

May 17, 2002

MEMORANDUM TO: George E. Pangburn, Director, DNMS  
Region I

Douglas M. Collins, Director, DNMS  
Region II

Cynthia D. Pederson, Director, DNMS  
Region III

Dwight D. Chamberlain, Director, DNMS  
Region IV

FROM: Donald A. Cool, Director  
Division of Industrial and */RA/*  
Medical Nuclear Safety, NMSS

SUBJECT: INTERIM GUIDANCE FOR TECHNICAL ASSISTANCE  
REQUESTS

We have developed interim guidance to be used for the regional technical assistance requests (TARs). The guidance implements a recommendation from the Phase II Byproduct Material Review report to streamline the TAR process. The guidance will supplement the TAR procedures currently in NUREG-1556, Vol. 20 and will be incorporated into Vol. 20 at the next revision in 2003. The guidance is effective June 1, 2002.

In brief, the guidance calls for, at a minimum, a monthly meeting (conference call) between headquarters and regional staff consisting of managers and senior staff during which potential TARs will be discussed. The goal is to resolve most of the potential TARs without the need for formal submission to headquarters. Implementation of the new guidance should improve the efficiency and effectiveness of the TAR process for both the regions and headquarters. We plan to evaluate the effectiveness of this new process after one year. We will schedule the first meeting in early June.

In response to comments received on the draft, we have made several clarifications to the procedure. Key changes include the coverage of inspection activities, frequency of panel meetings, suggested panel members, empowerment of panel members, and the need to discuss resolved TARs at the next TAR panel meeting.

Attachment: Interim Guidance

cc: E.W. Brach, SFPO  
R. Pierson, FCSS  
J. Greeves, DWM  
S. Treby, OGC

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## TECHNICAL ASSISTANCE REQUESTS RELATED TO MATERIAL LICENSEES INTERIM GUIDANCE

### 1. PURPOSE

This document provides interim guidance for the preparation and processing of technical assistance requests (TARs) related to material licensees. A TAR should only be issued to support a licensing or inspection activity. The process of TAR submittal and response is focused on the goals of streamlining the licensing process and providing timely responses to licensee requests. This interim guidance is issued to address the Phase II Byproduct Material Review report recommendations. The interim guidance supplements and will be incorporated into the next revision of NUREG-1556, Vol. 20, "Consolidated Guidance About Materials Licenses, Guidance About Administrative Licensing Procedures." This guidance relates specifically to the use of TAR panels in the preparation and resolution of TARs.

### 2. SCOPE

This interim guidance pertains to all TARs submitted by the regional offices to the Office of Nuclear Material Safety and Safeguards, except those requesting sealed source and device design evaluations, financial assurance reviews, dose modeling reviews, or other similar review categories as determined by the TAR panel.

### 3. REGIONAL PREPARATION OF TARs

Regional staff should try to resolve a potential TAR issue by reviewing existing guidance, the TAR database, and other available information (e.g., current health physics positions, Statements of Consideration for regulations, operational experience, monthly conference call minutes, phone discussions with headquarters staff, and the various Headquarters counterpart meeting issues). If the regional staff cannot resolve a potential TAR issue, a TAR may need to be submitted to headquarters for action. Before a TAR is formally submitted, the requesting region should discuss the issue with the TAR panel.

The TAR panel will meet once a month at a regularly scheduled time or more frequently as agreed to by the TAR panel members. If no TARs are scheduled for discussion, the panel meeting may be canceled. The TAR panel will consist of managers (Branch Chief level for the regions and Branch Chief and/or Section Chief level for headquarters) and senior staff members designated by the regions and headquarters. Representatives from other offices or from the Agreement States may be invited to participate in selected TAR panel meetings. The TAR panel will be chaired by the Materials Safety and Inspection Branch (MSIB) Chief or his/her designee. The panel members should be empowered to vote (act) for their organization at the panel meetings. The TAR panel members will participate by conference call or other means. The MSIB Regional Coordinator (or other individual designated by the MSIB Chief) will maintain the list of current members and will arrange the monthly meeting. The regional reviewer should provide the relevant information on each TAR issue to the MSIB Regional Coordinator, who will then provide the information to panel members at least three working days in advance of the meeting. In reviewing the information from the regions, the MSIB Regional Coordinator will determine if support from other offices (e.g., OGC, OE, OSTP) may be necessary to resolve the TAR issue. The MSIB Regional Coordinator will invite a representative from the appropriate office(s) to participate in the TAR panel meeting.

The regional reviewer will present relevant information, including a proposed resolution, to the TAR panel. The TAR panel will discuss the issue. In some cases, the TAR panel may be able to resolve the request on the spot, negating the need to formally submit the TAR. If the TAR panel decides that a TAR needs to be formally submitted to NMSS, the panel will indicate any additional information that should be included in the TAR package. The TAR panel will make any suggestions that might facilitate the review and indicate any needed coordination with OGC, OE, Agreement States, etc. The TAR panel resolution of the issue will be documented by the originating region. Documentation should be in the form of a telephone record or a note to the file that is placed in the licensing action pending folder and entered into ADAMS. A copy should be provided to the Regulatory Product Development Center (RPDC) at email address: RPDC. If the TAR panel determined that a TAR should be formally submitted, the region will submit the TAR following current procedures, including providing a copy to the RPDC. If for some reason the applicant withdraws its request before the issue is resolved, the Region should take steps to cancel the TAR request.

#### 4. HEADQUARTERS PROCESSING OF TARS

Headquarters staff will process receipt of the TAR following the current procedures. Instead of a full acceptance review, the acceptance review will consist of a check that the results of the TAR panel are reflected in the package. The goal for the Headquarters staff member to complete TAR responses is within 60 working days from the time all necessary information is received in Headquarters. Any policy issues should be promptly brought to management attention.

The TAR review will be conducted according to current procedures. If desired, the Headquarters reviewer may prepare a suggested resolution for the TAR and present the resolution at a TAR panel for discussion. If this is done, further coordination with the requesting region would be unnecessary, unless the resolution significantly changed as the TAR response moved through the concurrence process. The information should be provided to the MSIB Regional Coordinator so that TAR panel members have the material at least three working days before the panel meeting.

The TAR will be closed following current procedures, which includes providing a copy of the closeout package to the RPDC (email address: RPDC). At each TAR panel meeting, a listing of TARs completed since the last TAR panel meeting will be provided to the members. A member may request that the resolution of a particular TAR be discussed at a future TAR panel meeting. This will provide an opportunity to share the knowledge with all of the regions and an opportunity for the regions to obtain clarification.