

**REVISION TO POLICY STATEMENT ON
“STATEMENT OF PRINCIPLES AND POLICY FOR THE AGREEMENT STATE PROGRAM”**

AND

**MANAGEMENT DIRECTIVE 5.6, “INTEGRATED
MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP)”**

AND

**MANAGEMENT DIRECTIVE 5.10, “FORMAL QUALIFICATIONS FOR INTEGRATED
MATERIALS PERFORMANCE EVALUATION PROGRAM (IMPEP) TEAM MEMBERS”**

FINAL CHARTER

PURPOSE

In accordance with Commission direction in Staff Requirements Memorandum (SRM) to SECY-10-105, dated December 2, 2010, the purpose of this working group is to review and revise (1) Commission policy statement “Statement of Principles and Policy for the Agreement State Programs” (62 FR 46517, dated September 3, 1997); (2) Management Directive (MD) 5.6, “Integrated Materials Performance Evaluation Program (IMPEP),” and; (3) MD 5.10, “Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members” to include both safety and source security.

BACKGROUND

The Commission has directed staff in SRM-SECY-10-0105 to revise the NRC’s policy statements outlining the roles and responsibilities of the NRC and the Agreement States for determination of adequacy and compatability of Regional and Agreement State programs. The revisions should incorporate both safety and source security considerations in the determination process and should include necessary revisions to applicable guidance documents. The specific documents to be revised under this working group include the “Statement of Principles and Policy for the Agreement State Program” and the associated guidance documents MD 5.6 and MD 5.10.

In addition, the IMPEP Self-Assessment Working Group completed their review in 2010 and recommended the update of MD 5.6 to reflect current organizational structure, roles, responsibilities and practices in the IMPEP program. The self-assessment report includes five additional recommendations to be incorporated during the revision of MD 5.6 as the improvement action. The self-assessment report (ML102280463, dated June 2010) was endorsed by a Management Review Board.

MEMBERSHIP

This working group will operate under NRC MD 5.3, "Agreement State Participation in Working Groups." The lead organization for the working group is the Office of Federal and State Materials and Environmental Management Programs (FSME). The working group will be co-chaired by an NRC staff member and a representative from the Organization of Agreement States (OAS). The membership is:

Lisa Dimmick, NRC/FSME, Co-Chair
Stephen James, OAS, Co-Chair
Steve Mack, Agreement State representative
Michelle Beardsley, NRC/FSME
Randy Erickson, NRC/Region IV
Donna Janda, NRC/Region I
Jim Lynch, NRC/Region III
Joan Olmstead NRC/Office of General Counsel

Duncan White, Branch Chief, Division of Materials Safety and State Agreements (MSSA)/Agreement State Programs Branch (ASPB) will serve as Management Advisor. Kathleen Schneider, Senior Project Manager, MSSA/ASPB, will be a resource to the working group.

A Steering Committee will not be established for this working group. FSME management will review and approve the work products prior to providing them to the Commission. The work products will be provided to the OAS Executive Board, NRC Offices, Agreement States, and the public for comment.

OBJECTIVES

The main objectives of the working group follow:

1. Review and finalize the Charter for the working group.
2. Review and revise the Commission policy statement "Statement of Principles and Policy for the Agreement State Program" (62 FR 46517, dated September 3, 1997)
 - a. Incorporate both safety and source security considerations as directed in the SRM.
 - b. Update for current practices and organizational structure.
3. Review and revise MD 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)"
 - a. Based on revisions to the policy statement.
 - b. Incorporate recommendations from the self assessment report.
4. Review and revise MD 5.10, "Formal Qualifications For Integrated Materials Performance Evaluation Program (IMPEP) Team Members"
 - a. Based on revisions to the policy statement.
 - b. Incorporate recommendations from the self assessment report.

SCHEDULES

The first working group meeting was held in July 2011. The working group will develop the final schedule within the constraints of Commission directed deadlines.

A draft revision of the Policy Statement will be prepared by January 2012 and sent to the Agreement States for a 60 day comment period. NRC staff will prepare a paper to the Commission based on the findings of the working group's review and revision of the Policy Statement and Agreement State comments. The draft Policy Statement will be submitted to the Commission for approval for publication for public comment by June 15, 2012..

The revisions of MD 5.6 and MD 5.10 will begin early in the process, but will not be finalized until the comment period is closed.

There will be 2-3 public meetings while the Policy Statement is published for public comment. The staff estimates that the draft Policy Statement will be published in August 2012, for a 90 day public comment period. Once the comment period closes, the working group will resolve public comments and prepare the final Policy Statement and revisions to MD 5.6 and MD 5.10 beginning in November 2012. NRC staff will provide the final paper to the Commission, providing the final Policy Statement, MD 5.6, and MD 5.10 no later than December 2013

LEVEL OF EFFORT

The level of effort for this project will depend on the number of items identified that need revision in the policy statement and the Management Directives. The highest level of effort will be during the initial stages of revising the policy statement . The staff estimates that the level of effort during the initial stages of revising the Policy Statement between July and December, 2011 will require each person to spend approximately one week per month. The level of effort will increase in 2012-2013 to 1 ½ weeks per month during the (1) revision of MD 5.6; (2) revision of MD 5.10, and; (3) resolution of public comments.

MEETINGS

Meetings of the working group are pre-decisional deliberations and will not be held as public meetings.

/RA/

James Luehman, Acting Division Director, MSSA

10/20/2011

Date

/RA/

Cheryl Rogers, Chair
Organization of Agreement States

09/27/2011

Date