STP Procedure Approval

Orientation Meetings for New Agreement States

SA-118

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NOTE

The STP Director's Secretary is responsible for the maintenance of this master copy document as part of the STP Procedure Manual. Any changes to the procedure will be the responsibility of the STP Procedure Contact.

I. INTRODUCTION

This procedure describes the general objectives and process to be followed when scheduling, staffing, conducting, and documenting an orientation meeting with a new Agreement State.

II. OBJECTIVES

A. Designate the timing of an orientation meeting with a new Agreement State.

B. Establish the procedures for scheduling and conducting a one-day orientation meeting with a new Agreement State.

C. Identify the NRC and Agreement State staff who should participate in an orientation meeting, including the staff responsible for conducting the meeting.

D. Define the scope of activities and areas for discussion during an orientation meeting.

E. Establish the methods and timing for documenting and communicating the results of an orientation meeting to a new Agreement State.

F. Specify the correct steps to take when concerns are identified during an orientation meeting.

G. Establish mechanisms to communicate orientation meeting results to the Management Review Board (MRB).

III. BACKGROUND

For new Agreement States, an orientation meeting will be held with the State after the signing of the Agreement and prior to the first program review. This meeting will be used to gain an understanding of the State's program status when evaluated against the criteria of Management Directive (MD) 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)* and to identify any concerns or issues during the initial implementation of the Agreement prior to the first IMPEP review.

IV. ROLES AND RESPONSIBILITIES

A. IMPEP Project Manager:

1. Informs each Regional State Agreements Officer (RSAO) of the State(s) requiring orientation meetings along with the proposed IMPEP review schedule for each year.

2. Identifies any meeting action items that have not been resolved at the time the meeting summary letter is dispatched and notifies the Office of State and Tribal Programs (STP) controlled ticket coordinator to formally ticket and assign any necessary action items.

3. Coordinates and schedules discussion of the final orientation meeting summary report at an MRB meeting.

B. Regional State Agreements Officer (RSAO):

1. Schedules orientation meetings with new Agreement States in his/her Region.

2. Coordinates a meeting date with the Agreement State program management and the STP Agreement State Project Officer (ASPO).

3. Informs STP management, the IMPEP Project Manager, and appropriate Regional management of the meeting date.

4. Develops a draft agenda for the meeting with Agreement State program management.

5. Issues, once a proposed meeting date has been chosen, a letter to the Agreement State Radiation Control Program Director a minimum of sixty (60) days before the meeting confirming the meeting date. The letter should include the draft agenda that was developed in coordination with Agreement State program management, as well as a request for any comments on the draft agenda and additional meeting discussion topics. Appropriate Regional management, the Deputy Director of STP, the ASPO, and the IMPEP Project Manager should be on distribution for the letter. (See Appendix A for a sample orientation meeting confirmation letter.)

6. Schedules and plans the meeting to ensure that State attendance will include at least one radiation control program representative who can speak on behalf of the Agreement State program. Preferably, the Agreement State Radiation Control Program Director will attend the meeting. Agreement State program staff attendance at the meeting will be determined by the Agreement State.

7. Becomes familiar with the new Agreement State program prior to the meeting. The RSAO should review the final staff assessment of the proposed Agreement State program. The RSAO should obtain a detailed printout of all State Nuclear Materials Event Database (NMED) data since the effective date of the Agreement. The RSAO should be familiar with all allegations and concerns referred to the State for handling since the effective date of the Agreement (obtained from the Regional Senior Allegations Coordinator, the Allegation Management System, and/or the STP Allegations Coordinator). The RSAO should also be familiar with the status of the State's regulations as detailed in the STP State Regulation Status Data Sheet and verify the status with the STP State Regulation Review Coordinator.

8. Serves as lead facilitator for the meeting. If the RSAO cannot serve as lead, the RSAO will reschedule the meeting, or request that the ASPO lead the meeting.

9. Issues a final meeting summary and sends an electronic copy to the Deputy Director of STP, appropriate Regional management, the IMPEP Project Manager, and the ASPO.

10. Leads the discussion of the orientation meeting summary report with the MRB. (The meeting's results should normally be discussed at the next scheduled MRB meeting unless significant concerns identified necessitate a special MRB meeting.)

C. Agreement State Project Officer (ASPO):

1. Attends and participates in the orientation meeting. (An alternate STP staff member may attend the meeting if the ASPO cannot attend.)

2. Coordinates and assists the RSAO in meeting preparation and development of specific information areas that should be covered during the meeting (e.g., event reporting, allegations, and status of regulations).

3. Leads the meeting if the RSAO is not in attendance, or if requested.

4. Leads the discussion of the final orientation meeting summary report with the MRB when the RSAO is not available.

D. Agreement State Radiation Control Program Director:

The Agreement State Radiation Control Program Director (or a designee) will be invited to participate in the discussion of the State's orientation meeting summary at the MRB meeting.

E. Management Review Board (MRB):

1. The MRB provides a senior level review of the results of orientation meetings. Its membership includes: Deputy Executive Director for Materials, Research, and State Programs (DEDMRS); Director, Office of Nuclear Material Safety and Safeguards (NMSS); Director, STP; the General Counsel; and an Organization of Agreement States (OAS) Liaison to the MRB. (See STP Procedure SA-106, Management Review Board and MD 5.6 for additional information on the MRB.)

2. The MRB provides direction on a course of action when concerns are identified during an orientation meeting. Direction on a course of action will be communicated directly to the Agreement State Radiation Control Program Director or his/her representative either at the MRB meeting or by letter.

V. GUIDANCE

E. Orientation meetings with new Agreement States should take place approximately nine months after the signing of the Agreement, unless an alternative timeframe is decided upon by STP management.

F. 1. The orientation meeting serves as a forum to hold discussions, to exchange information, to identify areas of concern during the initial implementation for the new Agreement State program, and to assess IMPEP review planning. The orientation meeting is not a formal evaluation and is not intended to include reviews of any licensing, inspection, or incident files. Review of some documents, however, may be useful during the meeting to clarify points made in discussions (e.g., summary printouts of inspection information, close-out letters in incident files).

2. An exception to Section V.B.1. is the review of all allegations and concerns referred to the State by the NRC in which the alleger's identity has been withheld. The RSAO should discuss and review these allegations and concerns in depth. The RSAO and ASPO must ensure that the appropriate follow-up was taken (e.g., that the State investigated the allegations and concerns, documented the results, and provided confidentiality in accordance with State statutes, rules, and procedures). In addition, any Agreement State program or employee performance concerns referred to the State from the NRC should be discussed (See STP Procedure SA-400, *Management of Allegations*, for additional information on Agreement State performance concerns). It is not necessary to perform an in-depth review on performance concerns closed through STP Procedure SA-400.

C. As appropriate, topic areas for discussion during the meeting should include:

1. Strengths and/or weaknesses of the State program, as identified by the State or the NRC, including identification of actions that could diminish weaknesses.

2. State's Feedback on the NRC's program, including identification of any action that should be considered by the NRC.

3. Status of the State program, including:

   a. Staffing and training:

      i) Number and adequacy of full-time equivalents (FTE) in the radioactive materials program;
      ii) Training and qualifications of materials staff;
      iii) Program vacancies;
      iv) Staff turnover.

   b. Materials Inspection Program:

      Status of the inspection program, including whether an inspection backlog exists and the steps being taken to reduce the backlog.

   c. Regulations and Legislative changes:

      Status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

d. Program reorganizations:

   Any changes in program organization including program/staff relocations and new appointments.

e. Changes in program budget/funding.

f. For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].

g. Status of the State's creation of financial assurance instruments for licensees that required financial assurance for decommissioning while under the NRC's regulatory authority.

4. Response to Incidents and Allegations:

   a. Status of allegations and concerns referred by the NRC for action;
   b. Event reporting, including follow-up and closure information in the Nuclear Materials Events Database (NMED);
   c. Significant events and generic implications.

5. Status of the following Program areas (include if applicable):

   a. Sealed Source & Device Evaluation Program;
   b. Uranium Recovery Program;
   c. Low-Level Waste Disposal Program.

6. Information exchange and discussion:

   a. Current State initiatives;
   b. Emerging technologies;
   c. Large, complicated or unusual authorizations for use of radioactive materials, including:

      i) Panoramic and Underwater Irradiators;

ii) Major decommissioning and license termination actions;
iii) Waste processing, storage and disposal licenses;
iv) Licensees requiring an emergency plan.
v.) Licensees subject to security orders.

d. State's mechanisms to evaluate performance (as applicable):

i) Self audits;
ii) Computer tracking;
iii) Inspector accompaniments;
iv) Other management tools.

e. NRC current initiatives.

7. Schedule for the first IMPEP review.

8. Other topics.

D. As time permits, NRC staff should take the opportunity to discuss items of interest with or answer the questions of Agreement State staff not in attendance during the "business" portion of the meeting. NRC staff should also take the opportunity to introduce themselves to Agreement State staff members that they may not have previously met in interactions with the Agreement State.

E. 1. The meeting lead should informally share, prior to its final issuance, a draft summary report with the Agreement State Radiation Control Program Director, the ASPO and any other NRC staff attending the meeting for review and comment. The meeting lead should issue and distribute the final summary letter of the meeting to the Agreement State Radiation Control Program Director within thirty (30) days and provide a copy to appropriate Regional management, the Deputy Director of STP, the ASPO, and the IMPEP Project Manager. The letter should include a list of meeting attendees, a brief synopsis of what was discussed during the meeting, and a summary identifying any key facts or changes, both positive and negative, from the meeting which could affect the focus and timing of the first IMPEP review or program implementation.

2. No specific information about any allegations or concerns discussed at the meeting that could identify an alleger should be contained in the letter. The letter should state only the number of allegations and concerns discussed and

whether the casework has been handled adequately. (If an Agreement State is not handling allegations or concerns in a manner consistent with the guidance provided in MD 8.8, *Management of Allegations*, the meeting lead should report this fact separately to STP management.

3. The State should be requested to provide additional comments if it believes the letter content does not accurately reflect the meeting discussions. (See Appendix B for a sample orientation meeting summary letter.)

F. If programmatic or performance concerns are identified during the meeting:

1. The concerns should be documented in the meeting summary report and presented to the MRB as part of the discussion of the orientation meeting results.

2. If the concerns have the potential to immediately affect public health and safety, the RSAO and ASPO should immediately inform STP and Regional management and the IMPEP Project Manager of the findings and propose a course of action. STP management should notify the Chair of the MRB about the concerns identified and the proposed course of action. Depending on the severity of the safety concern, the MRB may be convened to discuss the concerns and the proposed course of action.

3. STP and Regional management, with input from the RSAO and the ASPO, will agree on a course of action. If the MRB was convened to discuss the safety concern, the MRB will decide and agree upon a course of action. Possible actions include altering the schedule for the first IMPEP review of the new Agreement State, conducting a special review of selected program areas, sending additional correspondence, setting up additional meetings with the State, or placing the Agreement State on monitoring. (See STP Procedure SA-122 for additional information on monitoring.)

4. Once a formal course of action has been decided, a letter signed by the Director of STP or the Chair of the MRB, as applicable, will be sent to the Agreement State Radiation Control Program Director, along with the meeting summary letter. The letter shall include an explanation of the specific course of action that will be taken, as well as a summary of the reasons supporting the decision. (See Appendix C for a sample “course of action” letter.)

VI. APPENDICES

Appendix A - Sample orientation meeting confirmation letter.
Appendix B - Sample orientation meeting summary letter.
Appendix C - Sample "course of action" letter.

VII. REFERENCES

1. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*.
2. NRC Management Directive 8.8, *Management of Allegations.*
3. STP Procedure SA-106, *Management Review Board.*
4. STP Procedure SA-122, *Heightened Oversight and Monitoring.*
5. STP Procedure SA-400, *Management of Allegations*.

Appendix A

SAMPLE ORIENTATION MEETING CONFIRMATION LETTER

Dear [Agreement State Program Director]:

In accordance with Office of State and Tribal Programs (STP) Procedure SA-118, U.S. Nuclear Regulatory Commission (NRC) staff schedules a meeting with you and members of your staff approximately nine months after the effective date of the Agreement. The purpose of this meeting is to exchange information and discuss difficulties experienced during the initial implementation of your program. During the meeting, we will also discuss planning for your first full Integrated Materials Performance Evaluation Program (IMPEP) review.

The meeting should not require more than one day. This letter confirms that, based on our previous discussions, the meeting will be held in your offices on [date]. In addition to myself, [ASPO], Office of State and Tribal Programs, as the Project Officer for [State], [and identify any other NRC staff] will be in attendance.

Based on our previous agenda planning discussions, the topics for discussion at the meeting include [add or delete topics, as appropriate, based on agenda planning discussions with the State]:

1. Strengths and/or weaknesses of the State program, as identified by the State or the NRC, including identification of actions that could diminish weaknesses.

2. State's Feedback on the NRC's program, including identification of any action that should be considered by the NRC.

3. Status of the State program, including:

   a. Staffing and training:

      i) Number and adequacy of full-time equivalents (FTE) in the radioactive materials program;
      ii) Training and qualifications of materials staff;
      iii) Program vacancies;
      iv) Staff turnover.

   b. Materials Inspection Program:

      Status of the inspection program, including whether an inspection backlog exists and the steps being taken to reduce the backlog.

   c. Regulations and Legislative changes:

      Status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

   d. Program reorganizations:

Any changes in program organization including program/staff relocations and new appointments.

e. Changes in program budget/funding.

f. For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].

g. Status of the State's creation of financial assurance instruments for licensees that required financial assurance for decommissioning while under the NRC's regulatory authority.

4. Response to Incidents and Allegations:

   a. Status of allegations and concerns referred by the NRC for action;
   b. Event reporting, including follow-up and closure information in the Nuclear Materials Events Database (NMED);
   c. Significant events and generic implications.

5. Status of the following Program areas (include if applicable):

   a. Sealed Source & Device Evaluation Program;
   b. Uranium Recovery Program;
   c. Low-Level Waste Disposal Program.

6. Information exchange and discussion:

   a. Current State initiatives;
   b. Emerging technologies;
   c. Large, complicated or unusual authorizations for use of radioactive materials, including:

      i) Panoramic and Underwater Irradiators;
      ii) Major decommissioning and license termination actions;
      iii) Waste processing, storage and disposal licenses;
      iv) Licensees requiring an emergency plan.
      v) Licensees subject to security orders.

   d. State's mechanisms to evaluate performance (as applicable):

      i) Self audits;
      ii) Computer tracking;
      iii) Inspector accompaniments;
      iv) Other management tools.

e. NRC current initiatives.

7. Schedule for the first IMPEP review.

8. Other topics.

If you have any questions, please call me at [RSAO phone number], or e-mail to [RSAO e-mail address].

Sincerely,

[RSAO]

cc: [SLO]
[Deputy Director, STP]
[Regional Manager]
[ASPO]
[IMPEP Project Manager]

Appendix B

SAMPLE ORIENTATION MEETING SUMMARY LETTER

Dear [Agreement State Program Director]:

An orientation meeting with the [State] radiation control program was held on [date]. The purpose of this meeting was to discuss the implementation of [State's] Agreement State program. The U.S. Nuclear Regulatory Commission (NRC) was represented by [ASPO and/or other STP staff] from the NRC's Office of State and Tribal Programs, [any additional NRC staff in attendance including Regional staff] and me. Specific topics and issues of importance discussed at the meeting included [list a few topics discussed at the meeting that were particularly noteworthy].

I have completed and enclosed a meeting summary, including any specific actions resulting from the discussions.

If you believe that the comments, conclusions, or actions to be taken do not accurately summarize the meeting discussion, or you have any additional remarks or comments about the meeting in general, please contact me at [RSAO phone number], or e-mail to [RSAO e-mail address] within four weeks of the date of this letter.

Sincerely,

[RSAO]

Enclosure:
As stated

cc: [SLO]
[Deputy Director, STP]
[Regional Manager]
[ASPO]
[IMPEP Project Manager]

Appendix B (Continued)

ORIENTATION MEETING SUMMARY FOR [STATE]

DATE OF MEETING: [DATE]

ATTENDEES:	NRC	STATE
	[RSAO]	
	[ASPO]	

DISCUSSION:

Topics covered at the meeting included [List any main discussion topics of importance].

CONCLUSIONS:

Conclusion #1: [conclusion as applicable]

Action #1: [as applicable]

Conclusion #2: [conclusion as applicable]

Action #2: [as applicable]

Conclusion #3: [conclusion as applicable]

Action #3: [as applicable]

Appendix C

SAMPLE "COURSE OF ACTION" LETTER

Dear [Agreement State Program Director]:

This letter is to inform you that based on discussions held during our orientation meeting on [date of meeting], we believe additional effort may be needed in certain areas of your program. The purpose of the orientation meeting was to share information and discuss the implementation of [State's] Agreement State program, to identify difficulties experienced during the initial implementation of your program, and to plan the first Integrated Materials Performance Evaluation Program (IMPEP) review.

The areas identified and discussed during the meeting where additional effort is needed include:

[list in detail each individual concern about the program]

[Describe any actions NRC plans to take (e.g., altering schedule for first IMPEP review, conducting a special review, or placing the Agreement State on monitoring.)]

We ask that you respond to this letter in writing within thirty (30) days of receipt of this letter to identify any actions you have taken or plan to take to address the areas needing additional effort. If you have any questions, please contact [RSAO], Regional State Agreements Officer of Region [region], or me.

Sincerely,

Director,
Office of State and Tribal Programs

or

Deputy Executive Director for Materials,
Research, and State Programs (if course of
action decided by MRB)

cc: [MRB Members]
[Regional Manager]
[RSAO]
[SLO]
[ASPO]
[IMPEP Project Manager]