

*Summary of Initial Recommendations
(Developed During First Screening of Program Elements)*

Materials Licensing Guidance

NRC/AS jointly develop an agenda and priorities for developing licensing guidance. NRC/AS either use working groups to develop guidance or direct other organizations/entities to develop guidance when appropriate.

Materials Inspection Guidance

NRC/AS should jointly establish priorities and develop inspection guidance. Joint working groups should be used to develop guidance. Alternatively, NRC/AS may also accept consensus standards (following review and revision, if needed) or contract with other organizations to develop guidance when available and needed.

Materials Licensing and Inspection - Alternative for States to Perform Licensing and Inspection for All Facilities within Their Respective State

The Working Group requires input from OGC regarding legal issues that may be associated with AS either being granted statutory authority or delegated authority to perform licensing, inspection and enforcement for Federal and other facilities normally regulated by NRC.

Performing Materials Inspections

Maintain the current inspection program, but supplement the existing program with other options. NRC would perform inspections for all facilities authorized to possess/ use AEA materials in non-AS and at federal facilities in AS. NRC would also perform inspections of general licensees and exempt distribution licensees located in non-AS and AS. AS would inspect facilities located in their respective states. Supplemental options would include: 1) allowing other entities to contract with NRC/AS to perform inspections and report results to the appropriate regulatory agency; 2) allowing licensees to perform self-audits which may be accepted in lieu of inspection by NRC/AS or reduce inspection effort by NRC/AS; 3) accept audits performed by other organizations and use these as a supplement to NRC/AS inspections to reduce inspection effort by NRC/AS; and 4) use "Centers of Excellence" to perform inspections of specific technical areas. Acceptance of licensee audits or audits performed by independent organizations to modify NRC/AS inspection effort would be determined by the appropriate regulatory agency in a selective manner. "Centers of Excellence" could be either AS or NRC organizations and would be jointly recognized by AS/NRC.

Performing Materials Licensing

Maintain the current program and enhance both NRC and AS reviews through use of contracted entities or "Centers of Excellence" to perform some license reviews or portions of reviews for specific technical areas.

Summary of Initial Recommendations (cont.)

Reciprocity

The Working Group solicited comments from State stakeholders on this issue since NRC is the only regulatory agency that enters another agency's domain to conduct inspections of licensees working under reciprocity. (Note: AS cannot enter another State to conduct inspections of AS or NRC licensees working within their State.) Based on comments received, the Working Group determined that a recommendation for change in this area was not warranted at this time. The Working Group's conclusion would not preclude examination of this process under a separate initiative.

Technical Guidance Documents

Some organization would maintain a clearinghouse of technical documents evaluated and approved by the National Materials Program for use. Consensus on priorities, needs and recommendations for organizations to develop guidance should be jointly established by NRC/AS.

Training, Qualifications & Experience Standards for Regulatory Personnel

Maintain the current program and enhance with: 1) use of a clearinghouse of training ideas, resources and opportunities designed for or employed by NRC/AS; 2) allowing licensees to provide training, on a voluntary basis, for specific technical issues or consider contracting with licensees to train staff in specific technical areas; and 3) encourage a regulatory agency exchange program to develop staff in specific technical areas.

Regulatory Program Reviews

Utilize team (NRC/AS) effort in conducting program reviews but fully implement use of "Centers of Excellence" to assist with team composition.

Regulatory Authority for General Licensees (Regulating Agency)

This needs to be examined concurrently with the following element. The Working Group recommends that this be discussed with the Steering Committee for consideration of whether a second working group should evaluate the General License program.

Regulatory Program for General Licensees (Implementation)

Some of the options were rated by the Working Group; however, given the discrepancies in how these items are regulated and the number of questions regarding the basis for authorizing distribution and use of generally licensed items, the Working Group elected to discuss this element with the Steering Committee. The Working Group is seeking advice on whether this issue should be reviewed by a separate group.

Summary of Initial Recommendations (cont.)

Certification Programs

Use G-34 Committee Certifying Entity process as an example (with minor modification) of how an element of a National Materials Program could work. Evaluate successes and problems identified by G-34 during initial implementation of the process, and document input received from G-34 with the working group's report.

Rulemaking

NRC/AS joint develop a rulemaking agenda and establish a cooperative group to draft rules, using "Centers of Excellence" where possible.