



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

February 28, 1997

MEMORANDUM TO:

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

Richard L. Bangart, Director  
Office of State Programs

Carl J. Paperiello, Director  
Office of Nuclear Material Safety  
and Safeguards

Karen D. Cyr, General Counsel

Denwood F. Ross, Acting Director  
Office for Analysis and Evaluation  
of Operational Data

FROM:

Paul H. Lohaus, Deputy Director  
Office of State Programs

SUBJECT:

INTEGRATED MATERIALS PERFORMANCE EVALUATION  
PROGRAM (IMPEP) REVIEW OF MARYLAND RADIATION  
CONTROL PROGRAM

This memorandum transmits to the Management Review Board (MRB) a proposed final report (Attachment 1) documenting the IMPEP review of the Maryland Radiation Control Program. The review of the Maryland program was conducted by an interoffice team during the period September 23-27, 1996 and October 1, 1996. The team issued a draft report to Maryland on December 16, 1996, for factual comment. Maryland's factual comments, received by letter dated February 3, 1997, from Ms. Merrylin Zaw-Mon, Director, Air and Radiation Management Administration, (Attachment 2), have been incorporated into the proposed final report.

The review team found the State's performance, with respect to the common and non-common 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 for Improvement. The non-common indicator, 4.1.2 Status and Compatibility of Regulations, was found Unsatisfactory due to the State not having adopted equivalent 10 CFR Part 36 regulations, "Licensing and Radiation Safety Requirements for Irradiators," that became effective for adoption by the Agreement State on October 30, 1996. Subsequent to the review (by letter dated February 3, 1997) the State informed the team that equivalent 10 CFR Part 36 regulations had been adopted on November 19, 1996, with an effective date of December 16, 1996. These rules are under

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staff review. Additionally, compatibility issues were identified by the staff related to existing sections of Maryland's regulations. Therefore, the finding for this indicator remains Unsatisfactory. Staff has documented these concerns in a separate letter to the State. Based on these indicators, the review team recommends that the MRB find the Maryland program to be adequate to protect public health and safety, but needs improvement, and not compatible with NRC's regulatory program.

The MRB meeting to consider the Maryland report is scheduled for **Thursday, March 6, 1997, from 10:00 a.m. to 12:00 noon in Room OWFN-10-B-11.** In accordance with Management Directive 5.6, the meeting is open to the public. The agenda for that meeting is attached (Attachment 3).

If you have any questions prior to the meeting, please contact me at 415-2526 or Patricia Larkins at 301-415-2309.

Attachments:

As stated

cc: Merrylin Zaw-Mon, MD  
Roland Fletcher, MD

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If you have any questions prior to the meeting, please contact me at 415-2326 or Patricia Larkins at 301-415-2309.

Attachments:  
As stated

cc: Merrylin Zaw-Mon, MD  
Roland Fletcher, MD

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