

(STP-05-019, March, Program, SA-118)

March 8, 2005

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA

FINAL STP PROCEDURE SA-118, "ORIENTATION MEETINGS FOR NEW AGREEMENT STATES" (STP- 05-019)

On February 23, 2005, the Office of State and Tribal Programs (STP) completed its revision of STP Procedure SA-118, *Orientation Meetings for New Agreement States*. The final procedure along with the redline/strikeout version of the final procedure and the Resolution of Comments can be found at: <http://www.hsr.d.gov/nrc/procfm.htm>. This procedure incorporates and documents current practices and reflects Agreement State comments received in response to our May 7, 2004, All Agreement States Letter [STP-04-035](#) and comments received from NRC Offices.

If you have any questions regarding this communication, please contact me at 301-415-3340 or the individual named below.

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STP Procedure Approval

Orientation Meetings for New Agreement States

SA-118

Issue Date: March 9, 2005

Expiration Date: March 9, 2008

Paul H. Lohaus
Director, STP

Original signed

Date: 3/9/2005

Aaron T. McCraw
Procedure Contact, STP

Original signed

Date: 3/3/2005

NOTE

The STP Director's Secretary is responsible for the maintenance of this master copy document as part of the STP Procedure Manual. Any changes to the procedure will be the responsibility of the STP Procedure Contact.



Procedure Title:
Orientation Meetings for New Agreement States
Procedure Number: SA-118

Page: 1 of 10

Issue Date:

I. INTRODUCTION

This procedure describes the general objectives and process to be followed when scheduling, staffing, conducting, and documenting an orientation meeting with a new Agreement State.

II. OBJECTIVES

- A. Designate the timing of an orientation meeting with a new Agreement State.
- B. Establish the procedures for scheduling and conducting a one-day orientation meeting with a new Agreement State.
- C. Identify the NRC and Agreement State staff who should participate in an orientation meeting, including the staff responsible for conducting the meeting.
- D. Define the scope of activities and areas for discussion during an orientation meeting.
- E. Establish the methods and timing for documenting and communicating the results of an orientation meeting to a new Agreement State.
- F. Specify the correct steps to take when concerns are identified during an orientation meeting.
- G. Establish mechanisms to communicate orientation meeting results to the Management Review Board (MRB).

III. BACKGROUND

For new Agreement States, an orientation meeting will be held with the State after the signing of the Agreement and prior to the first program review. This meeting will be used to gain an understanding of the State's program status when evaluated against the criteria of [Management Directive \(MD\) 5.6, *Integrated Materials Performance Evaluation Program \(IMPEP\)*](#) and to identify any concerns or issues during the initial implementation of the Agreement prior to the first IMPEP review.

IV. ROLES AND RESPONSIBILITIES

A. IMPEP Project Manager:

1. Informs each Regional State Agreements Officer (RSAO) of the State(s) requiring orientation meetings along with the proposed IMPEP review schedule for each year.
2. Identifies any meeting action items that have not been resolved at the time the meeting summary letter is dispatched and notifies the Office of State and Tribal Programs (STP) controlled ticket coordinator to formally ticket and assign any necessary action items.
3. Coordinates and schedules discussion of the final orientation meeting summary report at an MRB meeting.

B. Regional State Agreements Officer (RSAO):

1. Schedules orientation meetings with new Agreement States in his/her Region.
2. Coordinates a meeting date with the Agreement State program management and the STP Agreement State Project Officer (ASPO).
3. Informs STP management, the IMPEP Project Manager, and appropriate Regional management of the meeting date.
4. Develops a draft agenda for the meeting with Agreement State program management.
5. Issues, once a proposed meeting date has been chosen, a letter to the Agreement State Radiation Control Program Director a minimum of sixty (60) days before the meeting confirming the meeting date. The letter should include the draft agenda that was developed in coordination with Agreement State program management, as well as a request for any comments on the draft agenda and additional meeting discussion topics. Appropriate Regional management, the Deputy Director of STP, the ASPO, and the IMPEP Project Manager should be on distribution for the letter. (See Appendix A for a sample orientation meeting confirmation letter.)

6. Schedules and plans the meeting to ensure that State attendance will include at least one radiation control program representative who can speak on behalf of the Agreement State program. Preferably, the Agreement State Radiation Control Program Director will attend the meeting. Agreement State program staff attendance at the meeting will be determined by the Agreement State.
7. Becomes familiar with the new Agreement State program prior to the meeting. The RSAO should review the final staff assessment of the proposed Agreement State program. The RSAO should obtain a detailed printout of all State Nuclear Materials Event Database (NMED) data since the effective date of the Agreement. The RSAO should be familiar with all allegations and concerns referred to the State for handling since the effective date of the Agreement (obtained from the Regional Senior Allegations Coordinator, the Allegation Management System, and/or the STP Allegations Coordinator). The RSAO should also be familiar with the status of the State's regulations as detailed in the STP State Regulation Status Data Sheet and verify the status with the STP State Regulation Review Coordinator.
8. Serves as lead facilitator for the meeting. If the RSAO cannot serve as lead, the RSAO will reschedule the meeting, or request that the ASPO lead the meeting.
9. Issues a final meeting summary and sends an electronic copy to the Deputy Director of STP, appropriate Regional management, the IMPEP Project Manager, and the ASPO.
10. Leads the discussion of the orientation meeting summary report with the MRB. (The meeting's results should normally be discussed at the next scheduled MRB meeting unless significant concerns identified necessitate a special MRB meeting.)

C. Agreement State Project Officer (ASPO):

1. Attends and participates in the orientation meeting. (An alternate STP staff member may attend the meeting if the ASPO cannot attend.)
2. Coordinates and assists the RSAO in meeting preparation and development of specific information areas that should be covered during the meeting (e.g., event reporting, allegations, and status of regulations).
3. Leads the meeting if the RSAO is not in attendance, or if requested.

4. Leads the discussion of the final orientation meeting summary report with the MRB when the RSAO is not available.

D. Agreement State Radiation Control Program Director:

The Agreement State Radiation Control Program Director (or a designee) will be invited to participate in the discussion of the State's orientation meeting summary at the MRB meeting.

E. Management Review Board (MRB):

1. The MRB provides a senior level review of the results of orientation meetings. Its membership includes: Deputy Executive Director for Materials, Research, and State Programs (DEDMRS); Director, Office of Nuclear Material Safety and Safeguards (NMSS); Director, STP; the General Counsel; and an Organization of Agreement States (OAS) Liaison to the MRB. (See STP Procedure SA-106, Management Review Board and MD 5.6 for additional information on the MRB.)
2. The MRB provides direction on a course of action when concerns are identified during an orientation meeting. Direction on a course of action will be communicated directly to the Agreement State Radiation Control Program Director or his/her representative either at the MRB meeting or by letter.

V. GUIDANCE

- A. Orientation meetings with new Agreement States should take place approximately nine months after the signing of the Agreement, unless an alternative timeframe is decided upon by STP management.
- B.
 1. The orientation meeting serves as a forum to hold discussions, to exchange information, to identify areas of concern during the initial implementation for the new Agreement State program, and to assess IMPEP review planning. The orientation meeting is not a formal evaluation and is not intended to include reviews of any licensing, inspection, or incident files. Review of some documents, however, may be useful during the meeting to clarify points made in discussions (e.g., summary printouts of inspection information, close-out letters in incident files).
 2. An exception to Section V.B.1. is the review of all allegations and concerns referred to the State by the NRC in which the alleged's identity has been

withheld. The RSAO should discuss and review these allegations and concerns in depth. The RSAO and ASPO must ensure that the appropriate follow-up was taken (e.g., that the State investigated the allegations and concerns, documented the results, and provided confidentiality in accordance with State statutes, rules, and procedures). In addition, any Agreement State program or employee performance concerns referred to the State from the NRC should be discussed (See STP Procedure SA-400, *Management of Allegations*, for additional information on Agreement State performance concerns). It is not necessary to perform an in-depth review on performance concerns closed through STP Procedure SA-400.

- C. As appropriate, topic areas for discussion during the meeting should include:
1. Strengths and/or weaknesses of the State program, as identified by the State or the NRC, including identification of actions that could diminish weaknesses.
 2. State's Feedback on the NRC's program, including identification of any action that should be considered by the NRC.
 3. Status of the State program, including:
 - a. Staffing and training:
 - i) Number and adequacy of full-time equivalents (FTE) in the radioactive materials program;
 - ii) Training and qualifications of materials staff;
 - iii) Program vacancies;
 - iv) Staff turnover.
 - b. Materials Inspection Program:

Status of the inspection program, including whether an inspection backlog exists and the steps being taken to reduce the backlog.
 - c. Regulations and Legislative changes:

Status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.
 - d. Program reorganizations:

Any changes in program organization including program/staff relocations and new appointments.

- e. Changes in program budget/funding.
 - f. For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].
 - g. Status of the State's creation of financial assurance instruments for licensees that required financial assurance for decommissioning while under the NRC's regulatory authority.
4. Response to Incidents and Allegations:
- a. Status of allegations and concerns referred by the NRC for action;
 - b. Event reporting, including follow-up and closure information in the Nuclear Materials Events Database (NMED);
 - c. Significant events and generic implications.
5. Status of the following Program areas (include if applicable):
- a. Sealed Source & Device Evaluation Program;
 - b. Uranium Recovery Program;
 - c. Low-Level Waste Disposal Program.
6. Information exchange and discussion:
- a. Current State initiatives;
 - b. Emerging technologies;
 - c. Large, complicated or unusual authorizations for use of radioactive materials, including:
 - i) Panoramic and Underwater Irradiators;
 - ii) Major decommissioning and license termination actions;
 - iii) Waste processing, storage and disposal licenses;
 - iv) Licensees requiring an emergency plan.

- v.) Licensees subject to security orders.
 - d. State's mechanisms to evaluate performance (as applicable):
 - i) Self audits;
 - ii) Computer tracking;
 - iii) Inspector accompaniments;
 - iv) Other management tools.
 - e. NRC current initiatives.
7. Schedule for the first IMPEP review.
8. Other topics.
- D. As time permits, NRC staff should take the opportunity to discuss items of interest with or answer the questions of Agreement State staff not in attendance during the "business" portion of the meeting. NRC staff should also take the opportunity to introduce themselves to Agreement State staff members that they may not have previously met in interactions with the Agreement State.
- E. 1. The meeting lead should informally share, prior to its final issuance, a draft summary report with the Agreement State Radiation Control Program Director, the ASPO and any other NRC staff attending the meeting for review and comment. The meeting lead should issue and distribute the final summary letter of the meeting to the Agreement State Radiation Control Program Director within thirty (30) days and provide a copy to appropriate Regional management, the Deputy Director of STP, the ASPO, and the IMPEP Project Manager. The letter should include a list of meeting attendees, a brief synopsis of what was discussed during the meeting, and a summary identifying any key facts or changes, both positive and negative, from the meeting which could affect the focus and timing of the first IMPEP review or program implementation.
2. No specific information about any allegations or concerns discussed at the meeting that could identify an alleged should be contained in the letter. The letter should state only the number of allegations and concerns discussed and whether the casework has been handled adequately. (If an Agreement State is not handling allegations or concerns in a manner consistent with the guidance provided in [MD 8.8, *Management of Allegations*](#), the meeting lead should report this fact separately to STP management.

3. The State should be requested to provide additional comments if it believes the letter content does not accurately reflect the meeting discussions. (See Appendix B for a sample orientation meeting summary letter.)
- F. If programmatic or performance concerns are identified during the meeting:
1. The concerns should be documented in the meeting summary report and presented to the MRB as part of the discussion of the orientation meeting results.
 2. If the concerns have the potential to immediately affect public health and safety, the RSAO and ASPO should immediately inform STP and Regional management and the IMPEP Project Manager of the findings and propose a course of action. STP management should notify the Chair of the MRB about the concerns identified and the proposed course of action. Depending on the severity of the safety concern, the MRB may be convened to discuss the concerns and the proposed course of action.
 3. STP and Regional management, with input from the RSAO and the ASPO, will agree on a course of action. If the MRB was convened to discuss the safety concern, the MRB will decide and agree upon a course of action. Possible actions include altering the schedule for the first IMPEP review of the new Agreement State, conducting a special review of selected program areas, sending additional correspondence, setting up additional meetings with the State, or placing the Agreement State on monitoring. (See STP Procedure [SA-122](#) for additional information on monitoring.)
 4. Once a formal course of action has been decided, a letter signed by the Director of STP or the Chair of the MRB, as applicable, will be sent to the Agreement State Radiation Control Program Director, along with the meeting summary letter. The letter shall include an explanation of the specific course of action that will be taken, as well as a summary of the reasons supporting the decision. (See Appendix C for a sample “course of action” letter.)

VI. APPENDICES

Appendix A - Sample orientation meeting confirmation letter.

Appendix B - Sample orientation meeting summary letter.

Appendix C - Sample “course of action” letter.

VII. REFERENCES

1. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*.
2. NRC Management Directive 8.8, *Management of Allegations*.
3. STP Procedure SA-106, *Management Review Board*.
4. STP Procedure SA-122, *Heightened Oversight and Monitoring*.
5. STP Procedure SA-400, *Management of Allegations*.

Appendix A

SAMPLE ORIENTATION MEETING CONFIRMATION LETTER

Dear [Agreement State Program Director]:

In accordance with Office of State and Tribal Programs (STP) Procedure SA-118, U.S. Nuclear Regulatory Commission (NRC) staff schedules a meeting with you and members of your staff approximately nine months after the effective date of the Agreement. The purpose of this meeting is to exchange information and discuss difficulties experienced during the initial implementation of your program. During the meeting, we will also discuss planning for your first full Integrated Materials Performance Evaluation Program (IMPEP) review.

The meeting should not require more than one day. This letter confirms that, based on our previous discussions, the meeting will be held in your offices on [date]. In addition to myself, [ASPO], Office of State and Tribal Programs, as the Project Officer for [State], [and identify any other NRC staff] will be in attendance.

Based on our previous agenda planning discussions, the topics for discussion at the meeting include [add or delete topics, as appropriate, based on agenda planning discussions with the State]:

1. Strengths and/or weaknesses of the State program, as identified by the State or the NRC, including identification of actions that could diminish weaknesses.
2. State's Feedback on the NRC's program, including identification of any action that should be considered by the NRC.
3. Status of the State program, including:
 - a. Staffing and training:
 - i) Number and adequacy of full-time equivalents (FTE) in the radioactive materials program;
 - ii) Training and qualifications of materials staff;
 - iii) Program vacancies;
 - iv) Staff turnover.
 - b. Materials Inspection Program:

Status of the inspection program, including whether an inspection backlog exists and the steps being taken to reduce the backlog.
 - c. Regulations and Legislative changes:

Status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

- d. Program reorganizations:

Any changes in program organization including program/staff relocations and new appointments.
 - e. Changes in program budget/funding.
 - f. For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].
 - g. Status of the State's creation of financial assurance instruments for licensees that required financial assurance for decommissioning while under the NRC's regulatory authority.
4. Response to Incidents and Allegations:
- a. Status of allegations and concerns referred by the NRC for action;
 - b. Event reporting, including follow-up and closure information in the Nuclear Materials Events Database (NMED);
 - c. Significant events and generic implications.
5. Status of the following Program areas (include if applicable):
- a. Sealed Source & Device Evaluation Program;
 - b. Uranium Recovery Program;
 - c. Low-Level Waste Disposal Program.
6. Information exchange and discussion:
- a. Current State initiatives;
 - b. Emerging technologies;
 - c. Large, complicated or unusual authorizations for use of radioactive materials, including:
 - i) Panoramic and Underwater Irradiators;
 - ii) Major decommissioning and license termination actions;
 - iii) Waste processing, storage and disposal licenses;
 - iv) Licensees requiring an emergency plan.
 - v) Licensees subject to security orders.
 - d. State's mechanisms to evaluate performance (as applicable):
 - i) Self audits;
 - ii) Computer tracking;
 - iii) Inspector accompaniments;

- iv) Other management tools.
- e. NRC current initiatives.
- 7. Schedule for the first IMPEP review.
- 8. Other topics.

If you have any questions, please call me at [RSAO phone number], or e-mail to [RSAO e-mail address].

Sincerely,

[RSAO]

cc: [SLO]
[Deputy Director, STP]
[Regional Manager]
[ASPO]
[IMPEP Project Manager]

Appendix B

SAMPLE ORIENTATION MEETING SUMMARY LETTER

Dear [Agreement State Program Director]:

An orientation meeting with the [State] radiation control program was held on [date]. The purpose of this meeting was to discuss the implementation of [State's] Agreement State program. The U.S. Nuclear Regulatory Commission (NRC) was represented by [ASPO and/or other STP staff] from the NRC's Office of State and Tribal Programs, [any additional NRC staff in attendance including Regional staff] and me. Specific topics and issues of importance discussed at the meeting included [list a few topics discussed at the meeting that were particularly noteworthy].

I have completed and enclosed a meeting summary, including any specific actions resulting from the discussions.

If you believe that the comments, conclusions, or actions to be taken do not accurately summarize the meeting discussion, or you have any additional remarks or comments about the meeting in general, please contact me at [RSAO phone number], or e-mail to [RSAO e-mail address] within four weeks of the date of this letter.

Sincerely,

[RSAO]

Enclosure:
As stated

cc: [SLO]
[Deputy Director, STP]
[Regional Manager]
[ASPO]
[IMPEP Project Manager]

Appendix B (Continued)

ORIENTATION MEETING SUMMARY FOR [STATE]

DATE OF MEETING: [DATE]

ATTENDEES: NRC STATE
 [RSAO]
 [ASPO]

DISCUSSION:

Topics covered at the meeting included [List any main discussion topics of importance].

CONCLUSIONS:

Conclusion #1: [conclusion as applicable]

Action #1: [as applicable]

Conclusion #2: [conclusion as applicable]

Action #2: [as applicable]

Conclusion #3: [conclusion as applicable]

Action #3: [as applicable]

Appendix C

SAMPLE “COURSE OF ACTION” LETTER

Dear [Agreement State Program Director]:

This letter is to inform you that based on discussions held during our orientation meeting on [date of meeting], we believe additional effort may be needed in certain areas of your program. The purpose of the orientation meeting was to share information and discuss the implementation of [State's] Agreement State program, to identify difficulties experienced during the initial implementation of your program, and to plan the first Integrated Materials Performance Evaluation Program (IMPEP) review.

The areas identified and discussed during the meeting where additional effort is needed include:

[list in detail each individual concern about the program]

[Describe any actions NRC plans to take (e.g., altering schedule for first IMPEP review, conducting a special review, or placing the Agreement State on monitoring.)]

We ask that you respond to this letter in writing within thirty (30) days of receipt of this letter to identify any actions you have taken or plan to take to address the areas needing additional effort. If you have any questions, please contact [RSAO], Regional State Agreements Officer of Region [region], or me.

Sincerely,

Director,
Office of State and Tribal Programs

or

Deputy Executive Director for Materials,
Research, and State Programs (if course of
action decided by MRB)

cc: [MRB Members]
[Regional Manager]
[RSAO]
[SLO]
[ASPO]
[IMPEP Project Manager]

February 23, 2005

SUMMARY OF COMMENTS ON SA-118, "Orientation Meetings for New Agreement States"

I. Sent to the Agreement States for Comment: May 7, 2004 (STP-04-035)

Comments Dated: Iowa - 5/12/04 (mark-up)

Iowa

Comment 1:

State suggests that "Agreement State Radiation Control Program Director" be abbreviated to "ASRCPD."

Response:

We appreciate the comment; however, due to current plain language initiatives in the Agency, the use of acronyms is minimized if possible. No change to the procedure will be made based on this comment.

Comment 2:

Several editorial suggestions were made regarding grammar and formatting. Many of the comments were accepted.

II. Sent to the NRC Offices for Comment: May 7, 2004

Comments Dated: OGC - 5/27/04 (mark-up)
Region I - 6/2/04 (email)
Region IV - 6/4/04 (email - no comments)
Region III - 6/4/04 (e-mail)
NMSS - 6/8/04 (memo)

OGC

Comment:

Section IV.C.1., add the word "orientation" before "meeting."

Response:

We agree with this comment and the procedure will be revised accordingly.

Comment:

Section V.C.2., change the sentence to read as follows:

State's feedback on the NRC's program, including identification of any action that should be considered by the NRC.

Response:

We agree with this comment and the procedure will be revised accordingly.

Region I

Comment 1:

Section V.C.6. and Appendix A: Change "Panoramic/Pool/Underwater Irradiators" to "Panoramic and Underwater Irradiators"

Response:

We agree with this comment and the procedure will be revised accordingly.

Comment 2:

Section V.C.6.c. and Appendix A: Add "iv) licensees requiring an emergency plan"

Response:

We agree with this comment and the procedure will be revised accordingly.

Comment 3:

Section V.C.: There should also be a discussion on the status of the State's creation of financial assurance instruments for licensees who had them with the NRC prior to the effective date of the Agreement.

Response:

We agree with this comment and Section V.C.3.g. will be created and the following text will be added to the procedure:

- g. Discuss status of the State's creation of financial assurance instruments for licensees that required financial assurance for decommissioning while under the NRC's regulatory authority.

Region III

Comment 1:

A role should be carved out in the procedure for attendance of a Regional manager at Orientation Meetings. It is important to show Regional management support for a new Agreement State program. The Orientation Meeting is an excellent opportunity for Regional/State interaction at a time early in the Agreement process.

Response:

We appreciate the comment and also feel that it is important to show Regional management support for new Agreement States; however, at this time, we do not believe it is necessary to assign responsibilities to Regional management for orientation meetings. This maintains flexibility in the role Regional management plays in orientation meetings. No change to the procedure will result from this comment.

Comment 2:

Section V(C)(3)(f) references the Site Decommissioning Management Plan (SDMP). These sites are now called "complex sites" as described in SECY-04-0024, "Recommended Changes to the Nuclear Regulatory Commission's Decommissioning Program and Annual Decommissioning Program Report." The Commission's May 12, 2004 SRM on the subject approved the change.

Response:

We agree with this comment and the procedure will be revised to read as follows:

- f. For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].

NMSS

Comment 1:

As a minor comment, we note that the procedures do not identify if the meeting is considered a public meeting and needs to comply with applicable notification, etc., criteria.

Response:

Orientation meetings are technically classified as public meetings; however, meetings between NRC staff and representatives of State government, including Agreement State representatives, relating to NRC Agreement State activities or to State regulatory actions or to other matters of general interest to the State or to the Commission are not subject to the requirements of NRC Management Directive 3.5, "Attendance at NRC Staff Sponsored Meetings," per the Commission Policy Statement on Staff Meetings Open to the Public. Therefore, notification to the public is not required for orientation meetings, periodic meetings, or IMPEP reviews. Should a member of the public or media learn of such a meeting or review, they may request to the State management for permission to attend. It is at the discretion of State management whether or not the public will be allowed to attend the meeting. No changes to the procedure will result from this comment.

Comment 2:

Also, we found Item V.E. somewhat confusing, because items before and after E all relate to topics of discussion for the meeting, while E refers to exchanges to NRC and Agreement State staff not in attendance at the meeting.

Response:

The intent of Section V.E. is to encourage NRC participants at the orientation meeting to discuss items of interest with or answer the questions of Agreement State personnel that may not have been in attendance during the "business" portion of the meeting. We appreciate the comment; however, no change to the procedure will result from this comment.



OSTP Procedure Approval

Orientation Meetings for New Agreement States

SA-118

Issue Date:

Expiration Date:

Paul H. Lohaus
Director, STP

Date:

Aaron T. McCraw
Procedure Contact, STP

Date:

NOTE

The STP Director's Secretary is responsible for the maintenance of this master copy document as part of the STP Procedure Manual. Any changes to the procedure will be the responsibility of the STP Procedure Contact. Copies of STP procedures will be distributed for information.



I. INTRODUCTION

This procedure describes the general objectives and process to be followed when scheduling, assigning personnel ~~staffing~~, conducting, and ~~reporting~~ **documenting** an orientation meeting with **a** new Agreement States.

II. OBJECTIVES

- A. Designate the timing of an orientation meeting with a new Agreement State.
- B. Establish the procedures for scheduling and conducting a one-day orientation meeting with a new Agreement State.
- C. Identify the NRC ~~staff~~ and ~~requested~~ **Agreement** State staff who should participate in ~~the~~ **an** orientation meeting, including ~~the~~ staff responsible for conducting the meeting.
- D. ~~Interpret~~ **Define** the scope of activities and areas ~~that should be~~ **for** discussed ~~ion~~ during ~~the~~ **an** orientation meeting.
- E. ~~Define~~ **Establish** the methods and timing for documenting and communicating the results of ~~the~~ **an** orientation meeting to ~~the~~ **a new Agreement** State.
- F. Specify the correct steps to take when concerns are identified during ~~the~~ **an** orientation meeting.
- G. **Establish mechanisms to communicate orientation meeting results to the Management Review Board (MRB).**

III. BACKGROUND

For new Agreement States, an orientation meeting will be held with the State after the signing of the Agreement and prior to the first program review; ~~in accordance~~ **Management Directive (MD) 5.6, "Integrated Materials Performance Evaluation Program" (IMPEP)**. This meeting will be used **to gain an understanding of the State's program status when evaluated against the criteria of Management Directive (MD) 5.6, Integrated Materials Performance Evaluation Program (IMPEP)** and to identify any

concerns or issues during the initial implementation of the Agreement prior to the first IMPEP review.

IV. ROLES AND RESPONSIBILITIES

- A. ~~The senior project manager for IMPEP coordination is responsible for tracking orientation meetings for new Agreement States, as well as action items identified during orientation meetings. The senior project manager for IMPEP coordination is responsible for:~~ **IMPEP Project Manager:**
1. ~~Informing~~s each Regional State Agreements Officer (RSAO) of the State(s) requiring orientation meetings along with the proposed IMPEP ~~review and periodic meeting~~ schedule for each year.
 2. ~~Identifying~~ies any meeting action items that have not been resolved at the time the meeting summary letter is dispatched and ~~notifying~~ies the **Office of State and Tribal Programs (OSTP)** controlled ticket coordinator to formally ticket and assign any necessary action items.
 3. **Coordinates and schedules discussion of the final orientation meeting summary report at an MRB meeting.**
- B. ~~The Regional State Agreements Officer (RSAO) is responsible for scheduling an orientation meeting with each new Agreement State in their Region. The RSAO is responsible for:~~
1. **Schedules orientation meetings with new Agreement States in his/her Region.**
 2. ~~Coordinating~~es a **meeting date** with ~~Regional management, the~~ Agreement State **program** management; and the **OSTP** Agreement State Project Officer (ASPO) to assure that a suitable date for the meeting is chosen. ~~The senior project manager for IMPEP coordination and Regional management, as required by Regional procedure or practice, will be informed of the orientation meeting date.~~
 3. **Informs STP management, the IMPEP Project Manager, and appropriate Regional management of the meeting date.**

24. Developing a draft agenda for the meeting with Agreement State program management. ~~The RSAO should also consult with the State Program Director and the ASPO to estimate the length of the meeting.~~
35. Issuing, once a proposed meeting date has been chosen, a letter to the Agreement State Radiation Control Program Director a minimum of **sixty (60)** days before the meeting confirming the meeting date. The letter should include the draft agenda that was developed ~~jointly~~ **in coordination** with Agreement State **program** management, as well as a request for any comments on the draft agenda and additional ~~specific~~ meeting discussion topics. Appropriate Regional management, the Deputy Director of ~~Office of State Programs (OSTP)~~, the ASPO, and the ~~senior IMPEP p~~ **Project m** ~~Manager for IMPEP coordination~~ should be on distribution for the letter. ~~A sample letter is attached as~~ **(See Appendix A for a sample orientation meeting confirmation letter.)**
46. Scheduling ~~es~~ and planning ~~s~~ the meeting to ensure that State attendance will include at least one radiation control program representative who can speak on behalf of the Agreement State program. Preferably, the Agreement State Radiation Control Program Director will attend the meeting. Agreement State program staff attendance at the meeting will be determined by the Agreement State.
57. Becomes familiar with the new Agreement State program prior to the meeting. The RSAO should review the final staff assessment of the proposed **Agreement** State program. The RSAO should obtain a detailed printout of all State Nuclear Materials Event Database (NMED) data since the effective date of the Agreement. The RSAO should ~~also~~ be familiar with all allegations and concerns referred to the State for handling since the effective date of the Agreement (obtained from the Regional Senior Allegations Coordinator, ~~and the Allegation Management System, and/or the STP Allegations Coordinator~~); **The RSAO should also be familiar with and the status of the State's regulations as detailed in the STP State Regulation Status Data Sheet Assessment Tracking System (RATS) and verify the status with the STP State Regulation Review Coordinator.**
68. Serving ~~es~~ as lead **facilitator** for the meeting. If the RSAO cannot serve as lead, the RSAO will reschedule the meeting, or request that the ASPO lead the meeting. ~~If the RSAO is unfamiliar with an Agreement State for any reason (e.g., there is a new RSAO or the RSAO was not involved in the evaluation of the request for the Agreement), OSP and Regional management may choose to send an OSP or Regional staff member more knowledgeable about the State to~~

~~the meeting. This decision will be made on a case-by-case basis. The RSAO will continue to act as lead for the meeting, if in attendance.~~

79. ~~Prepare~~ **Issues a final meeting summary** and sends an electronic copy of the ~~meeting summary and letter~~ to the **Deputy Director of STP, appropriate Regional management, senior the IMPEP pProject mManager for IMPEP coordination, and the ASPO.**

10. **Leads the discussion of the orientation meeting summary report with the MRB. (The meeting's results should normally be discussed at the next scheduled MRB meeting unless significant concerns identified necessitate a special MRB meeting.)**

C. **Agreement State Project Officer (ASPO):**

1. ~~The ASPO will normally a~~ **Attends and participates in the orientation meeting. (An alternate STP staff member may attend the meeting if the ASPO cannot attend.)**
2. **Coordinates and assists the RSAO in meeting preparation and development of specific information areas that should be covered during the meeting (e.g., event reporting, allegations, and status of regulations).**
3. **Leads the meeting if the RSAO is not in attendance, or if requested.**
4. **Leads the discussion of the final orientation meeting summary report with the MRB when the RSAO is not available.**

D. **Agreement State Radiation Control Program Director:**

The Agreement State Radiation Control Program Director (or a designee) will be invited to participate in the discussion of the State's orientation meeting summary at the MRB meeting.

E. **Management Review Board (MRB):**

1. **The MRB provides a senior level review of the results of orientation meetings. Its membership includes: Deputy Executive Director for Materials, Research, and State Programs (DEDMRS); Director, Office of Nuclear Material Safety and Safeguards (NMSS); Director, STP; the General Counsel; and an Organization of Agreement States (OAS) Liaison to the MRB. (See STP**

Procedure SA-106, Management Review Board and MD 5.6 for additional information on the MRB.)

2. The MRB provides direction on a course of action when concerns are identified during an orientation meeting. Direction on a course of action will be communicated directly to the Agreement State Radiation Control Program Director or his/her representative either at the MRB meeting or by letter.

V. GUIDANCE

- A. Orientation meetings with new Agreement States should take place at approximately nine months ~~following~~**after** the signing of the Agreement, unless an alternative ~~frequency~~**timeframe** is decided upon by ØSTP management.
- B.
 1. The orientation meeting serves as a forum to hold discussions, to exchange information, to identify areas of concern during the initial implementation for the new Agreement State program, and to assess IMPEP review planning. The orientation meeting is not a formal evaluation and is not intended to include reviews of any licensing, inspection, or incident files. Review of some documents, however, may be useful during the meeting to clarify points made in discussions (e.g., summary printouts of inspection information, close-out letters in incident files).
 2. An exception to Section V.B.1. is the review of all allegations and concerns referred to the State by the NRC in which the alleger's identity has been withheld. The RSAO should discuss and review these allegations and concerns in depth. The RSAO and ASPO must ensure that the appropriate follow-up was taken (e.g., that the State investigated the allegations and concerns, documented the results, and provided confidentiality in accordance with State statutes, rules, and procedures). In addition, any Agreement State program or employee performance concerns referred to the State from the NRC should be discussed (See STP Procedure SA-400, *Management of Allegations*, for additional information on Agreement State performance concerns). It is not necessary to perform an in-depth review on performance concerns closed through STP Procedure SA-400.
- ~~BC.~~ As appropriate, ~~the scope of~~ **topic areas for** discussions during the meeting should include ~~(but is not limited to):~~
 1. Strengths and/or weaknesses of the State program, as identified by the State or **the** NRC, including identification of actions that could diminish weaknesses.

2. ~~State's~~ Feedback on ~~the~~ NRC's program, ~~as identified by the State and~~ including identification of any action that should be considered by ~~the~~ NRC.
3. Status of ~~the~~ State program or policy changes under development or recently completed since the effective date of the Agreement, including:
 - a. ~~Changes in program's~~ **Staffing and training:**
 - i) **Number and adequacy of full-time equivalents (FTE) in the radioactive materials program;**
 - ii) **Training and qualifications of materials staff;**
 - iii) **Program vacancies;**
 - iv) **Staff turnover.**
 - b. ~~Program reorganizations~~ **Materials Inspection Program:**

Status of the inspection program, including whether an inspection backlog exists and the steps being taken to reduce the backlog.
 - c. **Regulations and Legislative changes:**

Status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.
 - d. ~~Redistribution of responsibilities~~ **Program reorganizations:**

Any changes in program organization including program/staff relocations and new appointments.
 - e. Changes in program budget/funding.
 - f. **For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].**

- i) Self audits;
- ii) Computer tracking;
- iii) Inspector accompaniments;
- iv) Other management tools.

e. NRC current initiatives.

~~8. NMED reporting including event follow up and closure information:~~

97. Schedule for the first IMPEP review.

8. Other topics.

- ~~C. During the course of the meeting discussions, all of the common and applicable non-common performance indicators should be addressed to determine if any of the actions detailed in Section V.H., below are necessary.~~
- ~~D. The orientation meeting is for discussions, information exchange, and identification of potential areas of concern during the initial implementation for the new Agreement State program, and for IMPEP review planning, but not for a formal evaluation. The orientation meeting is not intended to include reviews of licensing, inspection, or incident files. Review of some documents, however, may be useful during the meeting to clarify points made in discussions (for example, summary printouts of inspection information, close-out letters in incident files, etc.). The single exception is the review of all allegations and concerns referred to the State by the NRC. The RSAO should discuss and review these allegations and concerns in depth.~~
- ~~E. During the meeting, NRC representatives should request introductions to new staff or to staff that they have not met previously.~~
- FD. As time permits, open exchanges between NRC staff should take the opportunity to discuss items of interest with or answer the questions of and Agreement State staff not in attendance at during the “business” portion of the meeting is encouraged. NRC staff should also take the opportunity to introduce themselves to Agreement State staff members that they may not have previously met in interactions with the Agreement State.**
- GE. 1. The meeting lead should informally share, prior to its final issuance, a draft summary report with the Agreement State Radiation Control Program Director, the ASPO and any other NRC staff attending the**

meeting for review and comment. The RSAO meeting lead should ~~dispatch~~ **issue and distribute the a concise final** summary letter of the meeting to the Agreement State Radiation Control Program Director within **thirty (30)** days and provide a copy to appropriate Regional management, the Deputy Director of ~~OSTP~~, the ASPO, and the ~~senior IMPEP Project Manager for IMPEP coordination~~. The letter should include a list of meeting attendees, a brief synopsis of what was discussed during the meeting, and a summary identifying any key facts or changes, both positive and negative, from the meeting which could affect the focus and timing of the first IMPEP review; or program implementation.

2. No specific information about any allegations or concerns discussed at the meeting that could identify an alleged should be contained in the letter. The letter should state only the number of allegations and concerns discussed and whether ~~or not~~ the casework has been handled adequately. (If an Agreement State is not handling allegations or concerns in a manner consistent with the guidance provided in MD 8.8, "*Management of Allegations*", the meeting lead should report this fact separately to ~~OSTP~~ management. ~~That is, the Agreement State should have investigated the allegations and concerns, documented the results, and provided confidentiality in accordance with the Agreement State's statutes, rules and procedures.~~)
3. The State should be requested to provide **additional** comments if ~~it~~ **they** believes ~~that~~ the letter content does not accurately reflect the meeting discussions. ~~(A sample letter is attached as~~ **See Appendix B for a sample orientation meeting summary letter.**)

HF. If **programmatic or performance** concerns about an Agreement State program are ~~raised~~ **identified** during the meeting:

1. The concerns should be documented in the meeting summary report and presented to the MRB as part of the discussion of the orientation meeting results.
- ±2. If the concerns have the potential to immediately affect public health and safety, ~~the~~ **the** RSAO and ASPO should immediately inform ~~OSTP~~ and Regional management and **the IMPEP Project Manager of the findings and recommend propose** a course of action. **STP** management should notify the Chair of the MRB about the concerns identified and the proposed course of action. Depending on the severity of the safety concern, the MRB may be convened to discuss the concerns and the proposed course of action.

23. ~~OSTP~~ and Regional management, ~~along with~~ **input from** the RSAO and ~~the~~ ASPO, will agree on a course of action. **If the MRB was convened to discuss the safety concern, the MRB will decide and agree upon a course of action.** Possible actions include altering the schedule for the first IMPEP review of the new Agreement State, conducting a special review of selected program areas, ~~or setting up~~ **sending** additional correspondence, ~~or setting up additional~~ meetings with the State, **or placing the Agreement State on monitoring.** (See **STP Procedure SA-122 for additional information on monitoring.**)
34. Once a formal course of action has been decided, ~~an additional~~ letter signed by the Director, ~~of OSTP; or the Chair of the MRB, as applicable, should~~ **will** be sent to the Agreement State Radiation Control Program Director, along with the meeting summary letter. The letter ~~should~~ **shall** include an explanation of the specific course of action ~~decided upon by OSP management, the RSAO, and the ASPO that will be taken,~~ as well as a ~~detailed~~ summary of the reasons ~~behind~~ **supporting** the decision. (~~A sample letter is attached as~~ **See Appendix C for a sample “course of action” letter.**)

VI. APPENDICES

- Appendix A - Sample **orientation** meeting confirmation letter. ~~to Agreement State Radiation Control Program Director~~
- Appendix B - Sample **orientation** meeting summary letter. ~~to Agreement State Radiation Control Program Director~~
- Appendix C - Sample “course of action” letter. ~~to Agreement State Radiation Control Program Director~~

VII. REFERENCES

1. NRC Management Directive 5.6, “*Integrated Materials Performance Evaluation Program (IMPEP)*.”²²
2. NRC Management Directive 8.8, “*Management of Allegations*.”²²
3. **STP Procedure SA-106, *Management Review Board*.**
4. **STP Procedure SA-122, *Heightened Oversight and Monitoring*.**
5. **STP Procedure SA-400, *Management of Allegations*.**

Appendix A

SAMPLE **ORIENTATION MEETING CONFIRMATION LETTER TO AGREEMENT** ~~STATE RADIATION CONTROL PROGRAM DIRECTOR~~

Dear [Agreement State Program Director]:

In accordance with **Office of State and Tribal Programs (OSTP)** Procedure SA-118, **U.S. Nuclear Regulatory Commission (NRC)** staff schedules a meeting with you and members of your staff at approximately nine months after the effective date of the Agreement. The purpose of this meeting is to exchange information and discuss ~~potential~~ difficulties experienced during the initial implementation of your program. During the meeting, we will also discuss planning for your first full Integrated Materials Performance Evaluation Program (IMPEP) review.

The meeting should not require more than one day. This letter confirms that, based on our previous discussions, the meeting will be held in your offices on [date]. In addition to myself, [ASPO], Office of State **and Tribal** Programs, as the Project Officer for [State], [and identify any other NRC staff] will be in attendance.

Based on our **previous agenda planning** discussions, the topics for ~~conversation~~ **discussion** at the meeting include [add or delete topics, as appropriate, based on agenda planning discussions with the State]:

1. Strengths and/or weaknesses of the State program, as identified by the State or **the** NRC, including identification of actions that could diminish weaknesses.
2. **State's** Feedback on **the** NRC's program, ~~as identified by the State and~~ including identification of any action that should be considered by **the** NRC.
3. Status of **the** State program ~~or policy changes under development or recently completed since the effective date of the Agreement~~, including:
 - a. ~~Changes in program s~~**Staffing and training:**
 - i) **Number and adequacy of full-time equivalents (FTE) in the radioactive materials program;**
 - ii) **Training and qualifications of materials staff;**
 - iii) **Program vacancies;**
 - iv) **Staff turnover.**
 - b. ~~Program reorganizations~~**Materials Inspection Program:**

Status of the inspection program, including whether an inspection backlog exists and the steps being taken to reduce the backlog.
 - c. **Regulations and** Legislative changes:

Status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

- d. ~~Redistribution of responsibilities~~Program reorganizations:
 - Any changes in program organization including program/staff relocations and new appointments.
 - e. Changes in program budget/funding.
 - f. For States whose Agreement became effective after August 26, 1999, determine the status of complex decommissioning sites formerly managed by the NRC under the Site Decommissioning Management Plan (SDMP) and transferred to the State. [Note that the Commission has asked that the State notify the NRC when the license has been terminated and when the site has been released for unrestricted use as defined by the Agreement State].
 - g. Status of the State's creation of financial assurance instruments for licensees that required financial assurance for decommissioning while under the NRC's regulatory authority.
4. ~~Status of NRC program changes (similar to those in 2.) that could impact Agreement States:~~
54. ~~Results of any internal program audits/self assessments conducted by the State:~~Response to Incidents and Allegations:
 - a. Status of allegations and concerns referred by the NRC for action;
 - b. Event reporting, including follow-up and closure information in the Nuclear Materials Events Database (NMED);
 - c. Significant events and generic implications.
65. ~~Status of all allegations and concerns previously referred by NRC to the Agreement State Radiation Control Program for action since the effective date of the Agreement, and methods used to resolve allegations and concerns that have been closed.~~Status of the following Program areas (include if applicable):
 - a. Sealed Source & Device Evaluation Program;
 - b. Uranium Recovery Program;
 - c. Low-Level Waste Disposal Program.
76. ~~Compatibility of Agreement State regulations:~~Information exchange and discussion:
 - a. Current State initiatives;
 - b. Emerging technologies;
 - c. Large, complicated or unusual authorizations for use of radioactive materials, including:
 - i) Panoramic and Underwater Irradiators;
 - ii) Major decommissioning and license termination actions;
 - iii) Waste processing, storage and disposal licenses;
 - iv) Licensees requiring an emergency plan.

- v) Licensees subject to security orders.
- d. State's mechanisms to evaluate performance (as applicable):
 - i) Self audits;
 - ii) Computer tracking;
 - iii) Inspector accompaniments;
 - iv) Other management tools.
- e. NRC current initiatives.

~~8. NMED reporting including event follow up and closure information.~~

97. Schedule for the first IMPEP review.

8. Other topics.

If there are any additional specific topics you would like to cover, or if you would like to focus on a specific area, please let me know.

If you have any questions, please call me at [RSAO phone number], or e-mail to [RSAO e-mail address].

Sincerely,

[RSAO]

cc: [SLO]
[Deputy Director, STP]
[Regional Manager]
[ASPO]
[IMPEP Project Manager]

Appendix B

SAMPLE **ORIENTATION** MEETING SUMMARY LETTER ~~TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR~~

Dear [Agreement State Program Director]:

An orientation meeting with the [State] radiation control program was held on [date]. The purpose of this meeting was to discuss the implementation of [State's] Agreement State program. The **U.S. Nuclear Regulatory Commission (NRC)** was represented by [ASPO and/or other **OSTP** staff] from the NRC's Office of State **and Tribal** Programs, [any additional NRC staff in attendance including Regional staff] and me. Specific topics and issues of importance discussed at the meeting included [list a few topics discussed at the meeting that were particularly noteworthy].

I have completed and enclosed a meeting summary, including any specific actions ~~that will be taken as a result of the meeting~~ **resulting from the discussions**.

If you believe that the comments, conclusions, or actions to be taken do not accurately summarize the meeting discussion, or you have any additional remarks **or comments** about the meeting in general, please contact me at [RSAO phone number], or e-mail to [RSAO e-mail address] **within four weeks of the date of this letter**.

Sincerely,

[RSAO]

Enclosure:
As stated

cc: [SLO]
[Deputy Director, STP]
[Regional Manager]
[ASPO]
[IMPEP Project Manager]

Appendix B (Continued)

ORIENTATION MEETING SUMMARY FOR [STATE]

DATE OF MEETING: [DATE]

ATTENDEES: NRC STATE
 [RSAO]
 [ASPO]

DISCUSSION:

Topics covered at the meeting included [List any main discussion topics of importance].

CONCLUSIONS:

Conclusion #1: [conclusion as applicable]

Action #1: [as applicable]

Conclusion #2: [conclusion as applicable]

Action #2: [as applicable]

Conclusion #3: [conclusion as applicable]

Action #3: [as applicable]

Appendix C

SAMPLE "COURSE OF ACTION" LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Agreement State Program Director]:

This letter is to inform you that based on discussions held during our orientation meeting on [date of meeting], we believe additional effort may be needed in certain areas of your program. The purpose of the orientation meeting with new Agreement States is was to share information and discuss the implementation of [State's] Agreement State program, to identify discuss potential difficulties experienced during the initial implementation of your program, and to conduct planning for the first Integrated Materials Performance Evaluation Program (IMPEP) review.

The areas identified and discussed during the meeting where additional effort is needed include:

[list in detail each individual concern about the program]

[Describe any actions NRC plans to take (e.g., altering schedule for first IMPEP review, conducting a special review, or placing the Agreement State on monitoring.)]

We ask that you respond to this letter in writing within thirty (30) days of receipt of this letter to identify any actions you have taken or plan to take to address these concerns areas needing additional effort. If you have any questions, please contact [RSAO], Regional State Agreements Officer of Region [region], or me.

Sincerely,

Director,
Office of State and Tribal Programs

or

Deputy Executive Director for Materials,
Research, and State Programs (if course of
action decided by MRB)

cc: [MRB Members]
[Regional Manager]
[RSAO]
[SLO]
[ASPO]
[IMPEP Project Manager]