

April 28, 2004

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA

**IDENTIFICATION OF GOOD PRACTICES AND TRENDS FROM OCTOBER 2002  
TO OCTOBER 2003 INTEGRATED MATERIALS PERFORMANCE EVALUATION  
PROGRAM (IMPEP) REVIEWS (STP-04-030)**

Enclosed are three 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 NRC Fiscal Year 2003 in Florida, Iowa, North Dakota, South Carolina, Utah, Washington, and NRC Region III. 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 in other programs can be incorporated to enhance aspects of your own program. 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. This information is being provided for your use in identifying areas in your Atomic Energy Act materials programs that may need strengthening.

The third report (Enclosure 3) summarizes any precedents which have been made by the Management Review Board that will result in changes to IMPEP. This information is being provided to keep NRC Regional and Agreement State radioactive materials programs aware of any changes to IMPEP.

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

POINT OF CONTACT: Aaron T. McCraw  
TELEPHONE: (301) 415-1277

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

**/RA By Josephine M. Piccone Acting for/**  
Paul H. Lohaus, Director  
Office of State and Tribal Programs

Enclosures:  
As stated

**IDENTIFICATION OF GOOD PRACTICES AND TRENDS FROM OCTOBER 2002  
TO OCTOBER 2003 INTEGRATED MATERIALS PERFORMANCE EVALUATION  
PROGRAM (IMPEP) REVIEWS (STP-04-030)**

Enclosed are three 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 NRC Fiscal Year 2003 in Florida, Iowa, North Dakota, South Carolina, Utah, Washington, and NRC Region III. 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 in other programs can be incorporated to enhance aspects of your own program. 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. This information is being provided for your use in identifying areas in your Atomic Energy Act materials programs that may need strengthening.

The third report (Enclosure 3) summarizes any precedents which have been made by the Management Review Board that will result in changes to IMPEP. This information is being provided to keep NRC Regional and Agreement State radioactive materials programs aware of any changes to IMPEP.

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

POINT OF CONTACT: Aaron T. McCraw  
TELEPHONE: (301) 415-1277

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

**/RA By Josephine M. Piccone Acting for/**  
Paul H. Lohaus, Director  
Office of State and Tribal Programs

Enclosures:  
As stated

Distribution:

DIR RF DCD (SP03) PDR (YES)  
KSchneider

**DOCUMENT NAME: C:\ORPCheckout\FileNET\ML041210379.wpd**

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	
NAME	AMcCraw:kk	LRakovan	JMPiccone (KNSchneider for)	MJVirgilio	PHLohaus	
DATE	4/12/04	4/16/04	4/19/04	4/26/04	4/20/04	

**OFFICIAL RECORD COPY**

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP)  
GOOD PRACTICES IDENTIFIED DURING  
OCTOBER 2002 - OCTOBER 2003 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 2002 to October 2003. 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.hsrdo.nrc.gov/agstates/program/sp96081.pdf>

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

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

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

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

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

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

STP-01-077, dated October 29, 2001:

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

STP-03-028, dated April 8, 2003:

<http://www.hsrdo.nrc.gov/agstates/program/sp03028.pdf>

**Technical Staffing and Training**

**Emergency response outreach program.** Washington has an outreach program for providing emergency response training to first responders, hospital staff, and local government health agencies for response to radiological events including incidents resulting from terrorist activities. The training includes the use of actual radiation sources and realistic scenarios, and has proved to be an effective tool for augmenting the capability of first responders.

**Washington contact:**

**Gary Robertson**

**Telephone:**

**(360) 236-3210**

## **Status of Materials Inspection Program**

**Change of ownership/controlling interest.** Chapter 404 of the Florida Statutes required that a new license be issued if a licensee undergoes a change in ownership or controlling interest. These licensees were also inspected as new licensees and included in the initial inspection data. It was noted that promptly inspecting a licensee whose license authority was transferred to a new owner or had a change in controlling interest, not only protected public health and safety, but also promoted the common defense and security of materials.

**Florida contact:** William Passetti  
**Telephone:** (850) 245-4266

**Notification of reciprocity.** Utah used a custom database management system programed to provide the staff with a “pop-up” window, each day upon logging in, that indicates who is working in the State under reciprocity during the next 7-day period. If there are no licensees working under reciprocity during that time period, the “pop-up” window indicates this as well. The system also tracks who has been in the State, when, where, and for how long.

**Utah contact:** Dane Finerfrock  
**Telephone:** (801) 536-4257

## **Technical Quality of Licensing Actions**

**Portable gauge model numbers.** Iowa identified a potential problem associated with model number designations involving Troxler 3400 Series and other Troxler Model 34XX portable gauges. To avoid the potential problem, Iowa revised all portable gauge licenses that authorized Troxler 3400 Series by removing the 3400 series authorization and specifying each portable gauge in the Series by its own model number. This licensing practice can be extended to other portable gauges distributed by manufacturers that use model numbers.

**Iowa contact:** Donald Flater  
**Telephone:** (515) 281-3478

**Allowed devices on license.** NRC Region III had written material licenses that list allowed devices by manufacturer and model number rather than listing sources by manufacturer and model number. Because multiple sources can often be used in a single device, this approach provided increased flexibility to licensees and reduced the burden associated with license amendments to NRC staff.

**NRC Region III contact:** Marc Dapas  
**Telephone:** (630) 829-9801

## **Technical Quality of Incident and Allegation Activities**

**Incident initial responder list.** North Dakota compiled a list of trained personnel in the State who would be willing to respond to a radiation incident, such as a transportation incident, and provide initial assessment of the incident or assist during the incident until State radiological emergency response personnel can arrive. The list includes the names of volunteers, their location within the State, the types of equipment they have available, and contact telephone numbers.

**North Dakota contact:** Ken Wangler  
**Telephone:** (701) 328-5188

## **Low-Level Radioactive Waste Disposal Program**

**Site and shipment photography.** South Carolina made efficient use of digital images to document site and shipment conditions. Variations are photographed for future use or to send to the shipper in the case of a violation. It was noted that this practice efficiently documented violation information and the exact details of the violation to the shipper. The practice could be extended to other inspection processes such as radiography field inspections or gauge inspections.

**South Carolina contact:** Henry Porter  
**Telephone:** (803) 896-4245

**Modular inspections.** Utah implemented modular inspections, as compared to annual inspections, of low-level waste disposal facilities to enable the Division to utilize technical staff more efficiently, provide for more timely inspections, and provide better oversight of waste facility operations and performance.

**Utah contact:** Dane Finerfrock  
**Telephone:** (801) 536-4257

**Security plan as license condition.** Utah incorporated the Envirocare security plan into the license as a specific license condition, and thus made the licensee more accountable for incoming/outgoing material at the site. The State was in a better position to monitor, inspect, and enforce safety and security aspects regarding release of contaminated tools, containers, and materials from the site. Overall, this practice enhanced the site safety and security aspects.

**Utah contact:** Dane Finerfrock  
**Telephone:** (801) 536-4257

### **Uranium Recovery Program**

**Notification of change in business structure.** The State of Washington puts conditions in licenses that the licensee must notify the Department in writing 30 days prior to any change in their business structure. This license condition provides the Department with the opportunity to evaluate if changes in the licensee's business structure could adversely affect the licensee's ability to continue to provide adequate decommissioning funding. This license condition gives the Department the enhanced ability to monitor changes in business structure for potential adverse impacts on its financial and regulatory responsibilities.

**Washington contact:** **Gary Robertson**  
**Telephone:** **(360) 236-3210**

### **Regional Fuel Cycle Inspection Program**

**Cross-training of fuel cycle staff.** NRC Region III used cross training and qualification of staff from the materials and reactors programs to effectively manage an unexpectedly high workload and very high turn-over in the fuel cycle inspection program. The inter-program approach was highly beneficial both to the individuals involved and to the Region and Agency.

**NRC Region III contact:** **Marc Dapas**  
**Telephone:** **(630) 829-9801**

RECOMMENDATIONS IDENTIFIED IN MORE THAN ONE REVIEW  
COMPLETED FROM OCTOBER 2002 - OCTOBER 2003  
UNDER THE INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

## INTRODUCTION

This report provides a summary of recommendations in program areas that can be improved. These were identified in more than one IMPEP review completed from October 2002 to October 2003. During this period, one Regional office and eleven Agreement State programs were reviewed. 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 2002 and October 2003 for the Agreement States can be located on the Office of State and Tribal Programs (STP) Home Page (<http://www.hsrp.doh.gov/nrc/>). Both the Regional and Agreement State reviews are also available through the NRC public document room.

### **Technical Staffing and Training**

Recommendations were made to provide adequate staff support for program needs.

### **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.

**ENCLOSURE 2**

MANAGEMENT REVIEW BOARD (MRB) PRECEDENTS RESULTING  
FROM REVIEWS COMPLETED IN OCTOBER 2002 TO OCTOBER  
2003 THAT WILL BE APPLIED TO THE INTEGRATED MATERIALS  
PERFORMANCE EVALUATION PROGRAM (IMPEP)

## INTRODUCTION

This report summarizes any precedents which have been made by the Management Review Board (MRB) that will result in changes to IMPEP. These precedents were set during Management Review Board meetings for IMPEP reviews completed during the period of October 2002 to October 2003. This information is being provided to keep NRC Regional and Agreement State radioactive materials programs aware of any changes to IMPEP. Copies of MRB meeting minutes are available in Portable Document Format (PDF) through the Nuclear Regulatory Commission's (NRC) Agencywide Document Access Management System (ADAMS).

- The common performance indicator, Technical Staffing and Training, will now be the first common performance indicator discussed in IMPEP reports and MRB meetings. A major reason for this change is that an understanding of the program's positions, organization, staffing levels and staff qualifications is essential to the discussion of other indicators and in the identification of root causes for programmatic weaknesses.
- Incident summaries will no longer be included in the incident casework appendix unless details of the incident relate directly to a program deficiency. Summaries of significant incidents can be found in the Nuclear Materials Events Database (NMED). Removal of the incident summaries provides consistency with the other appendices of IMPEP reports.
- The MRB will consider the status of the program at the time of the MRB meeting in addition to the information provided by the review team. This is particularly important for the indicators, Status of Materials Inspection Program and Compatibility Requirements.
- If the common performance indicator, Status of Materials Inspection Program, is found unsatisfactory during the previous review, inspection files may be reviewed for technical quality even if the common performance indicator, Technical Quality of Inspections, has not been designated for full review during the follow-up review. This will give a more complete understanding of the performance of a program as it catches up on overdue inspections.

**ENCLOSURE 3**