

(SP-99-023, April 1999, Program, SA-118)
DATED: APRIL 14, 1999

SIGNED BY: PAUL H. LOHAUS

ALL AGREEMENT STATES
MINNESOTA, OHIO, OKLAHOMA, PENNSYLVANIA, AND WISCONSIN

**PROGRAM MANAGEMENT INFORMATION: DRAFT OSP PROCEDURE SA-118,
“ORIENTATION MEETING FOR NEW AGREEMENT STATES” (SP-99-023)**

Enclosed for your review and comment is the draft OSP Procedure SA-118, “Orientation for New Agreement States.” This document has been drafted to give formal guidance for conducting an orientation meeting with a new Agreement State prior to the State’s first program review. We would appreciate receiving your comments within one month of receipt of this letter.

This information request had been approved by OMB 3150-0029, expiration 04/30/01. The estimated burden per response to comply with this voluntary collection request is 6 hour(s). Forward any comments regarding the burden estimate to the Information and Records Management Branch (T-6F33), U.S. Nuclear Regulatory Commission, Washington D.C. 20555-0001, and to the Paperwork Reduction Project (3150-0029), Office of Management and Budget, Washington, D.C. 20503. If a document 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, a collection of information.

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

POINT OF CONTACT: Kathleen N. Schneider
TELEPHONE: (301) 415-2320

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Paul H. Lohaus, Director
Office of State Programs

Enclosure:
As stated



OSP Procedure Approval

Orientation Meeting for New Agreement States - SA-118

Issue Date:

Expiration Date:

Paul H. Lohaus
Director, OSP

Date:

Deputy Director, OSP

Date:

Kathleen N. Schneider
Procedure Contact, OSP

Date:

NOTE

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



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

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Issue Date:

I. INTRODUCTION

This procedure describes the general objectives and process to be followed when scheduling, assigning personnel, conducting, and reporting an orientation meeting with 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 State staff who should participate in the orientation meeting, including staff responsible for conducting the meeting.
- D. Interpret the scope of activities and areas that should be discussed during the orientation meeting.
- E. Define the methods and timing for documenting and communicating the results of the orientation meeting to the State.
- F. Specify the correct steps to take when concerns are identified during the orientation meeting.

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 with Management Directive (MD) 5.6, "Integrated Materials Performance Evaluation Program" (IMPEP). This meeting will be used 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 IMPEP project manager is responsible for:

1. Informing each Regional State Agreement Officer (RSAO) of the State(s) requiring orientation meetings along with the proposed IMPEP and periodic meeting schedule for each year.
 2. Identifying any meeting action items that have not been resolved at the time the meeting summary letter is dispatched and notifying the OSP controlled ticket coordinator to formally ticket and assign any necessary action items.
- B. The Regional State Agreement Officer (RSAO) is responsible for scheduling an orientation meeting with each new Agreement State in his/her Region. The RSAO is responsible for:
1. Coordinating with Regional management, Agreement State management, and the OSP 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.
 2. 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.
 3. Issuing, once a proposed meeting date has been chosen, a letter to the Agreement State Radiation Control Program Director a minimum of 60 days before the meeting confirming the meeting date. The letter should include the draft agenda that was developed jointly with Agreement State 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, Office of State Programs (OSP), the ASPO, and the senior project manager for IMPEP coordination should be on distribution for the letter. A sample letter is attached as Appendix A.
 4. Scheduling and planning 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.

5. Familiarizing him or herself with the new Agreement State program prior to the meeting. The RSAO should review the final staff assessment of the proposed State program. The RSAO should obtain a detailed printout of all State Nuclear Material Event Database (NMED) data since the effective date of the Agreement. The RSAO should also be familiar with all allegations referred to the State for handling since the effective date of the Agreement (obtained from the Allegation Management System), and the status of the State's regulations as detailed in the Regulation Assessment Tracking System (RATS).
 6. Serving as lead 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.
 7. Sending an electronic copy of the meeting summary to the senior project manager for IMPEP coordination.
- C. The ASPO will normally attend the meeting. An alternate OSP staff member may attend the meeting if the ASPO cannot attend.

V. GUIDANCE

- A. Orientation meetings with new Agreement States should take place at approximately nine months following the signing of the Agreement, unless an alternative frequency is decided upon by OSP management.
- B. As appropriate, the scope of 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 NRC, including identification of actions that could diminish weaknesses.
 2. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC.
 3. Status of State program or policy changes under development or recently completed since the effective date of the Agreement, including:

- a. Changes in program staff
 - b. Program reorganizations
 - c. Legislative changes
 - d. Redistribution of responsibilities
 - e. Changes in program budget/funding
4. Status of NRC program changes (similar to those in 2.) that could impact Agreement States.
 5. Results of any internal program audits/self assessments conducted by the State.
 6. Status of all allegations 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 that have been closed.
 7. Compatibility of Agreement State regulations.
 8. NMED reporting including event follow-up and closure information.
 9. Schedule for the first IMPEP review.
- 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 referred to the State by the NRC. The meeting lead should discuss and review these allegations in depth.
- E. During the meeting, NRC representatives should request introductions to new staff or to staff that they have not met previously.
- F. As time permits, open idea exchanges between NRC and Agreement State staff not in attendance at the meeting is encouraged.

- G. The meeting lead should dispatch a concise summary letter of the meeting to the Agreement State Radiation Control Program Director within 30 days and provide a copy to appropriate Regional management, the Deputy Director, OSP, the ASPO, and the senior 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. No specific information about the allegations discussed at the meeting that could identify an alleged should be contained in the letter. The letter should state only the number of allegations discussed and whether or not the casework has been handled adequately. (If an Agreement State is not handling allegations in a manner consistent with the guidance provided in MD 8.8, “Management of Allegations” the meeting lead should report this fact separately to OSP management.) The State should be requested to provide comment if they believe that the letter content does not accurately reflect the meeting discussions. A sample letter is attached as Appendix B.
- H. If concerns about an Agreement State program are raised during the meeting:
1. The RSAO and ASPO should immediately inform OSP management and recommend a course of action.
 2. OSP management, along with the RSAO and ASPO, will agree on 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 additional correspondence or meetings with the State.
 3. Once a formal course of action has been decided, an additional letter signed by the Director, OSP, should be sent to the Agreement State Radiation Control Program Director, along with the meeting summary letter. The letter should include an explanation of the specific course of action decided upon by OSP management, the RSAO, and the ASPO, as well as a detailed summary of the reasons behind the decision. A sample letter is attached as Appendix C.

VI. APPENDICES

Appendix A - Sample meeting confirmation letter to Agreement State Radiation Control Program Director

Appendix B - Sample 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."
2. NRC Management Directive 8.8, "Management of Allegations."

Appendix A

SAMPLE MEETING CONFIRMATION LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [Director]:

In accordance with OSP Procedure SA-118, 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 Programs, as the Project Officer for [State], [and identify any other NRC staff] will be in attendance.

Based on our discussions, the topics for conversation 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 NRC, including the identification of actions that could diminish weaknesses.
2. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC.
3. Status of State program or policy changes under development or recently completed including:
 - a. Changes in program staff
 - b. Program reorganizations
 - c. Legislative changes
 - d. Redistribution of responsibilities
 - e. Changes in program budget/funding
4. Status of NRC program changes (similar to those in 2.) that could impact Agreement States.
5. Results of any internal program audits/self-assessments conducted by the State or NRC.

Appendix A (Continued)

6. Status of all allegations previously referred by NRC to the Agreement State Radiation Control Program for action and methods used to resolve allegations that have been closed.
7. Changes to NRC regulations since the Agreement became effective.
8. Nuclear Material Event Database (NMED) reporting, including event follow-up and closure information.
9. Schedule for the first IMPEP review.

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]
[ASPO]

Appendix B

SAMPLE MEETING SUMMARY LETTER TO AGREEMENT STATE RADIATION CONTROL PROGRAM DIRECTOR

Dear [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 NRC was represented by [ASPO and/or other OSP staff] from the NRC's Office of State 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.

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 about the meeting in general, please contact me at [RSAO phone number], or e-mail to [RSAO e-mail address].

Sincerely,

[RSAO]

Enclosure:

As stated

cc: [SLO]
[ASPO]

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 [Director]:

This letter is to inform you that based on discussions held [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 to discuss the implementation of [State's] Agreement State program, 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 include:

[list in detail each individual concern about the program]

[Describe any actions NRC plans to take.]

We ask that you respond to this letter in writing within 30 days to identify any actions you have taken or plan to take to address these concerns. If you have any questions, please contact [RSAO], RSAO of Region [region], or me.

Sincerely,

[Director
Office of State Programs]

cc: [RSAO]
[SLO]
[ASPO]