

MEMORANDUM TO: Management Review Board Members:

Carl J. Paperiello, EDO
Paul H. Lohaus, OSP
William F. Kane, NMSS
Karen D. Cyr, OGC

NOV 4 1999

FROM: Kathleen N. Schneider, Senior Project Manager
Office of State Programs *Original signed by: K. N. Schneider*

SUBJECT: CONSIDERATION OF NORTH DAKOTA'S REQUEST
REGARDING THE FY 2000 FOLLOW-UP IMPEP REVIEW

The State of North Dakota has made a request that staff plans to seek guidance from the Management Review Board (MRB) at the November 9, 1999 MRB meeting.

NRC conducted an Integrated Materials Performance Evaluation Program (IMPEP) review of North Dakota's agreement program on April 13-16, 1999. The review team identified problems regarding the Status of Materials Inspection Program performance indicator. The team's recommendation to the MRB was a finding of unsatisfactory for that indicator. The MRB determined, based on North Dakota's corrective actions, to upgrade the finding to satisfactory with recommendations for improvement. The MRB directed that a follow-up review be conducted on North Dakota's program for only the Status of Materials Inspection Program indicator. This follow-up review is currently scheduled for July 2000. Normally, follow-up reviews are conducted onsite.

North Dakota has requested that the follow-up review be conducted by teleconference and mail. The State notes that since the indicator is predominantly a quantitative measurement, it could easily be reviewed in this manner. North Dakota reiterated that their questionnaire response prior to the IMPEP review was forthcoming with respect to overdue inspections, late inspection reports and other pertinent information.

The review team leader, the Regional State Agreements Officer and the OSP Agreement State Project Officer have discussed North Dakota's request. They note that conducting the follow-up review as the State requests may provide benefits and cost savings to both North Dakota and NRC. However, they also believe that advantages of performing an onsite review, such as access to inspection files and records and face-to-face discussions, outweighs the potential savings of a teleconference/mail follow-up review.

The MRB did not specify in the final report that the follow-up review must be conducted onsite. However, it is our current practice to conduct follow-up reviews at the Agreement State program office.

Staff is requesting the MRB's consideration and guidance as to North Dakota's request for a teleconference and mail follow-up review. We plan to discuss this issue at the November 9, 1999 MRB meeting.

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

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