

April 8, 2003

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA, WISCONSIN

**IDENTIFICATION OF GOOD PRACTICES AND TRENDS FROM OCTOBER 2001 TO
OCTOBER 2002 INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM
(IMPEP) REVIEWS (STP-03-028)**

Enclosed are two reports prepared by the U.S. Nuclear Regulatory Commission (NRC) staff. The first report (Enclosure 1) discusses good practices identified during the Integrated Materials Performance Evaluation Program (IMPEP) reviews from fiscal year (FY) 2002 in Massachusetts and Oklahoma. NRC staff is making this information available to both NRC Regions and the Agreement States to identify and share innovative and effective practices used to implement materials licensing and inspection programs throughout the nation. You may find that some practices used elsewhere can be incorporated to enhance aspects of your own programs. We plan to continue to identify good practices through IMPEP reviews and to issue similar reports on an annual basis.

The second report (Enclosure 2) summarizes general recommendations identified in more than one IMPEP review during this review period, and identifies areas in the programs that can be improved. This information is being provided for your use in identifying areas in the Atomic Energy Act materials programs that may need strengthening.

It has been suggested that this letter should include an enclosure which details any precedents which have been made by the Management Review Board (MRB). Beginning in FY 2003, we will include such an enclosure to this letter. In addition, these precedents will also be included in the final minutes for MRB meetings.

If you have any questions regarding this correspondence, please contact me at 301-415-3340 or the individual named below.

POINT OF CONTACT: Andrew N. Mauer
TELEPHONE: (301) 415-3384

INTERNET: ANM@NRC.GOV
FAX: (301) 415-3502

/RA/

Paul H. Lohaus, Director
Office of State and Tribal Programs

Enclosures:
As stated

Distribution:

DIR RF
 KSchneider
 Agreement State File

DCD (SP03)
 PDR (YES)

DOCUMENT NAME: G:\ANM\STP-03-Good Practice.wpd

***See previous concurrence.**

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	STP	STP	STP:DD	NMSS:D	STP:D	DEDMRS
NAME	ANMauer:gd:kk	LRakovan	JMPiccone	MVFederline for MJVirgilio	PHLohaus	CJPaperiello
DATE	02/26/03*	02/26/03*	02/27/03*	03/27/03*	02/27/03*	04/4/03

ML030910547

OFFICIAL RECORD COPY

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP)
GOOD PRACTICES IDENTIFIED DURING
OCTOBER 2001 - OCTOBER 2002 REVIEWS

PURPOSE

This report provides a summary of good practices identified during IMPEP reviews of one NRC Regional office and eleven Agreement States conducted from October 2001 to October 2002. This summary is being shared with Regional and Agreement State program managers throughout the nation for your consideration as to whether your programs might be enhanced by adopting the good practices of other regulators. Previous good practice and trends reports are contained in the All Agreement States letters as follows (located on the STP Home Page):

SP-96-081, dated July 17, 1996:

<http://www.hsrdr.ornl.gov/nrc/agstates/program/sp96081.pdf>

SP-97-081, dated November 21, 1997:

<http://www.hsrdr.ornl.gov/nrc/agstates/program/SP97081.pdf>

SP-99-011, dated February 22, 1999:

<http://www.hsrdr.ornl.gov/nrc/agstates/program/SP99011.pdf>

STP-00-039, dated May 3, 2000:

<http://www.hsrdr.ornl.gov/nrc/agstates/program/sp00039.pdf>

STP-01-077, dated October 29, 2001

<http://www.hsrdr.ornl.gov/nrc/agstates/program/sp01077.pdf>

LEGISLATION AND PROGRAM ELEMENTS REQUIRED FOR COMPATIBILITY

Adopting regulations by reference allows the State to implement regulations quickly and avoid potential compatibility conflicts. Also, it reduces confusion for reciprocity licensees and multi-State licensees. The review team identified the adoption of rules by reference to be a good practice.

Oklahoma contact:

Mike Broderick

Telephone:

(405) 702-5155

TECHNICAL QUALITY OF LICENSING ACTIONS

The Massachusetts Program developed a spreadsheet to assist in determining the amount of financial assurance required based on the possession limit of radioactive material on the license. The review team found the method to be efficient and effective for managing these licenses, and identified the Program's use of the spreadsheet to be a good practice.

Massachusetts contact:

Robert Walker

Telephone:

(617) 727-6214

ENCLOSURE 1

RECOMMENDATIONS IDENTIFIED IN MORE THAN ONE REVIEW
COMPLETED FROM OCTOBER 2001 - OCTOBER 2002 UNDER THE
INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

INTRODUCTION

This report provides a summary of recommendations in areas of the programs that can be improved. These were identified in more than one IMPEP review completed from October 2001 to October 2002, and consisted of one Regional office and eleven Agreement States. This summary is being shared with Regional and Agreement State program managers for your consideration as to whether these weaknesses may be present in your programs. Reports of the completed IMPEP reviews completed between October 2001 and October 2002 for the Agreement States can be located on the Office of State and Tribal Programs (STP) Home Page (<http://www.hsr.d.gov/nrc/>). Both the Regional and Agreement State reviews are available through the NRC public document room.

STATUS OF MATERIALS INSPECTION PROGRAM

Recommendations were made to inspect licenses at the appropriate frequency and to ensure timely dispatch of inspection findings to licensees.

TECHNICAL QUALITY OF LICENSING ACTIONS

Recommendations were made to review all licensees to ascertain if financial assurance is required.

TECHNICAL QUALITY OF INSPECTIONS

Recommendations were made to ensure an adequate complement of qualified staff.

Recommendations were made to conduct annual supervisory accompaniments of inspectors to ensure continued technical quality of inspections.

RESPONSE TO INCIDENTS AND ALLEGATIONS

Recommendations were made to ensure that all incident information is entered into NMED, all missing data on previously submitted NMED reports is corrected, and that all previously reported incidents are updated and closed.

LEGISLATION AND PROGRAM ELEMENTS REQUIRED FOR COMPATIBILITY

Recommendations were made to adopt the regulations, or other legally-binding requirements needed for compatibility, in accordance with current policy on adequacy and compatibility.

SEALED SOURCE AND DEVICE (SS&D) EVALUATION PROGRAM

Recommendations were made to make corrections to the SS&D registration certificates, establish qualification requirements for SS&D reviewers and develop a formalized, written training program.

ENCLOSURE 2