Sollenberger, Dennis

FSME

From: Aaron McCraw
Sent: Friday, September 01, 2006 8:37 AM
To: Duncan White
Cc: Dennis Sollenberger
Subject: 9/18 Meeting with NJ
Attachments: Once the Agreement is Effective.ppt

Duncan,

Please look at the attached slides. I modified the slides Sheri used in Virginia for our discussions with NJ. Let me know if you have any suggested changes or edits.

Also, do you know if George will be preparing something for the decommissioning segment of the meeting? Janet asked me to check and if he's too busy to ask you and Dennis Sollenberger to coordinate on making some slides or a list of bullet or something New Jersey can keep for reference.

-Aaron

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ONCE THE AGREEMENT BECOMES EFFECTIVE

A. Duncan White
Region I State Agreements Officer
U.S. Nuclear Regulatory Commission

Aaron T. McCraw, Health Physicist
Office of State and Tribal Programs
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OUTLINE

- Exchanges of Information
- Technical Assistance
- Integrated Materials Performance Evaluation Program (IMPEP)

EXCHANGES OF INFORMATION

- Agreement States submit event reports to NRC
- 24 hour significant reportable events report to NRC Operations Center (301) 816-5100
- 30-60 day reportable events submitted to Nuclear Material Events Database (NMED)
- Abnormal Occurrence Report

EXCHANGES OF INFORMATION

- Allegation referrals
- State provides copies of completed Sealed Source and Device Evaluation to NRC
- NRC provides copies of "E" Licenses to State for processing of possession license
- Review of Draft and Final Regulations through STP

EXCHANGES OF INFORMATION

- Annual Organization of Agreement States, Inc. (OAS) All Agreement States Meeting
- Monthly Teleconference with OAS/CRCPD
- Other Workshops/Meetings
- All Agreement State Letters
- Requests for Information

TECHNICAL ASSISTANCE

- Management Directive 5.7, "Technical Assistance to Agreement States"
  - http://www.hsrd.ornl.gov/nrc/special/md05-007.pdf

CONFIRMATORY LICENSING OR INSPECTION ASSISTANCE

- Handled by correspondence or telephone at no cost
- Casework (minor)
- Licensing policy
- Inspection practice
- Interpretations

DIRECT LICENSING OR INSPECTION ASSISTANCE

- Handled on fee reimbursable basis
- Inspections
- License application evaluations
- Special evaluations and studies

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP)

- NRC given authority to periodically review Agreement State Programs under Section 274j. of the Atomic Energy Act

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP)

- Jointly developed by NRC and States
- Common process for review of Agreement State and NRC Regional material programs
- Focuses on performance outcome, not how performance is achieved
- Performance Findings and Root Causes
- Ratings for each indicator and overall performance

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP)

- Recommendations & Good Practices
- Routine on-site reviews normally conducted every four years
  - May be decreased based on program performance
- Independent review teams
- Reviews scaled to the size of the program
- Agreement State participation

COMMON PERFORMANCE INDICATORS

- Technical Staffing and Training
- Status of Materials Inspection Program
- Technical Quality of Inspections
- Technical Quality of Licensing Actions
- Technical Quality of Incidents and Allegations Activities

TECHNICAL STAFFING AND TRAINING

- A well-conceived and balanced staffing strategy has been implemented
- Qualification criteria for hiring new technical staff are established and are being followed
- Any vacancies are filled in a timely manner
- There is a balance in staffing between the licensing and inspection programs
- Management is committed to training and staff qualification
- License reviewers and inspectors are adequately qualified and trained to perform their duties

STATUS OF MATERIALS INSPECTION PROGRAM

- Highest hazard licensees are inspected at the correct interval
- Routine inspections for highest hazard licensees, scheduled at 1, 2, or 3 year intervals, completed within 25% window
- One year for inspections of new licensees.
- Inspection frequencies are at least as strict as those set in NRC guidance
- 20% reciprocity licensees are inspected at regular intervals as set in NRC guidance

TECHNICAL QUALITY OF INSPECTIONS

- Inspections of licensed activities are focused on health and safety issues; address previously identified open items and/or past violations
- Procedures are in place and used to help identify root causes and poor licensee performance
- Inspection findings lead to appropriate and prompt regulatory action
- Supervisors conduct annual accompaniments of each inspector

TECHNICAL QUALITY OF LICENSING ACTIONS

- License reviews are thorough, complete, consistent, and of acceptable technical quality
- Verify that essential elements of license applications have been submitted and meet current regulatory guidance
- Health and safety issues are properly addressed

TECHNICAL QUALITY OF INCIDENTS AND ALLEGATIONS ACTIVITIES

- Actions taken are appropriate, well coordinated, timely, and health and safety issues are addressed
- Adequate procedures are in place
- Corrective actions and follow-up measures are appropriate, include root cause analysis, and receive an independent review
- Proper notification and reporting of incidents

NON-COMMON PERFORMANCE INDICATORS

- Compatibility Requirements
- Sealed Source and Device (SS&D) Evaluation Program
- Low-Level Radioactive Waste Disposal Program
- Uranium Recovery Program

COMPATIBILITY REQUIREMENTS

- Applies only to Agreement States
- Ensure that collective national effort to regulate materials under the Atomic Energy Act is coherent and without:
  - Conflicts, gaps or duplication
- Ensure certain areas (standards, definitions, and "transboundary" elements) are identical

SEALED SOURCE AND DEVICE EVALUATION PROGRAM

- Adequate technical evaluations of SS&Ds
- Three sub-elements:
  - Technical Staffing and Training
  - Technical Quality of the Product Evaluation Program
  - Evaluation of Defects and Incidents Regarding SS&Ds

LOW-LEVEL RADIOACTIVE WASTE DISPOSAL PROGRAM

- Agreement States only
- Five sub-elements
  - Same as Common Performance Indicators but focusing on LLRW activities

URANIUM RECOVERY PROGRAM

- NRC Region IV or Agreement State
- Five sub-elements
  - Same as Common Performance Indicators but focusing on uranium recovery activities

MANAGEMENT REVIEW BOARD (MRB)

- Independent board which makes final determination of adequacy and compatibility based on IMPEP team's report and information presented by Region or State.
- MRB Members:
  - Deputy Executive Director for Materials, Research, State and Compliance Programs
  - Director, Office of Nuclear Material Safety and Safeguards
  - Director, Office of State and Tribal Programs
  - General Counsel
  - Agreement State Program Manager Liaison
- Program Director or Regional Administrator for program being reviewed always attends/participates in meeting

MRB MEETING

- Open to the Public
- Team presents findings based on objective assessment against IMPEP criteria
- Team recommends rating for each performance indicator reviewed
  - Satisfactory
  - Satisfactory but Needs Improvement
  - Unsatisfactory

MRB MEETING

- Overall program findings
  - Adequate; Adequate, but needs improvement; or Inadequate
  - Compatible or Not compatible
- Recommendations for timing of next review
- Lessons learned, precedents, IMPEP experience

PERIODIC MEETINGS BETWEEN IMPEP REVIEWS

- Sharing of information between the NRC and the States
- Early discussion and identification of Program strengths and weaknesses
- Briefing of MRB on the meeting's results
- MRB may direct corrective measures to address weaknesses affecting performance (e.g., staffing shortage, inspection backlogs)

ASSESSING AGREEMENT STATE PROGRAM IMPROVEMENT

- Mechanisms to address State program areas needing improvement:
  - Heightened Oversight and Monitoring (SA-122)
  - Probation (SA-113)
  - Emergency Suspension (SA-112)
  - Suspension of an Agreement (SA-114)
  - Termination of an Agreement (SA-115)

MONITORING

- An informal process to maintain increased communications with a State
- Can be considered based on IMPEP review, follow-up IMPEP review or periodic meeting
- Requires an action plan and quarterly conference calls

HEIGHTENED OVERSIGHT

- A formal process to maintain increased communications and to assess State performance improvements
- Can be considered based on IMPEP review, follow-up IMPEP review or periodic meeting
- Requires a Program Improvement Plan, bimonthly calls, and a follow-up review in approx. one year.

OTHER METHODS

- Probation
- Emergency Suspension
- Termination