



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 21, 1997

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:

On March 6, 1997, the Management Review Board (MRB) met to consider the proposed final Integrated Materials Performance Evaluation Program (IMPEP) report on the Maryland Agreement State Program. The MRB considered and concurred with the review team's recommendation that the Maryland program be found adequate to protect public health and safety but needs improvement, and not compatible with NRC's program.

Several compatibility issues were identified by NRC just prior to the MRB meeting. In a letter dated February 28, 1997, to the State of Maryland, NRC identified compatibility issues in the State's final equivalent rules, that became effective October 9, 1995, for Parts 20.1703, 20.1801, 20.2202, 30.50, 39.49, and 39.51, that had not been previously identified by NRC during previous reviews of the regulations in question. The State staff indicated at the MRB meeting that they would revise the Maryland regulations within a reasonable period of time. The MRB stated that NRC will reevaluate the compatibility determination upon final promulgation of the revisions of the specific regulations that were identified by NRC as not compatible, in the February 28, 1997, letter to the State.

Due to less than satisfactory performance of a HP-inspector during two onsite field inspections at a radiography site and a high dose rate brachytherapy facility, the team recommended Satisfactory with Recommendations for Improvement for Section 3.4 Technical Quality of Inspections. The MRB considered the overall satisfactory performance of the other three inspectors and the fact that the inspector who performed unsatisfactorily is no longer with the program, and revised the team's recommendation to a Satisfactory for this indicator.

Section 5, page 26 of the enclosed final report presents the IMPEP team's recommendations. Note that there are two additional suggestions and/or recommendations that were identified at the MRB: (1) to inform NRC when the referring physician/patient notification requirement has been completed by Sacred Heart Hospital; and (2) to consider implementing an allegation tracking system. We have received your letter dated February 3, 1997, and appreciate the positive actions that you and your staff have taken and are continuing to implement with regard to our comments. No response to this letter is necessary.

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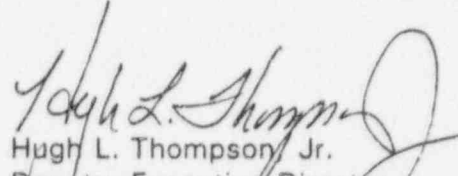
Ms. Merrylin Zaw-Mon

2

Based on the results of the current IMPEP review, the next review will be scheduled in three years, unless program concerns develop that require an earlier evaluation.

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 working with you in the future.

Sincerely,



Hugh L. Thompson Jr.
Deputy Executive Director
for Regulatory Programs

Enclosure:

As stated

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

2

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Original Signed by
Hugh L. Thompson, Jr.

Enclosure:
As stated

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

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SDroggitis
KSchneider
CZGordon, RSAO, RI
KCyr, OGC
FCongel, AEOD
CPaperiello, NMSS
TCombs, OCA
FCameron, OGC
Maryland File

PDR (YES X NO)

TFrazee, WA
DCollins, RII
CHaney, NMSS
DCool, NMSS

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