

April 28, 2000

MEMORANDUM TO: Management Review Board Members:

Paul H. Lohaus, STP
Martin J. Virgilio, NMSS
Joseph R. Gray, OGC

FROM: Kathleen N. Schneider, Senior Project Manager */RA/*
Office of State and Tribal Programs

SUBJECT: FINAL MINUTES: CALIFORNIA DECEMBER 20, 1999
MRB MEETING

Attached are the final minutes of the Management Review Board (MRB) meeting held on December 20, 1999. If you have any questions, please contact me at 415-2320.

Attachment:
As stated

cc: Edgar D. Bailey, CA
T. Pearce O'Kelley, SC

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF DECEMBER 20, 1999

These minutes are presented in the same general order as the items were discussed in the meeting. The attendees were as follows:

Paul Lohaus, MRB Chair, OSP
Martin Virgilio, MRB Member, NMSS
Lance Rakovan, Team Member, OSP
Don Cool, NMSS
Kathleen Schneider, OSP

Joseph Gray, MRB Member, OGC
Duncan White, Team Leader, RI
John Jankovich, Team Member, NMSS
John Hickey, NMSS
Brenda Usilton, OSP

By video conference:

Linda McLean, Team Member, RIV
Deborah Pellegrini, CA
William Lew, CA

Edgar Bailey, CA
Donald Bunn, CA

By telephone:

Pearce O'Kelley, OAS Liaison, SC

Cynthia Sanders, Team Member, GA

1. **Convention.** Paul Lohaus, Chair of the Management Review Board (MRB), convened the meeting at 11:00 a.m. Introductions of the attendees were conducted.
2. **New Business. California Review Introduction.** Mr. Duncan White, RI, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the California review.

Mr. White discussed how the review was conducted. Preliminary work included a review of California's response to the IMPEP questionnaire. The onsite review was conducted October 4-8, 1999. The onsite review included an entrance interview, detailed audits of a representative sample of completed licensing actions and inspections, and follow-up discussions with staff and management. Following the review, the team issued a draft report on November 4, 1999; received California's comment letter dated December 6, 1999 and electronic mail message dated November 18, 1999; and submitted a proposed final report to the MRB on December 6, 1999.

Common Performance Indicators. Ms. McLean discussed findings for the common performance indicator, Status of the Materials Inspection Program. Her presentation corresponded to Section 3.1 of the IMPEP report. The review team found California's performance with respect to this indicator "satisfactory," and made no recommendations. The MRB discussed with the team and the State the process for evaluating, analyzing, and supporting a change in the inspection frequency for high dose remote afterloaders. The MRB directed that the process for evaluating, analyzing, and supporting a change in the inspection frequency for a class of licensees based on performance be included as a good practice in the report. The MRB agreed that California's performance met the standard for a "satisfactory" rating for this indicator.

Ms. McLean discussed the findings for the common performance indicator, Technical Quality of Inspections, which are summarized in Section 3.2 of the report. The team

found that California's performance on this indicator was "satisfactory," and made no recommendations. Mr. White discussed the performance of the inspectors during the accompaniments. The MRB agreed that California's performance met the standard for a "satisfactory" rating for this indicator.

Mr. White presented the findings regarding the common performance indicator, Technical Staffing and Training. His presentation corresponded to Section 3.3 of the IMPEP report. The team found that California's performance with respect to this indicator was "satisfactory," and made no recommendations. The MRB discussed the need for training recommendations to be performance based and consistent from one IMPEP review to the next when similar formal training is lacking, however no performance issues are identified. Mr. Bailey and the MRB discussed the licensing backlog for both materials and sealed source and device program in light of the present staffing for the program. Mr. Bailey was interested in the backlog standard utilized by NRC. The MRB agreed that California's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Sanders presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. She summarized the findings in Section 3.4 of the report. The team found California's performance to be "satisfactory" for this indicator and made no recommendations. The MRB agreed that California's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Rakovan presented findings regarding the final common performance indicator, Response to Incidents and Allegations. As discussed in Section 3.5 of the report, the team found California's performance relative to this indicator to be "satisfactory" and made one recommendation regarding submittal of reportable events to NRC on a monthly versus a quarterly basis. The MRB directed the team to revise the report to note that events requiring immediate notification were promptly reported. The MRB approved the use of a QA Health Physicist as a good practice, specifically for larger radiation control programs. The MRB agreed that California's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Mr. White led the discussion of the non-common performance indicator, Legislation and Program Elements Required for Compatibility, which is summarized in Section 4.1 of the report. The team found California's performance relative to this indicator to be "satisfactory," and made no recommendations. The MRB discussed regulation readings as performed by the California staff and deemed it a good practice. The MRB agreed that California's performance for this indicator met the standard for a "satisfactory" rating.

Mr. Jankovich led the discussion of the non-common performance indicator, Sealed Source and Device (SS&D) Evaluation Program, which is summarized in Section 4.2 of the report. The team found California's performance relative to this indicator to be "satisfactory" with three recommendations regarding formalizing procedures, formal training and qualifications for SS&D reviewers and amendment to a specific registration sheet to reflect changes in the fabrication process. The MRB agreed that California's performance for this indicator met the standard for a "satisfactory" rating.

Mr. White led discussions of the non-common performance indicator, Low-Level Radioactive Waste Disposal Program, which is summarized in Section 4.3 of the report. The team did not review this indicator in view of the termination of the funding and disbanding of the regulatory program.

MRB Consultation/Comments on Issuance of Report. Mr. White concluded, based on the discussion and direction of the MRB, that California's program was rated "satisfactory" for all common and applicable non-common performance indicators. The MRB found the California program to be adequate to protect public health and safety and compatible with NRC's program. The IMPEP team and MRB agreed that the next IMPEP review for California be conducted in four years.

Comments from the State of California. Mr. Bailey noted that he appreciated the review. It is his intention to run the best program possible and he looks forward to the reviews. He noted that this is a State/Federal program that works well together. Mr. Bailey did note that he supports more frequent reviews and visits to his program for the benefits to his program.

3. **Status of Remaining Reviews.** Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports.
4. **Approval of the Iowa and Washington MRB minutes.** The draft MRB minutes from the Iowa and Washington Program reviews were offered for the MRB approval. The draft minutes were approved as circulated with no changes pending approval by the Iowa and Washington programs.
5. **Adjournment.** The meeting was adjourned at approximately 12:20 p.m.