



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

(FSME-06-103, November, Program, IMPEP)

November 6, 2006

ALL AGREEMENT STATES, NEW JERSEY, PENNSYLVANIA, VIRGINIA

**OPPORTUNITY TO COMMENT ON REVISION TO THE INTEGRATED MATERIALS
PERFORMANCE EVALUATION PROGRAM (IMPEP) QUESTIONNAIRE (FSME-06-103)**

Purpose: To inform you of the opportunity to comment on the proposed revisions to the Integrated Materials Performance Evaluation Program (IMPEP) Questionnaire.

Background: The proposed revisions to the questionnaire are based on IMPEP experience to date and to reflect the addition of increased controls into the scope of IMPEP.

Contents: A redline/strikeout version of the questionnaire is enclosed. We would appreciate receiving your **comments within 45* days from the date of this letter.**

Point of Contact: If you have any questions regarding this correspondence, please contact me or the individual named below.

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***/RA By Scott W. Moore Acting for/
Janet R. Schlueter, Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials and
Environmental Management Programs***

Enclosure:
As stated

* This information request has been approved by OMB 3150-0029, expiration 06/30/07. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

QUESTIONNAIRE

Name of State/Regional Program

Reporting Period: Month XX, [YEAR], to Month XX, [YEAR]

Notes: Please refrain from associating any of your licensees with their location of radioactive material use and/or actual amounts of material in their possession in your response, unless the association is necessary to fully answer any of the questions.

If there has been no change in the response to a specific question since the last IMPEP questionnaire, the State or Region may copy the previous answer, if appropriate.

A. GENERAL

1. Please prepare a summary of the status of the State's or Region's actions taken in response to the comments and recommendations following the last review.

AB. COMMON PERFORMANCE INDICATORS

I. Technical Staffing and Training

42. Please provide the following organization charts, including names and positions:
 - (a) A chart showing positions from Governor down to Radiation Control Program Director;
 - (b) A chart showing positions of current radiation control program including management; and
 - (c) Equivalent charts for sealed source and device **evaluation**, low level radioactive waste and uranium recovery programs, if applicable
23. Please provide a staffing plan, or complete a listing using the suggested format below, of the professional (technical) ~~person-years~~ **full-time equivalents (FTE)** of ~~effort~~ applied to the ~~agreement or~~ radioactive materials program by individual. Include the name, position, and, for Agreement States, the fraction of time spent in the following areas: administration, materials licensing & compliance, emergency response, LLW, U-mills, other. If these regulatory responsibilities are

¹ Estimated burden per response to comply with this voluntary collection request: 53 hours. Forward comments regarding burden estimate to the Records Management Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0183), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials program. Include all vacancies and identify all senior personnel assigned to monitor work of junior personnel. If consultants were used to carry out the program's radioactive materials responsibilities, include their efforts. The table heading should be:

<u>Name</u>	<u>Position</u>	<u>Area of Effort</u>	<u>FTE%</u>
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34. Please provide a listing of all new professional personnel hired since the last review, indicate the degree(s) they received, if applicable, and additional training and years of experience in health physics, or other disciplines, if appropriate.
45. Please list all professional staff who have not yet met the qualification requirements of for a license reviewer/ or materials inspection or staff (for NRC; Inspection Manual Chapter (IMC) 1246; for Agreement States, please enclose a copy of your qualification and training procedure. If you do not have a written procedure please describe your qualifications requirements for materials license reviewers and inspectors). For each, list the courses or equivalent training/experience they need to attend and a tentative schedule for completion of these requirements.
6. Identify any changes to your qualification and training procedure that occurred during the review period.
57. Please identify the technical staff who that left the Agreement State/Regional DNMS your program during this review period.
68. List the any vacant positions in each your program, the length of time each position has been vacant, and a brief summary of efforts to fill the vacancy.
79. For Agreement States, Does the Agreement State your program have an oversight board or committee which provides direction to the program and is composed of licensees and/or other members of the public? If so, please describe the procedures used to avoid any potential conflict of interest.

II. Status of Materials Inspection Program

810. Please identify individual licensees or categories of licensees the State/Region is inspecting more or less frequently than called for in NRC's Inspection Manual Chapter (IMC) 2800 and state the reason for the difference. The list only needs to include the following information: licensee name, license number, your inspection interval, and rationale for the difference.
911. Please provide for the review period, the number of Priority 1, 2, and 3 inspections, as identified in IMC 2800; that were completed and the number of initial inspections; and the number of increased controls inspections that were completed.
102. Please submit a table, or a computer printout, that identifies inspections of Priority 1, 2, and 3 licensees, increased controls, and initial inspections that are

presently overdue or which were conducted **overdue** at intervals that exceed the IMC 2800 frequencies over the course of the entire review period. (See STP Procedure SA-101, *Reviewing the Common Performance Indicator, Status of Materials Inspection Program*, for detailed guidance in preparing this information). **Priority 1, 2, and 3 licensees and initial inspections must be conducted in accordance with frequencies established in IMC 2800. Increased controls inspections should be conducted at the intervals established in the Staff Requirements Memorandum for COMSECY-05-0028.**

At a minimum, the list should include the following information for each inspection that is ~~overdue or was~~ conducted overdue during the review period:

- (1) Licensee Name
- (2) License Number
- (3) Priority (**IMC 2800**)
- (4) Last inspection date or license issued ~~ance~~ date, if initial inspection
- (5) Date Due
- (6) Date Performed
- (7) Amount of Time Overdue
- (8) Date inspection findings issued

13. Please submit a table or computer printout that identifies any Priority 1, 2, and 3 licensees, increased controls, and initial inspections that are currently overdue, per the applicable guidance. At a minimum, the list should include the same information for each overdue inspection provided for Question 12 plus your action plan for completing the inspection.

~~11. If you have any overdue inspections, do you have an action plan for completing them? If so, please describe the plan or provide a written copy with your response to this questionnaire.~~

124. Please provide the number of reciprocity licensees that were candidates for inspection per year as described in NRC-IMC 1220 and the number of candidate **licensee** reciprocity inspections that were completed each year during the review period.

III. Technical Quality of Inspections

135. What, if any, changes were made to your written inspection procedures during the reporting period?

146. Prepare a table showing the number and types of supervisory accompaniments made during the review period. Include:

<u>Inspector</u>	<u>Supervisor</u>	<u>License Category</u>	<u>Date</u>
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~~15. Describe internal procedures for conducting supervisory accompaniments of inspectors in the field.~~

167. Describe or provide an update on your instrumentation, methods of calibration and laboratory capabilities. Are all instruments properly calibrated at the present time? Were there sufficient calibrated instruments available throughout the review period?

IV. Technical Quality of Licensing Actions

178. How many specific radioactive material licenses does the Program regulate at this time?
189. Please identify any major, unusual, or complex licenses which were issued, received a major amendment, were terminated, decommissioned, submitted a bankruptcy notification or renewed in this period. ~~Also identify any new or amended licenses that now require emergency plans.~~
20. Identify any licensees or groups of licensees that were issued increased controls during the review period. Those licensees that were initially identified during the initial implementation of increased controls need not be listed.
1921. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the review period.
202. What, if any, changes were made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?
213. Identify by licensee name, ~~and~~ license number ~~and type~~, any renewal applications that have been pending for one year or more. Please indicate why these reviews have been delayed ~~and describe your action plan to reduce the backlog.~~

V. Responses to ~~Technical Quality of Incidents and Allegations~~ Activities

224. For Agreement States, please provide a list of any reportable incidents not previously submitted to NRC (See ~~STP~~ Procedure SA-300, *Reporting Material Events*, for additional guidance, OMB clearance number 3150-0178). The list should be in the following format:

<u>Licensee Name</u>	<u>License #</u>	<u>Date of Incident/Report</u>	<u>Type of Incident</u>
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235. During this review period, did any incidents occur that involved equipment or source failure or approved operating procedures that were deficient? If so, how and when were other State/NRC licensees who might be affected notified? For States, was timely notification made to NRC? For Regions, was an appropriate and timely PN generated? For Agreement States, was information on the incident provided to the agency responsible for evaluation of the device for an assessment of possible generic design deficiency? Please provide details for each case.

246. Identify any changes to your procedures for responding to incidents and handling allegations that occurred during the period of this review.

VI. General

- ~~25. Please prepare a summary of the status of the State's or Region's actions taken in response to the comments and recommendations following the last review. Provide the results of any program audits (including self-audits) completed during the review period.~~
- ~~26. Provide a brief description of your program's strengths and weaknesses. These strengths and weaknesses should be supported by examples of successes, new initiatives, problems or difficulties which occurred during this review period.~~

BC. NON-COMMON PERFORMANCE INDICATORS

I. Legislation and Program Elements Required for Compatibility Requirements

27. Please list all currently effective legislation that affects the radiation control program. **Denote any legislation that was enacted or amended during the review period.**
28. Are your regulations subject to a "Sunset" or equivalent law? If so, explain and include the next expiration date for your regulations.
29. Please review and verify that the information in the enclosed State Regulation Status (SRS) sheet is correct. For those regulations that have not been adopted by the State, explain why they were not adopted, and discuss actions being taken to adopt them. If legally binding requirements were used in lieu of regulations, please describe their use.
30. If you have not adopted all amendments within three years from the date of NRC rule promulgation, briefly describe your State's procedures for amending regulations in order to maintain compatibility with the NRC, showing the normal length of time anticipated to complete each step.

II. Sealed Source and Device Evaluation Program

31. Prepare a table listing new and amended (including transfers to inactive status) SS&D registrations of sealed sources and devices issued during the review period. The table heading should be:

<u>SS&D Registry Number</u>	<u>Manufacturer, Distributor or Custom User</u>	<u>Product Type or Use</u>	<u>Date Issued</u>	<u>Type of Action</u>
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32. ~~What guides, standards and procedures are used to evaluate registry applications?~~

—33. Please include information on the following questions in Section A, as they apply to the Sealed Source and Device Program:

Technical Staffing and Training - Questions ~~4~~2-79

Technical Quality of Licensing Actions - Questions ~~17~~8-243

~~Responses to~~ Technical Quality of Incidents and Allegations Activities -
Questions ~~22~~-24-26

III. Low-Level Radioactive Waste Disposal Program

343. Please include information on the following questions in Section A, as they apply to the Low-Level Radioactive Waste Disposal Program:

Technical Staffing and Training - Questions ~~4~~2-79

Status of Materials Inspection Program - Questions ~~8~~10-144

Technical Quality of Inspections - Questions ~~13~~5-167

Technical Quality of Licensing Actions - Questions ~~17~~8-243

~~Responses to~~ Technical Quality of Incidents and Allegations Activities -
Questions ~~22~~-24-26

IV. Uranium Recovery Program

354. Please include information on the following questions in Section A, as they apply to the Uranium Recovery Program:

Technical Staffing and Training - Questions ~~4~~2-79

Status of Materials Inspection Program - Questions ~~8~~-143

Technical Quality of Inspections - Questions ~~13~~4-16

Technical Quality of Licensing Actions - Questions ~~17~~8-243

~~Responses to~~ Technical Quality of Incidents and Allegations Activities -
Questions ~~22~~-24-26

MATERIALS REQUESTED TO BE AVAILABLE FOR THE ON-SITE PORTION OF AN IMPEP REVIEW

Please have the following information available for use by the IMPEP review team when they arrive at your office:

- List of open license cases, with date of original request, and dates of follow-up actions
- List of licenses terminated during review period
- Copy of current log or other document used to track licensing actions
- List of all licensing actions completed during the review period (sorted by license reviewer, if possible)
- Copy of current log or other document used to track inspections
- List of all inspections completed during the review period (sorted by inspector, if possible)
- List of inspection frequencies by license type
- List of all allegations occurring during the review period. Show whether the allegation is open or closed and whether it was referred by NRC

ALSO, PLEASE HAVE THE FOLLOWING DOCUMENTS AVAILABLE:

- | | |
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| <input type="checkbox"/> All State regulations | <input type="checkbox"/> Records of results of supervisory |
| <input type="checkbox"/> Statutes affecting the regulatory authority of the state program | <input type="checkbox"/> accompaniments of inspectors |
| <input type="checkbox"/> Standard license conditions | <input type="checkbox"/> Emergency plan and communications list |
| <input type="checkbox"/> Technical procedures for licensing, model licenses, review guides | <input type="checkbox"/> Procedures for investigating allegations |
| <input type="checkbox"/> SS&D review procedures, guides, and standards | <input type="checkbox"/> Procedures for investigating incidents |
| <input type="checkbox"/> Instrument calibration records | <input type="checkbox"/> Enforcement procedures, including procedures for escalated enforcement, severity levels, civil penalties (as applicable) |
| <input type="checkbox"/> Inspection procedures and guides | <input type="checkbox"/> Job descriptions |
| <input type="checkbox"/> Inspection report forms | |
| <input type="checkbox"/> Documented training plan, if applicable | |