



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

March 2, 2017

Mr. Terry O'Clair, Director
Division of Air Quality
Department of Health
918 East Divide Avenue
Bismarck, ND 58501-1947

Dear Mr. O'Clair:

In order to help the Agreement States and the U.S. Nuclear Regulatory Commission (NRC) remain knowledgeable of each other's program and to initiate planning for the next Integrated Materials Performance Evaluation Program (IMPEP) review, the NRC conducts one-day periodic meetings with Agreement States between IMPEP reviews.

In accordance with the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-116, "Periodic Meetings between IMPEP Reviews," and after previous coordination with Mr. Dale Patrick of your staff, we have scheduled the periodic meeting for July 19, 2017. The meeting will be held at the Department of Health offices in Bismarck, North Dakota. In addition to myself, a manager from NRC's Region IV office may also attend the meeting.

Based on our previous discussions, the likely topics for discussion at the meeting are listed on the enclosed agenda. If there are any additional topics you would like to discuss, or if you would like to focus on a specific area, please let me know. If you have any questions, please contact me by phone at (817) 200-1116, or by e-mail at Binesh.Tharakan@nrc.gov.

Sincerely,

/RA/

Binesh K. Tharakan, CHP
Regional State Agreements Officer
Division of Nuclear Materials Safety

Enclosure:
FY17 Periodic Meeting Agenda

Mr. Terry O'Clair, Director
 Division of Air Quality
 Department of Health
 918 East Divide Avenue
 Bismarck, ND 58501-1947
 Dear Mr. O'Clair:

In order to help both Agreement States and the U.S. Nuclear Regulatory Commission (NRC) remain knowledgeable of each other's programs and plan for the next Integrated Materials Performance Evaluation Program (IMPEP) review, the IMPEP process includes holding one-day periodic meetings with Agreement States between IMPEP reviews.

In accordance with the Office of Nuclear Material Safety and Safeguards (NMSS) Procedure SA-116, "Periodic Meetings between IMPEP Reviews," and after previous coordination with Mr. Dale Patrick of your staff, we have scheduled the periodic meeting for July 19, 2017. The meeting will be held at the Department of Health offices in Bismarck, North Dakota. In addition to myself, a manager from NRC's Region IV office may also attend the meeting.

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Sincerely,

/RA/

Binesh K. Tharakan, CHP
 State Agreements Officer
 Division of Nuclear Materials Safety

Enclosure:
 FY17 Periodic Meeting Agenda

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OFFICE	RIV:RSAO				
NAME	BTharakan				
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DATE	03/02/17				

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North Dakota Periodic Meeting Agenda
July 19, 2017

Topic areas for discussion during the meeting may include:

1. Program challenges
2. Program reorganizations
 - a. Discuss any changes to the program organization/management, including program/staff relocations and new appointments.
3. Changes in program budget/funding
4. Feedback on the NRC's program
5. Status of the State's program, including:
 - a. Technical Staffing and Training (2015 IMPEP Rating: Satisfactory)
 - i) Number of staff in the program and status of their training and qualifications.
 - ii) Any program vacancies.
 - iii) Staff turnover since the last IMPEP review.
 - iv) Adequacy of FTEs for the materials program.
 - v) Compatibility with IMC 1248 training requirements
 - vi) Current staff qualification status
 - b. Status of the Materials Inspection Program (2015 IMPEP Rating: Satisfactory)
 - i) Changes to inspection frequency, if any
 - ii) Number of priority 1, 2, and 3, inspections performed overdue since the last IMPEP review.
 - iii) Number of priority 1, 2, and 3, inspections currently overdue.
 - iv) Number of initial inspections completed on time and overdue since the last IMPEP review.
 - v) Status of reciprocity inspections since the last IMPEP.
 - c. Technical Quality of Inspections (2015 IMPEP Rating: Satisfactory)
 - i) Status of annual inspector accompaniments
 - ii) Inspection procedure changes, if any
 - iii) Management review processes
 - iv) Significant inspection activities/challenges
 - v) Status of radiation survey instruments and equipment

- d. Technical Quality of Licensing (2015 IMPEP Rating: Satisfactory)
 - i) Number of licensees in the State.
 - ii) Number and types of licensing actions performed since the last IMPEP review.
 - iii) Number of licenses currently under timely renewal.
 - iv) Discussion of the use of pre-licensing guidance.
 - v) Large, complicated, or unusual authorizations for use of radioactive materials.

- e. Technical Quality of Incidents and Allegations (2015 IMPEP Rating: Satisfactory)
 - i) Number and current status of reportable events since the last IMPEP, including follow-up actions and closure information from NMED.
 - ii) Status of allegations and concerns referred by the NRC for action.
 - iii) Significant events and generic implications.

- f. Compatibility Requirements (2015 IMPEP Rating: Satisfactory)
 - i) Regulations
 - a. Discuss the State's regulatory process
 - b. Discuss the status of State regulations and actions to keep regulations up to date, including the use of legally binding requirements.
 - c. Part 37 implementation status and results
 - ii) Legislative changes affecting the program.

- 6. Information Exchange:
 - i) Current State initiatives
 - ii) Current NRC initiatives
 - iii) Emerging Technologies
 - iv) State's mechanisms to evaluate program performance

- 7. Additional Topics

- 8. Next Steps/Meeting Summary/Q&A