



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064**

April 27, 2000

William J. Sinclair, Director
Division of Radiation Control
168 North 1950 West
P.O. Box 144810
Salt Lake City, UT 84114-4810

Dear Mr. Sinclair:

This year's periodic meeting with Utah was held on March 28, 2000. The purpose of this meeting was to review and discuss the status of Utah's Agreement State program. The NRC was represented by Lloyd Bolling of NRC's Office of State and Tribal Programs, and Dwight Chamberlain and me from NRC's Region IV office.

I have completed and enclosed a general meeting summary, including any specific actions that will be taken as a result of the meeting.

If you feel that our conclusions do not accurately summarize the meeting discussion, or if you have any additional remarks about the meeting in general, please contact me at (817) 860-8116 or e-mail mlm1@nrc.gov to discuss your concerns.

Sincerely,

/RA/

M. Linda McLean
Region IV State Agreements Officer

Enclosure: As stated

cc w/encl.: Paul Lohaus, Director, OSTP

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR UTAH

Date of Meeting: March 28, 2000

ATTENDEES:

State of Utah

William Sinclair, Director
Dane Finerfrock, Environmental Health Manager
Craig Jones, Environmental Health Manager

NRC

Dwight Chamberlain, Division Director, RIV
Linda McLean, Regional State Agreements Officer, Region IV
Lloyd Bolling, Agreement State Project Officer, OSTP

DISCUSSION

The following is a summary of the meeting held in Portland on March 28, 2000, between representatives of the NRC and the State of Utah. During the meeting, the topics suggested in a letter dated January 20, 2000, from Mrs. McLean to Mr. Sinclair were discussed. The discussion pertaining to each topic is summarized below.

Action on Previous IMPEP Review Findings

The previous Integrated Materials Performance Evaluation Program (IMPEP) review was conducted during the period November 16-20, 1998, with the findings discussed in a meeting between the State and the IMPEP Management Review Board (MRB) on February 1, 1999. The results were issued in a final report dated February 9, 1999. At that time the MRB found that the Utah radiation control program was adequate to protect public health and safety and compatible with NRC's program. The recommendations made in the final report are listed below followed by a summary of the State's actions in response to each recommendation.

RECOMMENDATIONS

1. The review team recommends that the State continue in their ongoing efforts to meet the reciprocity inspection frequencies outlined in IMC 1220.

CURRENT STATUS

The State has been successfully following the reciprocity inspection frequencies in IMC 1220.

It is recommended that this item be closed at the next IMPEP review.

ENCLOSURE

Strengths and Weaknesses of the Utah Program

One recognized strength is the stability of the staff. There has been very little staff turn over. Another strength is the good communications between the Division staff and management.

The Division identified several program challenges. One is the proposed change to the Agreement to add the uranium mill program. The Division has had several public meetings to discuss the proposed change. In addition, the Division plans to meet April 13, 2000, with all stakeholders to discuss the issues. Another challenge is the activities regarding the Atlas Mill in Moab. And a third challenge is the proposed addition of B and C waste disposal at the Envirocare facility.

Recent or Pending State Program Changes

Changes in Program Staff

There has been very little staff turn over. There was one retirement and one resignation since the IMPEP review. No additional retirements are scheduled in the near future.

Changes in program budget or funding

There have been no changes in the program budget or funding.

NRC Program or Policy Changes That Could Impact Agreement States

Some items discussed were: the recent Region IV's organizational changes, the continuity of government policy, the Oklahoma Agreement State status, the NMSS budget process, and the Event Reporting working group.

Internal Program Audits or Self Assessments

The Division continues with regular inspector accompaniments. An analysis and critique of a recently held licensee workshop was performed by the Division.

The Division discussed the new inspection program at Envirocare. The inspections will be done by using 20 inspection modules, along with regular operational reviews.

Status of Allegations Referred by NRC to the Utah Radiation Control Program

One allegation was referred to the State during this period. The allegation was investigated and resolved.

ENCLOSURE

Compatibility of Agreement State regulations

Based on a review of the RATS database and the Utah correspondence file, the attached list of regulations, require a final version to be sent to OSTP for a compatibility determination.

Nuclear Material Events Database (NMED)

There have been no significant problems with the NMED system.

Schedule for next IMPEP Review

The next IMPEP Review is due in 2002.

Action Items Identified During Meeting

1. The Division requested assistance in getting one of the staff into the Inspection Procedures course being held in Florida since she will already be in Florida for another business reason - Lloyd Bolling.
2. The Division requested information on the procedure for one of their staff to be able to challenge the radiography exam - Lloyd Bolling. Mr. Bolling responded by e-mail dated March 30, 2000, to this request. This Action Item is closed.
3. The Division requested that additional irradiator courses be scheduled. This request will be forwarded to NRC's Training Center - Lloyd Bolling.

The Division was informed, via e-mail on April 24, 2000, that the Irradiator Course is being re-negotiating and that 5 courses will be scheduled during the next 3 years. This Action Item is closed.

ENCLOSURE

Attachment

Based on a review of the RATS database, and the Utah correspondence file, this list of regulations require a final version to be sent to OSTP for a compatibility determination.

REGULATION UPDATE TABLE

10 CFR RULE	DATE DUE	DATE EFFECTIVE	STATUS AT LAST IMPEP	CURRENT STATUS IF NOT ADOPTED		
				ADOPTION EXPECTED	DTE SENT TO NRC	CHK IF NOT STARTED
Safety Requirements for Radiographic Equip; Part 34	1/10/94					
Notification of Incidents; Parts 20, 30, 31, 34, 39, 40, 70	10/15/94					
QM and Misadministrations; Part 35	1/27/95					
Licensing and Radiation Safety Requirements for Irradiators; Part 36	7/1/96					
Definition of Land Disposal and Waste Site QA Program; Part 61	7/22/96					
Low-Level Waste Shipment Manifest Information and Reporting; Parts 20, 61	3/1/98					
Frequency of Medical Examinations for Use of Respiratory Protection Equipment; Part 20	3/13/98					
Performance Requirements for Radiography Equipment; Part 34	6/30/98					
Radiation Protection Requirements: Amended Definitions and Criteria; Parts 19, 20	8/14/98					
Medical Administration of Radiation and Radioactive Materials; Parts 20,35	10/20/98					
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act; Part 20	1/9/00					
Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State; Part 150	1/13/00					
Criteria for the Release of Individuals Administered Radioactive Material; Parts 20, 35	1/29/00					

ENCLOSURE

10 CFR RULE	DATE DUE	DATE EFFECTIVE	STATUS AT LAST IMPEP	CURRENT STATUS IF NOT ADOPTED		
				ADOPTION EXPECTED	DTE SENT TO NRC	CHK IF NOT STARTED
Radiological Criteria for License Termination; Parts 20, 30, 40, 70	7/21/00					

ENCLOSURE

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