities of NRC and State staff in the different types of working groups (e.g., NRC/Agreement State, rulemaking, special topics). The working group will develop a new STP procedure on working groups and suggest revisions to Management Directive (MD) 5.3 “NRC/Agreement State Working Groups.” Membership of the working group will include staff from the U.S. Nuclear Regulatory Commission (NRC), Organization of Agreement States, Inc. (OAS), and the Conference of Radiation Control Program Directors, Inc. (CRCPD).

MEMBERSHIP

The following personnel will serve on the working group:

NRC Personnel:

Terry Brock, STP, Co-Chair
Charlotte Abrams, NMSS

State Personnel:

Alice Rogers, TX, Co-Chair (appointed by OAS)
Pearce O’Kelley, SC (appointed by CRCPD)

OBJECTIVES

In examining the working group process and developing the proposed changes to MD 5.3 and in developing the STP procedure, the working group should address the following tasks:

1. Examine and establish the roles and responsibilities of working group chairs, NRC members, and State members on NRC/Agreement State working groups and other NRC working groups (e.g., Rulemaking working groups).
2. Define different types of working groups (e.g., rulemaking, tasks, and issues). Recommend revisions to, as necessary, NRC handbook(s), management directives, or other documents to include procedures for these working group types.

3. Examine the process to sunset working groups that have been idle for an extended period of time and develop written procedures, as necessary.

The working group will be responsible for developing a final charter, establishing a work plan, monitoring and reporting progress, and preparing drafts of minutes and other products. The products of the working group will be an STP procedure on the formation and operation of the different working groups that State staff may participate with NRC and suggested revisions to MD 5.3 for management consideration. All work products will be transmitted by memo to the Director of STP, and the Chairpersons of OAS and CRCPD for comment. The Director, STP, will be the owner of the working group products for potential implementation.

SCHEDULE

Complete and submit final work products to the Director, STP, within 9 months of the first working group meeting.

LEVEL OF EFFORT EXPECTED OF PARTICIPANTS

The Texas Department of State Health Services will host an initial 2.5 day meeting that will be followed by NRC hosted teleconferences, as needed. Working group participants will also be expected to review background information and draft products while not attending meetings. Drafting and revising the working group products will also be necessary. The expected period for the working group to complete this assignment will be approximately 9 months. Approximately 3 staff weeks of effort is expected for working group members.

STEERING COMMITTEE

No steering committee is proposed for this working group.

Working group meetings are not subject to the requirements of the Federal Advisory Committee Act (FACA), but they will be announced in advance through the NRC Public Meeting Notice System. Maximum use will be made of other appropriate media for facilitating interaction with the working group, for example, conference calls, facsimiles, and electronic mail. Working group meetings will be open to the public (unless predecisional information not normally publicly disclosed will be discussed) and will be held in the Washington, D.C., area or other locations as agreed upon by the working group members. Other persons attending working group meetings will be welcome to provide comments to the working group for its consideration in either written form or orally at times specified by the working group chair. Meeting minutes and draft and final documents produced by the working group will be publicly available from the NRC Public Electronic Reading Room, with the exception of exempt information.