

Comment Resolution Document

Summary of Comments for **Interim** SA-106, *The Management Review Board*

Sent to the Agreement States, NRC NMSS, NRC Regions I, III, and IV for Comment in STC-20-005, January 9, 2020

Comment No.	Source	Location	Comment	Accepted	Remarks
1	NJ	IV.C.1	I thought if there were no issues, there would not be an MRB for a periodic meeting. Should we say that here?	Yes	You are correct. If there were no issues, then typically there would not be a need for an MRB. We will add “, as appropriate.” to the end of the sentence, thereby providing flexibility to be consistent with criteria provided in SA-116, identifying the circumstances when a periodic meeting would be required to have an MRB.
2	NJ	IV.G.1	Could specify the Chair-Elect position since it is in our bylaws.	Yes	Text modified to specify the “Chair-Elect.” Also made conforming changes throughout the document.
3	NJ	IV.G.2	What criteria? In I. below?	Partial	Criteria are provided in V.B.1.b and V.B.2.c, as augmented. Modified Section IV.G.2, to point to criteria provided in V.B.3, and modified Section IV.G.2 to further clarify the criteria.
4.a	CO	IV.G.3	Section IV.G.3 has a typo, "recommendations".	Yes	Corrected.

4.b	NJ	IV.G.3	Typo: recommendations needs to be spelled correctly	Yes	Corrected.
5	NJ	Last sentence in V.A	Does this mean we don't need to have one if everything is good?	No	Similar to NJ Q1, the existing language provides the flexibility to not have on if everything is good.
6	NJ	Last sentence in V.D.1	What if all the IMPEP team members and MRB members disagree with the Chair?	No	The MRB Chair is the statutory NRC decision-maker. The MRB Chair will objectively weigh input from the MRB Members, the IMPEP Team, and the Agreement State Program in order to make a fair and equitable (statutory) regulatory finding.
7	NJ	Last sentence in V.D.2	Why isn't probation applicable to NRC programs?	No	NRC Program weakness(es) will be addressed immediately, upon identification, by Senior NRC management, rather than waiting for the next IMPEP.
8	CO	V.E.1	Page 9: E.1. The Notice Of Appeal template should be included as an appendix.	Partial	Going to post all templates to the State Communications Portal.
9	CO	V.E.3	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.	Partial	The time frame was extended from 14 calendar days to 30 calendar days. The MRB Chair's response to the appeal will include the necessary justification for their conclusions.
10	NJ	V.F	I don't understand what this means. Who writes letters of support and what is their purpose? Is it only in these 2 instances where		Letters of intent are described in SA-SA-116, "Periodic Meetings Between IMPEP Reviews." Letters of support

			<p>letters of support are required? Recommended?</p>	<p>may be issued if areas of declining program performance are identified by the RSAO during a periodic meeting. The intent of the letter is to inform higher-level state government officials of the provisions agreed to in the State's 274b. Agreement with the NRC and identify the specific items needed to support that agreement. If the MRB Chair directs that a letter of support be issued, staff will draft the letter of support to be signed by the appropriate level of NRC management commensurate to the addressee.</p>
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ADAMS ACCESSION NUMBERS

PACKAGE: ML20183A152

COMMENT RESOLUTION DOCUMENT: ML20191A059