



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

April 6, 2021

ALL AGREEMENT STATES, CONNECTICUT, NRC NMSS, NRC REGIONS I, III AND IV

ISSUANCE OF THE FINAL VERSION OF STATE AGREEMENT (SA) PROCEDURE, SA-202, REVIEW OF REGULATIONS AND OTHER PROGRAM ELEMENTS BY THE STANDING COMMITTEE ON COMPATIBILITY (STC-21-017)

Purpose: To provide the National Materials Program (NMP) community with the final procedure, *SA-202, Review of Regulations and Other Program Elements by the Standing Committee on Compatibility*.

Background: On October 18, 2017, the Commission issued the Agreement State Program Policy Statement (Policy Statement), which provides the agency's approach for determining which of its program elements (including regulations) should be adopted by an Agreement State to maintain a compatible program. The Policy Statement defines "program element" as any component or function of a radiation control regulatory program, including regulations or other legally binding requirements (orders, license conditions) imposed on regulated persons, which contributes to implementation of that program.

On July 12, 2008, the final charter was established for the Standing Committee on Compatibility (Committee) and revised on October 3, 2012 (ADAMS Accession Number ML12269A247). The Standing Committee on Compatibility, which is directed by Management Directive (MD) 5.3, serves to help ensure consistency during promulgation of regulations and other program elements. The Committee accomplishes this by reviewing and documenting decisions on the basis for compatibility determinations and by identifying implementation issues that may be encountered during the NRC staff's review of State regulations under the Integrated Materials Performance Evaluation Program (IMPEP). The Committee offers an independent review and assessment of the staff's determinations of the compatibility category designation for each new or revised program element, including regulations and other legally binding requirements to ensure consistency with MD 5.9, *Adequacy and Compatibility of Program Elements for Agreement State Programs*. The Committee's activities are also discussed in Office of Nuclear Material Safety and Safeguards (NMSS) Policy and Procedure (P&P) 6-10, *NMSS Procedures for Preparation and Review of Rulemaking Packages*, and SA-801A, *Agreement State Participation in Rulemaking Working Groups*.

Discussion: This letter notifies the NMP community that NMSS procedure SA-202 has been issued for use by the Agreement State and the U.S. Nuclear Regulatory Commission (NRC) staff in the NMP community.

The interim SA-202 procedure was issued for comment on September 16, 2020 (ADAMS Accession Number ML20239A805). The comment period ended on March 16, 2021. No comments were received.

This procedure has been uploaded to the state communications portal (SCP) Web site for use, <https://scp.nrc.gov/procedures.html>. If you have any questions regarding this correspondence, please contact the individual named below:

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Signed by Anderson, Brian
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