



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
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ATLANTA, GEORGIA 30303-8931

February 1, 2000

Mr. Robert W. Goff, Director
Division of Radiological Health
State Department of Health
3150 Lawson Street, P.O. Box 1700
Jackson, MS 39215-1700

SUBJECT: PERIODIC MEETING

Dear Mr. Goff:

A periodic meeting with Mississippi was held on January 20, 2000. The purpose of this meeting was to review and discuss the status of the Mississippi Agreement State program. Specific topics and issues of importance discussed at the meeting included actions on previous 1997 review findings, program strengths, staffing and training, performance of licensing and inspection activities, and the updating of regulations for compatibility.

I have completed and enclosed a general meeting summary, and I am not aware of any actions needed as a result of our meeting.

If you feel that our conclusions do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me at 404-562-4704, or e-mail to rlw@nrc.gov to discuss your concerns.

Sincerely,
/RA/
Richard L. Woodruff
Regional State Agreement Officer

Enclosure: Annual meeting summary

cc w/encl:
R.Trojanowski
K. Schneider, OSP
L. Rakovan, OSP

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR MISSISSIPPI

DATE OF MEETING: January 20, 2000

ATTENDEES:

NRC

Richard L. Woodruff, RSAO, Region II

Lance J. Rakovan, ASPO, OSP

STATE

Robert W. Goff, Director, Division of Radiological Health

B. J. Smith, Health Physicist Administrative, Materials Branch

DISCUSSION:

A meeting was held with the Mississippi representatives on January 20, 2000, in Jackson, Mississippi. The topics listed in NRC letter dated November 19, 1999, to Mr. Goff were discussed. Details for each area are discussed below.

Action on Previous Review Findings

The previous IMPEP review was conducted during the period of January 27-31, 1997. The previous Periodic meeting was held on September 10, 1998 during which the recommendations and suggestions (comments) made during the 1997 IMPEP were discussed with the State. All suggestions have been resolved and the State's actions on the recommendations were appropriate, and the report concluded that the 1997 recommendations should be verified during the next IMPEP for closure as appropriate. During this meeting, the State advised NRC that the program was fully staffed, and that their actions on the previous suggestions and recommendations had been implemented.

Program Strengths and/or Weaknesses

In general, the Mississippi representatives related that their program had adequate administrative support, legislative support, stable sources of funding, good legal support, and good laboratory support.

Specific areas were discussed as follows:

1. The Program Director related that Mississippi had a comprehensive radiation control program that included not only agreement materials, but also NORM and NARM, electronic products, environmental surveillance, emergency preparedness, a fixed laboratory facility and a mobile laboratory all under the Division of Radiological Health.

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2. The Materials Branch supervisor (Health Physicist, Administrative) related that the program had good radiation survey equipment including a portable multichannel analyzer, and sampling equipment for use which is in addition to the mobile laboratory. Calibration is obtained from a contractor.
3. The Program Director related that the program had upgraded their computers and the system is utilized for tracking and communication purposes, e-mail, and preparation of inspection reports and enforcement correspondence. The Director related that no year 2000 computer problems had been reported and that the Health Department continues to upgrade and improve the computer system. It is anticipated that the Department's Data Analyst will assist in updating the Division's computers.
4. The Materials Branch supervisor related that the materials program had no significant inspection backlogs or licensing issues at this time.
5. The turn-over in technical staff was discussed along with future staffing and training needs. The Director related that the program was fully staffed but some training would be needed from NRC sponsored courses. The program has limited resources for training but travel to courses held outside the State can be authorized with 60 to 90 days lead time needed to obtain the travel authorization. As a cost savings, courses held nearby and in the region are preferred. A revised training schedule was discussed and later verified with the Program Director via telephone.
6. The Materials Branch supervisor indicated that he was not aware of any significant enforcement issues with NRC licensees working under reciprocity in Mississippi, and that NRC inspectors would notify the State when performing inspections in Mississippi.

All of the IMPEP Indicators were discussed and there were no performance issues identified during the meeting.

Status of Program and/or Policy Changes

At the time of the meeting, there had been no significant changes in the organizational structure of the Division of Radiological Health since the 1998 Periodic meeting. The Division is headed by the Director, Robert W. Goff, and has three technical Branches: Radioactive Materials Branch; Environmental Branch; and the X-Ray Branch. All of the technical branches report to the Division Director and the Division is organized under the Bureau of Environmental Health (Rick Herrington, Director), Office of Health Regulation. The Bureau is one of three Bureaus under the Office of Health Regulation (Ricky L. Bogan, Office Director) which reports directly to the State Health Officer, F..E. Thompson, Jr.,MD, MPH.

All materials licensing and inspections are performed out of the Jackson, MS office.

No major changes in the staffing plan are planned at this point.

The Radioactive Materials Branch currently has 336 specific licenses, of which 12 licenses are considered to be major licenses. The Branch Administrator provided an updated listing of major licenses. Also of note is that Mississippi has two teletherapy licenses, of which one is in storage and the other licensee is expected to request their license to be terminated.

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Impact of NRC Program Changes

The NRC representatives discussed NRC program changes that could impact the State, such as the 10 CFR Part 35 revision, the current status of NRC's policies involving decommissioning of formerly licensed sites, NRC's training program, generally licensed devices, and the clearance rule .

In response to the issues, the Program Director related that the State did not have any sites to be decommissioned and that Mississippi regulations would be revised later in the year.

Internal program audits and self-assessments.

The managers reported that self-assessments were being accomplished through the use of the IMPEP indicator guidance criteria, and annual accompaniments of inspectors. The Materials Branch supervisor (Health Physicist, Administrative) has participated on several IMPEP teams and is scheduled for the North Carolina IMPEP team. The Director related that this participation has been helpful to them to better understand the IMPEP program and helpful in the assessment of their own program.

Status of Allegations Previously Referred

The NRC allegation program was discussed in general with the State representatives, including the need for protecting allegor identity, written responses to the allegor to close out the allegation, and the State's allegation procedures. The Program Director related that Mississippi had experienced very few allegations, that allegations were processed on a case-by-case basis, and that follow-up inspections were conducted as needed. A review of the allegations referred to the State by the NRC Region II office indicated that there had been only two allegations referred to the State and that both allegations had been closed at the NRC Regional Office. In general the State has been very responsive to the Regional requests when replies were needed to close out the allegations.

Nuclear Material Events Database (NMED) Reporting

A general discussion was held with the representatives concerning the NMED reporting system. Prior to this meeting, the RSAO prepared a report of events that had been placed in the NMED system, and the RSAO discussed the mechanism for reporting events, what events to report, the frequency and timeliness of reporting, notification to the FBI concerning stolen devices, and that the Event Reporting Handbook that was being revised and would be sent to the States for comment. The Materials Branch supervisor related that one individual had been assigned to enter the data into the system and track the events.

Compatibility of State Regulations

The compatibility policy was discussed in general with the State representatives, including the OSP's procedures for reviewing proposed State regulations. The Mississippi regulations have not been revised since the 1996 version and it was noted that the OSP Regulation Assessment Tracking System (RATS) contained no data entries since 1996. In general, the Program adopts regulations provided under the Suggested State Regulations (SSR's), and it was acknowledged that the SSR's have not always been timely. The Program Director related that some of the regulations needed in 1998 and 1999 had been drafted, and that a regulation package was being planned for adoption later this year. The Director related that changes in the Medical

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regulations were not planned until the NRC's Part 35 had been revised. The State is implementing some regulations such as shipment manifest requirements and industrial radiography requirements through the licensing process, and on an as-needed basis. The RSAO confirmed that the program is receiving NRC regulation changes as published and distributed, and the availability of the regulations on the NRC bulletin board was discussed.

Schedule for the Next IMPEP Review

The State was informed that the next Mississippi review is currently scheduled for the 2001 fiscal year and that the State should consider the continued use of the IMPEP indicator criteria as a mechanism for self evaluation prior to the IMPEP. We further discussed June 2001 as an agreeable time frame for the next IMPEP.

CONCLUSION:

The Mississippi program has good managers, equipment, and sufficient resources to carry out the Agreement Program under the IMPEP criteria. The State does not currently have any significant inspection or licensing backlogs.

ACTION ITEMS:

None

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