



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 4, 2003

TO ALL RECIPIENTS OF THE NEVADA FOLLOW-UP IMPEP REVIEW FINAL REPORT

An error was found in paragraph four on page one of the Nevada Follow-up Final Report, dated July 22, 2003. Please replace the original page with the enclosed corrected version. If you have any questions, please contact me at 301-415-2589.

A handwritten signature in cursive script that reads "Lance J. Rakovan".

Lance J. Rakovan  
IMPEP Project Manager  
Office of State and Tribal Programs

Enclosure:  
As stated

## 1.0 INTRODUCTION

This report presents the results of the follow-up review of the Nevada radiation control program, conducted April 7-10, 2003. This follow-up review was directed by the Management Review Board (MRB) based on the results of the September 10-14, 2001 Integrated Materials Performance Evaluation Program (IMPEP) review. The MRB directed that a follow-up review of the Status of Materials Inspection Program, Technical Staffing and Training, Response to Incidents and Allegations, and Legislation and Program Elements Required for Compatibility indicators, be conducted in approximately one and one-half years from the MRB meeting. The decision was based on one "unsatisfactory" and three "satisfactory with recommendations for improvement" findings for the performance indicators. The follow-up review also included evaluation of the actions taken by the State to address the seven recommendations made during the 2001 IMPEP review.

In addition, since review of the Low-Level Radioactive Waste Disposal Program performance indicator was not done in 2001, due to the absence of a team member, the MRB directed that the follow-up review include a full review of that indicator.

The follow-up review was conducted by a review team consisting of technical staff members from the Nuclear Regulatory Commission (NRC) and the State of California. Review team members are identified in Appendix A. The follow-up review was conducted in accordance with the November 5, 1999, NRC Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)." Preliminary results of the follow-up review, which covered the period of September 15, 2001 to April 10, 2003, were discussed with Nevada management on April 10, 2003.

A draft of this report was issued to Nevada for factual comment on May 9, 2003. The State responded by letter dated May 30, 2003. The Management Review Board (MRB) met on July 10, 2003 to consider the proposed final report. The MRB found the Nevada radiation control program adequate, but needs improvement, and compatible with NRC's program.

The Nevada Agreement State program is administered by the Radiological Health Section (the Section) of the Bureau of Health Protection Services (the Bureau), State Health Division (the Division), Nevada Department of Human Resources. Organization charts for the State and Bureau are included as Appendix B. At the time of the follow-up review, the Nevada program regulated 233 specific licenses, including broad academic programs, medical programs, radiopharmacies, industrial radiographers, and a non-operating low-level radioactive waste disposal site. The review focused on the materials program as it is carried out under the Section 274b. (of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the State of Nevada.

After the last IMPEP review, the State conducted an independent program assessment and made a decision to retain the Agreement materials program rather than turn it back to the NRC. An executive branch committee, chaired by the Governor, made commitments to strengthen the program by raising license fees to generate funds for increased staffing and to support training of staff. These are significant efforts that will strengthen program performance as they are implemented.