



Federal and State Materials and Environmental Management Programs (FSME) Procedure Approval

Followup IMPEP Reviews

SA-119

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NOTE

This procedure was formerly issued by the Office of State and Tribal Programs (STP). Any changes to the procedure will be the responsibility of the Federal and State Materials and Environmental Management Programs (FSME) Procedure Contact as of October 1, 2006. Copies of this procedure will be available through NRC's website.

I. INTRODUCTION

- A. This document describes the procedures for conducting followup reviews of the U.S. Nuclear Regulatory Commission (NRC) Regional and Agreement State materials programs under the Integrated Materials Performance Evaluation Program (IMPEP), including scheduling, assigning personnel for, and reporting the results of the reviews.
- B. Depending on the findings of an IMPEP review, the Management Review Board (MRB) may direct that a followup IMPEP review take place. The scope of the followup review will be dependant on the areas of the program identified as in need of improvement.

II. OBJECTIVES

To provide the guidelines that will be followed by IMPEP teams when preparing, conducting, and reporting results of followup IMPEP reviews of NRC Regional and Agreement State materials programs.

III. BACKGROUND

As of October 1, 2006, NRC reorganized its nuclear materials and Agreement State programs into two new program offices. The newly created Office of Federal and State Materials and Environmental Management Programs (FSME) is comprised of the former Office of State and Tribal Programs and two technical divisions from the Office of Nuclear Material Safety and Safeguards. NRC Regional and Agreement State materials programs are reviewed at least every four years under IMPEP. The MRB may direct that a followup review be conducted prior to the standard four-year interval. A followup review will normally occur during or after a period of heightened oversight and will be conducted to evaluate the program's response to previous IMPEP recommendations and to evaluate the status of any indicator found satisfactory with recommendations for improvement or unsatisfactory during the last IMPEP review. The followup review can also be used to evaluate all of the common and applicable non-common performance indicators as in a full IMPEP review, or focus on one or more specific indicators. A followup review can be used to track the progress of a program, and thus help determine the timing of the next IMPEP review, whether previous indicator findings should be changed or whether additional oversight may be needed. During each followup review, the team is also responsible for completing all elements of a periodic meeting as described in FSME Procedure [SA-116](#).

IV. ROLES AND RESPONSIBILITIES

FSME is the lead office responsible for coordination of Agreement State and NRC Regional followup IMPEP reviews. Additional information on roles and responsibilities can be found in FSME Procedure [SA-100](#), *Implementation of the Integrated Materials Performance Evaluation Program (IMPEP)*.

A. MRB:

1. Provides direction, usually through prior IMPEP review findings, or review of the results of a periodic meeting, on the need for a followup review.
2. For followup reviews, the roles and responsibilities of the MRB and the guidelines to be followed by the MRB are the same as those detailed in FSME Procedure [SA-106](#), *The Management Review Board*.

B. Director, FSME:

1. Designates the appropriate division director(s) to attend followup IMPEP review exit meetings;
2. Acts as, or designates a FSME representative, as a MRB member per FSME Procedure SA-106 and concurs on final followup IMPEP reports.

C. Director, Division of Materials Safety and State Agreements (DMSSA):

1. Attends Agreement State and Regional IMPEP review exit meetings.
2. Can designate the Deputy Division Director, DMSSA, to attend IMPEP review exit meetings.

D. IMPEP Project Manager, DMSSA:

1. Reviews and provides feedback on all followup IMPEP reports to both the IMPEP team leader and FSME management.
2. Coordinates MRB meetings per FSME Procedure SA-106, as necessary.

3. Forwards Agreement State followup review proposed final reports to the MRB.

E. IMPEP Team Leader:

1. Coordinates and conducts assigned followup IMPEP reviews;
2. Completes the IMPEP report in accordance with Management Directive (MD) 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*, FSME Procedure SA-106, and this procedure;
3. Designates an IMPEP team member to act as principal reviewer for each applicable performance indicator;
4. Signs draft followup IMPEP reports to the Agreement State or Region;
5. Presents review findings at MRB meetings.

F. Regional State Agreements Officer (RSAO):

1. Participates in all IMPEP followup reviews for Agreement States in their assigned Region when such a review is directed by the MRB;
2. Completes the review of their assigned indicator(s) in accordance with the applicable FSME procedures and writes their assigned section(s) of the followup IMPEP report;
3. Ensures the periodic meeting portion of the followup IMPEP review is completed and prepares the meeting summary, as necessary;
4. Presents review findings at an MRB meeting.

G. IMPEP Team Member:

1. Completes the review of their assigned indicator(s) in accordance with the applicable FSME procedures and writes their assigned section(s) of the followup IMPEP report.
2. Presents review findings at MRB meetings.

V. GUIDANCE

A. Scope of Followup IMPEP Reviews:

1. The followup review will include a complete review of one or more of the common and/or non-common performance indicators since the previous IMPEP review. Normally, these are indicators that resulted in findings of “satisfactory with recommendations for improvement” or “unsatisfactory” during the previous IMPEP review. The review team will conduct an evaluation of the program’s response to previous IMPEP review recommendations dealing with these indicators. The team will recommend to the MRB whether these recommendations may be closed out or remain open. Additional recommendations for these indicators may also be developed during the followup review. The team may also make recommendations for changes to review findings for these indicators.
2. For Agreement State followup reviews, the radiation control program must also be considered as a whole, even during a limited scope followup review. To accomplish this goal, the meeting agenda in FSME Procedure [SA-116](#), *Periodic Meetings with Agreement States*, will be followed (the normal schedule for periodic meetings outlined in SA-116 should not be followed, if a followup review is conducted). Any recommendations from previous IMPEP reviews could be closed during followup IMPEP reviews.
3. A radiation control program experiencing serious weaknesses because of the loss of key staff, loss of operating funds, or other acute problems may receive a followup IMPEP review that focuses on all aspects of the program. All common and applicable non-common performance indicators will be reviewed during a full followup IMPEP review. A followup IMPEP review of this type should be conducted for a program that does not receive satisfactory findings for the majority of the performance indicators.

B. Assignment of Personnel for Followup IMPEP Reviews

1. With the exception of the RSAO, team members should be different from those who conducted the previous IMPEP review.

2. Assignment of staff to specific performance indicators will be in accordance with the qualifications established in [MD 5.10](#), *Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members*.
3. Team members should be chosen to evaluate the indicator(s) based on the scope of the review. Team size should be appropriate to cover all designated indicators, as well as to discuss remaining program areas. If a team consists of three team members or more, at least one member should be an Agreement State representative.
4. The criteria for selecting team members established in FSME Procedure SA-100 should be followed in choosing team members for a followup review.

C. Scheduling Followup IMPEP Reviews

Followup review scheduling should be completed along with routine scheduling as detailed in FSME Procedure SA-100 and should follow the time frame reflected in the previous final IMPEP report or as directed by the MRB. Followup reviews are normally performed approximately one year following either the previous IMPEP review, periodic meeting or MRB meeting.

D. Scheduling Letter and Review Questionnaire

1. The team leader should send a letter to the Radiation Control Program Director or the NRC Regional Director, Division of Nuclear Materials Safety (DNMS) at least 60 days prior to the followup review. The letter should reference the discussion which established the review date, detail the dates of the program review, and request the Radiation Control Program Director or Regional DNMS Director to schedule a closeout meeting of appropriate senior State managers or NRC Regional Administrator for the purpose of discussing the results of the review.
 - a. The exit meeting should take place on the final day of the review.
 - b. Copies of the letter should be sent to the team members, the IMPEP Project Manager, the NRC Regional State Liaison Officer, the RSAO, and the Division Director, DMSSA.

2. The team leader and the Radiation Control Program Director or Regional Director, DNMS should agree if a questionnaire is necessary. If appropriate, the letter should include a current IMPEP questionnaire. The questionnaire may be modified to include only those questions dealing with the indicator(s) applicable to the review. In addition to the printed version of the questionnaire, an electronic copy should also be provided. (See Appendix A for sample letter for Agreement State followup IMPEP reviews.)

E. Preparation for Followup IMPEP Reviews

Guidance for review preparation can be found in FSME Procedure SA-100.

F. Entrance Meeting

Guidance for entrance meetings can be found in FSME Procedure SA-100.

G. On-site Review

1. Guidance for conducting the on-site portion of a review can be found in FSME Procedure SA-100. This guidance should be applied to only the specific indicators that are receiving a complete review.
2. Guidance for conducting the other aspects of the followup review can be found in FSME Procedure SA-116.

H. Third Party Attendance in Reviews

Guidance for third party attendance, such as public or media representatives, at reviews can be found in FSME Procedure SA-100.

I. Summarizing Review Findings

Guidance for summarizing review findings can be found in FSME Procedure SA-100.

J. Draft Reports

1. The review team members should complete their assigned sections of the draft report and submit them to the team leader within 7 calendar days of

the exit meeting (NOTE: Calendar days, not work days). Any changes to this working schedule should be agreed upon between the team leader and the IMPEP Project Manager.

2. The team leader is responsible for integrating the information from the team members, preparing the draft report, and submitting both, the followup IMPEP draft report and transmittal letter or memorandum to the IMPEP Project Manager within 17 calendar days of the exit meeting. (See Appendix B for sample draft report transmittal letter and boiler plate draft Agreement State followup report).
3. The draft followup report and transmittal letter, or memorandum, signed by the team leader should be dispatched to the State or Region within 30 calendar days following the exit meeting.
4. The administrative staff for the team leader will be responsible for the administrative aspects of the draft report. For the proposed final, if necessary and the final review report, a secretary, FSME, will be designated as lead secretary for that followup IMPEP review and will work with the team leader in issuing the proposed final and final review reports.
5. The State or NRC Region will be requested to review the draft followup report and address any factual errors or misstatements within 4 weeks from receipt of the transmittal letter/memorandum.

K. Proposed Final Reports, MRB Meetings, Final Reports, and Followup Actions

1. The proposed final report and MRB meeting agenda will be submitted to the MRB at least seven days before the meeting. A copy of the Agreement State's or NRC Region's comments on the draft report will accompany the proposed final report. Specific guidance on the preparation of proposed final reports is contained in FSME Procedure SA-106.
2. An MRB meeting to discuss the followup IMPEP review findings will be held approximately 74 days after the exit meeting. Specific guidance on conducting MRB meetings is contained in FSME Procedure SA-106.

3. Issuance of Final Reports and Followup Actions

- a. The IMPEP Project Manager, in consultation with the team leader, is responsible for preparation of the final review report and letter for the Deputy Executive Director for Materials, Waste, Research, State, Tribal and Compliance Programs signature. (See Appendix C for a sample letter to issue final reports.)
- b. Additional guidance on the issuance of final reports and followup actions can be found in FSME Procedure SA-100, Appendix C.
- c. Responses to comments in the followup final report will be evaluated by the team leader in consultation with the review team as needed.
- d. An acknowledgment letter shall be prepared by the team leader for review and signature by Deputy Executive Director for Materials, Waste, Research, State, Tribal, and Compliance Programs within 30 days after the team leader receives the State or NRC Regional responses. (See Appendix D.)

VI. APPENDICES

- Appendix A - Sample letter scheduling a followup IMPEP review.
- Appendix B - Sample transmittal letter and boilerplate draft followup report.
- Appendix C - Sample letter for final report.
- Appendix D - Sample acknowledgment letter
- Appendix E - Frequently Asked Questions

VII. REFERENCES

1. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program*.
2. NRC Management Directive 5.10, *Formal Qualifications for Integrated Materials Performance Evaluation Program (IMPEP) Team Members*.
3. FSME Procedure SA-100, *Implementation of the Integrated Materials Performance Evaluation Program (IMPEP)*.
4. FSME Procedure SA-106, *The Management Review Board*.
5. FSME Procedure SA-116, *Periodic Meetings with Agreement States Between IMPEP Reviews*.

6. FSME Procedure [SA-122](#), *Heightened Oversight*.

VII. ADAMS Reference Documents

The previous revisions of SA-119 and correspondence can be found in the Agencywide Documents Access and Management System (ADAMS) as follows:

<u>Date</u>	<u>Document Title/Description</u>	<u>ADAMS ML #</u>
11/07/2002	STP-02-079, Opportunity to Comment on Draft STP Procedure SA-119, "Follow-up IMPEP Reviews"	ML023110511
11/07/2002	Memorandum to M. Virgilio, S. Treby, G. Pangburn, D. Collins, M. Dapas, & K. Brockman re: Draft STP Procedure SA-119, "Follow-up IMPEP Reviews"	ML023110521
11/07/2002	Opportunity to Comment on Draft STP Procedure SA-119, Follow-up IMPEP Reviews" (Responses to STP-02-079)	ML031740410
04/04/2003	Summary of Comments on STP Procedure SA-119, Follow-up IMPEP Reviews	ML031710815

Appendix A

Sample Letter Scheduling a Followup IMPEP Review

[RADIATION CONTROL PROGRAM DIRECTOR]

Dear [*Radiation Control Program Director*]:

As you are aware, NRC is using the Integrated Materials Performance Evaluation Program (IMPEP) for the evaluation of Agreement State Programs. Per our discussion, I will be the team leader for the followup IMPEP review of the [STATE] program scheduled for the week of [DATE]. The team will include [*Names of IMPEP team members, Title, NRC or State affiliation*].

On [DATE OF ORIGINAL MRB MEETING] the Management Review Board (MRB) met to consider the [proposed final IMPEP/periodic meeting] report on the [STATE] Agreement State Program. During the meeting, the MRB directed that a followup review be conducted in [TIME FRAME] that focused on the State's [*complete program or INDICATOR(S) BEING REVIEWED*].

In accordance with the MRB's recommendation, the scope of this followup review will be limited to an assessment and evaluation of your [*INDICATOR(S) BEING REVIEWED*]. In addition to a review of select casework completed since the [DATE OF LAST IMPEP REVIEW] IMPEP review, the team will review your actions in response to the [NUMBER] recommendations made for this/these indicator(s).

I request that you provide a response to questions [*QUESTION NUMBERS*] of the IMPEP Questionnaire. This document can be found in ADAMS (MLXXXXXXXXX). I ask that you send your responses by Internet to me at ([*TEAM LEADER'S INTERNET ADDRESS*]) not later than [DATE - TWO WEEKS PRIOR TO THE REVIEW].

[OR]

Based on information gathered to this date and, as previously agreed with you, I am not requesting a response to the IMPEP Questionnaire."

I have included with this letter a list of documents that the team requests be made available to facilitate its review. We encourage States to have these documents prepared prior to the IMPEP team's arrival.

The team will also discuss the actions that the [STATE] program has taken for the remaining recommendations from the [DATE OF LAST IMPEP REVIEW] IMPEP review. These discussions will not be a formal assessment of the balance of your Agreement State Program.

Appendix A (Continued)

The team will use guidance in STP Procedure SA-116, “Periodic Meetings with Agreement States Between IMPEP Reviews,” for conducting these discussions. This procedure was distributed to you and can also be found on the STP web site.

I request that you set up an appointment with the appropriate State Senior Management Official to discuss the results of the followup IMPEP review of the [STATE] program on [LAST DAY OF IMPEP REVIEW].

If you have questions, please call me at [team leader phone number].

Sincerely

[TEAM LEADER]

Enclosures:

As stated

cc: [STATE HEALTH OFFICER OR APPROPRIATE SENIOR STATE MANAGEMENT]

Distribution:

DCD (SP01) [Regional or Office distribution]

Appendix B

Sample Draft Report Cover Letter and Boilerplate Draft Followup Report

[NAME]
[TITLE, STATE SENIOR MANAGEMENT]
[ADDRESS]

Dear [NAME]:

The U.S. Nuclear Regulatory Commission (NRC) uses the Integrated Materials Performance Evaluation Program (IMPEP) in the evaluation of Agreement State programs. Enclosed for your review is the draft followup Integrated Materials Performance Evaluation Program (IMPEP) report which documents the results of the Agreement State followup review held in your office on [DATES]. I was the team leader for the [STATE] review. The review team's preliminary findings were discussed with you and your staff on [DATE].

[SHORT DESCRIPTION OF THE CURRENT STATUS OF THE PROGRAM INCLUDING PROGRESS AND AREAS STILL IN NEED OF IMPROVEMENT]. The followup review team recommends that the [STATE] Agreement State program undergo a [FULL IMPEP REVIEW/FOLLOWUP IMPEP REVIEW] in FY [YEAR].

In accordance with procedures for implementation of IMPEP, we are providing you with a copy of the draft followup IMPEP team report for review prior to submitting the report to the Management Review Board (MRB). We welcome your comments on the draft report. If possible, we request comments within four weeks from your receipt of this letter. This schedule will permit the issuance of the final report in a timely manner that will be responsive to your needs.

The team will review the response, make any necessary changes to the report and issue it to the MRB as a proposed final report. Our preliminary scheduling places the [STATE] MRB meeting in the [WEEK - 74 DAYS FROM THE REVIEW]. We will coordinate with you to establish the date for the MRB review of the [STATE] report and will provide invitational travel for you or your designee to attend. NRC has video conferencing capability if it is more convenient for the State to participate through this medium. Please contact me if you desire to establish a video conference for the meeting.

Appendix B (Continued)

If you have any questions regarding the enclosed report, please contact me at 301-415-XXXX.
Thank you for your cooperation.

Sincerely,

[Team Leader]

Enclosure:

As stated

cc: [NAME, RADIATION CONTROL PROGRAM, STATE]
[STATE LIAISON OFFICER]

Distribution:

DIR RF
[IMPEP TEAM MEMBERS]
IMPEP Project Manager, DMSSA
DMSSA Director
SAIB Branch Chief
OGC
[STATE] File

DCD (SP01)
PDR (YES√)

DOCUMENT NAME: G:\IMPEP\YYYYDRLTR.ST.WPD; G:\IMPEP\STIMPYYYY.DFT.WPD

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE FSME/RSAO
NAME [TEAM LEADER]:
DATE

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM
FOLLOWUP REVIEW OF THE [STATE] AGREEMENT STATE PROGRAM

[DATES OF ON-SITE REVIEW]

Draft Report

U. S. Nuclear Regulatory Commission

1.0 INTRODUCTION

This report presents the results of the followup review of the [STATE RADIATION CONTROL PROGRAM], conducted [DATES OF ON-SITE REVIEW]. This followup review was directed by the Management Review Board (MRB) based on the results of the [DATES OF LAST] [Integrated Materials Performance Evaluation Program (IMPEP) review/periodic meeting]. The MRB directed that a followup review of the [ENTIRE PROGRAM OR LIST SPECIFIC INDICATORS], be conducted in [time frame] based on the [DETAILS OF THE PROGRAM DEFICIENCIES]. [The followup review also included evaluation of actions taken by the State to address the {#} recommendations made during the {DATES OF LAST FULL IMPEP REVIEW} IMPEP review.]

The followup review was conducted by a review team consisting of technical staff members from the Nuclear Regulatory Commission (NRC) and the State of [STATE TEAM MEMBER'S HOME STATE]. Team members are identified in Appendix A. The followup review was conducted in accordance with the November 5, 1999, NRC Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)."

[A paragraph on the results of the MRB meeting, if convened will be included in the final report. If there is not a formal MRB meeting convened, a summary of the final results of the review will be included.]

[GIVE A SHORT DESCRIPTION OF THE IMPROVEMENTS/LACK OF IMPROVEMENTS SINCE THE LAST IMPEP REVIEW]

The [STATE] Agreement State program is administered by the [DETAILS ABOUT THE ORGANIZATION OF THE PROGRAM]. The organizational chart for the [PROGRAM] is presented in Appendix B. At the time of the followup review, the [STATE] program regulated approximately [#] specific licenses [INCLUDE ANY PERTINENT INFORMATION].

[Prior to the followup review, the NRC conducted a heightened oversight program for the {STATE} program. The program included {STATE} developing and submitting a program improvement plan in response to the {YEAR} IMPEP review, followed by bimonthly conference calls with NRC. Conference calls were held [DATES]. The communications for the heightened oversight program are in Appendix C to this IMPEP report. [STATE]'s actions and their status were reviewed in preparation for this followup review.]

The review team's approach for conducting the followup review consisted of: [(1) examination of the [PROGRAM'S] actions during the period of heightened oversight;] (2) in-depth review of the [# program indicators identified above OR program] for the period of [REVIEW PERIOD]; [(3) field accompaniments of {#} Division inspectors;] (4) discussion of the status of the [PROGRAM]'s actions to address the [#] recommendations in the [YEAR] report; and (5) interviews with staff and management to answer questions or clarify issues. The team evaluated the information that it gathered against the IMPEP performance criteria for the [#] common

performance indicator(s), and [#] non-common performance indicator(s), for activities conducted during the period of [REVIEW PERIOD]. Preliminary results were discussed with [STATE] management on [DATE].

Section 2 below discusses the results of the followup review of the [STATE] program for the [#] common performance indicator[s]. [Section 3 below discusses the results of the followup review of the {STATE} program for the[#] non-common performance indicator{s}.] Section 4 summarizes the review team's findings and recommendations resulting from the followup review. [The {PROGRAM'S} progress in addressing other recommendations from the [YEAR] review and general status of the program covered in a periodic meeting can be found in Appendix D.]

2.0 COMMON PERFORMANCE INDICATORS

The followup review addressed [#] of the five common performance indicators used in reviewing both NRC Regional and Agreement State programs. The [#] indicators are: [LIST APPLICABLE INDICATORS].

2.1 Technical Staffing and Training

During the followup review, the review team evaluated actions taken by the [PROGRAM] in response to the finding of [RATING] made during the [YEAR] IMPEP review, as well as the status of the staffing and training of the [PROGRAM].

Issues central to the evaluation of this indicator include the Office's staffing level and staff turnover, as well as the technical qualifications and training histories of the staff. To evaluate these issues, the review team examined the Office's questionnaire responses relative to this indicator, interviewed Office management and staff, reviewed job descriptions and training records, and considered any possible workload backlogs.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT]

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM

BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the staffing and training program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR THIS INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Technical Staffing and Training, [CONTINUES TO BE FOUND {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

2.2 Status of Materials Inspection Program

During the followup review, the review team evaluated actions taken by the [PROGRAM] in response to the finding of [FINDING] made during the [YEAR] IMPEP review, as well as the status of the inspections performed since the [YEAR] review, and the current status of due and overdue inspections.

The team reviewed the timeliness of inspections performed since the last review period, the current and projected backlog of overdue inspections, and timeliness in communication of inspection results to licensees. The team reviewed data provided by the [PROGRAM] from their inspection tracking system to determine the timeliness of inspections, and reviewed inspection files to determine the date of the issuance of inspection results to licensees relative to the date of inspection.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT]

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the materials inspection program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR THIS

INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Status of Materials Inspection Program, [CONTINUES TO BE {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

2.3 Technical Quality of Inspections

During the followup review, the review team evaluated actions taken by the [PROGRAM] in response to the finding of [RATING] made during the [YEAR] IMPEP review, as well as the status of the technical quality of inspections performed since the [YEAR] review.

The team evaluated inspection reports, enforcement documentation, and inspection field notes, interviewed inspectors for [#] inspections conducted during the review period, and conducted [#] inspector accompaniments. The casework included [#] of the [PROGRAM'S] materials license inspectors, and covered inspections of various types of licensees including [LIST TYPES]. Appendix E lists the inspection casework files reviewed for completeness and adequacy and accompaniments including case-specific comments.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT]

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the technical quality of the inspection program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR

THIS INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Technical Quality of Inspections, [CONTINUES TO BE {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

2.4 Technical Quality of Licensing Actions

During the followup review, the team evaluated actions taken by the State in response to the recommendations for improvement noted during the [YEAR] review, as well as new licensing actions completed since that review. The team reviewed licensing actions, deficiency correspondence, and checklists for [#] licensing actions.

Licenses were reviewed for accuracy, appropriateness of the license and its conditions, tie-down conditions, and overall technical quality. Casework was evaluated for timeliness, adherence to good radiation safety practices, references to appropriate regulations, documentation of safety evaluation reports, product certifications or other supporting documents, pre-licensing visits, peer or supervisory review as indicated, and proper signature authority. The files were checked for retention of necessary documents and supporting data.

The [#] license files selected for review included work by all reviewers. The cross-section sampling included all of the State's major licenses as defined by the State, including the following types of licenses: [TYPES OF LICENSES]. Licensing actions during the review period included [#] new and [#] amendments (including terminations) totaling [#] licensing actions. A list of the licenses reviewed with case-specific comments can be found in Appendix F.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT]

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the technical quality of the licensing program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR THIS INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Technical Quality of Licensing Actions, [CONTINUES TO BE {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

2.5 Technical Quality of Incident and Allegation Activities

During the followup review, the team evaluated actions taken by the [PROGRAM] in response to the finding of [RATING] made during the [YEAR] IMPEP review, as well as the status of the [PROGRAM'S] performance since the [YEAR] review.

The team reviewed [ANY SPECIFIC MATERIALS] and examined [#] investigations completed during the review period. A list of the incident casework examined with the case-specific comments is included in Appendix G. The team also reviewed the [PROGRAM'S] response to [#] allegations involving radioactive materials, including [#] allegations referred to the [PROGRAM] by the NRC during the review period.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT] INDIVIDUALLY

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the [PROGRAM'S] incident and allegation response program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR THIS INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Response to Incidents and Allegations, [CONTINUES TO BE {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

3.0 NON-COMMON PERFORMANCE INDICATORS

The followup review addressed [#] of the non-common performance indicators used in reviewing NRC Regional and Agreement State programs. The [#] indicators are: [LIST APPLICABLE INDICATORS].

3.1 Compatibility Requirements

3.1.1 Legislation

The review team noted that no legislation affecting the radiation control program was passed since the previous review in which the State legislation was found adequate. Legislative authority to create an agency and enter into an agreement with the NRC is granted in [DETAILS]. The [PROGRAM] is designated as the State's radiation control agency.

3.1.2 Program Elements Required for Compatibility

The [STATE] radiation control program's regulations are found in [REGULATIONS], and apply to all ionizing radiation from agreement materials, machine produced radiation, and naturally-occurring and accelerator-produced materials. [STATE] requires a license for possession, and use, of all radioactive material including naturally occurring materials, such as radium, and accelerator-produced radionuclides.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT] INDIVIDUALLY

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the [PROGRAM'S] regulation adoption program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR THIS INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Legislation and Program Elements Required for Compatibility, [CONTINUES TO BE {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

3.2 Sealed Source and Device Evaluation Program

In conducting this review, three sub-indicators were used to evaluate the Program's performance regarding their SS&D Evaluation Program. These sub-indicators include:

(1) Technical Quality of the Product Evaluation; (2) Technical Staffing and Training; and

(3) Evaluation of Defects and Incidents Regarding SS&Ds.

[In assessing the SS&D Evaluation Program, the review team examined the information provided in the supplement to questions [#] through [#] of the [YEAR] IMPEP questionnaire response from {STATE}.] The team also evaluated actions taken by the State in response to the recommendations noted during the [YEAR] review, as well as new SS&D evaluations completed since that review, deficiency letters, and supporting documents.

3.2.1 Technical Staffing and Training

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT] INDIVIDUALLY

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

3.2.2 Technical Quality of the Product Evaluation Program

The team reviewed a total of [#] certificates in the followup review which included: [LIST OF CERTIFICATE TYPES REVIEWED]. The review of the six certificates from the [YEAR] IMPEP report was limited to the [PROGRAM'S] actions in addressing previously identified comments. The SS&D registration certificates evaluated by the review team are listed with case-specific comments in Appendix H.

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT] INDIVIDUALLY

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

3.3 Evaluation of Defects and Incidents Regarding SS&Ds

The review team's evaluation of the [PROGRAM'S] response to the [#] recommendation[s] is presented below.

Recommendation [#]

[RECOMMENDATION FROM THE PREVIOUS REPORT] INDIVIDUALLY

Current Status

[GIVE A FULL EXPLANATION OF THE REVIEW COMPLETED AND THE TEAM'S FINDINGS INCLUDING THE IMPROVEMENTS OF THE PROGRAM, AND WHETHER THE RECOMMENDATION SHOULD BE CLOSED. NEW RECOMMENDATIONS MAY BE MADE AS WELL. LIST EACH RECOMMENDATION.]

Based on the followup review, the team considers [DESCRIBE WHETHER THE TEAM BELIEVES THAT THE RECOMMENDATION(S) CAN BE CLOSED OR SHOULD REMAIN OPEN AND WHY]

The review team concludes that the [PROGRAM'S] SS&D evaluation program has [DESCRIBE THE PROGRAM'S PERFORMANCE/IMPROVEMENTS/LACK OF IMPROVEMENT FOR THIS INDICATOR]. Based on the IMPEP evaluation criteria, the review team recommends that [STATE]'s performance with respect to the indicator, Sealed Source and Device Evaluation Program, [CONTINUES TO BE {RATING} OR SHOULD BE CHANGED FROM {OLD RATING} TO {NEW RATING}].

4.0 SUMMARY

The followup review team evaluated [STATE]'s performance in responding to [DETAILS OF INDICATOR RATINGS] and resolving the specific recommendations made during the [YEAR] IMPEP review [FOR THE {#} COMMON AND {#} NON-COMMON PERFORMANCE INDICATORS, {LIST INDICATORS}]. The followup review team concludes that

[CONCLUSIONS OF REVIEW TEAM]. Based on this information, the review team recommends that the [STATE] program be found [ADEQUACY AND COMPATIBILITY RATINGS].

[DETAIL THE TEAM'S RECOMMENDATIONS AS TO WHAT STEPS SHOULD BE NEXT]

Below is a summary list of the open recommendation[s] from the [#] report [and the new recommendations from this followup review].

Recommendations from the [YEAR] report:

[LIST RECOMMENDATIONS INDIVIDUALLY]

[Recommendations from this review:]

[LIST RECOMMENDATIONS INDIVIDUALLY]

LIST OF APPENDICES

Appendix A	IMPEP Followup Review Team Members
Appendix B	[PROGRAM] Organizational Chart
[Appendix C	Heightened Oversight Program Correspondence]
[Appendix D	Periodic Meeting Summary Including Status of Other Recommendations from the Previous Review]
[Appendix E	Inspection Casework Reviews and Accompaniments]
[Appendix F	Licensing Casework Reviews]
[Appendix G	Incident Casework Reviews]
[Appendix H	Sealed Source and Device Evaluation Casework Reviews]

[NOTE: FOR CURRENT FORMAT FOR CASEWORK APPENDICES, PLEASE SEE FSME PROCEDURE SA-100]

APPENDIX A

IMPEP REVIEW TEAM MEMBERS

Name	Area of Responsibility
[TEAM LEADER, PROGRAM]	Team Leader [INDICATOR{S}]
[TEAM MEMBER, PROGRAM]	[INDICATOR{S}]
[TEAM MEMBER, PROGRAM]	[INDICATOR{S}]

APPENDIX B

[STATE] ORGANIZATIONAL CHART

(ADAMS ACCESSION NUMBER: ML[#])

APPENDIX C

HEIGHTENED OVERSIGHT PROGRAM CORRESPONDENCE

Minutes of Bimonthly Conference Calls:

1. [DATE] conference call minutes.
2. [DATE] conference call minutes.
3. [DATE] conference call minutes.
4. [DATE] conference call minutes.

Letters from/to [STATE]:

[LIST EACH CORRESPONDENCE WITH THE STATE SINCE THE PREVIOUS IMPEP REVIEW INDIVIDUALLY. ATTACH MINUTES FROM EACH CALL.

APPENDIX D

PERIODIC MEETING SUMMARY INCLUDING STATUS OF OTHER RECOMMENDATIONS FROM THE PREVIOUS REVIEW

A periodic meeting was held with [PROGRAM] management by [TEAM LEADER], Team Leader, and [RSAO], Regional State Agreements Officer, during the followup review pursuant to FSME Procedure SA-116, "Periodic Meeting with Agreement States Between IMPEP Reviews." Those topics normally documented during the periodic meeting that were reviewed and documented as part of the followup review will not be discussed in this Appendix. The following topics were discussed.

Action on Previous Review Findings

The [MONTH AND YEAR] IMPEP report made [#] recommendations for action by the [PROGRAM]. [#] of these recommendations were discussed in earlier sections under their respective indicators. The status of the remaining [#] comments is discussed below.

Recommendation [#]

[RECOMMENDATION]

Current Status

[BRIEF OVERVIEW OF WHAT THE PROGRAM HAS DONE]

Recommendation [#]

[RECOMMENDATION]

Current Status

[BRIEF OVERVIEW OF WHAT THE PROGRAM HAS DONE]

Program Strengths and/or Weaknesses

Feedback on NRC's Program

Status of Program and/or Policy Changes

Impact of NRC Program Changes

Internal Program Audits and Self-Assessments

Status of Allegations Previously Referred

Nuclear Material Events Database (NMED) Reporting

Appendix C

Sample Letter for Final Report

[NAME]
[TITLE, STATE SENIOR MANAGEMENT]
[ADDRESS]

Dear [NAME]:

On [DATE], the Management Review Board (MRB) met to consider the proposed final Integrated Materials Performance Evaluation Program (IMPEP) report on the [STATE] Agreement State Program. The MRB found the [STATE] program [ADEQUATE TO ASSURE PUBLIC HEALTH AND SAFETY/ADEQUATE, BUT NEED IMPROVEMENT] and [COMPATIBLE/NOT COMPATIBLE] with NRC's program.

Section 5.0, page [PAGE NUMBER], of the enclosed final report presents the IMPEP team's recommendations. [WE RECEIVED YOUR [DATE] LETTER WHICH DESCRIBED THE ACTIONS TAKEN IN RESPONSE TO THE TEAM'S RECOMMENDATIONS. WE REQUEST NO ADDITIONAL INFORMATION.] or [WE REQUEST YOUR EVALUATION AND RESPONSE TO THOSE RECOMMENDATIONS WITHIN 30 DAYS FROM RECEIPT OF THIS LETTER.]

Based on the results of the current IMPEP review, the next full review will be in approximately [#] years.

I appreciate the courtesy and cooperation extended to the IMPEP team during the review and your support of the Radiation Control Program. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

[NAME]
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

Enclosure:
As stated

cc: [NAME, RCP, STATE]
[SLO]

Appendix C (Continued)

Distribution: DCD (SP01) PDR (YES√)

DIR RF

IMPEP Project Manager, DMSSA

[IMPEP TEAM MEMBERS]

Director, DMSSA

RSAO

RSLO

OGC

[STATE] File

bcc: [CHAIRMAN]

[NRC COMMISSIONERS]

DOCUMENT NAME: G:\IMPEP\20## ST Final IMPEP Report and Letter.WPD

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OFFICE	[OFFICE]	DMSSA	FSME	DEDMRT
NAME	Team Leader			
DATE				

Appendix D

Sample Acknowledgment Letter

[NAME]
[TITLE, STATE SENIOR MANAGEMENT]
[ADDRESS]

Dear [NAME]:

Thank you for your letter dated [DATE], responding to our request for an evaluation and response to the recommendations of the final Integrated Materials Performance Evaluation Program (IMPEP) review report for the [STATE] Agreement State Program. We find your responses adequate and will conduct the next IMPEP review in [FY].

We appreciate the positive actions that you and your staff have taken and are continuing to implement with regard to our comments. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

[NAME]
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

Enclosure:
As stated

cc: [NAME, RCP, STATE]
[SLO]

Appendix D (Continued)

Distribution:

DIR RF

DCD (SP01)

PDR (YES√)

IMPEP Project Manager, DMSSA

[IMPEP TEAM MEMBERS]

RSLO

RSAO

Director, DMSSA

OGC

[STATE] File

DOCUMENT NAME: G:\IMPEP\YYYYACKXX.WPD

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OFFICE [OFFICE]

DMSSA

FSME

DEDMRT

NAME Team Leader

DATE

Appendix E

Frequently Asked Questions

Q: If I'm on the review team for a program that is to receive a followup review, will I automatically be on the followup review team?

A: No. Original team members do not come back to participate on the followup review. Only the RSAO for the State is required to participate in the followup review for an Agreement State. New team members are appointed to participate in followup IMPEP reviews since this approach allows for unbiased perspectives on Program past or present performance issues.

Q: Will a followup review always follow a period of Heightened Oversight?

A: Generally, a followup review will follow a period of Heightened Oversight, although the findings of the followup review may not necessarily lead to the end of the Heightened Oversight period.

Q: How long do I need to hold on to my review materials once the review is over?

A: Normally, we ask that team members retain their review materials only until the final report is issued. However, if a followup review is scheduled, team member should retain their materials until the followup review report has been issued.

Q: What recommendations can be closed out during a followup review?

A: Any recommendations from previous IMPEP reviews can be closed out if they are fully evaluated during a followup IMPEP review.