



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 4, 2019

ALL AGREEMENT STATES, VERMONT

**OPPORTUNITY TO COMMENT ON DRAFT REVISION TO INSPECTION MANUAL  
CHAPTER (IMC) 2800, "MATERIALS INSPECTION PROGRAM" (STC-19-053)**

**Purpose:** To provide Agreement States, as well as any States with pending Agreement State applications, the opportunity to comment on the draft latest revision of the Office of Nuclear Material Safety and Safeguards Inspection Manual Chapter (IMC) 2800, "Materials Inspection Program."

**Background:** On April 13, 2016, the U.S. Nuclear Regulatory Commission (NRC) issued Staff Requirements Memorandum (SRM) to SECY-16-0009, "Recommendations Resulting from the Integrated Prioritization and Re-Baselining of Agency Activities." Item 110 in this SRM directed the NRC staff to revise IMC 2800 to allow for the addition of more flexibility and logical extensions to the inspection interval of materials licensees.

To more efficiently and effectively address the Commission direction for Item 110, the NRC management and staff divided action on this item into two phases: 1) to specifically address the items listed in the Commission paper; and 2) to conduct a more comprehensive evaluation of the entire NRC materials inspection program.

Phase 1 was completed with the issuance of a revision to IMC 2800, dated September 12, 2017. An electronic copy of September 12, 2017, revision to IMC 2800 can be found in the NRC's Agencywide Document Access and Management System under Accession No. ML17186A204.

During a senior management counterpart meeting in April 2018, management from the Division of Materials Safety, Security, State, and Tribal Programs (MSST) and the Division of Nuclear Materials and Safety (DNMS) for Regions I, III, and IV met and finalized the Phase Two Project plan.

**Discussion:** In August 2018, a Working Group (WG) composed of NRC and Agreement State inspection management and staff was formed and tasked with performing Phase 2. This activity resulted in substantial changes to IMC 2800 but these changes did not diminish the protection of public health and safety or security of licensed nuclear material. Changes in the following areas were especially noteworthy during this revision: (1) location of use; (2) reactive inspections; (3) remote inspections of exempt distribution licenses; (4) reciprocity; (5) inspection of bankrupt, expired, abandoned, and revoked licensees; (6) coordination of inspection activities between NRC regional offices and State agencies; and (7) inspection documentation.

Additionally, the WG decided to cancel IMC 1220, "Processing of NRC Form 241, 'Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, and Offshore Waters,' and Inspection of Agreement State Licensees Operating Under 10 CFR 150.20." The licensing information in IMC 1220 was moved to NUREG-1556, Volume 20, Revision 1, "Consolidated Guidance About Materials Licenses: Guidance About Administrative Licensing Procedures," and the inspection information was placed in IMC 2800.

Enclosed for your review and comment is a clean copy of the WG's proposed revised IMC 2800. Also enclosed is a red-line, strike-out version of the revised IMC 2800.

This information request has been approved by OMB 3150-0029 expiration February 28, 2022. The estimated burden per response to comply with this voluntary collection is approximately 16 hours. Send comments regarding the burden estimate to the Information Services Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to [infocollects.resource@nrc.gov](mailto:infocollects.resource@nrc.gov), and to OMB Office of Information and Regulatory Affairs (3150-0029), Attn: Desk Officer for the Nuclear Regulatory Commission, 725 17th Street, NW Washington, DC 20503; e-mail: [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov). An agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The comment period for this document, which was developed following consultation with the Organization of Agreement States, ends on November 1, 2019. Please provide comments to the individuals named below:

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Enclosures:

1. Clean version of proposed IMC 2800 revision
2. Red-line, strike-out version of revised IMC 2800

SUBJECT: OPPORTUNITY TO COMMENT ON DRAFT REVISION TO INSPECTION  
 MANUAL CHAPTER (IMC) 2800, "MATERIALS INSPECTION PROGRAM"  
 (STC-19-053) **DATED: SEPTEMBER 4, 2019**

**DISTRIBUTION:**

MSTR r/f  
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**ADAMS Accession No.: ML19246B172 -PKG****\*via email**

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