



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 16, 1996

Ms. Merrylin Zaw-Mon, Director  
Air and Radiation Management Administration  
Maryland Department of the Environment  
2500 Broening Highway  
Baltimore, MD 21224

Dear Ms. Zaw-Mon:

The Nuclear Regulatory Commission (NRC) is implementing, on an interim basis, the Integrated Materials Performance Evaluation Program (IMPEP) to be used in the evaluation of Agreement State Programs beginning in fiscal year 1996. Enclosed for your review is the draft IMPEP report which documents the results of the Agreement State review held in your offices on September 23-27, and October 1, 1996. Patricia Larkins, Project Manager, Office of State Programs was the team leader for the Maryland review. The review team's recommendations were discussed with members of your staff on September 27, 1996.

NRC has significantly changed the manner in which periodic reviews are conducted for Agreement State programs to assure that public health and safety is adequately protected from the hazards associated with the use of radioactive materials and that Agreement State programs are compatible with NRC's program. The new 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. Four additional areas have been identified as non-common 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 review team report for review prior to submitting the report to the MRB. Your review of the draft report should focus on factual correctness of information reported by the team. I am asking that you provide your response to me within two weeks of receipt of this letter.

The team will review the response, make any necessary changes to the report and issue it to the MRB as a proposed final report. We will inform you of the date for the MRB review of the Maryland report and will provide invitational travel for you or your designee to attend.

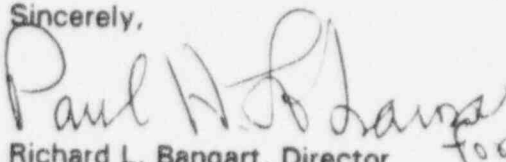
9612260301 961216  
PDR STPRG ESGMD  
PDR

DEC 16 1996

I direct your attention to Section 5.0 of the report, which provides a summary of the review team's findings and recommendations regarding the Maryland program. As noted in this section, the review team found the State's performance with respect to each of the performance indicators to be Satisfactory, with the exception of 3.2 Technical Staffing and Training and 3.4 Technical Quality of Inspections, both of which were found Satisfactory with Recommendations. The non-common performance indicator 4.1.2 Status and Compatibility of Regulations, was found to be Unsatisfactory due to the fact that the State has not adopted "Licensing and Radiation Safety Requirements for Irradiators," (equivalent to 10 CFR Part 36) which should have been adopted by the State by July 1, 1996.

As discussed above, we request your comments on the factual correctness of the report within two weeks of receipt of this letter. If you have any questions regarding the enclosed report, please contact me at (301) 415-3340 or Patricia Larkins at (301) 415-2309.

Sincerely,

  
Richard L. Bangart, Director for  
Office of State Programs

Enclosure:  
As stated

cc: R. Fletcher, Manager  
Radiological Health Program  
Air and Radiation Management Administration

DEC 16 1996

I direct your attention to Section 5.0 of the report, which provides a summary of the review team's findings and recommendations regarding the Maryland program. As noted in this section, the review team found the State's performance with respect to each of the performance indicators to be Satisfactory, with the exception of 3.2 Technical Staffing and Training and 3.4 Technical Quality of Inspections, both of which were found Satisfactory with Recommendations. The non-common performance indicator 4.1.2 Status and Compatibility of Regulations, was found to be Unsatisfactory due to the fact that the State has not adopted "Licensing and Radiation Safety Requirements for Irradiators," (equivalent to 10 CFR Part 36) which should have been adopted by the State by July 1, 1996.

As discussed above, we request your comments on the factual correctness of the report within two weeks of receipt of this letter. If you have any questions regarding the enclosed report, please contact me at (301) 415-3340 or Patricia Larkins at (301) 415-2309.

Sincerely,

Original Signed By:  
PAUL H. LOHAUS

Richard L. Bangart, Director  
Office of State Programs

Enclosure:  
As stated

cc: R. Fletcher, Manager  
Radiological Health Program  
Air and Radiation Management Administration

Distribution:

DIR RF (9600060)

DCD (SP01)

RLBangart

PDR (YES ☒ NO ☐)

PLohaus

DCollins, RII

SDroggitis

TFrazee, WA

PMLarkins

CGordon, RSAO

KSchneider

CHaney

GDeegan

Maryland

FXCameron

HNewsome

DOCUMENT NAME: G:\pml\MDIMPEP.CVR A:\MDIMPEP.DFT

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 | OSP       | E | OSP:DD   | OGC       | OSP:D     |
| NAME   | PMLarkins |   | PHLohaus | FXCameron | RLBangart |
| DATE   | 12/12/96  |   | 12/13/96 | 12/16/96  | 12/16/96  |

SP FILE CODE:

SP-AG-16

49

260004

NRC FILE CENTER COPY