



FSME Procedure Approval
Orientation Meetings for New Agreement States
SA-118

Issue Date:

Expiration Date:

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NOTE

These procedures were formerly issued by the Office of State and Tribal Programs (STP). Any changes to the procedure will be the responsibility of the FSME Procedure Contact as of October 1, 2006. Copies of FSME procedures will be available through the NRC website.

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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 radioactive materials program.

II. OBJECTIVES

- A. To Designate the timing of an orientation meeting with a new Agreement State.
- B. To Establish ~~the procedures/protocols~~ for scheduling and conducting an one-day orientation meeting with a new Agreement State.
- C. To Identify the ~~NRC and Agreement State staff~~ appropriate participants who should participate in for an orientation meeting, including the staff responsible for conducting the meeting.
- D. To Define the scope of activities and areas for discussion during an orientation meeting.
- E. To Establish define the methods and the timing for documenting and communicating the results of an orientation meeting ~~to a new Agreement State~~.
- F. To Specify the ~~correct steps~~ appropriate actions to take when performance concerns are identified during an orientation meeting.
- G. To 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) NRC managers, NRC staff, and the Agreement State of the proposed~~ requiring orientation meetings ~~along with the proposed~~ and 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)~~ the Division of Materials Safety and State Agreements (MSSA) controlled ticket coordinator to formally ticket and assign any necessary action items.
3. Coordinates and schedules ~~discussion of the presentation of the results of the final~~ orientation meeting ~~summary report at to the~~ MRB meeting.
4. Leads the presentation of the results of the orientation meetings to the MRB when the orientation meeting attendees are not able to participate.
5. Identifies and tracks any action items that result from the orientation meeting or the presentation of results of orientation meetings to the MRB.

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) and any other NRC attendees.~~
3. Informs ~~STP management,~~ the IMPEP Project Manager, and appropriate Regional management of the meeting date.
4. Develops a draft agenda for the meeting in coordination with the Agreement State's ~~program management~~ Radiation Control Program Director (RCPD).

5. Issues, once a ~~proposed~~ meeting date has been ~~chosen~~established, a letter to the ~~Agreement State Radiation Control Program Director~~RCPD, 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 ~~RCPD Agreement State program management~~, as well as a request for any comments on the draft agenda and/or additional specific 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 sample scheduling letter and draft agenda for an sample orientation meeting with an Agreement State mycan be found on the IMPEP Toolbox confirmation letter.)~~
6. Schedules and plans the meeting to ensure that Agreement 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 s~~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.
8. ~~The RSAO should o~~btains and reviews a detailed printout of all State Nuclear Materials Event Database (NMED) ~~data~~entries since the effective date of the Agreement for the respective Agreement State.
9. ~~The RSAO should b~~ecomes familiar with all allegations and concerns referred to the respective Agreement State for handling since the effective date of the Agreement. ~~This information can be (~~obtained from the Regional Senior Allegations Coordinator, and NRC's Office of Federal and State Materials and Environmental Management Program (FSME) Allegations Coordinator, ~~the Allegation Management System, and/or the STP Allegations Coordinator~~).
10. ~~The RSAO should also be familiar with~~Reviews the status of the Agreement State's regulations as detailed in the STP State Regulation Status Data Sheet and verify the status with the STP State Regulation Review Coordinator maintained by the NRC's Office of Federal and State Materials and Environmental Management Programs (FSME)-FSME.

811. 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~~ an alternate NRC attendee lead the meeting.

912. Issues ~~at the~~ the final orientation meeting summary ~~and sends an electronic copy to the Deputy Director of STP, appropriate Regional management, the IMPEP Project Manager, and the ASPO.~~

103. Leads the ~~discussion~~ presentation of the results of the orientation meeting summary report with to 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)~~ FSME Designee:

1. Attends and participates in ~~the~~ assigned orientation meetings with Agreement States. ~~(An alternate STP staff member may attend the meeting if the ASPO cannot attend.)~~ Assignments will be made on a case-by-case basis, depending on expertise of an individual and/or performance issues in an Agreement State.
2. Coordinates and assists the RSAO in meeting preparation and development of specific information areas ~~that should to~~ be covered during the meeting ~~(e.g. such as, event reporting, allegations, and the status of regulations).~~
3. Leads the orientation meeting with an Agreement State, if necessary or requested, ~~if the RSAO is not in attendance, or if requested.~~
4. Leads the presentation of the results of the discussion of the final orientation meeting summary report with to the MRB ~~when the RSAO is not available~~ as appropriate.

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 p~~ 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 performance concerns are identified during an orientation meeting. Any decisions regarding a course of action in response to performance concerns will be communicated directly to the Agreement State Radiation Control Program Director/PCPD or his/her representative either at the MRB meeting or after the meeting by letter/correspondence.~~
- ~~3. Membership, additional responsibilities, and protocols of the MRB are defined in FSME Procedure SA-106, The Management Review Board (MRB).~~

V. GUIDANCE

A. Frequency of Orientation Meetings:

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 STPNRC management.

- ~~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.~~

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B. Scope of Discussions with Agreement States During Orientation Meetings

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~~ strengthen the program.
2. ~~State's~~ Feedback on the NRC's program, as identified by the State, including identification of any action that should be considered by the NRC.
3. Status of the State's program, including:
 - a. Staffing and training:
 - i) Number ~~and adequacy of full time equivalents (FTE) in the radioactive materials~~ of staff in the program and status ~~program~~;
 - ii) ~~T~~ of their raining and qualifications ~~of materials staff~~;
 - iii) Program vacancies;
 - iv) Staff turnover; and,
 - v) Adequacy of FTE's for the materials program.

b. ~~b.~~ Program reorganizations:

Discuss any changes in program organization, including program/staff relocations and new appointments. ~~Materials Inspection Program:~~

c. Changes in program budget/funding.

d. Materials inspection program:

Discuss the ~~S~~status of the inspection program, including whether an inspection backlog exists and the steps being taken to ~~reduce the~~ work off backlog.

e. Regulations and ~~L~~legislative changes:

Discuss ~~S~~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.~~

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- ~~e.~~ ~~Changes in program budget/funding.~~

 - f. For States whose Agreement became effective after August 26, 1999, determine the status of ~~complex~~Site ~~de~~Decommissioning ~~sites~~Management Plan ~~formerly managed by the NRC under the Site Decommissioning Management Plan~~ (SDMP) sites~~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. Discuss ~~S~~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. Event reporting, including follow-up an closure information in NMED.
45. Response to ~~i~~ncidents and ~~A~~llegations:
- 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);~~
 - ~~eb.~~ Significant events and generic implications.
56. Status of the following ~~P~~rogram areas (~~include~~ if applicable):
- a. Sealed Source ~~&~~and Device Evaluation Program;
 - ~~a~~. Uranium Recovery Program; ~~and/or;~~
 - c. Low-Level ~~R~~adioactive Waste Disposal Program.
67. 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; ~~and (as applicable);~~

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

e. NRC current initiatives.

~~78.~~ Schedule for the first IMPEP review.

~~9.~~ Action items resulting from the orientation meeting (these should be documented in the meeting summary report). [Note: the meeting should not be used by the States to refer major policy issues to the NRC since these are addressed through other mechanisms].

~~108.~~ Other topics.

C. Evaluation of Casework During Orientation Meetings

~~1.~~ As discussed in Section III. of this procedure, orientation meetings are not formal evaluations of program performance. Reviews of licensing, inspection, or incident casework does not need to be performed. Review of some documents, however, may be useful to clarify points made in discussions.

~~2.~~ In some cases, casework for allegations may need to be reviewed in order to ensure that appropriate follow-up action was taken. All casework for allegations and concerns referred directly to the State by the NRC in which the alleged's identity has been withheld should be reviewed. Performance concerns closed through FSME Procedure SA-400, *Management of Allegations*, do not need to be reviewed in depth. 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.

D. Documentation of Orientation Meetings

~~1.~~ The meeting lead should prepare, issue, and distribute the orientation meeting summary and transmittal correspondence within 30 days of the date of the meeting. A sample orientation meeting summary and transmittal letter may be found on the IMPEP Toolbox.

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2. Prior to issuance of the orientation meeting summary, the meeting lead should share a draft of the orientation meeting summary with the Agreement State RCPD and any other attendees for factual review and comment.
3. No specific information regarding any allegations or concerns discussed at the orientation meeting that could potentially identify an alleged should be contained in the orientation meeting summary or transmittal correspondence. The orientation meeting summary should only state 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 Management Directive 8.8, *Management of Allegations*, the RSAO or FSME designee at the meeting should report this fact separately to FSME management.)

E. Presentation of the Results of Orientation Meetings to the MRB

1. The results of orientation meetings will be presented to the MRB in a timely manner.
2. The MRB will be convened to review the results of the orientation meetings on an as needed basis.
3. Agreement State representatives of programs that are being discussed will be invited to participate in the MRB.

- ~~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.~~

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~~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.)~~

~~FF. If programmatic or performance concerns are identified during the An Orientation Meeting:~~

~~1. If programmatic or performance concerns about a program are identified during an orientation meeting:~~

~~a. the concern should be documented in the orientation meeting summary and report and presented to the MRB as part of the discussion of the results of the orientation meeting results.~~

~~2. The MRB will decide on the appropriate course of action. Possible actions may include any or all of the following:~~

- ~~a. altering the schedule for the next IMPEP review;~~
- ~~b. scheduling an additional meeting with the program;~~
- ~~c. conducting a special review of selected program areas;~~
- ~~d. placing the Agreement State on Heightened Oversight or Monitoring (See FSME Procedure SA-122, *Heightened Oversight and Monitoring*, for additional information).~~

~~23. If the concerns have the potential to immediately affect public health and safety, the RSAO and ASPO meeting lead should immediately inform STPFSME and Regional management, NRC Regional management, and the IMPEP Project Manager of the findings and propose a course of action. STPFSME 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 Chair of the MRB may ask that the MRB be convened to discuss the concerns and vote on the proposed course of action.~~

~~34. If performance issues in an Agreement State are identified through day-to-day interactions, the RSAO will document the program's issues in writing to present to the MRB. The written documentation should provide a complete description of the program performance issues and any other supporting information sufficient to allow the MRB to determine an appropriate course of action, as outlined in V.G.2 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~~

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~~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. FSME Procedure SA-106, *Management Review Board*.
4. FSME Procedure SA-122, *Heightened Oversight and Monitoring*.
5. FSME Procedure SA-400, *Management of Allegations*.

VII. ADAMS REFERENCE DOCUMENTS

- For knowledge management purposes, all previous revisions of this procedure, as well as associated correspondence with stakeholders, that have been entered into the NRC’s Agencywide Document Access Management System (ADAMS) are listed below.
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*.

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