FSME Procedure Approval

Implementation of the Integrated Materials Performance Evaluation Program (IMPEP)

SA-100

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NOTE

These procedures were formerly issued by the Office of State and Tribal Programs (STP). Any changes to the procedure will be the responsibility of the FSME Procedure Contact as of October 1, 2006. Copies of FSME procedures will be available through the NRC website.

I. INTRODUCTION

A. This document describes the procedures for conducting the Integrated Materials Performance Evaluation Program (IMPEP) reviews including scheduling, staffing, and reporting the results of reviews of the U.S. Nuclear Regulatory Commission (NRC) Regional and Agreement State radioactive materials programs.

B. It is the policy of the NRC to evaluate the NRC Regional and Agreement State radioactive materials programs in an integrated manner using common and non-common performance indicators, as specified in Management Directive (MD) 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*.

II. OBJECTIVES

A. To provide the guidelines that will be followed by IMPEP teams when preparing, conducting, and reporting results of IMPEP reviews of NRC Regional and Agreement State radioactive materials programs.

B. To provide guidelines for coordination of IMPEP, including facilitating consistency among regulatory programs by interchange of ideas between State and Federal regulators, such as the identification of good practices.

III. BACKGROUND

The authority for review of Agreement States is contained in Section 274j.(1) of the Atomic Energy Act, as amended.

IV. ROLES AND RESPONSIBILITIES

The Office of Federal and State Materials and Environmental Management Programs (FSME) is the lead office responsible for the implementation of IMPEP. The Division of Materials Safety and State Agreements (DMSSA), within FSME, has the responsibility for the oversight and management of IMPEP.

A. Management Review Board (MRB):

Roles and responsibilities of the MRB and the guidelines to be followed by the MRB are contained in FSME Procedure SA-106, *The Management Review Board.*

B. Director, DMSSA:

1. Assigns an IMPEP Project Manager;

2. Approves IMPEP team leader assignments, or assigns a designee to perform this duty; and,

3. Attends IMPEP review exit meetings or designates the Deputy Director, DMSSA, to attend.

C. Deputy Director, DMSSA:

Attends IMPEP review exit meetings as designated by the Director, DMSSA.

D. IMPEP Project Manager:

1. Acts as the lead staff for the day-to-day management and oversight of NRC Regional and Agreement State IMPEP reviews, including tracking the status of reports, maintaining statistical information, interfacing with the Organization of Agreement States (OAS) for Agreement State participants, coordinating NRC staff assignments for IMPEP reviews, and coordinating MRB meetings per FSME Procedure SA-106;

2. Develops the annual review schedule;

3. Reviews and provides feedback on all versions of IMPEP reports to both the IMPEP team leader and DMSSA management;

4. Signs out proposed final reports to the MRB; and,

5. Develops and provides annual IMPEP Team Member Training.

E. IMPEP Team Leader:

1. Coordinates and conducts assigned IMPEP reviews;

2. Completes the IMPEP report in accordance with MD 5.6, FSME Procedure SA-106, and this procedure;

3. Designates an IMPEP team member to act as the principal reviewer for each applicable performance indicator;

4. Signs out the draft IMPEP report and accompanying transmittal correspondence; and,

5. Participates in the MRB meeting for the IMPEP review conducted in person, by video conference, or by teleconference.

F. IMPEP Team Member:

1. Completes the review of assigned indicator(s) and writes corresponding section(s) of the IMPEP report;

2. Conducts the review of all assigned indicators in accordance with the applicable FSME procedures; and,

3. Participates in the MRB meeting for the IMPEP review conducted in person, by video conference, or by teleconference.

V. GUIDANCE

A. Types of Reviews and Meetings

1. Routine IMPEP Reviews:

a. Normally, NRC Regional and Agreement State program reviews are scheduled every four years;

b. The interval between reviews of NRC Regional and Agreement State programs may be shortened or lengthened to another appropriate interval at the direction of the MRB, based on the review team's recommendation or other information obtained during the MRB meeting;

c. Separate trips to perform specific parts of an IMPEP review are permitted and may be advantageous to the Agreement State and/or NRC. Examples are

accompaniments of inspectors and visits to specific licensed facilities. Such activities, however, should be completed prior to the review exit meeting.

2. Followup Reviews

   Specific guidance on conducting followup reviews is contained in FSME Procedure SA-119, *Followup IMPEP Reviews*.

3. Periodic Meetings with Agreement States

   Specific guidance on conducting periodic meetings is contained in FSME Procedure SA-116, *Periodic Meetings with Agreement States Between IMPEP Reviews.*

4. Special Reviews

   a. A special review may be scheduled if:

      i. A radioactive materials program is experiencing serious weaknesses because of the loss of key staff, loss of operating funds, or other acute problem(s) having a major impact upon the program;

      ii. An Agreement State implements a change (or changes) to its regulations or operating procedures which introduces a serious conflict of compatibility, or purports to impose its regulatory authority on persons subject to NRC authority; or,

      iii. NRC staff learns of special problems with a licensee or group of licensees or of an event requiring special attention.

   b. A special review for an Agreement State or NRC Region may be scheduled upon request by NRC or by an Agreement State when specific circumstances indicate the need for such a review.

5. Orientation Meetings for New Agreement States

   a. Specific guidance on conducting an orientation meeting with a new Agreement State is contained in FSME Procedure SA-118, *Orientation Meetings for New Agreement States.*

b. The first IMPEP review of a new Agreement State should be held approximately 18 months after the effective date of the Agreement.

B. Annual IMPEP Schedule

1. Each July, the IMPEP Project Manager will initiate the development of the 12-month review schedule for the upcoming fiscal year.

2. DMSSA will distribute the proposed schedule to the other FSME Divisions, the NRC Regions, and the Agreement States for their review and comments. Following receipt of comments, the schedule will be finalized and copies will be distributed to the other FSME Divisions, the NRC Regions, and the Agreement States.

3. Final schedules are subject to change as circumstances require.

C. Assignment of Personnel For IMPEP Reviews

1. The IMPEP Project Manager proposes assignments for team leaders and FSME and Agreement State team members for the upcoming fiscal year. All assignments are subject to the team members' management's approval.

2. Review assignments are subject to change based on team member availability, need, and special circumstances.

3. Assignment of staff to specific performance indicators will be performed in accordance with the qualifications established in MD 5.10, *Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members.*

4. Routine IMPEP Reviews

a. For Agreement States, the review team will consist of at least three members: a team leader from another Region or FSME, the Regional State Agreements Officer for the Region where the Agreement State is located, and one Agreement State representative.

b. For NRC Regions, the review team will usually consist of five members: a team leader from another Region or FSME, three from FSME/Regions, and one Agreement State representative.

c. The exact size and composition of the review team will be a function of the size and activities of the program. The IMPEP Project Manager will provide additional guidance on the composition of each specific IMPEP review team.

5. Special Circumstances During Routine IMPEP Reviews

   Staff assignments may be made because of known or potential weaknesses in certain aspects of a program. In such cases, a staff member with specialized training or experience in the appropriate field may be assigned to assist. Alternatively, technical assistance from other NRC offices or Agreement States may be provided. In all cases, the qualifications detailed in MD 5.10 should be followed.

6. Personnel From Agreement States

   See FSME Procedure SA-120, *Agreement State Participation as IMPEP Team Members*, for specific guidance on Agreement State participants in IMPEP.

D. Scheduling Specific IMPEP Reviews

1. The team leader should contact the appropriate management level or levels (usually the Program Director) at the Agreement State or NRC Region to set a definite week for the program review per the designated schedule. This scheduling should be completed as soon as possible on the issuance of the annual IMPEP schedule, but at a minimum of 120 days before the review.

2. Team leaders are encouraged to make early contact with the Agreement State or NRC Region to "block out" the review dates with the understanding that details, such as inspector accompaniments, site visits, etc., will be established later. The team leader should indicate the time frame of the MRB meeting based on the established review dates.

3. Inspector accompaniments or visits to State licensed facilities should be scheduled following the guidance in FSME procedure SA-102, *Reviewing the Common Performance Indicator, Technical Quality of Inspections*.

E. Scheduling Letter and Review Questionnaire

1. At least 60 days prior to a routine review, the team leader should send the current IMPEP questionnaire to the Agreement State or NRC Region along with

correspondence requesting that the completed questionnaire be returned at least two weeks before the on-site review. The most recent version of the scheduling correspondence and the IMPEP questionnaire (as approved by the Office of Management and Budget) can be found on the IMPEP Toolbox.

2. In addition to the printed version of the questionnaire, an electronic copy shall be provided to the Agreement State or NRC Region at the same time as the mailing.

3. For Agreement States, the questionnaire will include questions involving the non-common performance indicator, Compatibility Requirements, and any of the additional areas where the Agreement State has regulatory jurisdiction (i.e., Sealed Source and Device (SS&D) Evaluation Program, Low-Level Radioactive Waste (LLRW) Disposal Program, or Uranium Recovery Program).

4. For NRC Regions, the questionnaire will include questions involving the non-common performance indicator, Uranium Recovery Program, as appropriate.

F. Preparation For IMPEP Reviews

1. Prior to the on-site review, the team leader and team members should review the following documents to identify existing or potential problems so these issues can be fully discussed and reviewed:

   a. The response to the questionnaire;

   b. The most recent IMPEP report (routine, special or followup) and the Agreement State's or NRC Region's response to the report;

   c. A printout of incidents from the Nuclear Material Events Database (NMED) for the specific Agreement State or NRC Region dating back to the previous review;

   d. For Agreement States, a printout of the State's regulation status from the State Regulations Status Data Sheet maintained by DMSSA;

   e. For Agreement States, periodic meeting summaries for all meetings held since the previous IMPEP review;

f. For Agreement States, a printout or listing of all allegations referred to the State by the NRC should be obtained from the RSAO and the FSME allegation coordinator dating back to the previous IMPEP review;

g. For NRC Regions, the report from any mid-cycle reviews completed since the previous IMPEP review; and,

h. Other documents or files relating to State or NRC Regional activities, such as preliminary notices of incidents, abnormal occurrence reports, technical assistance requests and responses, and pending requests for information.

2. If repetitive problems or weaknesses were identified during the previous review or other interactions, the review team should review more than just previous IMPEP reports. The review team should also review any additional documents that may help determine possible root causes of existing or continuing performance weaknesses.

3. Prior to the on-site review, the team leader should contact Agreement State or NRC Regional program management and request that a meeting room or other suitable location(s) be available for the team as a base of operations over the course of the on-site review.

4. One week prior to the on-site portion of the IMPEP review, the team leader and IMPEP Project Manager will host a teleconference with the review team to coordinate final arrangements and to discuss any emerging issues. Emerging issues may include additional areas requiring review, additional specific guidance, and/or specific correspondence that may be beneficial to review prior to the on-site review.

5. Appendix A contains a checklist for the team leader to assist in preparation for the IMPEP review.

G. Entrance Meeting

1. During the entrance meeting for the on-site portion of the IMPEP review, the team leader should present the purpose and the scope of the review, introduce the team members and their respective areas of review, and describe the general time line and sequence of activities.

2. The team leader should request introductions to program management and staff.

3. Information which was requested but not previously furnished by the Agreement State or NRC Region should be obtained.

4. The time, location, and participants of the exit meeting should be finalized, if possible. Also, the need for any additional meetings (such as daily meetings with program management or additional exit meetings) should be discussed.

5. Accompaniments of inspectors and visits to licensed facilities conducted prior to the on-site review should be mentioned.

6. The team leader should be prepared to discuss items of current interest to Agreement States or NRC Regions. This could include new information such as changes in NRC licensing and inspection procedures, proposed changes to NRC organization and administration, new regulations affecting the Agreement State programs, new training programs, changes or innovations by the Agreement State, etc.

H. On-Site Review

1. Specific guidance for reviewing the common performance indicators is contained in FSME Procedures SA-101 through 105.

2. Specific guidance for reviewing the non-common performance indicators is contained in FSME Procedures SA-107 through SA-110.

3. Questions regarding information provided in the response to the IMPEP Questionnaire should be discussed and corrections should be made, if necessary.

4. Periodic meeting reports, previous review reports, and questionnaire responses should be used to focus the review on any potential program weaknesses.

   a. The review team should evaluate any followup actions taken and the current status of any previously identified program weaknesses during the on-site review.

   b. The status of open recommendations from previous IMPEP reviews should be evaluated following the guidance given in periodic meeting summaries, as follows:

i. If the recommendation has been recommended "close at the next IMPEP review," the review team should do minimal, if any, evaluation of the subject matter.

ii. If the recommendation has been recommended "verify at the next IMPEP review," the review team should complete a brief review of the subject matter to formally confirm all follow-up actions and to properly close the recommendation.

iii. If the recommendation remains open, the review team should complete a full evaluation of the subject matter in order to evaluate the impact on the performance of the program and take steps to close the recommendation.

5. The review team should acquire information necessary to document and evaluate the NRC Region's or Agreement State's performance relative to each applicable performance indicator.

6. Upon direction of the MRB or FSME management, the review team may need to obtain additional or more detailed information. Such a request may be specific to the program being reviewed or may be generic, as appropriate.

7. Identification of Weaknesses

   a. Individual team members should discuss casework weaknesses with the license reviewer or inspector, whenever possible.

   b. The team leader should discuss any programmatic weaknesses with Agreement State or NRC Regional management as they are identified on a daily basis.

   c. In the discussions with Agreement State or NRC Regional management, the team leader and review team should seek to identify the root cause(s) of the problems (e.g., inadequate training, lack of procedures). This can serve as the basis for developing recommendations for corrective actions.

   d. The review team should determine the indicator areas under which each programmatic weakness falls and determine whether the weakness is a significant problem. The review team's recommendations should relate directly to program performance. A response will be requested to all recommendations in the final report.

e. The review team may also identify areas under a specific indicator area that the review team believes could enhance the Agreement State's or NRC Region's program. These discussions should be documented in the IMPEP report.

f. All weaknesses should be discussed with Agreement State or NRC Regional staff and management prior to the summary meeting at the end of the review, including the team's recommended finding for each indicator, if possible.

g. When a finding relates to potentially significant health and safety issues (such as an omission of a critical element of a safety plan for a facility), the issue should be brought to the attention of the program immediately and dealt with as soon as possible. The IMPEP report should indicate how the matter is being addressed.

h. The review team may also identify shortcomings or weaknesses in the NRC's oversight program. These issues should be documented in the IMPEP report and any recommendations developed by the review team should be listed in the report as a recommendation to be addressed by the NRC.

I. Third Party Attendance in Reviews

1. Reviews of Agreement States are meetings between fellow regulators conducted in compliance with Sec. 274j.(2) of the Atomic Energy Act, as amended. From time to time, members of the public or media may learn of a review and ask to attend all or parts of a review. In such cases, the final decision in an Agreement State is up to State management since the review activities (other than field activities) take place in State offices.

2. If the public or media is permitted by an Agreement State to attend, the NRC position is that they may observe and may offer comments or questions at the conclusion of the review team's summary presentation. In some cases, the review team may arrange for a separate meeting with public or media representatives to answer any questions they may have. The review team should state that the findings of the IMPEP review are preliminary, that a draft report will be publicly issued within 30 days from the end of the review, discuss the process and note that the preliminary findings will be reviewed and approved by the MRB. Other questions can be referred to the Deputy Director, DMSSA.

3. In all cases where public or media representatives request attendance at or are allowed to attend reviews, promptly inform the Deputy Director, DMSSA, and the Regional Public Affairs Officer.

4. Similarly, reviews of the NRC Regions are considered internal management reviews. As such, reviews are not subject to requirements for public notice, nor are they normally accessible to public attendance.

J. Summarizing Review Findings

1. Refer to MD 5.6 for the performance criteria for overall program findings. The team leader should conduct discussions regarding the results of the program review at both staff and management levels for Agreement States and NRC Regions.

2. It is NRC management's practice to attend IMPEP review exit meetings for Agreement States and NRC Regions. NRC management should be briefed prior to the exit meeting to discuss the preliminary findings of the review.

3. Comments (i.e., recommendations) are intended to be constructive and to promote improvements. Comments made during meetings, particularly on weaknesses, should be made in programmatic terms and should not reflect on individual performance, to the extent possible.

4. The team leader is responsible for assuring that ample time is provided for Agreement State or NRC Regional staff to express their reactions to the comments. Any disagreements with the comments should be acknowledged by the team leader. If time is running short during a review, priority shall be given to assuring adequate time is left for full discussion of the findings with staff and management. In such cases, DMSSA management should be consulted.

5. On-going discussions should be at the working staff level during the on-site review period. It may be advantageous to hold a summary discussion with the entire materials staff at the conclusion of the review.

    a. The discussions should be in sufficient detail to ensure the inspector or the license reviewer and immediate supervisors are aware of each specific weakness, the reason it was considered a weakness, and the corrective action needed.

b. Actions by the working staff which are considered to be meritorious should be discussed.

c. Good practices identified by the review team should be noted and documented in the report.

6. The first level of discussion with the management should be with the Director, Radiation Control Program or Regional Director, Division of Nuclear Materials Safety, and supervisors.

   a. The review team should discuss the comments and recommendations for each indicator and whether or not each finding is significant. These discussions should be limited to the weaknesses and their corrective actions.

   b. Items or areas considered meritorious should be emphasized.

   c. The review team should identify the recommendations that will be made to the senior State manager or NRC Regional Administrator (RA) at the scheduled exit meeting.

   d. If one or more significant issues exist with respect to the performance indicators, the Director should be informed that improvements in these areas are critical and that recommendations will be made to the MRB, which will make the final decision on program adequacy and compatibility.

7. The final level of discussion should be with the senior State manager or RA.

   a. The summary discussion with the senior State manager or RA should normally be confined to those items expected to be included in the formal review report. The discussion should be sufficient to explain that other comments relating to the technical aspects of the program were discussed with the Director during the review meeting and were resolved. If requested, the team leader or individual team members should be prepared to cover these findings in the discussion. See Appendix B for on-site summary discussion guidance.

   b. Any meritorious aspects, such as good practices should be noted.

   c. If significant issues exist in one or more performance indicator, the team leader should inform the senior State manager or RA that the need for improvement in

these areas is critical and that recommendations to the MRB will reflect this fact.

d. The team leader should state during the summary meeting that all findings are preliminary until agreed upon by the MRB, and that formal recommendations will be provided in the final report. In all cases, the team leader should inform the senior State manager or RA that the MRB makes the final decision on program adequacy and/or compatibility.

e. If one or more significant issues are found, a summary meeting or discussion should be held with the senior State manager or RA rather than with his or her designee, if possible.

K. Draft and Proposed Final Reports

1. The team leader is responsible for preparing the draft report following an IMPEP review. Appendix C contains format guidance for IMPEP reports. Please contact the IMPEP Project Manager for a recent example of a draft report and the accompanying transmittal correspondence.

2. The review team members should complete assigned sections of the draft report and submit them to the team leader according to the timeline established by the team leader, but no later than 7 calendar days after the last day of the review.

3. The team leader is responsible for integrating the information from the team members and developing a draft report to be shared with the review team for their comment.

4. After receiving comments from the review team, the team leader is responsible for submitting both the draft report and transmittal correspondence to the IMPEP Project Manager for review and comment within 17 calendar days of the last day of the review.

5. The draft report and transmittal correspondence should be transmitted to the NRC Region or Agreement State within 30 calendar days of the last day of the review.

6. The Agreement State or NRC Region will be requested to review the draft report and address any factual errors or misstatements within four weeks from receipt of the draft report.

7. Upon review of the Agreement State's or NRC Region's response, the team leader will be responsible for making any appropriate corrections. If the comments are extensive, a separate comment resolution document should be prepared by the team leader for submittal to the MRB. Contact the IMPEP Project Manager for additional guidance on comment resolution documents.

8. The IMPEP Project Manager will coordinate the scheduling of MRB meetings for Agreement State and Regional reviews in consultation with the team leader. A copy of the Agreement State's or NRC Region's comments on the draft report will accompany the proposed final report presented to the MRB.

L. MRB Meeting

Specific guidance on conducting MRB meetings and additional guidance on the proposed final report is contained in FSME Procedure SA-106.

M. Issuance of Final Reports and Followup Actions

1. The IMPEP Project Manager, in consultation with the team leader, will be responsible for preparation of the final review report and transmittal correspondence for the Deputy Executive Director for Materials, Waste, Research, State, Tribal and Compliance Programs' signature. Sample transmittal correspondence can be found on the IMPEP Toolbox.

2. The IMPEP Project Manager will track replies to all reports. If a reply is requested but not received within 30 days or other appropriate time, the IMPEP Project Manager shall contact the Agreement State or NRC Region and establish~~ed~~ a target date for a reply. If no reply is received by the target date, further action will be coordinated with the MRB.

3. Responses to recommendations made in the IMPEP report will be evaluated by the IMPEP Project Manager and the team leader in consultation with the review team.

4. An acknowledgment letter shall be prepared by the IMPEP Project Manager within 30 days after receipt of the response. A sample acknowledgment letter can be found on the IMPEP Toolbox.

VI. APPENDIXES

Appendix A - Checklist for the Team Leaders to Assist in Preparation for IMPEP Reviews
Appendix B - On-Site Summary Discussion Guidance
Appendix C - Format Guidance for IMPEP Reports

VII. REFERENCES

1. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program (IMPEP).*
2. NRC Management Directive 5.10, *Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members.*
3. FSME Procedure SA-101, *Reviewing the Common Performance Indicator, Status of Materials Inspection Program.*
4. FSME Procedure SA-102, *Reviewing the Common Performance Indicator, Technical Quality of Inspections.*
5. FSME Procedure SA-103, *Reviewing the Common Performance Indicator, Technical Staffing and Training.*
6. FSME Procedure SA-104, *Reviewing the Common Performance Indicator, Technical Quality of Licensing Actions.*
7. FSME Procedure SA-105, *Reviewing Common Performance Indicator #5, Response to Incidents and Allegations.*
8. FSME Procedure SA-106, *The Management Review Board.*
9. FSME Procedure SA-107, *Reviewing Non-Common Performance Indicator #1, Legislation and Program Elements Required for Compatibility.*
10. FSME Procedure SA-108, *Reviewing the Non-Common Performance Indicator, Sealed Source and Device Evaluation Program.*
11. FSME Procedure SA-109, *Reviewing the Non-Common Performance Indicator,Low-Level Radioactive Waste Disposal Program.*
12. FSME Procedure SA-110, *Reviewing the Non-Common Performance Indicator,Uranium Recovery Program.*
13. FSME Procedure SA-116, *Periodic Meetings with Agreement States Between IMPEP Reviews*.
14. FSME Procedure SA-118, *Orientation Meeting for New Agreement States*.
15. FSME Procedure SA-119, *Followup IMPEP Reviews*.
16. FSME Procedure SA-120, *Agreement State Participation as IMPEP Team Members.*
17. IMPEP Toolbox - http://www.hsrd.ornl.gov/nrc/impeptools.shtm

VII. ADAMS REFERENCE DOCUMENTS

For knowledge management purposes, all previous revisions of this procedure, as well as associated correspondence with stakeholders, that have been entered into the NRC's Agencywide Document Access Management System (ADAMS) are listed below.

No.	Date	Document Title/Description	Accession Number
1	1/28/00	SP-00-008, Draft OSP Procedure SA-100, Implementation of IMPEP	ML003680423
2	7/11/00	STP Procedure SA-100, Implementation of IMPEP	ML011230502
3	7/25/00	Summary of Comments on SA-106	ML011230545
4	8/8/06	STP-06-070, Opportunity to Comment on Draft Revisions to STP Procedure SA-100	ML062210006
5	8/8/06	Draft STP Procedure SA-100	ML062210010

Appendix A

Sample Checklist for the Team Leaders to Assist in Preparation for the IMPEP Review

- ☐ Contact team members and determine their availability for projected IMPEP review target dates.
- ☐ Assign indicators to team members.
- ☐ Contact State or Region and establish dates for IMPEP review no later than 120 days before a review schedule target.
- ☐ Make hotel reservations for team and NRC management attending exit.
- ☐ Ensure that Inspector Accompaniments are completed by appropriate team member before on-site review.
- ☐ Send Questionnaire at 60 days prior to on-site portion
  - __ Received completed Questionnaire at least 2 weeks prior to the review
- ☐ Request and arrange location(s) for the team at State or Regional offices during the on-site portion of the IMPEP review.
- ☐ Assemble and send the following information to the appropriate team members as soon as it is available:

  __Response to the IMPEP Questionnaire

  __Electronic links for the past IMPEP review

  __NMED print out of incidents for specific State or Region

  __Appropriate correspondence

  __Electronic links, if appropriate, or copies of State's current regulations from RSAO

  __Status of State's regulations from DMSSA's SRS Sheet

  __All periodic meeting summaries or mid-cycle review reports since last IMPEP

  __All allegations referred to the Agreement State by the NRC (contact RSAO and FSME allegation coordinator)

  __Other_____

- ☐ Conduct Pre-Review Teleconference with team and IMPEP Project Manager.

Appendix B

On-Site Summary Discussion Guidance

IMPEP TEAM [LIST TEAM MEMBERS]	AREAS OF RESPONSIBILITY [AS APPROPRIATE]
_____, Team Leader	
_____,	Technical Staffing and Training
_____,	Status of Materials Inspection Program
_____,	Technical Quality of Inspections
_____,	Technical Quality of Licensing Actions
_____,	Technical Quality of Incident and Allegation Activities
_____,	Compatibility Requirements
_____,	Sealed Source and Device Evaluation Program
_____,	Low-Level Radioactive Waste Disposal Program
_____,	Uranium Recovery Program

NRC Management Attending, _____

OPENING REMARKS - Team Leader Guidance

NRC management will present a short synopsis of IMPEP and introduce the team.

Team Leader should cover the following points:

- The review team and I want to thank you and your staff for your cooperation and patience during our review.

- The review team will be recommending to the Management Review Board (MRB) that the Program be found [ADEQUATE; ADEQUATE, BUT NEEDS IMPROVEMENT; OR INADEQUATE; AND COMPATIBLE OR NOT COMPATIBLE].

- At this time, I will ask each of the team members to summarize their results for the indicators that they reviewed. I want to emphasize that these ratings are preliminary and may be changed as the report is written. If a rating does get altered, I will inform you of the change before the draft report is issued.

COMMON PERFORMANCE INDICATORS

TECHNICAL STAFFING AND TRAINING - Principal Reviewer Guidance

- The team will recommend to the MRB that the Program be found "[SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY]" with respect to the indicator, Technical Staffing and Training.

- The criteria for [SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY] finding, include:
  - [CRITERIA FROM MD 5.6, PART III]

- The team looked at the Program's response to the IMPEP questionnaire relative to this indicator, interviewed program management and staff, and considered any possible backlogs in licensing or compliance actions.

- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

STATUS OF MATERIALS INSPECTION PROGRAM - Principal Reviewer Guidance

- The team will recommend to the MRB that the Program be found "[SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY]" with respect to the indicator, Status of Materials Inspection Program.

- The criteria for [SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY] finding, include:
  - [CRITERIA FROM MD 5.6, PART III]

- The team focused on five factors in reviewing this indicator: inspection frequency, overdue inspections, initial inspection of new licenses, the timely dispatch of inspection findings to licensees, and the performance of reciprocity inspections. The team looked at the computer generated reports of inspection tracking, as well as [NUMBER] individual license files.

- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

TECHNICAL QUALITY OF INSPECTIONS - Principal Reviewer Guidance

- The team will recommend to the MRB that the Program be found "[SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY]" with respect to the indicator, Technical Quality of Inspections.

- The criteria for [SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY] finding, include:
  ☐ [CRITERIA FROM MD 5.6, PART III]

- The team looked at [NUMBER] inspections reports conducted during the review period, for all of the Program's materials inspectors and covered a sampling of the higher priority categories of license types as follows: [LIST TYPES OF LICENSES]. [NUMBER] inspectors were accompanied. The team also reviewed the laboratory facilities and equipment available to the program.

- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

TECHNICAL QUALITY OF LICENSING ACTIONS - Principal Reviewer Guidance

- The team will recommend to the MRB that the Program be found "[SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY]" with respect to the indicator, Technical Quality of Licensing Actions.

- The criteria for [SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY] finding, include:
  ☐ [CRITERIA FROM MD 5.6, PART III]

- The team looked at [NUMBER] licenses, which included [LIST TYPE OF LICENSING ACTIONS SUCH AS NEW, RENEWAL, AMENDMENTS, AND TERMINATIONS.] The work of [NUMBER] license reviewers was included in the sampling covering the following types of licenses: [LIST TYPE OF LICENSE REVIEWED].

- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

TECHNICAL QUALITY OF INCIDENT AND ALLEGATION ACTIVITIES - Principal Reviewer Guidance

- The team will recommend to the MRB that the Program be found "[SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY]" with respect to the indicator, Technical Quality of Incident and Allegation Activities.

- The criteria for [SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY] finding, include:
  ☐ [CRITERIA FROM MD 5.6, PART III]

- The team looked at the Program's actions responding to [NUMBER] incidents and [NUMBER] allegations, reviewed the incidents reported for [PROGRAM] in the "Nuclear Material Events Database (NMED)" against those identified by the Program, and reviewed the casework and license files, as appropriate, for these files.

- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

NON-COMMON PERFORMANCE INDICATORS (AS APPLICABLE)

- The team will recommend to the MRB that the Program be found "[SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY]" with respect to the indicator, [Compatibility Requirements, Sealed Source and Device (SS&D) Evaluation Program, Low-Level Radioactive Waste (LLRW) Disposal Program, or Uranium Recovery Program].

- The criteria for [SATISFACTORY; SATISFACTORY, BUT NEEDS IMPROVEMENT; OR UNSATISFACTORY] finding, include:
  ☐ [CRITERIA FROM MD 5.6, PART III]

- The team looked at [LIST].

- [SPECIFIC RECOMMENDATIONS, IF ANY]

- [SPECIFIC GOOD PRACTICES, IF ANY]

REPEAT, AS NECESSARY, FOR ALL APPLICABLE NON-COMMON PERFORMANCE INDICATORS

SUMMARY GUIDANCE - Team Leader

- In summary, the team will be recommending to the MRB that the Program be found [SUMMARIZE FINDINGS FOR SPECIFIC PERFORMANCE INDICATORS- NUMBER OF SATISFACTORY; NUMBER OF SATISFACTORY, BUT NEEDS IMPROVEMENT; AND NUMBER OF UNSATISFACTORY]. The team will be recommending to the MRB that the Program be found [ADEQUATE; ADEQUATE, BUT NEEDS IMPROVEMENT; OR INADEQUATE; AND COMPATIBLE OR NOT COMPATIBLE] with NRC's program.

- The draft IMPEP report containing the team's findings and recommendations will be completed in approximately 30 days and provided to you for factual review and comment. We ask that you review the report and provide comments to the NRC within four weeks.

- Upon receipt of your comments, the NRC will schedule the MRB meeting to discuss the team's findings and recommendations within 2-3 weeks. The proposed final IMPEP report addressing your comments will be provided to you and the MRB in advance of the meeting.

- You or your representative will be invited to attend the meeting. NRC will provide travel for one representative, yet you may send as many as you wish. NRC also has means for video and/or teleconferencing if either of those mediums is preferred.

- The final report will feature the findings and recommendations as decided upon by the MRB, based on recommendations of the IMPEP team, any additional information provided by the Program, and the deliberations within the board. The NRC's goal is to issue the final report within 104 days of the on-site review.

- We welcome any comments you may have on the review of your Program or on the IMPEP process in general.

- Again, I want to thank you and your staff for their cooperation and assistance this week. It has been a pleasure working with you and your staff.

Appendix C

Format Guidance for IMPEP Reports

GENERAL GUIDANCE FOR IMPEP REPORTS

1. Use factual and specific language:

   To the extent possible, the reviewer should use specific and factual statements and use factual verbs, such as "is." Phrases or terms like "no problems," "minor," "appears," "administrative type," "generally satisfied," or "completed most Priority 1 inspections," that beg further question, should be avoided. Quantification should be used where possible.

2. Do not use percentages. Instead, give the specific number of cases (i.e., “5 out of 10" as opposed to “50%”).

3. Sufficient detail should be included to describe the basis for all conclusions, root cause identifications, and recommendations (i.e., a clear statement of the deficiencies, the information evaluated, and what was done by the reviewer to arrive at a recommendation or finding).

4. Recommendations should be placed in the appropriate section for their respective performance indicator in a location appropriate to the flow of the document (and preferably at the end of a paragraph). Do not wait until the end of a section to list all of that section’s recommendations. The recommendation should follow this general format: The review team recommends that the State...

5. Previous recommendations should be closed only with the program’s performance as a measure. Note, some previous comments may be specific to one file and may not affect performance of the program.

6. The final paragraph for each Section in 3.0 and 4.0 should follow this format:

   Based on the IMPEP evaluation criteria, the review team recommends that [Program]'s performance with respect to the indicator, [Indicator Title], be found [satisfactory/satisfactory, but needs improvement/unsatisfactory].

7. Use the Arabic number when using a number 10 or over, unless beginning a sentence with a number greater than or equal to 10. Numbers less than 10 in series with numbers equal to or greater than 10 should be in numeral form (e.g., the review team evaluated the licensing casework for 16 amendments, 7 new licenses, 12 renewals, and 3 terminations; or, the review team determined that the Program conducted 6 of 117 routine inspections overdue.)

8. Capitalize "State" or “Commonwealth” (as appropriate) when referring to one of the 50 States. Do not abbreviate the state name within the report.

9. Avoid using acronyms if possible. For example, use “the Department” as an abbreviation for “Department of Radiation and Environment,” not “DRE.”

10. The abbreviations used for the radiation control program, titles of staff, etc., should be consistent throughout the report. Check with your team leader for the correct abbreviations to be used in the report.

11. Use position titles, not employee names in the body of the report.

12. In the Appendixes, use the date format: mm/dd/yy. Do not use zeroes as place holders. For example, January 3, 1999, should be written as “1/3/99," not “01/03/99.”

13. Comments in the Appendixes should be factual, concise, and concentrate on casework deficiencies and problems. Avoid making comments on extraneous information.

FORMATTING REPORTS

1. *Type Style* - Arial, 11 points

2. *Justification* - Left

3. *Margins: Left, Right, Top, and Bottom* - 1 inch

4. *Tab Set* - Rel; -1", every 0.5"

5. *Line Spacing* - 1

6. *Headers* - [State] Draft Report, Flush Right and type "page #"; for headers in Appendices, include addition line: (example) "License Casework Reviews." If you have trouble with headers, please leave them blank.

7. *Footer* - no footer

IMPEP REPORT FILE NAMES

("ST" is substituted for the two-letter State code)
("YYYY" is substituted for the year)

STANDARD IMPEP REVIEWS

Draft

YYYY ST Draft IMPEPReport and Letter.wpd	**Draft** IMPEP report and letter requesting comments

Proposed Final

YYYY ST Proposed Final IMPEP Report and Memo.wpd	**Proposed Final** IMPEP Report and memo to the MRB

Final

YYYY ST Final IMPEP Report and Letter.wpd	**Final** IMPEP report and transmittal letter

Acknowledgment Letter

YYYY ST Acknowledgement Letter.wpd	Letter acknowledging receipt of the State's response to the final IMPEP report