

December 18, 1998

FOR: The Commissioners

FROM: William D. Travers /s/  
Executive Director for Operations

SUBJECT: EFFECTIVENESS OF CRITERIA FOR FUNDING AGREEMENT STATE TRAINING

## PURPOSE:

To provide an evaluation of the effectiveness of criteria for funding Agreement State training during fiscal year 1998 and report on the actions taken in response to Staff Requirements Memorandum (SRM)-SECY-97-183, dated November 19, 1997.

## BACKGROUND:

In SRM-SECY-97-183, the Commission approved the proposed criteria for evaluating Agreement State requests for NRC funding of training and associated travel with modification as directed in the SRM. The Commission directed the staff to develop an additional criterion which would establish a limit on the total number of training requests that the NRC will approve for an individual State over a three-year period to ensure that States do not rely upon NRC funding as a matter of routine. The Commission also established a relative priority for class admission and directed the staff to inform the Agreement States of the new criteria. The staff provided the new criteria and training admission priority to the Agreement States by letter dated December 12, 1997 ([Attachment 1](#)).

The Commission also directed that, at the conclusion of FY 1998, the staff should conduct its initial evaluation of the effectiveness of the criteria and their application over the 12-month period and propose modifications to the criteria or their application, as needed.

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## DISCUSSION:

**State Requests For Assistance:**

Following the issuance of the December 12, 1997 All Agreement States letter, four States (Iowa, Kansas, New Mexico, and Texas) inquired by telephone about submitting funding assistance requests. Iowa and Kansas did not submit any written requests. Texas submitted a request dated January 23, 1998. The staff evaluated this request and asked for additional information by letter dated March 5, 1998. Texas has not pursued their request further.

New Mexico submitted a request dated April 15, 1998 from Mark E. Weidler, Secretary, New Mexico Environment Department. The staff responded by letter dated June 11, 1998 identifying additional information needed from the State to make the determination of their need for training and to evaluate the demonstration of State need for NRC funding. The State responded by letter dated August 18, 1998 from Mr. Peter Maggiore, Acting Secretary, supplying the requested information. The staff evaluated their request and found that they qualified for NRC funding assistance in the amount of \$12K. The approval was sent to the State by letter dated September 28, 1998 (See [Attachment 2](#)). New Mexico has subsequently submitted a list of courses that they would like assistance in attending, and they have also submitted applications to attend some of those courses. To supplement NRC training, New Mexico has also used their licensees and Los Alamos Science Laboratory to present seminars and other training to familiarize the New Mexico staff with specific radiation technologies used in the State (e.g., irradiator technology).

**State Participation in NRC Training:**

During FY 1998, NRC offered 18 courses with a total of 32 sessions that are of particular benefit for Agreement State radioactive materials regulatory program personnel. The Agreement States sent a total of 314 individuals to these courses. The Agreement State staff were approximately 49% of the total attendees for these courses. Eighty-six of these students paid tuition to attend the NRC courses and the others attended on a space available basis. The total amount collected from Agreement States for tuition payments during FY 1998 was \$106,309. These funds were used to reduce the NRC's direct FY 1998 expenses for technical training.

As a point of comparison, the Agreement State participation in NRC training courses for FY 1995 - 1997 follows. The NRC announced in mid FY 1995 that it would discontinue funding for NRC training courses in FY 1997 with limited assistance to those States that would not have the opportunity to request funding from their legislatures for their training needs. Four States requested and were granted this consideration. There were 270 Agreement State staff trained in FY 1995, 340 in FY 1996, and 140 in FY 1997. The lower number of students in FY 1997 reflects the fact that the Agreement States had not received sufficient funding for their training needs and the number of students in FY 1998 indicates that additional funding was available for most States.

A few States (Florida, Massachusetts) have used the recommendations in the NRC/OAS Training Working Group report and have developed in-house courses or have contracted for some of their training needs. Most State radiation control programs have requested additional funding for training from their State legislatures and received sufficient funds to cover their needs. Other State programs have requested additional funding from their legislatures and have been denied any significant additional funds (Kansas, Texas).

**Conclusion:**

The staff does not recommend any changes to the current policy for funding of Agreement State training. The staff considers the current policy to be working effectively. The Commission Agreement State funding policy has been effective in increasing Agreement State acceptance of the programmatic responsibility to plan for and fund training of their staff. It has also provided a means, where necessary, for limited, short-term funding assistance to States experiencing extreme hardship or limitations in their efforts to fund their staff training. The majority of the Agreement States have either developed their own training, contracted with outside training firms, or attended NRC training (either tuition paying or space available). Only a few course sessions were full and could not accommodate all the Agreement State training requests. This situation has been typical of the training program historically. These students can usually be accommodated in the next training cycle.

The Office of State Programs (OSP) has reduced its budget for funding assistance to Agreement States from \$150K in 1998 to \$100K in FY 1999 and FY 2000. Since the Texas request was not pursued further and the New Mexico request was approved at the end of FY 1998, no FY 1998 funds were expended to assist Agreement State training hardship cases. The uncertainty of whether Texas is going to pursue its request further has made it difficult to adjust the budgeted amount since the original Texas request was for \$50K support from NRC. This along with the uncertainty of other States that may also pursue a request resulted in the budgeted amount of \$100K for FY 1999 and FY 2000. If no further requests are received, this amount will be reduced further as an adjustment to the FY 2000 budget, as well as a lower value for the FY 2001 budget proposal.

#### RESOURCES:

The resources in OSP's and the Office for Analysis and Evaluation of Operational Data's (AEOD) budgets are sufficient to support the current training needs.

#### COORDINATION:

The Office of General Counsel has no legal objection to this paper. The Office of the Chief Financial Officer has reviewed this Commission paper for resource implications and has no objections.

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#### Attachments:

1. December 12, 1997 All Agreement States Letter
2. September 28, 1998 Letter to New Mexico