

Those who fail to learn from history are  
doomed to repeat it+  
Winston Churchill



# National Materials Program 1970s – 1990s

Numerous task forces and reviews of the Agreement State program by the AEC/NRC, OAS, National Governors Association

- ” Agreement State program is successful
- ” Encourage more States to get Agreements
- ” Increase State responsibility and involvement as their programs mature
- ” National Materials Program remained undefined:  
%The NMP is what we currently have.+

## **National Materials Program Working Group SECY-99-0250 (1999)**

Address the impacts of the increased number of Agreement States and provide input to the Commission on the NMP

- “ Development of an overall program mission statement with defined top level goal and objectives
- “ Delineation of the respective roles and legal responsibilities of the NRC and Agreement States, including OAS and CRCPD.
- “ Delineation of the scope of activities to be covered by the program and the need for statutory changes at both the state and federal levels.
- “ Establishment of formal program coordination mechanisms.
- “ Establishment of performance indicators and a program assessment process to both measure program performance and to ensure program evolution.
- “ Provision/budgeting of resources at both state and federal levels

# NMPWG Report SECY-01-0112 (May 2001)

- “ Six issues from SRM-SECY-99-0250 addressed
- “ Six options for the structure of an NMP provided.
  - . Alliance option was NMPWG preferred option
- “ Enhancements recommended to the national program regardless of the NMP structure
  - . Centers of Expertise
  - . Maintain information infrastructure
  - . Standing Committee on Compatibility (SCC)
  - . NRC should seek authority to regulate discrete NARM.
- “ Recommended an implementation plan based on option selected by Commission



# National Materials Program Post September 11<sup>th</sup>

- “ SECY-02-0107 and addendum to SECY-02-0074
  - . Presented five pilot projects to test blending of the current program and Alliance option (%Blended+option)
- “ SRM for SECY-02-0107 and SECY-01-0112
  - . Approved implementation of pilot projects
  - . Look at ongoing program to address security concerns and apply lessons learned to NMP
  - . Commission echoed concern of several Agreement States that could not participate as fully envisioned in Alliance option and directed NRC staff to identify any equity issues that may arise during pilot projects

# National Materials Program Post September 11<sup>th</sup>

## ” SRM-SECY-04-0215

- . Four of five pilots completed
- . Approved continuation of Blended option
- . Pilots did not resolve concerns with Alliance approach
- . Evaluate effectiveness of products from pilot before taking new initiatives.



# National Materials Program FSME/NMSS Years

- “ Implementation of enhancements from 2001 Report
  - . Energy Policy Act of 2005
  - . Revision of MD 5.3 and expanded use of NRC/Agreement State working groups in developing regulatory products (2007)
  - . SCC became part of rulemaking process (2008)
  - . NRC/OAS/CRCPD annual coordination of working group priorities (2009)
  - . STP/FSME/NMSS external website and State Communication Portal as NMP information clearing house (2001)
- “ NMP updates at OAS in 2008 and 2015
- “ NMP vision statement part of revised Agreement State Program Policy Statement (2017)

# Office of Inspector General Audit of the National Materials Program (2018)

## Objectives

The audit objective was to determine if the National Materials Program is an effective and efficient framework for carrying out NRC and Agreement State radiation safety regulatory programs. See Appendix C for information on the audit scope and methodology.



# Office of Inspector General Audit of the National Materials Program (2018)

## Findings

What did the OIG find?

**The National Materials Program Framework is Not Well Understood - Inconsistent Understanding Among Stakeholders**

Why this occurred?

**The National Materials Program Framework is Not Well Documented or Communicated and Lacks a Champion**

Why is this important?

**45 Percent of Agreement States Not Satisfied With Level of Influence**

## Office of Inspector General Audit of the National Materials Program (2018)

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### Recommendations

- “ Formalize the National Materials Program framework in a document to include a definition, vision, mission, goals and objectives, membership, members roles and responsibilities, and activities.
- “ Designate an NRC individual with expert knowledge to serve as the National Materials Program champion to help with consistent communication. NRC should also encourage the Agreement States to create a co-champion to serve as the NRC champion's peer.

# Schedule for NMP Guidance Document

Task	Due Date
Issue STC Letter with draft procedure for 45 day comment period	9/4/18
Comment period webinar	First week of October?
Start comment resolution and revise procedure (after comment period ends)	10/22/18
Start NRC concurrence process for procedure	1/4/19
Final approval of procedure by MSST Director	1/25/19
Issue STC Letter with final procedure with NRC's NMP champion identified	1/29/19
Provide update to Office of Inspector General on completion of actions	2/15/19

# Current Challenges for the National Materials Program

- “ Ability of NRC and Agreement States to deal with the NMP environment that is constantly evolving such as changes in priorities for regulatory needs and fiscal conditions.
- “ Ability of Agreement State programs to consistently commit resources to the support the shared program activities.
- “ Ability of Agreement States to share a greater proportional responsibility for development and maintenance of guidance documents.
- “ Ability of the NRC to accept Agreement State developed regulatory products and implement them within its regulatory program.
- “ Ability of the NRC to share establishment of priorities for work supporting the NMP with States early on in its planning process.

# Future of the National Materials Program

## Discussion Questions

- “ What is the NMP?
- “ What should be the objectives of the NMP?
- “ What activities should be included in the NMP?
- “ What roles and responsibilities will the NRC and Agreement States have responsibility for under the NMP?
- “ What qualitative and quantitative measurements should be used to monitor NMP activities?

# Backup Slides



## Draft NMP Definitions - I

- “ Definition: The National Materials Program (NMP) is the broad collective effort within which both the NRC and the Agreement States function in carrying out their respective regulatory programs for agreement material.
- “ Vision: The vision of the NMP is to provide a coherent national system for the regulation of agreement material with the goal of protecting public health, safety, security and the environment through compatible regulatory programs. Through the NMP, the NRC and Agreement States function as regulatory partners. **(from the Agreement State Program Policy Statement)**

## Draft NMP Definitions - II

- “ Mission Statement: The mission of the NMP is to create a veritable partnership of the NRC and Agreement States that will ensure protection of public health, safety, security and the environment associated with the hazards associated with radioactive material.
  
- “ Goal: The goal of the NMP is the protection of public health, safety, security and the environment associated with the hazards associated with radioactive material while effectively using regulatory resources.

# Draft NMP Objectives

- “ Optimize resources of the NRC and the Agreement States programs
  - . Shared Responsibility
  - . Sharing of Resources
- “ Account for individual agency needs and abilities
  - . Recognize Agreement States and NRC developed expertise.
  - . Recognize need for flexibility
- “ Promote consensus on regulatory priorities and approaches
  - . Establish and review periodically regulatory goals
  - . Established and periodically reviewed priorities
- “ Promote consistent exchange of information
  - . Maintain information clearinghouse
  - . Maintain open lines of communications at all levels throughout the NMP.
- “ Recognition and share successes
  - . Measurements of NMP activities
  - . Feedback to NMP community

## Examples of NMP Activities

- “ IMPEP - overall collective performance can be used to inform over NMP effectiveness.
- “ Standing Committee on Compatibility
- “ Common prioritization of regulatory and rulemaking activities
- “ Training of Materials Inspectors and License Reviewers
- “ NRC/Agreement State Working Groups
- “ Self-Assessment or Audits of any element of the Agreement State Program
- “ Communications
- “ Encourage the participation of NRC and Agreement State staff in NMP activities

## Who has Roles and Responsibilities for NMP Oversight?

- ” NRC Management
- ” ASPB
- ” OAS
- ” Each Agreement State Program
- ” NRC NMP Champion
- ” Agreement State NMP Co-Champion

# Examples of NMP Measures

- “ Meet strategic safety and security goals
- “ Trends identified from IMPEP findings
- “ Time to develop regulatory products
- “ Participation by state programs in development of regulatory products
- “ Training needs to maintain adequate number of materials inspectors and license reviewers
- “ Amount of NRC and Agreement State staff time needed to development of regulatory products
- “ Maintain an adequate Information Infrastructure.