



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

January 19, 2024

ALL AGREEMENT STATES, CONNECTICUT, INDIANA, WEST VIRGINIA

SUBJECT: ISSUANCE OF MATERIALS INSPECTION PROCEDURES ASSOCIATED WITH
INSPECTION MANUAL CHAPTER 2800 - MATERIALS INSPECTION PROGRAM
(STC-24-005)

Purpose: To inform the Agreement States of the issuance of three revised inspection procedures (IPs) issued by the Office of Nuclear Material Safety and Safeguards (NMSS) associated with Inspection Manual Chapter (IMC) 2800, "Materials Inspection Program." These IPs are a program element that are a matter of compatibility for the Agreement States and this letter provides additional information resulting from the Standing Committee on Compatibility (SCC) review.

Background: The U.S. Nuclear Regulatory Commission (NRC) formed a working group composed of NRC and Agreement State members to revise the routine IPs to incorporate more risk and performance insights into the materials inspection program. This effort benefits from extensive inspection experience of the NRC and Agreement States members and is using previous materials inspection information, including enforcement issues, to support the changes being made during the Phase 3 activities. The working group issued the first ten IPs on April 26, 2022. The revised IPs are accessible the agency's [Inspection Procedures webpage](#). The letter STC-22-028 dated May 5, 2022, provided notification of the issuance of these 10 IPs and the compatibility determination from the Standing Committee on Compatibility (the Committee).

Discussion: In addition to the 10 IPs revised in 2022, the working group revised three materials inspection procedures. These inspection procedures were issued on December 21, 2023, with an effective date of January 29, 2024, for NRC staff. Noted below are these three recently issued procedures with associated Agencywide Documents Access and Management System (ADAMS) Accession numbers.

- IP 87121, "Industrial Radiography Programs" ([ML23328A053](#))
- IP 87122, "10 CFR Part 36–Panoramic Dry-Source-Storage, Panoramic Wet-Source-Storage, and Underwater Irradiator Programs" ([ML23328A197](#))
- IP 87125, "Materials Processor/Manufacturer Programs" ([ML23328A025](#))

Results from the Standing Committee on Compatibility Review:

The staff provided the first 10 IPs to the SCC for their review and compatibility determination. The Committee's review was conducted in accordance with the "Agreement State Program Policy Statement" (82 FR 48535); October 18, 2017, and the categorization process for NRC program elements in NRC Management Directive 5.9 "Adequacy and Compatibility of Program Elements for Agreement State Programs."

The Committee made the following determinations:

1. That IPs are a program element that are a matter of compatibility, i.e., designated as Compatibility Category C.
2. That the essential objective is stated in Section 01.01 of each procedure. i.e., "To determine if licensed activities are being conducted in a manner that will protect the health and safety of workers and the general public." For the Agreement States to implement this essential objective, their IPs should provide sufficient guidance and be of sufficient scope for an inspector to make that health and safety determination. The risk-informed, performance-based approach incorporated into these revisions of the procedures will serve to efficiently focus the activities of the inspector on the most risk significant aspects for each type of licensed activity.
3. That the implementation date for the Agreement States be extended to 1-year from the issuance of the letter transmitting the final procedures.

The Committee made the following recommendations:

1. That the letter transmitting the final procedures to the Agreement States contains the Committees' determinations as stated above.
2. That the working group communicate to the Agreement States practical advice or guidance as to what and how they need to adopt to maintain a compatible inspection program.
3. The additional IPs revised by the working group do not require Committee review provided the above two recommendations are followed.

In summary, the Committee determined that the IPs continue to be a matter of compatibility under the Inspection program element. These procedures continue to be designated as Compatibility Category C. In accordance with NRC Management Directive 5.9 and the determinations from the Committee, the adoption of these procedures by the Agreement States is required within 12 months of the date of this STC letter.

Further, following the Committee recommendations, the NRC staff has issued three additional IPs, in December 2023, as referenced above, without needing a Committee review.

If you have any questions regarding this communication, please contact the individual named below:

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Signed by Giantelli, Adelaide
on 01/19/24

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STC 24-005 ISSUANCE OF MATERIALS INSPECTION PROCEDURES ASSOCIATED WITH INSPECTION MANUAL CHAPTER 2800 - MATERIALS INSPECTION PROGRAM DATE January 19, 2024

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