



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

March 26, 2009

Terry L. O'Clair, Director
Division of Air Quality
North Dakota Department of Health
918 E. Divide Avenue
Bismarck, North Dakota 58501-1947

Dear Mr. O'Clair:

In order to help both Agreement States and the NRC remain knowledgeable of each others' programs and to conduct planning for the next IMPEP review, the IMPEP process includes holding one-day periodic meetings with Agreement States between IMPEP reviews.

In accordance with FSME Procedure SA-116, we request a meeting to discuss your Agreement State program and share programmatic information. This letter confirms that, after previous coordination with Dan Harman of your staff, the meeting is scheduled for May 5, 2009, and will be held at your office. Janine Katanic, Ph.D., from the Office of Federal and State Materials and Environmental Management Programs (FSME), will be in attendance in addition to me and possibly a management representative from NRC's Region IV office.

In addition to the regular one-day Periodic Meeting agenda, we will spend a day in discussions on inspection procedures. Specifically, we will talk about performance based, well logging, and increased controls inspections.

Based on discussions with Mr. Harman, the likely topics for discussion at the meeting are listed on the enclosed agenda. If there are any additional specific topics you would like to cover, or if you would like to focus on a specific area, please let me know. If you have any questions, please call me at 817-860-8116 or contact me via e-mail to Linda.McLean@nrc.gov.

Sincerely,

/RA/

Linda McLean
State Agreements Officer

Enclosure:
North Dakota Periodic Meeting Agenda

cc w/enclosure:
Daniel E. Harman, Manager
Radiation Control Program
North Dakota Department of Health
918 E. Divide Avenue
Bismarck, North Dakota 58501-1947

Internal distribution via E-mail:

- Art Howell, D:DNMS
- Chuck Cain, DD:DNMS
- Robert Lewis, FSME
- Terry Reis, FSME
- Duncan White, FSME
- Linda McLean, SAO
- Randy Erickson, SAO
- Aaron McCraw, FSME
- Janine Katanic, FSME

SUNSI Review Completed	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ADAMS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Reviewer Initials	MLM1
Publicly Avail	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Sensitive	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sens. Type Initials	MLM1

S:\DNMS\SAO\Periodic Meetings\2009\ND\Notification of May 2009 Periodic Meeting ML090860460

RIV: SAO				
MLMcLean;dlf				
<i>/RA/</i>				
3/26/09				

North Dakota Periodic Meeting Agenda
for
May 5, 2009

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, including identification of any action that should be considered by NRC
4. Status of State Program including:
 - a. Staffing and training:
 - Number of staff in the program and status of their training and qualifications
 - Program vacancies
 - Staff turnover
 - Adequacy of FTEs for the materials program
 - b. Materials Inspection Program:
 - 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:
 - Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements
 - d. Program reorganizations:
 - Discuss any changes in program organization including program/staff relocations and new appointments
 - e. Changes in Program budget/funding
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

ENCLOSURE

7. Information exchange and discussion:
 - a. Current State initiatives
 - b. Emerging technologies
 - c. Large, complicated, or unusual authorizations for use of radioactive materials (e.g., major decommissioning and license termination actions)
 - d. State's mechanisms to evaluate performance (as applicable):
 - Self-audits
 - Computer tracking
 - Inspector accompaniments
 - Other management tools
8. NRC current initiatives
9. Other topics
10. Schedule for the next IMPEP review