STP Procedure Approval

Periodic Meetings with Agreement States Between IMPEP Reviews - SA-116

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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 a periodic meeting with an Agreement State.

II. OBJECTIVES

A. Designate the frequency for periodic meetings.

B. Establish procedures for scheduling and conducting a periodic one-day meeting with an Agreement State.

C. Identify the NRC staff and requested State staff who should participate in a periodic meeting, including the staff responsible for conducting the meeting.

D. Define the scope of activities and areas for discussion during a periodic meeting.

E. Define methods and timing for documenting and communicating the results of the meeting to the State.

F. Specify the correct steps to take when concerns are identified during a periodic meeting.

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

H. Provide guidance for MRB issuance of "letters of support".

III. BACKGROUND

At the September 1996 All Agreement States Meeting, the issue of conducting a mid-cycle or periodic meeting was discussed. Some Agreement States commented on the need for NRC presence on a more frequent basis than once every four years. SECY-96-234, "Status Report on Implementation of the Integrated Materials Performance Evaluation Program," November 12, 1996, proposed that periodic one-day meetings with Agreement States not scheduled for Integrated Materials Performance Evaluation Program (IMPEP) reviews take place to help NRC and Agreement States remain knowledgeable of their respective programs and to plan for the next IMPEP review.

In 1999, the NRC completed its first round of IMPEP reviews for all Agreement States. A Working Group composed of representatives of Agreement State Programs [Program] and the NRC was tasked with conducting an independent examination of the IMPEP experiences to date that could further enhance the program.

The IMPEP Lessons Learned Report categorized changes to the procedure for periodic meetings as high priority, substantive change. Such changes, the report noted, were needed to make the periodic meetings with Agreement States more effective. The Working Group recommended that the periodic meetings should focus on self-audits and on updating the IMPEP questionnaire.

The NRC staff reviewed the periodic meeting procedure to incorporate self-audits as a part of the process. Based on State and NRC comments on this revision and further evolution and changes in the periodic meeting process, guidance on mandatory use of self-audits is not included in the procedure.

The periodic meeting process has evolved to more effectively gather important performance information. The NRC staff has found that this evolution is due to an increased scope of discussions and increased focus on identifying performance issues earlier. New roles and responsibilities have emerged, including an enhanced meeting coordination process, an earlier, more effective and active participation of the MRB in the process, and active Agreement State Radiation Control Program Director (RCPD) participation in the discussion of meeting results and decision making process. In addition, a new Periodic Meetings Coordinator (PMC) position has been established to ensure these new responsibilities are effectively carried out.

This procedure documents current periodic meeting practices, which include:(1) increased scope of discussion that allows a better sharing of information between the NRC and the States; (2) briefing the MRB on the meeting's results with active participation from State staff; (3) earlier identification of Program weaknesses (e.g., staffing shortage, inspection backlogs) and implementation of appropriate corrective measures and (4) issuance of "letter of supports" from the MRB Chair:

(a) to identify early indications of potential program weaknesses;
(b) to support program requests for additional resources;
(c) to recognize the benefits contributions, success or history of good performance of a Program..

IV. ROLES AND RESPONSIBILITIES

A. IMPEP Project Manager

The IMPEP Project Manager is responsible for:

1. Informing each Regional State Agreements Officer (RSAO) of the proposed IMPEP and periodic meetings schedule for each year.

2. Coordinating and scheduling discussion of the final periodic meeting summary report at the MRB meeting.

B. Periodic Meetings Coordinator (PMC)

The PMC is responsible for:

1. Assisting the IMPEP Project Manager and Regional State Agreements Officer (RSAO) in the coordination of periodic meetings.

2. Leading the discussion of the periodic meeting summary report with the MRB when the RSAO and Agreement State Project Officer (ASPO) are not available.

3. Tracking periodic meetings as well as action items identified during the meetings.

4. Identifying any meeting action items that have not been resolved at the time the meeting summary letter is dispatched.

5. Notifying the Office of State and Tribal Programs' (STP) controlled ticket coordinator to formally ticket and assign any items as necessary.

6. Follow-up on the resolution of action items.

C. Regional State Agreements Officer

The RSAO is responsible for:

1. Scheduling meetings with each of those Agreement States in his/her Region at the appropriate frequency (as defined in Part V. A).

2. Coordinating a meeting date with the IMPEP Project Manager, RCPD, and STP Agreement State Project Officer, ASPO.

3. Informing STP Periodic Meetings Coordinator and appropriate Regional management of the meeting date.

4. Developing a draft agenda for the meeting with the RCPD. (In cases

where issues are identified that require the meeting's length to be extended, the RSAO and ASPO will consult with STP management to estimate the meeting's length).

5. Issuing, once a proposed meeting date has been chosen, a letter to the RCPD, a minimum of 60 days before the meeting, confirming the date for the meeting. The letter should include the draft agenda that was developed in consultation with Agreement State Program management, as well as a request for any comments on the draft agenda and additional specific meeting discussion topics. The Deputy Director, STP, the IMPEP Project Manager, STP Periodic Meetings Coordinator, appropriate Regional management, and the ASPO should be on the distribution list for the letter. A sample letter is attached as Appendix A.

6. Scheduling and planning for 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 RCPD will attend the meeting). Agreement State Program staff attendance at the meeting will be determined by the Agreement State.

7. Reviewing all the recommendations made during the most recent IMPEP review (if a previous periodic meeting had been held, review the Program's status as of the date of the meeting). The RSAO should obtain a detailed printout of all State Nuclear Materials Events Database (NMED) data since the last IMPEP review or periodic meeting. The RSAO should also be familiar with all allegations and concerns referred to the State for handling since the last IMPEP review or periodic meeting (obtained from the Regional Senior Allegations Coordinator and the Allegation Management System), and the status of the State's regulations as detailed in the ~~Regulation Assessment Tracking System (RATS)~~ State Regulation Summary Data Sheet.

~~9.~~8. Serving as lead facilitator for the meeting. If the RSAO cannot serve as the lead, the RSAO will reschedule the meeting, or request that the ASPO lead the meeting. If the RSAO is unfamiliar with an Agreement State for any reason (e.g., there is a new RSAO or the RSAO was not a member of the previous IMPEP review team), STP and Regional management may choose to send an STP or Regional staff member to the meeting who is more knowledgeable about the State ~~to the meeting~~. This decision will be made on a case-by-case basis. The RSAO will continue to act as the lead for the meeting, if in attendance.

~~8.~~9. Coordinating with ASPOs, to identify, communicate and document to the

MRB, at the direction of STP, NMSS and Regional management, program performance issues (such as changes in State organization, loss of staff, hiring freezes or other issues having a potential adverse effect on program performance). These performance issues may also be identified through day-to-day interactions (i.e., telephone calls, informal conversations at meetings, e-mail exchanges) between the States and the ASPO and/or the RSAO before the periodic meeting .

~~9.~~10. Issuing a final meeting summary and sending an electronic copy to the Deputy Director, STP, appropriate Regional management, IMPEP Project Manager, ~~STP Periodic Meetings Coordinator~~ PMC and the ASPO.

~~10.~~11. Leading the discussion of the periodic meeting summary report with the MRB. (The meetings' results should normally be discussed at the next scheduled MRB meeting unless significant concerns identified necessitate a special MRB meeting).

~~9.~~12. Assisting and advising the MRB, in collaboration with ASPOs, on the issuance of "letters of support" to Senior State management.

D. Agreement State Project Officer

The ASPO will be responsible for:

1. Attending and participating in the periodic meeting. (An alternate STP staff member may attend the meeting if the ASPO cannot attend).

2. Coordinating and assisting the RSAO in meeting preparation and development of specific information areas to be covered during the meeting, such as event reporting, allegations and the status of regulations.

3. Leading the periodic meeting if necessary or requested.

4. Leading the discussion of the periodic meeting summary report with the MRB when the RSAO is not available.

5. Drafting "letters of support", if directed by the MRB.

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E. Agreement State Radiation Control Program Director (RCPD)

The RCPD (or a designee) will be invited to participate in the discussion of that State's periodic meeting summary at the MRB meeting. [Also see Sections IV. C. 2, 4, 5 and 6 for additional information on the RCPD's role].

F. Management Review Board (MRB)

The MRB provides a senior level review of the results of the periodic meetings. Its membership includes: Deputy Executive Director for Materials, Research and State Programs (DEDMRS); Director, Office of Nuclear Material Safety and Safeguards (NMSS); Director, Office of State and Tribal Programs (STP); the General Counsel; and an Organization of Agreement State (OAS) Liaison to the MRB. [See: 1) STP Procedure SA-106, *Management Review Board*; 2) NRC Management Directive 5.6, *Integrated Materials Evaluation Program (IMPEP)*]

The MRB will always be apprized on the results of periodic meetings. The MRB provides directions on a course of action when concerns are identified during a periodic meeting (see V.G. below). Directions on a course of action will be communicated directly to the RCPD or its representative either at the MRB meeting or by letter. The MRB will also direct the staff on whether the issuance of a "letter of support" to senior State management is warranted.

V. GUIDANCE

A. For a four (4) year IMPEP cycle, a midterm periodic meeting should take place approximately twenty-four (24) months after the IMPEP review. If additional meetings are required or requested either by STP management or the State, the meeting frequency will be adjusted on a case-by-case basis.

B. Periodic meetings serve as forums to hold discussions, to exchange information , to identify potential areas of improvement for both the NRC and Agreement State Programs, to address or define significant actions and to assess IMPEP review planning. Periodic meetings are not formal evaluations but are open, informal, and interactive discussions of program status and performance, identification of issues and actions for their timely resolution, and other information. They should provide for identification and discussion of any program areas experiencing difficulties or program changes (e.g., loss of staff) that could affect performance. They are not intended to include reviews of any licensing, inspection, or incident files. Review of some documents, however, may be useful during meetings to clarify points made in discussions (e.g., summary printouts of inspection information, close-out letters in incident files, status of regulations).

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

1. Status of the State's actions to address all previous open IMPEP review findings and/or open recommendations.

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

3. Feedback on the NRC's program as identified by the State and including identification of any action that should be considered by the NRC.

4. Status of the State Program, including:

   a. Staffing and training:

      I) Number of staff in the program and status of their training and qualifications;
      ii) Program vacancies;
      iii) Staff turnover;
      iv) Adequacy of FTEs for the materials program.

   b. Materials Inspection Program:

      I) Discuss the status of the inspection program including whether an inspection backlog exists and the steps being taken to work off backlog.

   c. Regulations and Legislative changes:

      I) Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

   d. Program reorganizations:

      I) Discuss 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 Site Decommissioning Management Plan (SDMP) sites 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].

5. Event Reporting, including follow-up and closure information in NMED.

6. Response to Incidents and Allegations:

   a. Status of allegations and concerns referred by the NRC for action;
   b. Significant events and generic implications.

7. 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.

8. 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/Pool/Underwater Irradiators;
      ii) Major decommissioning and license termination actions;
      iii) Waste processing, storage and disposal licenses;
      iv) Others.

   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.

9. Schedule for the next IMPEP review.

10. Action items resulting from the periodic meeting (these should be documented in the meeting summary report). [Note: the meeting should not be used by the States to refer major policy issues to the NRC since these are addressed through other mechanisms].

11. Other topics.

C. For open IMPEP review findings that the RSAO and ASPO conclude have been resolved, a recommendation for closure should be included in the meeting summary report. Formal closure will be completed only at the time of the next IMPEP review. Chronic problems should not be recommended for closure until sufficient time has passed to demonstrate that the problems are properly addressed.

D. The RSAO and ASPO shall review all allegations and concerns referred to the State by the NRC in which the alleger's identity has been withheld. In addition, any performance concerns referred to the State should be discussed. It is not necessary to perform an in-depth review on performance concerns closed through STP Procedure SA-400, "Management of Allegations." The RSAO and ASPO must assure that appropriate follow-up is taken (e.g., that the State has addressed allegations in accordance with State procedures).

E. During the meeting, NRC representatives should request introductions to new staff or to staff that they have not met previously.

F. The meeting lead should informally share, prior to its final issuance, a draft summary report with the Agreement State 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 RCPD within thirty (30) days and provide a copy to the Deputy Director, STP, the IMPEP Project Manager, STP Periodic Meetings Coordinator, appropriate Regional management, and the ASPO. The letter should include a list of meeting attendees, a brief synopsis of what was discussed during the meeting, a description of the status of all open recommendations and suggestions, and a summary identifying any key facts or changes, both positive and negative, from the meeting which could affect the focus and timing of future IMPEP reviews or program implementation.

No specific information about the 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 Management Directive 8.8, *Management of Allegations*, the RSAO and ASPO should report this fact separately to STP management. The Agreement State should have investigated the allegations and concerns, documented the results, and provided confidentiality in accordance with the Agreement State's statutes, rules, and procedures).

The State should be requested to provide additional comments if it believes the

letter content does not accurately reflect the meeting discussions. A sample letter is attached as Appendix B.

G. Agreement State Program Programmatic or Performance Concerns

1. If programmatic or performance concerns about an Agreement State Program are identified during the periodic meeting:

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

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

~~3~~2. The MRB will decide on the appropriate course of action. Possible actions include any or all of the following:

   a. altering the schedule for the next IMPEP review,

   b. scheduling an additional meeting with the specific State,

   c. conducting a special review of selected program areas, ~~corresponding further with the State~~

   d. placing the State on Heightened Oversight and Monitoring

   e. issuing a letter of support to senior State management to bring declining program issues to Agreement State Program senior management attention (See Appendix C).

~~4~~3. Once a formal course of action has been decided, within 3 weeks, a letter signed by the Director, STP, should be sent to the RCPD along with the meeting summary letter. The letter should include an explanation of the specific course of action decided upon by the MRB as well as a summary of the reasons supporting the decision. A copy of the letter should be sent to all MRB members and appropriate Regional management. A sample

letter is attached as Appendix ~~C~~D.

~~5~~4. If performance issues are identified through day-to-day interactions outside the periodic meeting, the ASPO and RSAO will document the program's issues in writing to present to the MRB.. The written documentation should provide a complete description of the program performance issues and any other supporting information sufficient to allow the MRB to determine an appropriate course of action, as outlined in V.G.2..

VI. APPENDICES

Appendix A- Sample ~~m~~Meeting ~~c~~Confirmation letter to Agreement State Radiation Control Program Director

Appendix B - Sample ~~m~~Meeting ~~s~~Summary letter to Agreement State Radiation Control Program Director

Appendix C- Sample Letter for Expressing NRC's Concerns on Potential Decline in Program Performance Resulting from MRB's Discussion of a Periodic Meeting Summary

Appendix ~~C~~D- Sample Formal "~~c~~Course of ~~a~~Action" letter to Agreement State Radiation Control Program Director

VII. REFERENCES

1. SECY-96-234, *Status Report on Implementation of the Integrated Materials Performance Evaluation Program (IMPEP)*
2. NRC Management Directive 8.8, *Management of Allegations*
3. STP Procedure SA-106, *The Management Review Board*
4. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*
5. STP Procedure SA-400, *Management of Allegations*

Appendix A

SAMPLE MEETING CONFIRMATION LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Agreement State Program Director]:

In order to help both Agreement States and the U.S. Nuclear Regulatory Commission (NRC) remain knowledgeable of each others' programs and to conduct planning for the next Integrated Materials Performance Evaluation Program (IMPEP) review, the IMPEP process includes holding one-day periodic meetings with Agreement States between IMPEP reviews.

In accordance with the Office of State and Tribal Programs (STP) Procedure SA-116, we request a meeting, no longer than one day, to discuss your Agreement State Program and share programmatic information. This letter confirms that, after previous coordination, the meeting is scheduled for [date] and will be held in your offices. In addition to myself, [ASPO], Office of State and Tribal Programs, assigned as Project Officer for [State], will be the other NRC representative in attendance. [identify any other NRC staff that may attend].

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

1. Status of State's actions to address all open previous IMPEP review findings and/or open recommendations.

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

3. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC.

4. Status of State Program including:

    a. Staffing and training:

        I) Number of staff in the program and status of their training and qualifications;
        ii) Program vacancies;
        iii) Staff turnover;
        iv) Adequacy of FTEs for the materials program.

    b. Materials Inspection Program:

        I) Discuss the status of the inspection program including if an inspection backlog exists and the steps being taken to work off backlog.

    c. Regulations and Legislative changes:

        I) Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

Appendix A (con't)

d. Program reorganizations:

I) Discuss 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 Site Decommissioning Management Plan (SDMP) sites transferred to the State. The State should notify NRC when the license has been terminated and whether the site was released for unrestricted use as defined by the Agreement State.

5. Event Reporting, including follow-up and closure information in NMED.

6. Response to Incidents and Allegations:

a. Status of allegations and concerns referred by the NRC for action;
b. Significant events and generic implications.

7. 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.

8. 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/Pool/Underwater Irradiators;
ii) Major decommissioning and license termination actions;
iii) Waste processing, storage and disposal licenses;
iv) Others.

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.

9. Schedule for the next IMPEP review.

10. Other.

Appendix A (con't)

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

Sincerely,

[RSAO]

cc: []
[DDSTP]
[IPM]
[PMC]
[Regional Manager]
[ASPO]

Appendix B

SAMPLE MEETING SUMMARY LETTER
TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Radiation Control Program Director]:

A periodic meeting with [State] was held on [date]. The purpose of this meeting was to review and discuss the status of [State's] Agreement State program. The 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 general meeting summary, including any specific actions resulting from the discussions.

If you feel that our conclusions do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me [RSAO phone number], or e-mail to [RSAO e-mail address] to discuss your concerns.

Sincerely,

[RSAO]

Enclosure:
As stated

cc: [DDSTP]
[Regional Manager]
[IPM]
[PMC]
[ASPO]

Appendix B (con't)

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR [STATE]

DATE OF MEETING: [DATE]

ATTENDEES:	NRC	STATE
	[RSAO]	
	[ASPO]	
	[OTHER]	

DISCUSSION:

The proposed status for each of the recommendations and suggestions in Section 5.0 of the [year of last IMPEP review] [State] final IMPEP report is summarized below (number corresponding to those in the final IMPEP report). A copy of Section 5.0 of the IMPEP report is attached for reference. [... List the proposed status for each recommendation and suggestion made at the most recent IMPEP review including any recommendations for closure]

Other topics covered at the meeting included [... List all meeting's discussion topics other than the recommendations and suggestions listed above].

1. Status of State's actions to address all open previous IMPEP review findings and/or open recommendations.

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

3. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC.

4. Status of State Program including:

    a. Staffing and Training;
    b. Materials Inspection Program;
    c. Regulations and Legislative changes;
    d. Program reorganizations;
    e. Changes in Program budget/funding;
    f. For States whose Agreement became effective after August 26, 1999, determine the status of Site Decommissioning Management Plan (SDMP) sites 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].

5. Event Reporting, including follow-up and closure information in NMED.

6. Response to Incidents and Allegations.

    a. Status of allegations and concerns referred by the NRC for action;
    b. Significant events and generic implications.

Appendix B (con't)

7. Status of the following Program areas:

    a. Sealed Source & Device Program;
    b. Uranium Mills Program;
    c. Low-Level Waste Program.

8. 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/Pool/Underwater Irradiators;
        ii) Major decommissioning and license termination actions;
        iii) Waste processing, storage and disposal licenses;
        iv) Others.

    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.

9. Schedule for the next IMPEP review.

10. Action items resulting from the periodic meeting.

11. Other topics.

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 LETTER FOR EXPRESSING NRC'S CONCERNS ON POTENTIAL DECLINE IN PROGRAM PERFORMANCE RESULTING FROM MRB'S DISCUSSION OF A PERIODIC MEETING SUMMARY

[NAME]
[TITLE, STATE SENIOR MANAGEMENT]
[ADDRESS]

Dear [NAME]:

I am writing to discuss the results of a Periodic Meeting held in your [Agency/]Department] on [DATE], with staff of the [Bureau of Radiation Control/Radiation Control Program/other]. Periodic Meetings are held to enable the U.S. Nuclear Regulatory Commission (NRC) and Agreement States to remain knowledgeable of their respective programs and to conduct planning for the next Integrated Materials Performance Evaluation Program (IMPEP) review. NRC has an oversight responsibility to periodically review Agreement State Programs for adequacy and compatibility with NRC's program and conducts these reviews under IMPEP.

NRC also uses the Periodic Meeting process to more effectively gather important performance information and increase focus on identifying performance issues earlier. This process includes an enhanced meeting coordination process; an earlier, more effective and active participation of the Management Review Board (MRB), a panel of NRC managers with an Agreement State manager liaison in the process; and active Radiation Control Program Director participation in the discussion of meeting results and decision making process.

The MRB met on [DATE], to discuss the results of the [STATE]'s [DATE], Periodic Meeting. Potential performance concerns identified in your radiation control program during the periodic meeting were discussed. I have enclosed a copy of the [DATE], letter to [Program Director], summarizing the results of the [DATE], Periodic Meeting. Highlights of the concerns identified during discussions are presented below.

The Program is experiencing difficulty in [DESCRIBE PROGRAM ISSUES]. Given these developments, we have concerns regarding the program's ability to maintain an adequate and compatible radiation safety program.

Appendix C (con't)

Your support in helping ensure that the [STATE] Agreement State Program has the necessary resources and support to continue to manage an effective program is crucial. I want to assure you that the Commission supports the objectives of the [STATE] Agreement State Program and that NRC staff will continue to work closely with your program. We thank you for your commitment to this effort.

Sincerely,

[NAME]
Deputy Executive Director
for Materials, Research and State Programs
Office of the Executive Director for Operations

Enclosure:
As stated

cc: [STATE LIAISON OFFICER]
[RADIATION CONTROL PROGRAM DIRECTOR]
[OTHER]

Appendix D

SAMPLE FORMAL"COURSE OF ACTION" LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Radiation Control Program Director]:

This letter is to inform you that (potential performance/performance) concerns were identified in your radiation control program based on the results of discussions at the [date of meeting] periodic meeting held with your Program. The periodic meetings were created to help NRC and Agreement States remain knowledgeable of their respective programs and to conduct planning for the next IMPEP review. Concerns identified during discussions at the periodic meeting include:

[list in detail each individual concern about the program]

Due to these concerns, the Management Review Board (MRB) has directed that [the schedule for the State's next IMPEP review will be altered/ a special review of selected program areas will be conducted/ additional meetings with the State will be held/the program will be placed on monitoring status].

We ask that you respond to this letter in writing within 30 days and identify those actions you will complete to address these concerns. If you have any questions, please contact [RSAO], RSAO of Region [region], or me.

Sincerely,

[Director, Office of State and Tribal Programs]

cc: [MRB Members]
[RSAO]
[Regional Manager]
[IPM]
[]
[ASPO]