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**Subject:** [External\_Sender] Comments on SA Procedures as Per STC-19-078, STC-20-005, STC-19-079, and STC-20-004  
**Date:** Tuesday, March 31, 2020 5:15:36 PM

All,  
 The Colorado Program would like to submit the following comments on SA procedures in response to STC letters: STC-19-078, STC-20-005, STC-19-079, and STC-20-004.

General comments applicable to all procedures:

While we understand that the revision and authoring of these procedures is a multi organization process involving many individuals, when looking at the collection there seems to be a multitude of different voices and writing styles and as a result it lacks uniformity.

Specifically, it appears that many of the appendices address common items and it would be appropriate to use common titles for the appendices and to keep them in a common order if possible.

Additionally, during the drafting process the idea of consistency within these procedures regarding the phrase "Agreement State or NRC..." vs. "NRC or Agreement State..." was discussed. This should be made uniform throughout the procedures.

The remaining comments specific to each procedure are found within the following table.

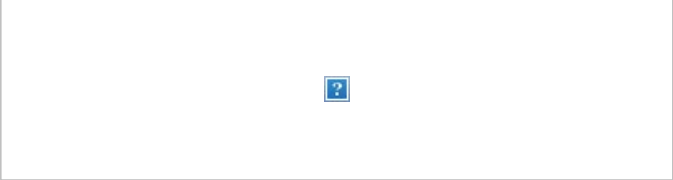
SA Procedure	Title	Working Group Members	CDPHE Staff Review
SA 100 STC-20-004	Implementation of the Integrated Materials Performance Evaluation Program (IMPEP)	<a href="mailto:Lizette.Roldan-Otero@nrc.gov">Lizette.Roldan-Otero@nrc.gov</a> <a href="mailto:David.Turberville@adph.state.al.us">David.Turberville@adph.state.al.us</a>	Section V.E.2 lists Compatibility Requirements as an item, but this item has changed names in SA-107.
SA 101 STC-19-079	Reviewing the Common Performance Indicator, Status of Materials Inspection Program	<a href="mailto:Joe.O'Hara@nrc.gov">Joe.O'Hara@nrc.gov</a> <a href="mailto:phillip.peterson@state.co.us">phillip.peterson@state.co.us</a>	No comments
SA 102 STC-19-079	Reviewing the Common Performance Indicator, Technical Quality of Inspections	<a href="mailto:Kathy.modes@nrc.gov">Kathy.modes@nrc.gov</a> <a href="mailto:phillip.peterson@state.co.us">phillip.peterson@state.co.us</a>	No comments
SA 103 STC-19-079	Reviewing the Common Performance Indicator, Technical Staffing and Training	<a href="mailto:Joe.O'Hara@nrc.gov">Joe.O'Hara@nrc.gov</a> <a href="mailto:stephen.james@odh.ohio.gov">stephen.james@odh.ohio.gov</a>	No comments
SA 104 STC-20-004	Reviewing the Common Performance Indicator, Technical Quality of Licensing Actions	<a href="mailto:Lizette.Roldan-Otero@nrc.gov">Lizette.Roldan-Otero@nrc.gov</a> <a href="mailto:Beth.Schilke@vdh.virginia.gov">Beth.Schilke@vdh.virginia.gov</a>	Section V.B.2.C describes a subset of the common performance indicator. It isn't clear on what the subset means, how many would be reviewed during a review, and how those actions would be reviewed separately. Section III (Background) also makes no mention of subsets of reviews.  Section V.B.2.h - the second sentence in this item is concerning. Ensuring that license conditions have been submitted to the NRC for review appears to be an LROPE issue rather than a performance issue. This seems to be specific to Agreement States and compatibility. How would the NRC programs be evaluated using this criteria?  Additionally, the Colorado program does not support submitting every site specific or licensee specific license condition for compatibility review, this will increase the amount of time

			<p>processing licensing actions. Additionally, the concept of “standard license condition” versus one that should be sent in for NRC review is ill defined.</p> <p>Section V.D.14 What is a “licensing initiative”? It is unclear what this item means and how it will be evaluated.</p>
SA 105 STC-20-005	Reviewing the Common Performance Indicator, Technical Quality of Incident and Allegation Activities	<a href="mailto:Kathy.modes@nrc.gov">Kathy.modes@nrc.gov</a> <a href="mailto:sherrie.flaherty@state.mn.us">sherrie.flaherty@state.mn.us</a>	No Comments
SA 106 STC-20-005	The Management Review Board	<a href="mailto:Robert.Johnson@nrc.gov">Robert.Johnson@nrc.gov</a> <a href="mailto:David.Turberville@adph.state.al.us">David.Turberville@adph.state.al.us</a>	<p>Page 9: E.1. The Notice Of Appeal template should be included as an appendix.</p> <p>E.3. The MRB Chair should be required to provide testimony or feedback from IMPEP team and MRB members (including AS staff) as part of his response. As a result this should be extended to a 30 day response.</p> <p>Section IV.G.3 has a typo, "recommendaitons".</p>
SA 107 STC-19-078	Reviewing the Non-Common Performance Indicator, Legislation, Regulations, and Other Program Elements, Interim Procedure State Agreement (SA)-107	<a href="mailto:michelle.beardsley@nrc.gov">michelle.beardsley@nrc.gov</a> <a href="mailto:Jenny.Goodman@dep.nj.gov">Jenny.Goodman@dep.nj.gov</a>	Section V.C.2.b should state ...10 CFR Part 39 amendment since they do not have licensees authorized for this activity and have not approved any well logging licensees to perform work under reciprocity during the review period.
SA 108 STC-20-005	Reviewing the Non-Common Performance Indicator, Sealed Source and Device Evaluation Program	<a href="mailto:Stephen.Poy@nrc.gov">Stephen.Poy@nrc.gov</a> <a href="mailto:ron.parsons@tn.gov">ron.parsons@tn.gov</a>	No Comments
SA 109 STC-19-079	Reviewing the Non-Common Performance Indicator, Low-Level Radioactive Waste Disposal Program	<a href="mailto:Kathy.modes@nrc.gov">Kathy.modes@nrc.gov</a> <a href="mailto:Mhammadali.Abbaszadeh@tceq.texas.gov">Mhammadali.Abbaszadeh@tceq.texas.gov</a>	No Comments
SA 110 STC-20-005	Reviewing the Non-Common Performance Indicator, Uranium Recovery Program	<a href="mailto:Stephen.Poy@nrc.gov">Stephen.Poy@nrc.gov</a> <a href="mailto:shiya.wang@state.co.us">shiya.wang@state.co.us</a>	
SA 200 STC-19-078	Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements - Interim State Agreement (SA) procedure SA-200	<a href="mailto:Jenny.Goodman@dep.nj.gov">Jenny.Goodman@dep.nj.gov</a> <a href="mailto:Michele.Beardsley@nrc.gov">Michele.Beardsley@nrc.gov</a>	<p>It is quite difficult to piece together the actual list of Program elements and their compatibility. Especially when it comes to guidance documents and other non-regulatory program elements. The procedure suggests that they are listed in a table in appendix A but that has been deleted. It does however indicate that “A current section-by-section summary of the compatibility and health and safety categories of regulations in Title 10 of the CFR can be found on the NMSS website’s Regulation Toolbox1” but there is no reference to non-regulatory program elements. A list of “AGREEMENT STATE PROGRAM ELEMENTS 2015- PRESENT” is found in the toolbox at:  <a href="https://scp.nrc.gov/regulationtoolbox/Program_Elements_table.pdf">https://scp.nrc.gov/regulationtoolbox/Program_Elements_table.pdf</a></p> <p>However these have an implementation date for AS for some items but none for others and does not indicate Compatibility category. Some of these have implementation due dates for those items that are compatibility D as described within the documents themselves. This is a mess. It is difficult at best to decipher the expectations of the NRC in regard to these.</p>
SA 201	Review of State Regulatory	<a href="mailto:Jenny.Goodman@dep.nj.gov">Jenny.Goodman@dep.nj.gov</a>	Section V Guidance (pg 9/44): Should the lead-in paragraph at the top of this section also mention/discuss legally binding

STC-19-078	Requirements	<a href="mailto:Michele.Beardsley@nrc.gov">Michele.Beardsley@nrc.gov</a>	requirements (LBR), since it is discussed in further detail later on in the section?
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Thank you for the opportunity to provide comments and input on these revisions.

Sincerely,  
**Jim Grice**  
Radiation Program Manager  
Hazardous Materials and Waste Management Division



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