

Organization of Agreement States (OAS)
and
Conference of Radiation Control
Program Directors (CRCPD)

Board Briefing
to the
Commissioners of the
U.S. NRC

10/28/2021



Organization of Agreement States



Common Priorities across the State Organizations

CRCPD

Angela Leek, Chairperson (IA) – Health Physics Workforce Recruitment and Retention

Kim Steves, Past Chair (KS) – Unwanted Radioactive Materials – State Issues

Patrick Mulligan, Chair Elect (NJ) – Rulemaking and Policy Efforts across the NMP

OAS

Augustinus (Auggie) Ong, Chairperson (NH) – 2021 Inspection Manual Procedures Update

David Crowley, Past Chair (NC) – National Materials Program

Steve Seeger, Chair Elect (TN) – COVID-19 Pandemic Impacts – Success through Disruption



Health Physics Workforce - Recruitment and Retention

Angela Leek, CHP (IA) - CRCPD

The reality of a decreasing health physics workforce is recognized across the entire radiation protection community

USNRC has efforts underway to:

- Coordinate
- Leverage
- Develop
- Share

University Grant and Student Scholarship program

- Now includes Health Physics in addition to Nuclear Engineering
- Students can meet service commitment with either NRC or state employment



CRCPD HP Workforce Development and Coordination Committee Charges

1. Develop a process for sharing experienced staff in a resource deficient environment by designing a framework for a resource-matching program that would allow qualified staff in one regulator's jurisdiction to fill a temporary need in another jurisdiction.
2. Facilitate growth opportunities for Health Physics skills by identifying educational opportunities for Radiological Program Staff.
3. Identify issues that may arise from credentialing and reciprocity. Identify mechanisms that may be used to advertise for opportunities to share resources. Identify potential mechanism to fund resource sharing and potential paperwork to facilitate implementation.
4. Maintain awareness of resources in state, local and federal programs that are available to leverage for support.



Phase 3 Progress Report: Revision of NRC's Material Inspection Procedures Auggie Ong (NH) - OAS



Inspection Program Improvements

- The revised IP's emphasize **risk-informed and risk-smart elements** on what to look for during an inspection to help the NRC and the OAS inspectors who are less experience and to guide them on conducting performance-based inspections.
- As a result of focusing on performance-based inspection and giving proper weight to the areas of significant risk activities, they help to improve the assessment of the licensees' ability **to protect the health and safety of workers, to use RAM safely and securely, and to provide an overall protection of the public health.**



Changes Made in Inspection Procedures

Current IPs	Proposed Revised IP
IP 87124 "Fixed and Portable Gauges"	IP 87124, "Fixed Gauge Programs" P 87139, "Portable Gauge Programs"
IP 87126 "Industrial, Academic, and Research Programs"	IP 87126, "Broad Scope Academic and R&D Programs" IP 87140, "Source, Special Nuclear Material and Other Alpha Emitter Use Programs" IP 87141, "Limited Scope Academic and R&D Programs Including Animal Use" IP 87142, "Sealed Sources and Devices (Other) (Those Used in Measuring Systems, Analytical Instruments, Calibration and Checking of Instruments, and Similar Purposes)" IP 87143, "Self-Shielded Irradiator and Calibrator Devices" IP 87144, "Veterinary Use Programs"
IP 87130, "Nuclear Medicine Programs – Written Directive Required"	IP 87130, "Nuclear Medicine Programs"
IP 87131, "Nuclear Medicine Programs – Written Directive Not Required"	
IP 87123, "Well Logging and Tracer Study Programs"	



IMC 2800 Working Group As Partners

- The NRC and the OAS have continued **to work together** on making those transformative changes in the revised Inspection Procedures.
- Along with the NRC, the OAS has reached out to our State members for their comments and recommendations.
- The NRC and the OAS have begun to discuss timeline for implementation for the finalized IP's.



National Materials Program

- Revising the materials inspection procedures require the **coordination and communication** between NRC and the Agreement States working together.
- Incorporating risk-informed and performance-based activities into materials inspection procedures **improve the quality and the usefulness** of the inspection findings.



Waste Monitoring, Source Recovery and Disposal

Kim Steves (KS), CRCPD

A Challenge For Our States: Unwanted Radioactive Materials - Where Does It Go?



CHALLENGE:
LANDFILLS AND
RECYCLING
FACILITIES



Organization of Agreement States

CHALLENGE:
DISPOSAL OF
LOW LEVEL
RADIOACTIVE WASTE



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CHALLENGE:

DISPOSAL OF
HIGHER LEVELS OF
RADIOACTIVE
MATERIALS



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CRCPD SOURCE
RECOVERY AND
THREAT REDUCTION
(SCATR) PROGRAM



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CRCPD ORPHAN
SOURCE RECOVERY
PROJECT



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AWARENESS:

WASTE IS AN
ONGOING ISSUE
FOR OUR STATES



Organization of Agreement States



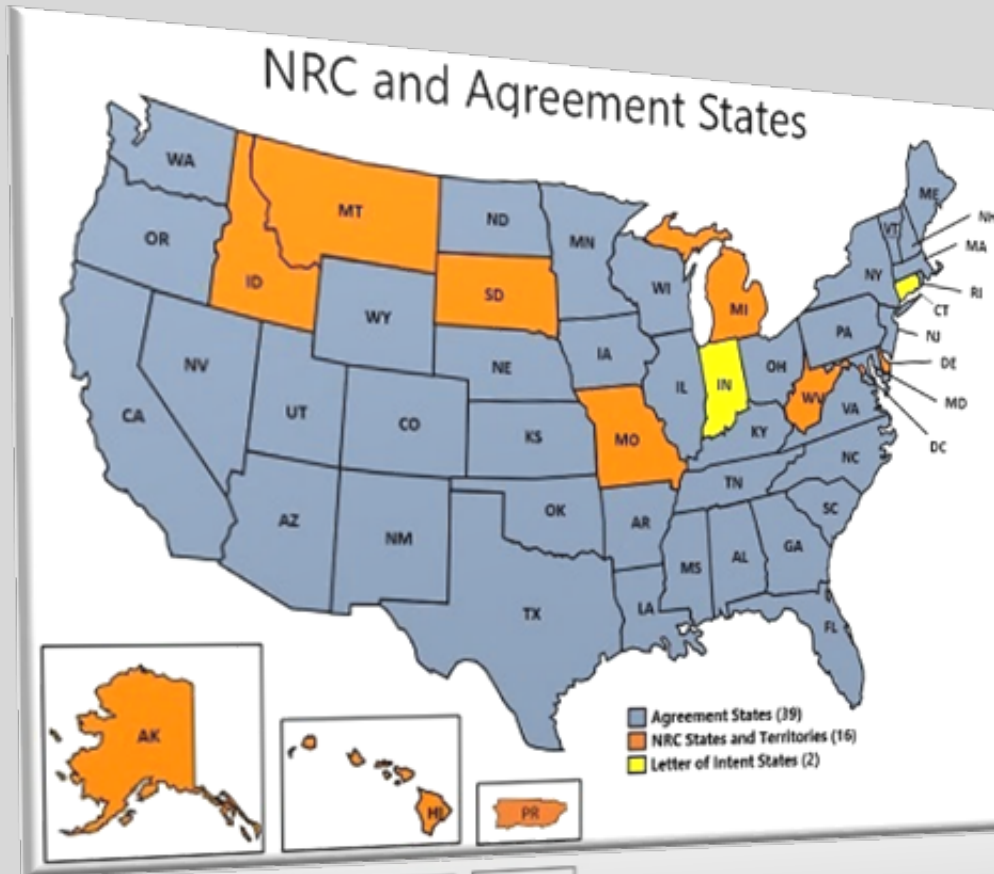
NATIONAL MATERIALS PROGRAM (NMP):

UPDATES AND ACTIVITIES

David Crowley (NC) - OAS



A GROWING NMP



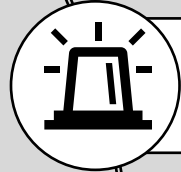
BUILDING A STRONGER FUTURE



2021-2022 NMP PRIORITIES



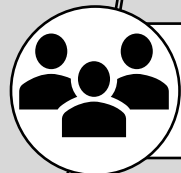
Innovation: IMPEP, Inspection Program, Program Elements



Risk: COVID-19 Activities, Emergent Technical Issues



Technology: State Communications Portal, WBL



People: Training, Recruiting and Retention, Centers of Excellence



NMP Mission: NMP Performance Metrics



CENTRALIZED RESOURCES

NMP National Materials Program



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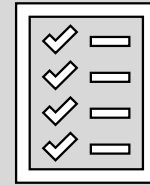


SHARED RESPONSIBILITIES AND PARTNERSHIP



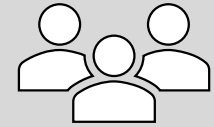
Communicating and Sharing Information

Industry Trends
New Technologies
Incidents
Requesting Assistance



Integrated Materials Performance Evaluation Program (IMPEP)

Improved Performance
Regulatory Consistency
Teamwork: State and NRC Personnel



Being Active Contributors

Working Groups
Centers of Excellence
Commenting
Meeting Participation



PAST AND FUTURE ACTIVITIES

CRCPD MEETINGS

OAS MEETINGS

CHAMPIONS' CHATS

GOVERNMENT TO GOVERNMENTS (G2G)

REVISING THE NMP CHARTER



Rulemaking and Policy Efforts

Patrick Mulligan (NJ) - CRCPD

- Rulemaking Process Innovation
 - (NRC's) Rulemaking Center of Expertise
 - Modern and Agile Process
 - Improve quality and timeliness
 - Maintain stakeholder engagement
 - Recognize current practices for collaboration and participation from state stakeholders is critically important to the process



Rulemaking and Policy Efforts

Patrick Mulligan, CRCPD

- CRCPD created compatibility tracking working group under SSR
- Interpretive Rulemaking
 - Valuable approach to timely and effective response to a critical need
 - Acceptable interpretive approach to NRC requirements
 - Meets the intent of the rule and provides advise



Rulemaking and Policy Efforts

Patrick Mulligan, CRCPD

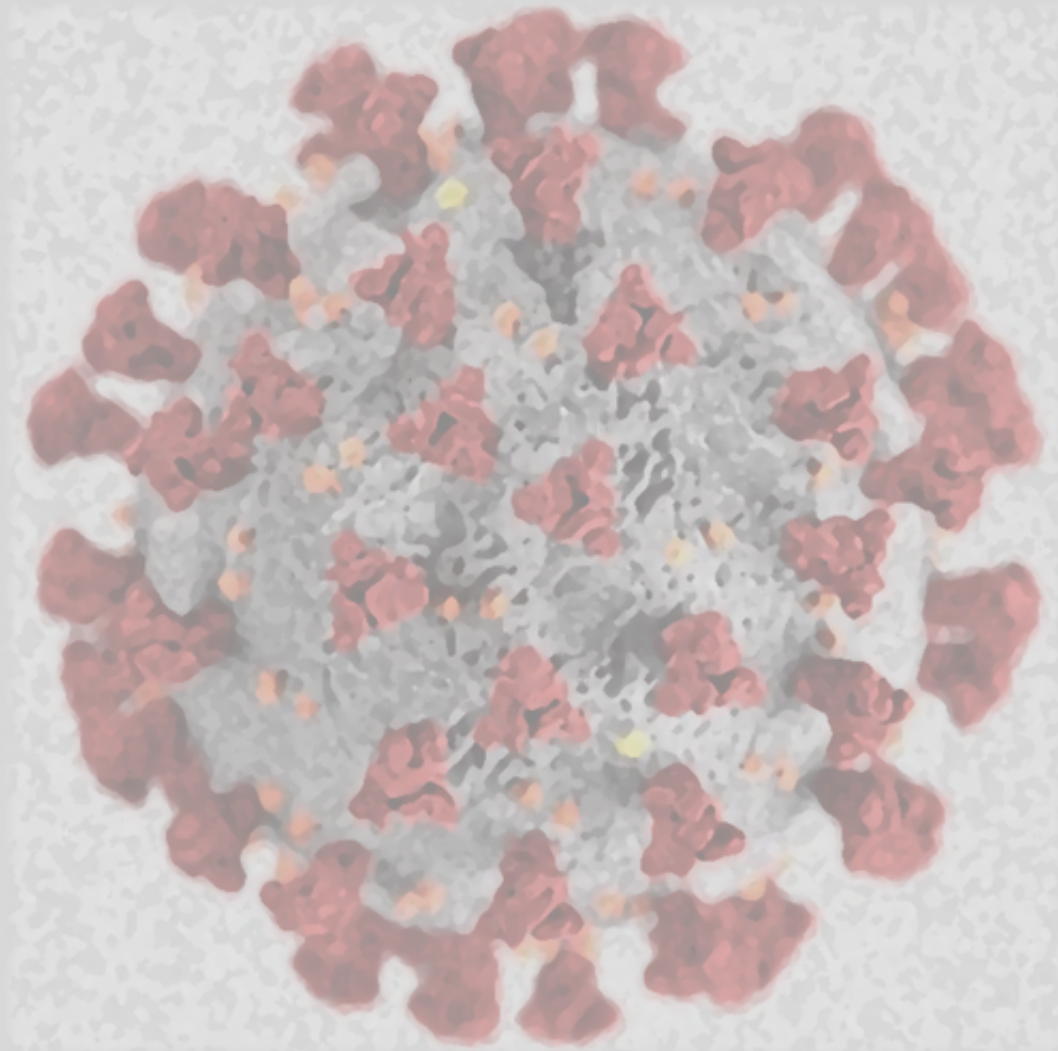
Examples from recent rulemaking considerations:

- VLLW rule consideration
 - Process was timely with a positive outcome
- Two-person rule decision – opportunity for improvements
 - Continue to look for opportunities to improve and streamline the process for the timely development of rules



COVID-19 PANDEMIC AND SUCCESS THROUGH DISRUPTION

Steve Seeger (TN) - OAS



COVID-19 PANDEMIC AND SUCCESS THROUGH DISRUPTION

REGULATORY RELIEF



EXEMPTIONS FROM
REGULATORY
REQUIREMENTS



AMENDMENTS TO
LICENSE CONDITIONS
OR TECHNICAL
SPECIFICATIONS



ENFORCEMENT
DISCRETION UNDER
CERTAIN
CIRCUMSTANCES



COVID-19 PANDEMIC AND SUCCESS THROUGH DISRUPTION

NRC GUIDANCE DOCUMENTS

- June 1, 2020 [\[PDF\]](#), "Inspection Guidance During Transition from Covid-19 Mandatory Telework for the Nuclear Materials and Waste Safety Programs" – The purpose of this memorandum is to provide guidance and to make considerations for the organizations responsible for inspections as COVID-19 restrictions begin to ease across the country.
- May 27, 2020 [\[PDF\]](#), "Enforcement Guidance Memorandum 20-002, Dispositioning Violations of NRC Requirements for Compliance with Radiological Emergency Response Plans During the COVID-19 Public Health Emergency, Attachment (3)" – The purpose of this attachment is to provide enforcement discretion guidance to U.S. Nuclear Regulatory Commission (NRC) inspection staff for the disposition of violations of emergency preparedness regulations during the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE).
- May 21, 2020 [\[PDF\]](#), "Enforcement Guidance Memorandum 20-002 – Dispositioning Violations of NRC Requirements Under 10 CFR Parts 30-36, and 39, Resulting from Impacts of the COVID-19 Public Health Emergency (PHE), Where the Licensee Suspended the Use of Licensed Material in Safe Storage (Attachment 2)" – The purpose of this attachment is to provide guidance to U.S. Nuclear Regulatory Commission (NRC) inspection staff for the disposition of violations of NRC requirements under Title 10 of the Code of Federal Regulations (CFR) that occurred because of the COVID-19 public health emergency (COVID-19 PHE).
- May 14, 2020 [\[PDF\]](#), "U.S. Nuclear Regulatory Commission Planned Actions Related to Emergency Preparedness Biennial Exercises During the Coronavirus Disease 2019 Public Health Emergency" – This letter provides information regarding the suspension of biennial exercises related to the requirements contained in Title 10 of the Code of Federal Regulations (CFR) Part 40. This information is applicable to all NRC licensees under Parts 30, 40, 50, 52, 70, and 71.
- April 30, 2020 [\[PDF\]](#), "U.S. Nuclear Regulatory Commission Planned Actions Related to the Material Control and Accounting of Special Nuclear Material During the Coronavirus Disease 2019 Public Health Emergency" - This letter provides information regarding the suspension of actions related to 10 CFR Part 74 requirements for material control and accounting of special nuclear material.
- April 27, 2020 [\[PDF\]](#), "U.S. Nuclear Regulatory Commission Planned Actions Related to the Material Control and Accounting of Special Nuclear Material During the Coronavirus Disease 2019 Public Health Emergency" – This letter provides information regarding the suspension of actions related to 10 CFR Part 74 requirements for material control and accounting of special nuclear material.
- April 15, 2020 [\[PDF\]](#), "Enforcement Guidance Memorandum 20-002, Dispositioning Violations of NRC Requirements Under 10 CFR Parts 30-36, and 39, Resulting from Impacts of the COVID-19 Public Health Emergency (PHE), Where the Licensee Suspended the Use of Licensed Material and Placed Material in Safe Storage (Attachment 2)" – The purpose of this enforcement guidance memorandum (EGM) is to provide enforcement discretion guidance to U.S. Nuclear Regulatory Commission (NRC) requirements during the COVID-19 public health emergency (PHE).
- April 10, 2020 [\[PDF\]](#), "Letter to the Honorable John A. Barrasso from NRC Chairman Svinicki" – This letter provides information regarding the suspension of actions related to 10 CFR Part 74 requirements for material control and accounting of special nuclear material.
- Commission's April 03, 2020 [\[PDF\]](#) response to your letter of March 27, 2020 [\[PDF\]](#), request for information regarding the suspension of actions related to 10 CFR Part 74 requirements for material control and accounting of special nuclear material.
- and charges from NRC's licensees that are experiencing challenges given the COVID-19 public health emergency (PHE).
- Regulatory Issue Summary 2010-04, "Monitoring the Status of Regulated Activities during the COVID-19 Public Health Emergency"

JUNE 1, 2020, "INSPECTION GUIDANCE DURING TRANSITION FROM COVID-19 MANDATORY TELEWORK FOR THE NUCLEAR MATERIALS AND WASTE SAFETY PROGRAMS"

MAY 27, 2020, "ENFORCEMENT GUIDANCE MEMORANDUM 20-002, DISPOSITIONING VIOLATIONS OF NRC REQUIREMENTS FOR COMPLIANCE WITH RADIOLOGICAL EMERGENCY RESPONSE PLANS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY, ATTACHMENT (3)"

MAY 21, 2020, "ENFORCEMENT GUIDANCE MEMORANDUM 20-002 – DISPOSITIONING VIOLATIONS OF NRC REQUIREMENTS UNDER 10 CFR PARTS 30-36, AND 39, RESULTING FROM IMPACTS OF THE COVID-19 PUBLIC HEALTH EMERGENCY (PHE), WHERE THE LICENSEE SUSPENDED THE USE OF LICENSED MATERIAL AND PLACED MATERIAL IN SAFE STORAGE (ATTACHMENT 2)"

COVID-19 PANDEMIC AND SUCCESS THROUGH DISRUPTION

DISTRIBUTION OF GUIDANCE DOCUMENTS BY OAS

ALABAMA	RADIATION PROTECTION GUIDANCE FOR COVID-19
MASSACHUSETTS	COVID-19 BLANKET EXTENSION
NEW HAMPSHIRE	GUIDANCE AND DEFERRAL OF CERTAIN REQUIREMENTS
NEW JERSEY	GUIDANCE FOR RADIOACTIVE MATERIALS LICENSE HOLDERS
NORTH CAROLINA	RADIATION PROTECTION GUIDANCE COVID-19
OHIO	DEFERRAL OF CERTAIN REQUIREMENTS
OKLAHOMA	LETTER TO LICENSEES RE: COVID-19
TEXAS	NOTICE TO RADIOACTIVE MATERIALS LICENSEES
PENNSYLVANIA	COVID-19 EMERGENCY REQUEST TO TEMPORARILY SUSPEND REGULATORY REQUIREMENTS
TENNESSEE	RADIATION PROTECTION GUIDANCE FOR COVID-19
WYOMING	COVID-19 TEMPORARY GUIDANCE



COVID-19 PANDEMIC AND SUCCESS THROUGH DISRUPTION



HOW INSPECTIONS ARE BEING PERFORMED
DURING COVID



IMPEP DURING COVID





Organization of Agreement States



Coordination continues
US NRC - CRCPD - OAS

Thank you for your continued coordination
across the National Materials Program and in
radiation protection.



Organization of Agreement States

Questions?