



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 4, 2023

MEMORANDUM TO: Chair Hanson  
Commissioner Baran  
Commissioner Wright  
Commissioner Caputo  
Commissioner Crowell

FROM: John W. Lubinski, Director  
Office of Nuclear Material Safety  
and Safeguards

A handwritten signature in black ink, appearing to be "J. Lubinski", written over a horizontal line.

Signed by Lubinski, John  
on 04/04/23

SUBJECT: ANNUAL REPORT ON NATIONAL MATERIALS PROGRAM  
PERFORMANCE FOR CALENDAR YEAR 2022

Enclosed is the Calendar Year 2022 report on the status of the National Materials Program performance. The National Materials Program remains protective of public health and safety in regulating the use of radioactive materials. All programs are adequate to protect public health and safety, with a few needing improvements. Notably, the Mississippi Agreement State Program is on probation and the Rhode Island, Washington, and New York Agreement State Programs are on heightened oversight. Most programs have legislation, regulations, and guidance compatible with the U.S. Nuclear Regulatory Commission's regulatory program, though some states had delays in the implementation of regulations and used non-standard license conditions that led to their programs being found not compatible.

Enclosure:  
Annual Report on the National Materials  
Program Performance for CY 2022

cc: SECY  
OGC  
OCA  
OPA  
CFO  
EDO

CONTACT: Robert K. Johnson, NMSS/MSST  
301-415-7314

SUBJECT: MEMO TO CHAIRMAN AND COMMISSIONERS RE: CY 2022 ANNUAL REPORT ON AGREEMENT STATES AND U.S. NRC'S RADIOACTIVE MATERIALS PROGRAM. DATED: April 4, 2023.

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**ANNUAL REPORT ON THE NATIONAL MATERIALS PROGRAM PERFORMANCE  
FOR CALENDAR YEAR 2022**

**APRIL 4, 2023**

## EXECUTIVE SUMMARY

The Calendar Year (CY) 2022 report is a summary of the Agreement State and U.S. Nuclear Regulatory Commission (NRC) radiation control program performance, including the ability to: (1) provide reasonable assurance of adequate protection of public health and safety for the safe and secure use of radioactive materials, and (2) maintain Agreement State programs that are compatible with the NRC's regulatory program.

The NRC uses the Integrated Materials Performance Evaluation Program (IMPEP) to evaluate radiation control program performance. Procedures are in place to consistently perform these assessments. Agreement State and NRC radiation control programs, collectively referred to as the National Materials Program (NMP), are determined to be adequate if the administration ensures protection of public health and safety in regulating the use of radioactive material. Overall, the NMP continues to provide reasonable assurance of adequate protection of public health and safety.

The NMP's performance remains protective of public health and safety in regulating the use of radioactive materials, as measured by the IMPEP. During CY 2022, 35 of the 40 radiation control programs had an adequacy finding of adequate to protect public health and safety. The five remaining Agreement States—Florida, Mississippi, New York, Rhode Island, and Washington—had adequacy findings of adequate to protect public health and safety but needs improvement. For CY 2022, all States were found adequate to protect public health and safety.

Regarding Agreement State compatibility, 34 of the 39 programs had a compatibility finding of compatible with the NRC's regulatory program. The five remaining Agreement States—Florida, Mississippi, North Carolina, New York, and Washington—had compatibility findings of not compatible with the NRC's regulatory program.

Based on the results of the 2022 IMPEP review, the Commission placed Mississippi on Probation. During CY 2022, the Rhode Island, Washington, and New York Agreement State Programs were placed on a period of heightened oversight. These programs are taking corrective actions to address the performance issues and the effectiveness of those corrective actions are being reviewed and monitored using the IMPEP process.

Because the Mississippi and Washington IMPEP reviews each resulted in more than one unsatisfactory performance indicator, the NRC did not meet a Congressionally reported performance metric for fiscal year 2022. To improve communications and proactively address challenges before unsatisfactory performance is identified in an IMPEP review, the NRC and Organization of Agreement States chartered a joint IMPEP self-assessment working group in November 2022. The working group's recommendations are expected to be developed by July 2023.

The CY 2022 IMPEP results demonstrate that the NMP remains protective of public health and safety in regulating the use of radioactive material. Agreement States continue to play a valuable role in the IMPEP as evidenced by the increase in Agreement State participation and collaboration in the NMP activities. The NRC and its regulatory partners continued to effectively implement the program in a flexible, resilient, and innovative manner to accomplish our mission, despite challenges presented by the ongoing pandemic. The NRC will continue to monitor performance through the IMPEP and work with the NMP to address any performance issues or trends.

## **BACKGROUND ON THE NRC AGREEMENT STATE PROGRAM**

Section 274 of the Atomic Energy Act (AEA), as amended, provides broad authority for the NRC to establish a unique Federal and State relationship in the administration of regulatory programs to provide reasonable assurance of adequate protection of public health and safety in the industrial, medical, commercial, and research uses of agreement material (source, byproduct, and small quantities of special nuclear material as identified in Subsection 274b. of the AEA). Subsection 274b. of the AEA authorizes the NRC to enter into an agreement by which the NRC discontinues its regulatory authority and the State assumes regulatory authority over some or all these materials. To discontinue its authority, the NRC must find that the State program is adequate to protect public health and safety and compatible with the NRC program for the regulation of agreement material. The NRC also has an obligation, pursuant to Subsection 274j. of the AEA, to periodically review existing Agreement State program performance to ensure continued adequacy and compatibility.

## **PERFORMANCE MONITORING**

The NRC uses the Integrated Materials Performance Evaluation Program (IMPEP) to periodically review Agreement State and NRC programs, collectively referred to as the National Material Program (NMP), to verify that these programs are adequate to protect public health and safety and verify that Agreement State programs are compatible with the areas of the NRC's regulatory program.

In accordance with the NRC Management Directive (MD) 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)," radiation control programs are determined to be adequate if the administration of these programs provides reasonable assurance of the protection of public health and safety in regulating the use of radioactive material. Adequacy findings under IMPEP result in one of three conclusions: (1) adequate to protect public health and safety, (2) adequate to protect public health and safety but needs improvement, or (3) not adequate to protect public health and safety.

When the NRC promulgates regulations, it determines the degree to which Agreement States' regulations must be compatible with the NRC's regulations. Agreement State programs are determined to be compatible with the NRC's regulatory program when they do not create conflicts, duplications, gaps, or other conditions that jeopardize an orderly pattern in the regulation of radioactive material. Compatibility findings under IMPEP result in one of two conclusions: (1) compatible or (2) not compatible.

The frequency of IMPEP reviews range from 1 to 5 years, based on the program's performance. All reviews are conducted in accordance with the NRC MD 5.6, and a combination of NRC and Agreement State team members. A Management Review Board (MRB), composed of senior NRC managers and an Organization of Agreement States representative, convenes to deliberate the adequacy and compatibility findings and the frequency and type of the next IMPEP review. The MRB Chair will provide the final NRC findings with respect to the radiation control program based on input from the IMPEP review team, MRB members, and the program being reviewed. The NRC also conducts periodic meetings in between the IMPEP reviews to remain knowledgeable of the status of radiation control programs between IMPEP reviews.

The NRC takes a graded approach to address programmatic weaknesses in Agreement State programs. Program improvement measures may include monitoring, heightened oversight, probation, or temporary suspension. Under these enhanced oversight processes, the NRC

works collaboratively with the Agreement States to ensure that they have a full understanding of the issues that need to be addressed, and that appropriate corrective actions are implemented to progress toward reestablishing satisfactory program performance.

During CY 2022, the NRC and its Agreement State partners conducted 11 in-person IMPEP reviews with the support of 22 Agreement State personnel. In-person inspector accompaniments were conducted for all CY 2022 IMPEP reviews. In addition to the in-person inspector accompaniments, the Mississippi IMPEP team member also conducted a remote inspector accompaniment because Mississippi had one inspector who was solely focused on performing remote inspections of priority 5 licensees. The NRC also conducted 15 hybrid MRB meetings with the support of 12 Agreement State personnel. Five of these MRB meetings were for IMPEP reviews that were conducted in CY 2021.

## **AGREEMENT STATE PROGRAM PERFORMANCE**

This section discusses the status of radiation control programs that were identified as needing enhanced NRC oversight, such as probation or heightened oversight, or needing other improvements during CY 2022. The NRC increases communication with these Agreement State programs to facilitate improvement in program weaknesses. Heightened oversight involves the development of a Program Improvement Plan (PIP) and periodic conference calls between the NRC and the Agreement State program. Probation, if approved by the Commission, involves all the activities for heightened oversight plus a notification to the Governor, issuance of a press release and *Federal Register Notice*, and greater frequency of engagement. Programs in these two categories are summarized in Attachment 1, “Enhanced Oversight Status Chart.”

### **Agreement State Programs Needing Enhanced NRC Oversight**

#### *Mississippi*

Following its February 2022 IMPEP review, the Mississippi Agreement State Program was found adequate to protect public health and safety, but needs improvement, and not compatible with the NRC’s regulatory program due to an overall decline in performance and significant deficiencies ([ML22178A114](#)). The MRB Chair found Mississippi’s performance to be satisfactory but needs improvement (SBNI) for two performance indicators: Technical Staffing and Training; and Legislation, Regulations, and Other Program Elements. The MRB Chair found Mississippi’s performance to be unsatisfactory (UNSAT) for four performance indicators: Status of Materials Inspection Program; Technical Quality of Inspections; Technical Quality of Licensing Actions; and Technical Quality of Incident and Allegation Activities. The identified weaknesses were of such safety significance that assurance of the Mississippi’s ability to protect public health and safety was degraded. Increased oversight by the NRC was required to confirm program improvements. Specific to compatibility, the use of non-standard license conditions had the potential to create gaps, conflicts, duplication, or other conditions that could jeopardize an orderly pattern in the collective national effort to regulate agreement materials.

Based on the results of the 2022 IMPEP review, the Commission placed Mississippi on Probation ([ML22265A228](#)). Probation allows the NRC to remain closely involved with Mississippi as they implement corrective actions to improve performance. Probation only involves the 274b Agreement between the NRC and the State of Mississippi involving the use of radioactive materials by medical, industrial, commercial, and academic facilities, and is not expected to impact other State responsibilities pertaining to emergency preparedness at commercial nuclear power plants. Probation required the preparation and approval of a PIP

([ML22224A078](#)), participation in monthly conference calls, and submission of routine PIP updates prior to each call. The NRC and Mississippi meet monthly to assess Mississippi's progress in completing the corrective actions outlined in their PIP. Mississippi is making progress on addressing these corrective actions. The NRC conducted an IMPEP review of Mississippi in February 2023, and the MRB is scheduled to be conducted in June 2023.

### *Washington*

Following its April 2022 IMPEP review, the Washington Agreement State Program was found adequate to protect public health and safety, but needs improvement, and not compatible with the NRC's regulatory program due to a decline in performance ([ML22206A205](#)). The MRB Chair found Washington's performance satisfactory (SAT) for four performance indicators: Status of Materials Inspection Program; Sealed Source and Device (SS&D) Evaluation Program; Low-Level Radioactive Waste (LLRW) Disposal Program; and Uranium Recovery Program. The MRB Chair also found Washington's performance SBNI for the following three performance indicators: Technical Staffing and Training; Technical Quality of Inspections; and Legislation, Regulations, and Other Program Elements. The MRB Chair found Washington's performance UNSAT for the following two performance indicators: Technical Quality of Licensing Actions and Technical Quality of Incident and Allegation Activities. Specific to compatibility, Washington's training and qualification, licensing, and allegation and incident response procedures were not compatible with the NRC. As such, the MRB Chair determined that these performance issues had the potential to create gaps, conflicts, duplication, or other conditions that could jeopardize an orderly pattern in the collective national effort to regulate agreement materials.

Based on the results of the 2022 IMPEP review, Washington was placed on heightened oversight, which required the preparation and approval of a PIP ([ML22277A838](#)), participation in bimonthly conference calls with the NRC, and submission of routine PIP updates prior to each call. Washington has made progress on completing some of the corrective actions outlined in their PIP. However, since the 2022 IMPEP review, Washington has experienced significant staff turnover and retention challenges that have delayed progress on several recovery actions. The NRC continues to monitor the situation closely, including two in-person meetings between NRC and Washington management and increasing call frequency from bimonthly calls to monthly calls. The NRC has also prioritized training for new staff. The NRC is scheduled to conduct a follow-up IMPEP review of the less than SAT performance indicators in April 2024.

### *New York*

Following its July 2022 IMPEP review, the New York Agreement State Program was found adequate to protect public health and safety, but needs improvement, and not compatible with the NRC's regulatory program due to a decline in performance ([ML22353A062](#)). The MRB Chair found New York's performance SAT for five performance indicators: Technical Staffing and Training, Status of Materials Inspection Program, Technical Quality of Inspections, Technical Quality of Licensing Actions, and Technical Quality of Incident and Allegation Activities. The MRB Chair found New York's performance SBNI for two performance indicators: SS&D Evaluation Program and the LLRW Disposal Program. The MRB Chair found New York's performance UNSAT for the performance indicator Legislation, Regulations, and Other Program Elements. In the 2018 and 2022 IMPEP reviews, New York's Department of Environmental Conservation and Department of Health had numerous overdue regulations. The New York City Department of Health and Mental Hygiene, in contrast, had adopted regulations by reference

and were up to date. The MRB Chair determined that these performance issues had the potential to create gaps, conflicts, duplication, or other conditions that could jeopardize an orderly pattern in the collective national effort to regulate agreement materials.

Based on the results of the 2022 NRC review, New York was placed on heightened oversight, which required the preparation and approval of a PIP ([ML23073A216](#)), participation in bimonthly conference calls with the NRC, and submission of routine PIP updates prior to each call. The NRC and New York meet bimonthly to assess New York's progress in completing the corrective actions outlined in their PIP. The NRC is scheduled to conduct a follow-up IMPEP review of the less than SAT performance indicators in September 2024.

### *Rhode Island*

Following its October 2021 IMPEP review, the Rhode Island Agreement State Program was found adequate to protect public health and safety, but needs improvement, and compatible with the NRC's regulatory program. Rhode Island was moved from a period of monitoring to a period of heightened oversight due to significant management turnover and declining performance associated with the Technical Quality of Licensing Actions indicator ([ML22032A318](#)). The MRB Chair found Rhode Island's performance SAT for four performance indicators: Status of Materials Inspection Program, Technical Quality of Inspections, Technical Quality of Incident and Allegation Activities, and Legislation, Regulations, and Other Program Elements. The MRB Chair found Rhode Island's performance SBNI for one performance indicator Technical Staffing and Training, and UNSAT for one performance indicator Technical Quality of Licensing Actions.

Based on the results of the 2021 IMPEP review, Rhode Island was placed on heightened oversight, which required the preparation and approval of a PIP ([ML22101A121](#)), participation in bimonthly conference calls, and the submission of routine PIP updates prior to each call. The NRC and Rhode Island met quarterly to assess Rhode Island's progress in completing the corrective actions outlined in their PIP. Rhode Island made progress in completing the corrective actions outlined in their PIP, as documented in the November 2022, periodic meeting summary ([ML23067A428](#)). As a result of the MRB associated with the periodic meeting, the MRB Chair directed that the next IMPEP review be conducted in October 2023, as scheduled.

## **Agreement State Programs Needing Improvement**

### *Florida*

Following its June 2019 IMPEP review, the Florida Agreement State Program was found adequate to protect public health and safety, but needs improvement, and not compatible with the NRC's regulatory program ([ML19262D631](#)). The MRB Chair found Florida's performance SAT for five indicators: Technical Staffing and Training, Status of Materials Program, Technical Quality of Licensing, Technical Quality of Incidents and Allegations, and SS&D Evaluation. The MRB Chair found Florida's performance SBNI for Technical Quality of Inspections. The MRB Chair also found Florida's performance UNSAT for the Legislation, Regulations, and Other Program Elements (formerly Compatibility Requirements) performance indicator. The MRB Chair determined that the declining performance was mainly due to a loss of institutional knowledge and training issues.



During the July 2020 and June 2022 periodic meetings, the NRC staff determined that Florida continued making progress in addressing corrective actions regarding concerns identified during the 2019 IMPEP review. The NRC also noted that Florida was fully staffed in licensing and inspection. Florida was effectively managing its licensing and inspection activities and responded to incidents and allegations as appropriate. During the pandemic, Florida continued to address licensing actions but suspended on-site inspections; however, Florida has since resumed conducting on-site inspections. Florida also developed a plan to review regulations monthly and to prioritize addressing overdue regulations. The NRC is scheduled to conduct an IMPEP review in June 2023, and the MRB is scheduled to be conducted in October 2023.

### *North Carolina*

Following its 2022 IMPEP review, North Carolina's performance was found UNSAT for the performance indicator Legislation, Regulations, and Other Program Elements and North Carolina was found not compatible with the NRC's regulatory program. North Carolina had two regulation amendments overdue and had not addressed numerous outstanding compatibility comments. Several of those comments were significant and could impact regulations designated as compatibility category B. As such, the MRB Chair determined that these performance issues had the potential to create gaps, conflicts, duplication, or other conditions that could jeopardize an orderly pattern in the collective national effort to regulate agreement materials. North Carolina has been working on a re-adoption of its rules to incorporate by reference all parts of 10 CFR required for compatibility. North Carolina's current plan to address these issues extends through 2025. This will be evaluated during the next IMPEP review in May 2026.

## **HEALTH OF THE NATIONAL MATERIALS PROGRAM**

Overall NMP performance may be measured using the IMPEP review performance indicator results and overall adequacy and compatibility. NMP performance continues to be strong, as measured by the IMPEP.

### **Performance Indicator Results**

During the last 5 years, the NRC and its Agreement State partners have conducted 41 IMPEP reviews, evaluating 280 performance indicators. During the last 5 years, the NRC also conducted three follow-up IMPEP reviews, evaluating four performance indicators. Based on the most recent IMPEP and follow-up IMPEP review results for each of the radiation control programs that constitute the NMP, 253 performance indicators (90 percent) were found SAT, 17 performance indicators (6 percent) were found SBNI, and 10 performance indicators (4 percent) were found UNSAT.

In CY 2022, the NRC and its Agreement State partners conducted 11 IMPEP reviews, evaluating a total of 81 performance indicators. During CY 2022, 60 of the performance indicators (74 percent) were found SAT, 12 performance indicators (15 percent) were found SBNI, and 9 performance indicators (11 percent) were found UNSAT.

This large number of unsatisfactory performance indicators also led to the NRC missing a Congressionally reported performance metric. This metric is met only if zero materials programs have more than one UNSAT performance indicator. In calendar year 2022, both Mississippi and Washington had more than one UNSAT indicator, as discussed above. To improve communications and proactively address challenges before unsatisfactory performance is

identified in an IMPEP review, the NRC and Organization of Agreement States chartered a joint IMPEP self-assessment working group in November 2022. The working group’s recommendations are expected to be developed by July 2023. In addition, the NRC and the Organization of Agreement States have significantly increased their actions across the NMP when performance issues are identified, including additional management engagement, assistance visits, and providing additional training opportunities.

Attachment 2 provides a summary of the most recent IMPEP findings and associated adequacy and compatibility results for each of the radiation control programs that constitute the NMP. As shown in this attachment, the most challenging performance indicators were the non-common performance indicator Legislation, Regulations, and Other Program Elements (LROPE) and the Technical Quality of Licensing Actions (TQLA). For LROPE, five radiation control programs were found SBNI for this performance indicator and three radiation control programs were found UNSAT. This represents a slight increase in the number of SBNI ratings attributed to issues associated with the other program elements (e.g., non-standard license conditions) not being compatible and regulations not being adopted in the required 3-year time frame. For TQLA, three radiation control programs were found SBNI and three radiation control programs were found UNSAT. This represents an increase in the number of UNSAT ratings where radiation control programs were not following the NUREG-1556 licensing guidance. The IMPEP self-assessment working group noted above will be evaluating potential performance trends and offering recommendations to address these trends.

### Adequacy and Compatibility Status in the National Materials Program

Over the last 5 years, 88 percent of the NMP were adequate to protect public health and safety (34 Agreement State programs and the NRC program). In addition, 87 percent of Agreement State programs were compatible with the NRC’s regulatory program. Table 1 provides a summary of the adequacy and compatibility results for the radiation control programs over the last 5 years. These results provide the NRC confidence in nationwide reasonable assurance of adequate protection of public health and safety.

<b>Table 1. Adequacy and Compatibility Results CY 2018 – CY 2022</b>					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>National Materials Programs (Number of NRC and Agreement State Programs)</b>	42	43	43	40	40
<b>Agreement State Programs</b>	38	39	39	39	39
<b>Adequate to Protect Public Health and Safety</b>	38	39	40	37	34
<b>Adequate to Protect Public Health and Safety, But Needs Improvement</b>	4	4	3	3	5
<b>Not Adequate to Protect Public Health and Safety</b>	0	0	0	0	0
<b>Compatible with the NRC’s Regulatory Program</b>	36	36	37	37	34
<b>Not Compatible with the NRC’s Regulatory Program</b>	2	3	2	2	5

## **CONCLUSION**

The NMP's performance remains protective of public health and safety. All programs are adequate to protect public health and safety, with a few needing improvements, and most programs have legislation, regulations, and guidance compatible with the NRC's regulatory program. The IMPEP continues to be an effective tool to verify that NRC and Agreement State programs are evaluated in a consistent and integrated manner. The NRC and its regulatory partners continue to effectively implement the program in a flexible, resilient, and innovative manner to accomplish our mission, despite challenges presented by the pandemic. The Agreement States continue to play a valuable role with respect to ensuring consistent implementation of the NMP in protecting the public health and safety with respect to the safe and secure use of radioactive materials.

### Attachments:

1. Enhanced Oversight Chart
2. Summary of National Materials Program Performance Indicator Findings and Adequacy and Compatibility

**ENHANCED OVERSIGHT CHART**  
(As of April 4, 2023)

<b>AGREEMENT STATE</b>	<b>LAST IMPEP REVIEW</b>	<b>OVERSIGHT ACTIVITIES</b>	<b>NEXT IMPEP REVIEW</b>
<b>PROBATION</b>			
<b>Mississippi</b>	February 2022	Oversight calls began September 2022	February 2023 <sup>1</sup>
<b>HEIGHTENED OVERSIGHT</b>			
<b>Rhode Island</b>	October 2021	Oversight calls began May 2022	October 2023
<b>Washington</b>	April 2022	Oversight calls began September 2022 <sup>2</sup>	April 2024
<b>New York</b>	July 2022	Oversight calls began March 2023	July 2024

<sup>1</sup> The Mississippi IMPEP review was conducted on February 27 – March 3, 2023, and the Management Review Board is scheduled for June 15, 2023.

<sup>2</sup> Washington heightened oversight call frequency was increased from bimonthly to monthly in March 2023.

**Summary of National Materials Program Performance Indicators  
Findings and Adequacy and Compatibility  
(As of April 4, 2023)**

AGREEMENT STATE/NRC MATERIALS PROGRAM	CALENDAR YEAR OF LAST FULL IMPEP REVIEW CONDUCTED	COMMON PERFORMANCE INDICATORS					NON-COMMON PERFORMANCE INDICATORS				OVERALL PROGRAM RATING		NEXT IMPEP REVIEW (CY)
		Technical Staffing and Training	Status of Material Inspection Program	Technical Quality of Inspections	Technical Quality of Licensing Actions	Technical Quality of Incident and Allegation Activities	Legislation, Regulations, and Other Program Elements	Seal Source and Device Evaluation Program	Uranium Recovery	Low-Level Waste Disposal Program	ADEQUACY	COMPATIBILITY	
Alabama	2019	SAT <sup>1</sup>	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2023
Arizona	2019	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
Arkansas	2022	SAT	SAT	SAT	SBNI <sup>2</sup>	SAT	SAT				Adequate	Compatible	2024
California	2019	SAT	SAT	SAT	SAT	SAT	SAT	SAT			Adequate	Compatible	2024
Colorado	2022	SAT	SAT	SAT	SAT	SAT	SAT	SAT	SAT		Adequate <sup>3</sup>	Compatible <sup>4</sup>	2027
Florida	2019	SAT	SAT	SBNI	SAT	SAT	UNSAT <sup>5</sup>	SAT			ABNI <sup>6</sup>	NC <sup>7</sup>	2023
Georgia	2020	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
Illinois	2018	SAT	SAT	SAT	SAT	SAT	SAT	SAT	SAT		Adequate	Compatible	2023
Iowa	2022	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2027
Kansas	2020	SAT	SAT	SAT	SAT	SAT	SBNI				Adequate	Compatible	2024
Kentucky	2020	SAT	SAT	SAT	SAT	SAT	SBNI	SAT		SAT	Adequate	Compatible	2024
Louisiana	2021	SAT	SAT	SAT	SAT	SAT	SAT	SAT			Adequate	Compatible	2025
Maine	2019	SAT	SAT	SAT	SAT	SAT	SBNI	SAT			Adequate	Compatible	2023
Maryland	2022	SAT	SAT	SAT	SBNI	SAT	SAT	SAT			Adequate	Compatible	2025
Massachusetts <sup>8</sup>	2022	SAT	SAT	SAT	SAT	SAT	SAT	SAT			Adequate	Compatible	2027
Minnesota	2021	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2025
Mississippi	2022	SBNI	UNSAT	UNSAT	UNSAT	UNSAT	SBNI				ABNI	NC	2023
Nebraska	2021	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2025

<sup>1</sup> Satisfactory (SAT)

<sup>2</sup> Satisfactory, but needs improvement (SBNI)

<sup>3</sup> Adequate to protect public health and safety (Adequate)

<sup>4</sup> Compatible with NRC's regulatory program (Compatible)

<sup>5</sup> Unsatisfactory (UNSAT)

<sup>6</sup> Adequate to protect public health and safety, but needs improvement (ABNI)

<sup>7</sup> Not Compatible with NRC's regulatory program (NC)

<sup>8</sup> The Mississippi IMPEP review was conducted February 27 – March 3, 2023, and the Management Review Board is scheduled for June 15, 2023

**NRC and Agreement State Radioactive Materials Program Findings for  
Performance Indicators and Adequacy and Compatibility**  
(As of April 4, 2023)

AGREEMENT STATE/NRC MATERIALS PROGRAM	CALENDAR YEAR OF LAST FULL IMPEP REVIEW CONDUCTED	COMMON PERFORMANCE INDICATORS					NON-COMMON PERFORMANCE INDICATORS				OVERALL PROGRAM RATING		NEXT IMPEP REVIEW (CY)
		Technical Staffing and Training	Status of Material Inspection Program	Technical Quality of Inspections	Technical Quality of Licensing Actions	Technical Quality of Incident and Allegation Activities	Legislation, Regulations, and Other Program Elements	Seal Source and Device Evaluation Program	Uranium Recovery	Low-Level Waste Disposal Program	ADEQUACY	COMPATIBILITY	
Nevada	2021	SAT	SAT	SAT	SAT	SAT	SAT			SAT	Adequate	Compatible	2027
New Hampshire	2021	SAT	SAT	SAT	SAT	SAT	SAT	SAT			Adequate	Compatible	2026
New Jersey	2019	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
New Mexico	2021	SAT	SAT	SAT	SBNI	SAT	SAT				Adequate	Compatible	2025
New York	2022	SAT	SAT	SAT	SAT	SAT	UNSAT	SBNI		SBNI	ABNI	NC	2024
North Carolina	2022	SAT	SAT	SAT	SAT	SAT	UNSAT	SBNI			Adequate	NC	2026
North Dakota	2019	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
Ohio	2019	SAT	SAT	SAT	SAT	SAT	SAT	SAT			Adequate	Compatible	2024
Oklahoma	2018	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2023
Oregon	2021	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2026
Pennsylvania	2019	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
Rhode Island	2021	SBNI	SAT	SAT	UNSAT	SAT	SAT				ABNI	Compatible	2023
South Carolina	2022	SAT	SAT	SAT	SAT	SAT	SAT	SAT		SAT	Adequate	Compatible	2027
Tennessee	2021	SAT	SAT	SAT	SAT	SAT	SAT	SAT			Adequate	Compatible	2026
Texas	2022	SAT	SAT	SAT	SAT	SAT	SAT	SAT	SAT	SAT	Adequate	Compatible	2026
Utah	2019	SAT	SAT	SAT	SAT	SAT	SAT		SAT	SAT	Adequate	Compatible	2023
Vermont	2021	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2025
Virginia	2020	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2025
Washington	2022	SBNI	SAT	SBNI	UNSAT	UNSAT	SBNI	SAT	SAT	SAT	ABNI	NC	2024
Wisconsin	2019	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
Wyoming	2020	SAT	SAT	SAT	SAT	SAT	SAT				Adequate	Compatible	2024
NRC	2021	SAT	SAT	SAT	SAT	SAT		SAT	SAT		Adequate	N/A	2026