

CHARTER – FUTURE OF NATIONAL MATERIALS PROGRAM WORKING GROUP

PURPOSE

The Future of the National Materials Program (NMP) Working Group (WG) has been established as a Management Directive 5.3 working group. Its purpose is to evaluate and make recommendations on the future structure and function of the NMP based on the expected number of Agreement State and NRC licensees. The WG's evaluations and recommendations will be documented in a standalone report and/or notation vote (or informational) paper to be provided to the Commission in March 2023.

BACKGROUND

The NRC and the Agreement States continue to successfully implement the NMP through their partnership efforts. Currently, the Agreement States regulate approximately 88% of the nation's total licensees. Connecticut and Indiana have submitted letters of intent to become an Agreement State. If a state with a more significant number of licensees, such as Michigan, also pursues an agreement, the Agreement States would regulate approximately 91% of the nation's total licensees. This increase in Agreement States would decrease the number of NRC licensees by at least 30%.

Number of NRC Licensees	Number of Agreement State Licensees	% of Licensees that are Agreement State Licensees (total of 18,079 licensees)
2,187	16,040	88%
Number of NRC Licensees after Connecticut¹, Indiana¹, and in the event Michigan² become Agreement States	Number of Agreement State Licensees after Connecticut¹, Indiana¹, and in the event Michigan² become Agreement States	% of Licensees that would be Agreement State Licensees (total of 18,079 licensees)
1,491	16,736	91%
Minimum Number of NRC Licensees Assuming All States become Agreement States (excludes Territories and Washington, D.C.)	Maximum Number of Agreement State Licensees Assuming All States become Agreement States (excludes Territories and Washington, D.C.)	% of Licensees that are Agreement State Licensees (total of 18,079 licensees)
~737 ³	~17,500	96%

¹ Connecticut and Indiana have submitted letters of intent to become Agreement States.

² Michigan has not submitted a letter of intent to become an Agreement State, this is a hypothetical assumption.

³ This value is an estimate of the number of federal licensees.

U.S. Nuclear Regulatory Commission/Agreement State Working Group
Future of the National Materials Program

In 1999, the NRC formed a working group consisting of Regional, Headquarters, and Agreement State staff to address the then increase in the number of agreement states and its impact on the NMP (SECY-99-250 [ML993330109](#)). The working group issued their report in SECY-01-0112 ([ML011590431](#)).

Now over 20 years later, it is prudent for NRC Regional, NRC Headquarters, and Agreement State staff to assess the current NMP. Until those changes would be enacted, it is necessary for staff to assess and identify areas for increased efficiency and effectiveness provided the decreasing number of NRC licensees.

WORKING GROUP AND STEERING COMMITTEE MEMBERSHIP

The working group and steering committee will operate as an NRC/Agreement State working group as described in Management Directive 5.3, "Agreement State Participation in Working Groups." The working group and steering committee will be co-chaired by an NRC staff member and an Agreement State representative from the Organization of Agreement States.

Organization	Working Group	Steering Committee
Office of Nuclear Material Safety and Safeguards (NMSS)	Huda Akhavannik, Co-Chair Michelle Beardsley, Alternate Co-Chair Leira Cuadrado, member	Kevin Williams, Co-Chair Mary Muessle, Alternate Co-Chair
Advisor	Duncan White, NMSS	
Agreement States	Auggie Ong (NH), Co-Chair Keisha Cornelius (OK), member Tracy Jue (CA), member Zubaida Gulshan (CA), member	Alex Damiani (NYDOH), Co-Chair Steve Seeger (TN), Alternate Co-Chair
Office of the General Counsel	Brian Harris, attorney	Mary Spencer
Regional Offices	Farrah Gaskins, Region 1 Jenni Dalzell, Region 3 Sara Forster, Region 3 Randy Erickson, Region 4 Allyce Bolger, Region 4	Tammy Bloomer, Region I

Other NRC and Agreement State staff may serve as resources to the Working Group at the request of the Co-Chairs and with the support of their management. For example, the Working Group may consider coordinating with Region II staff and NRR staff involved with the transformation signposts/markers initiative. Administrative support for the working group will be provided by the Division of Material Safety, Security, State, and Tribal Programs (MSST) in NMSS.

U.S. Nuclear Regulatory Commission/Agreement State Working Group
Future of the National Materials Program

ACTIVITIES AND SCHEDULE

The Working Group should identify current and potential future scenarios and assess key indicators to develop recommendations that would lead to the increased efficiency and effectiveness of the NMP's structure and function. As part of identifying future scenarios, the Working Group will include indicators already developed by the [NRC's "Signposts and Markers"](#) initiative. The recommendations should consider programmatic changes depending on the scenario and appropriate end points that lead to greater efficiencies and provide a more consistent application of the program across the nation. While developing these options, the WG should solicit feedback from Headquarters, Regions, Licensees, and Agreement States, in addition to the Steering Committee. The table below describes the activities to be conducted:

Activity	Lead	Completion Date
<p><u>Activity 1:</u> Current and Potential Future Scenarios</p> <p>Assess the current and potential future scenarios of the NMP including evaluating the number of licensees, number of Agreement States, and the expected types of licensees.</p>	NMSS	February 2022
<p><u>Activity 2:</u> Develop key indicators which are used to evaluate each scenario.</p> <p>Perform an assessment to identify high impact key areas in the NMP for the NRC and Agreement States. These indicators should be inclusive of the indicators highlighted in the NRC's "Signposts & Markers" initiative.</p>	NMSS	March 2022
<p><u>Activity 3:</u> Develop recommendations for each scenario's indicator. Depending on nature of recommendations, decide on report type: informational or notational vote paper to Commission or office level report.</p> <p>Recommendations should evaluate how/if an indicator would change for an Agreement State and the NRC considering the scenario. Recommendations should concisely discuss considerations and include a background discussion, milestones, and pros/cons for each recommendation.</p>	NMSS	July 2022
<p><u>Activity 4:</u> Outreach activities.</p> <p>In parallel, regularly solicit feedback through communication and outreach efforts from NRC regional and headquarters offices, the Agreement States, and licensees. Consider how proposed changes will be communicated to ensure a smooth transition. Communication activities could include public meetings to have discussions only during the meeting.</p>	NMSS Agreement States	As appropriate

U.S. Nuclear Regulatory Commission/Agreement State Working Group
Future of the National Materials Program

Activity	Lead	Completion Date
<u>Activity 5: Identify final recommendations</u> Consolidate comments from working group members and comments received during outreach activities into the proposed recommendations. These proposed recommendations should be presented for comment to the Steering Committee. After consolidating comments, identify final recommendations.	NMSS	October 2022
<u>Activity 6: Documentation.</u> Develop draft Commission paper with final recommendations for SC review, and put into concurrence. Submit paper to SECY	NMSS	December 2022 March 2023

The products from each of the activities by the working group will be used as input to either a standalone report or as input to a Commission notation vote or informational paper. Upon completion of each activity, the working group will meet with the steering committee to obtain their endorsement of the product. Activities associated with the development and review of certain work products, such as performing assessments of the NRC and Agreement State programs, may be limited to those with a need to know, consistent with NRC information security requirements.

MSST, with assistance from members of the working group, will be responsible for preparation of either a standalone report or a SECY paper to the Commission (either notation vote or information) that will be reviewed and concurred on by NRC management. The following are the major milestones and tentative dates for the development and submittal of the notation vote paper:

Milestone	Date (Tentative)
Development of standalone report or a SECY Paper to the Commission information or notation vote paper	December 2022
Office concurrence on standalone report or Commission information or notation vote paper	January 2023
OEDO approval of Commission information or notation vote paper	February 2023
Submittal of Commission informational or notation vote paper	March 2023

LEVEL OF EFFORT EXPECTED OF PARTICIPANTS

U.S. Nuclear Regulatory Commission/Agreement State Working Group
Future of the National Materials Program

To support the schedule and activities listed above, the following level of effort is expected from the working group participants:

1. Attendance at weekly meetings (1 to 2 hours per week);
2. Attendance at stakeholder outreach events (approximately 15 hours total);
3. Development and/or review of working group products, such as analyses (10 to 15 hours per week);
4. Attendance at 2 to 3 Steering Committee meetings (2 hours per meeting);
5. Periodic briefings with interested managers on the working group activities to solicit feedback and comments (1 hour per briefing).

NRC members should charge time associated with working group activities identified in this charter to Charge Accounting Code: A34018 EPID M-2022-OTH-0000; Agreement State members should charge to their respective codes.

MEETINGS

Meetings are pre-decisional and will be closed to the public.

Working group members may delegate an alternative representative for a specific meeting. The working group may also invite individual(s) to a meeting to participate as a resource to assist the working group with a particular issue. However, at least one of the named Co-Chairs must be present during any working group meetings.

Available technology will be used to facilitate interaction with the working group members. Face-to-face meetings, if necessary, will generally be held in the Washington, D.C., area unless alternate locations are agreed upon by working group members. If travel is necessary, travel and per diem expenses for Agreement State members of the working group will be covered by MSST. Regions are responsible for the travel expenses of their staff.

APPROVED

Kevin Williams, U.S. Nuclear Regulatory Commission	Date
--	------

Auggie Ong, Chair, Organization of Agreement States	Date
---	------