

EXAMPLES OF LESS THAN SATISFACTORY FINDINGS OF A PROGRAM PERFORMANCE FOR TECHNICAL STAFFING AND TRAINING

The effectiveness of a program is assessed through the evaluation of the criteria listed in Section III, Evaluation Criteria, of MD 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*. These criteria are NOT intended to be exhaustive but provide a starting point for the IMPEP review team (team) to evaluate this indicator. The team should also take into consideration other relevant mitigating factors that may have an impact on the program's performance under this performance indicator. The team should consider a less than satisfactory finding when the identified performance issue(s) is/are programmatic in nature, and not isolated to one aspect, case, individual, etc. as applicable.

This list is not all inclusive and will be maintained and updated in the IMPEP Toolbox on the state communications portal website (<https://scp.nrc.gov/>).

The following are examples of review findings that resulted (or could result) in a program being found “**satisfactory, but needs improvement**” for this indicator:

1. The Program performed 494 Priority 1, 2, 3, and initial inspections during the review period. The Program conducted 13.8 percent of these inspections overdue (62 of 456 Priority 1, 2, or 3, and 1 out of 38 initial inspections). This is an increase compared to the Program's previous performance of less than one percent overdue inspections during the previous review period. The team identified an increasing trend in overdue inspections that is directly related to staffing. At the time of the review, there were six vacancies in the Program. During the review period, 13 staff members left the Program and five staff members were hired. The positions were vacant from a few months to two years. Two new technical staff positions were added to the Program during the review period in anticipation of future retirements. The Program management believes that low salaries are the reason for not attracting qualified applicants so to attract more qualified candidates they increased the salary being offered.
2. The Inspector and/or License Reviewer training and qualification manual is not equivalent to the NRC's Inspection Manual Chapter 1248, *Formal Qualifications Program for Federal and State Material and Environmental Management Programs*. The deficiencies in the training and qualification program manual are the root cause of a finding of satisfactory but needs improvement in the indicator(s) Technical Quality of Inspections and/or Technical Quality of Licensing Actions. The performance issue(s) are directly related to how the individual was trained. The team identified several instances of missing licensing and inspection documents as well as errors in the inspection tracking system which were determined to be attributed to the long-standing staffing vacancies.

The following are examples of review findings that resulted (or could result) in a program being found “**unsatisfactory**” for this indicator:

1. The Program’s inspection frequency is the same for similar license types in IMC 2800. The Program performed 41 Priority 1, 2, 3, and initial inspections during the review period. The Program conducted 27 percent of Priority 1, 2, 3, and initial inspections overdue. Eleven of 37 Priority 1, 2, and 3 inspections were conducted overdue during the review period. The four initial inspections of new licenses were performed within 12 months of license issuance. In three of the four years of the review period, the Program performed reciprocity inspections. However, The Program could not find any records supporting the completion of reciprocity inspections conducted during the review period. Additionally, poor tracking of reciprocity inspections contributed to the Program being unable to produce any measurable data for the review period. The team finds that greater than 25% of inspections were completed overdue under the indicator Status of Materials Inspection Program and determined the root cause to be lack of staff due to vacant positions going unfilled.
2. The Inspector and/or License Reviewer training and qualification manual is not equivalent to the NRC’s IMC 1248. The deficiencies in the training and qualification program are the root cause of a finding of unsatisfactory in the indicator(s) Technical Quality of Inspections and/or Technical Quality of Licensing Actions (i.e. identified performance issue(s) are directly related to how the individual was trained).