

NRC FORM 662 (10-2000) U.S. NUCLEAR REGULATORY COMMISSION AWARD OF INTERAGENCY AGREEMENT FDA 224-76-6006 Mod 39	1. DATE OF ISSUE 04/17/2003	2. AGREEMENT NUMBER NRC-06-00-300	3. MOD NO. Three (3)
	4. AGENCY LOCATOR NO. 31000001	5. B & R NUMBER 370-15-204-244	6. JOB CODE L2337
	7. BOC 252A	8. DOCUMENT IDENTIFICATION NUMBER RO-STP-03-301	

9. ISSUED BY U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001		10. NAME AND ADDRESS OF SERVICING AGENCY U.S. Food and Drug Administration/DHHS Attn: Peggy Jones 5600 Fishers Lane - Mail Stop HFA-522 Rockville, MD 20857	
PROJECT MANAGER Kathleen N. Schneider	OFFICE STP	TELEPHONE NUMBER 301-415-2320	FACSIMILE NUMBER 301-594-3306

11. JOB CODE TITLE Conference of Radiation Control Program Directors, Inc.	12. AGREEMENT PERFORMANCE PERIOD	
	BEGIN 05/11/2000	END 04/30/2004

13. OBLIGATION AVAILABILITY PROVIDED BY FY03 period 10/1/02-9/30/03	
A. THIS ACTION	\$ 210,500
B. TOTAL PLACED PRIOR TO THIS ACTION WITH THE PERFORMING ORGANIZATION UNDER THIS JOB CODE FOR THIS FISCAL YEAR	\$
C. TOTAL ORDERS TO DATE FOR THIS JOB CODE FOR THIS FISCAL YEAR	\$ 679,500
D. TOTAL ORDERS TO DATE FOR THIS AGREEMENT	\$ 890,000

14. ATTACHMENTS THE FOLLOWING ATTACHMENTS ARE MADE A PART OF THIS AGREEMENT <input type="checkbox"/> STATEMENT OF WORK <input type="checkbox"/> ADDITIONAL TERMS AND CONDITIONS <input checked="" type="checkbox"/> OTHER (Specify) <u>Revised Statement of Work</u>	15. SECURITY <input type="checkbox"/> WORK ON THIS AGREEMENT INVOLVES CLASSIFIED INFORMATION <input type="checkbox"/> WORK ON THIS AGREEMENT INVOLVES SENSITIVE UNCLASSIFIED INFORMATION <input type="checkbox"/> WORK ON THIS AGREEMENT IS UNCLASSIFIED AND NOT SENSITIVE
--	---

16. FEE BILLABLE UNDER 10 CFR PART 170 YES NO

17. REMARKS
The purpose of this modification is to 1) exercise Option Year 3, thereby extending the period of performance through 4/30/2004; 2) incorporate the revised Statement of Work; and 3) Obligate \$210,500 in FY2003 funds. ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED

18. AUTHORITY TO ENTER INTO INTERAGENCY AGREEMENT (Check only one)

ENERGY REORGANIZATION ACT OF 1974, AS AMENDED OTHER (Specify)

THE ECONOMY ACT OF 1932

THE CLINGER-COHEN ACT OF 1996 **FDA: Section 301 of the PHS Act 42 USC 241**

19. ADVANCE PAYMENT IS NOT AUTHORIZED IS AUTHORIZED (Requires approval by Director, DAF/O&FO)

20. ESTIMATED COST FOR FULL PERFORMANCE OF THIS AGREEMENT					
FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	TOTAL
\$ 110,000	\$ 234,500	\$ 335,000	\$ 210,500	\$ 110,000	\$ 1,000,000

21. CERTIFICATION OF FUNDS
 This certifies that funds in the amount cited in Block 13.A. are available in the current fiscal year allotment for work authorized by this agreement.

FUNDS CERTIFICATION OFFICIAL (Typed Name) FUNDS CERTIFIED IN NRC FORM 400	SIGNATURE	DATE
---	-----------	------

22. SIGNATURES		
NRC ISSUING AUTHORITY (Typed Name and Title) Donald A. King, Contracting Officer	SIGNATURE <i>Donald A. King</i>	DATE 4/17/03
SERVICING AGENCY OFFICIAL/DESIGNEE (Typed Name and Title) Peggy L. Jones, Grants Mgmt Officer	SIGNATURE <i>Peggy L. Jones</i>	DATE 5/28/03

NRC CONTACTS:

TECHNICAL:

FULL NAME Osiris Siurano-Pérez	ADDRESS 11555 Rockville Pike - Mail Stop O-3-C-10 Rockville, MD 20852
TELEPHONE NUMBER 301-415-2307	

ADMINISTRATIVE:

FULL NAME Heriberto Colón, Jr.	ADDRESS 11545 Rockville Pike - Mail Stop T-7-I-2 Rockville, MD 20852
TELEPHONE NUMBER 301-415-7135	

OTHER AGENCY'S CONTACTS:

TECHNICAL:

FULL NAME Peggy Jones	ADDRESS 5600 Fishers Lane - Mail Stop HFA-522 Rockville, MD 20857
TELEPHONE NUMBER 301-827-7160	

ADMINISTRATIVE:

FULL NAME Penny Boyce	ADDRESS 1350 Piccard Drive - Room 230F Rockville, MD 20850
TELEPHONE NUMBER 301-594-3650	

BILLING INFORMATION:

To receive reimbursement under this agreement, forward to NRC on a (check one):

monthly quarterly other _____ basis, an original and three copies of Standard Form

1081 in accordance with the Treasury Fiscal Requirements Manual, Bulletin No. 78-09, or, if possible, bill monthly through the OPAC system. Send reimbursement requests to the following address:

Financial Operations Branch
Mail Stop: T-9 E2
Division of Accounting and Finance
Office of the Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

FUNDING WILL BE ACCOMPLISHED IMMEDIATELY FOR
SUBSEQUENT FUNDING OF AN FDA COOPERATIVE AGREEMENT
FDA Accounting data: 7530600 3-6997896-Z-23002
22350R70 O.C. 41.41
ALC 750060099 DUNS 927645523

Any NRC funds remaining unexpended at the end of a fiscal year may be carried over into future fiscal years unless otherwise notified by NRC.

REPORTING REQUIREMENTS: Submit reports to the NRC in accordance with the statement of work. Submit financial status reports on a (check one):

monthly quarterly other _____ basis. These reports shall contain a brief letter

status report which summarizes the expenditure of NRC funds. This report shall address the following categories, as applicable: (1) staff effort; (2) travel; (3) equipment and supplies; and (4) subcontract costs. Each report shall include by category: (a) costs for the previous month; (b) cumulative costs and uncosted obligations to date; and (c) projections for the remainder of the NRC obligated funds. The first monthly report shall provide the initial projections, and subsequent reports shall either indicate revised projections or indicate "no change in the cost and uncosted expenditure projection."

Submit these reports to the NRC Technical Contact by the 20th day of the month following the reporting period.

TERMINATING THE AGREEMENT: This agreement may be unilaterally terminated by either party generally upon 30 days' written notice to the other party. NRC will pay its share of any project expenses up to the termination date. Any expenses incurred in terminating this agreement will be paid by the party terminating the agreement. Any unexpended funds shall be returned to the NRC.

SCOPE OF WORK

Interagency Agreement Between the Nuclear Regulatory Commission and the Food and Drug Administration

TITLE: PARTIAL SUPPORT FOR THE FDA COOPERATIVE AGREEMENT WITH THE RECIPIENT OF THE GRANT FOR ASSURING RADIATION PROTECTION

I. BACKGROUND -

- (A) NRC will contribute approximately \$234,500 for FY01 (\$124,500 of this total is specifically for activities under item C), \$335,000 for FY02 (\$225,000 of this total is specifically for activities under item C), \$210,500 for FY03 (\$100,500 of this total is specifically for activities under item C), and \$110,000 for FY04 towards a U.S. Food and Drug Administration (FDA) Cooperative Agreement with the recipient of the grant for Assuring Radiation Protection. Other participating agencies include DOE, FEMA, EPA and FDA (HHS). The FDA Project Officer will be responsible for completion of all work and will handle all accounting and financial aspects of the agreement. NRC will receive technical reports of the committees either through distribution by the recipient or through planning meetings of the central management board or committee of the recipient.
- (B) The NRC Federal Liaison, located in the Office of State and Tribal Programs, will regularly attend the planning meetings of the central management board or committee, and will communicate with other NRC members of the task forces and related committees. The NRC Federal Liaison also regularly attends the annual meeting, which is usually held in May, to address national radiation protection issues. The annual meeting will last approximately one week with approximately 350 individuals attending. The NRC, in coordination with the FDA Project Officer, and recipient will also communicate on major policy and regulatory issues, such as suggested state regulations covering radioactive materials, low-level waste, radioactive contamination and emergency response planning.

II. DUTIES

Under the direction of the FDA Project Officer, the grant recipient will accomplish the following on behalf of the NRC:

- A. Perform all administrative management functions required for the conduct of an annual technical meeting of Federal and State officials and sponsors including site visits and selections, program planning, and facility arrangement. Conduct the annual meeting consisting of a general session, special sessions and training sessions for the following purposes:
- A.I General Sessions: To present reports on the status of studies conducted during previous years, technical reports on new developments and task force reports of problems defined and assigned as recommended by the committee reports, grant recipient or sponsors.

- A.2 **Special Sessions:** To study and define identified problems and/or areas of mutual concern in radiation control and recommend action as needed to resolve these problems. The special session reports are submitted to the recipient for cost benefit evaluation and further action. Problems that require extensive study are assigned to a task force or committee comprised of experts in that field for solving.
- A.3 **Training Sessions:** To demonstrate mutually beneficial techniques, procedures and systems which have been developed by the sponsoring agencies or the recipient.
- B. **Appoint and arrange for standing committees and task forces to study, evaluate, develop recommended actions and/or solutions to current identified problems and provide guidance and assistance to sponsoring agencies. Although, the recipient may, at any given time, have a number of groups working on specific projects, the recipient shall set priorities annually for specific committees and products. Reports generated by these task forces will be evaluated by the central management board or committee of the recipient and reported to the participating agencies. The central management board or committee of the recipient will also set priorities for the standing committees and task forces in coordination with the FDA and its participating agencies. All administrative management functions required to support these task forces will be performed by the recipient. Work by the recipient can be broken down into the following broad categories that are related to NRC responsibilities:**
 - B.1 **Suggested State Regulations:** To assist State regulatory agencies in developing radiation control regulations for radioactive materials regulatory programs which will promote uniformity between the States;
 - B.2 **Environmental Nuclear:** Radioactive waste disposal, radioactive contamination, contaminated sites, emergency response planning, bonding and surety, and decontamination and decommissioning;
 - B.3 **General Radiation Protection:** Ionizing radiation safety concerns, international radiation protection, industrial, medical and other uses of radioactive material.
 - B.4 **Training:** Conduct activities on training to evaluate the RCP training and program implementation training needs of the States. Continue to review these needs and assess the training requirements that must be approached from the national level to solve problems encountered. Work with the sponsoring or other Federal agencies, universities, manufacturers, or other resources to develop the training needed in radiation control.
- C. **Conduct an orphan sources program which will include the following:**
 - C.1 **Clarify jurisdictions and regulatory responsibilities for addressing orphan source problems, including providing assistance for identification, handling, and disposal of orphaned sources.**

- C.2 Complete development, establishment, implementation, and management of a national orphan source management program, including:**
- (1) establishing a definition for discrete orphan sources, which would exclude diffuse radioactive material;**
 - (2) establishing agreements with interested Agreement and non-Agreement States, covering identification and disposal of discrete orphan sources;**
 - (3) communication and coordination with Federal agencies, State Agencies, and other stakeholders on matters related to orphan source issues;**
 - (4) establishing cost guidelines for disposal of discrete orphan sources; and**
 - (5) reimbursement to States for recovery, recycle, arrangements for re-use, and disposal costs of discrete orphan sources, which are subject to NRC or Agreement State jurisdiction under the Atomic Energy Act, but excluding reimbursement for disposal of sources which fall under the category of "greater than Class C" waste.**
- C.3 Provide a annual report, which should include, but not be limited to the number of agreements entered into with Agreement and non-Agreement States, the number and type of sources dispositioned, and the means and cost to recover and disposition the sources.**
- D. Predecisional information provided to the recipient by the NRC will be limited to use by Agreement and non-Agreement State Radiation Control Program Directors, their staff, recipient staff, and Federal resource representatives. This information will not be disclosed to the public and non-State members of committees or task forces unless NRC through the FDA Project Officer, gives permission.**
- E. Provide recipient's attendance at stakeholder meetings and Radiation Advisory Committee meetings of supporting agencies to provide State technical experience and views into the subject under advisement.**
- F. The major products of the recipient are technical publications prepared by the recipient's working groups and formal positions taken by the membership and/or the central management board or committee of the recipient including:**
- 1. Proceedings of Annual Meetings**
 - 2. Publication of the Suggested State Regulations for Control of Radiation Control (SSRCR) and**
 - 3. Annual publication of Directory of Personnel Responsible for Radiological Health Programs.**
- G. When the Directory of Personnel Responsible for Radiological Health Programs is published, without cost submit 40 copies of the Directory and a non-copyrighted electronic copy of the Directory on disk to the NRC Federal Liaison. Upon availability, delivery of documents specified in C.3, F. and G. will be coordinated through the FDA Project Officer.**