

Lohaus, STP a/a

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jul 14, 2000 12:15

PAPER NUMBER: LTR-00-0461
ACTION OFFICE: EDO
AUTHOR: ^{Mike}~~JERRY~~-BRODERICK
AFFILIATION: OK
ADDRESSEE: PAUL LOHAUS
SUBJECT: AGREEMENT STATE PROGRAM
ACTION: Appropriate
DISTRIBUTION: CHAIRMAN, COMRS, OGC
LETTER DATE: 07/14/2000
ACKNOWLEDGED: No
SPECIAL HANDLING:
NOTES:
FILE LOCATION: ADAMS
DATE DUE:

LOGGING DATE: 07/14/2000

Cys:

EDO
DEDMRS
DEDR
DEDM
AO

NMSS
R.II

DATE SIGNED:

Template Secy-017

E. Redd Secy-01



MARK COLEMAN
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

FRANK KEATING
Governor

July 13, 2000

Paul Lohaus
Office of State and Tribal Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20501

Dear Mr. Lohaus:

There are two personnel developments in our program which I am bringing to your attention. One is favorable, and one is unfavorable. First, Earlon Shirley has resigned from our program to accept a supervisory position with the state of Texas. Second, John Flynn has resolved the personal issues that were causing problems, and he will be remaining with the Radiation Management Section. Since Mr. Shirley is one of our more trained and experienced staff members, we have revised our plans for how we will conduct our responsibilities under Agreement Status. Mr. Flynn has strong background as a regulator and several years experience as a well logging engineer, so this is of definite assistance to us.

The principal change we are making in our program is that we will be giving Jerry Matthews interim qualification as a Basic AEA Inspector. Mr. Matthews is an experienced regulator and will have completed the Applied Health Physics Course (5-week course), the Transportation Course, the Inspection Procedures, as well as other NRC courses. He will have about 18 months of experience with the Radiation Management Section. This means he will have completed all the formal training required for a Basic AEA Inspector, and he will work under close supervision of an experienced staff member. Thus we are comfortable making this assignment. As a reminder, Basic AEA Inspections are primarily sources such as industrial gauges and some academic licenses. Mr. Matthews is attending the Nuclear Medicine Course in August, 2000, so he will be able to pursue qualification as a diagnostic nuclear medicine inspector after proving himself on Basic AEA Licenses.

We are taking steps to get Mr. Flynn qualified as a Basic AEA Inspector and Well Logging Inspector. We expect that by Spring, 2001 he will complete the process described in our application and be available for Basic AEA inspections. By Summer 2001, he should be qualified as a Well Logging Inspector.

We have already begun the process of filling Mr. Shirley's vacant position. It is likely that he will be replaced by an experienced environmental regulator from elsewhere in our agency, though this depends on the number and quality of applicants.

707 NORTH ROBINSON, P.O. BOX 1677, OKLAHOMA CITY, OKLAHOMA 73101-1677

printed on recycled paper with soy ink



A revised staffing analysis is attached. I have also attached a copy of the memo qualifying Mr. Matthews as a Basic AEA Inspector on an interim basis. Note that due to the efforts of NRC Region IV, when the transfer occurs, our inspections will be current through January, 2001.

I have discussed with you the financial developments in Oklahoma that impacted our program here. If the effective date of our Agreement is delayed beyond October 1, and NRC seeks to charge fees for an additional year, our entire Agreement State program would be jeopardized. I urgently request your cooperation in completing the process before this date. I realize that NRC has worked rapidly in processing our application to this point, and I appreciate your efforts.

Sincerely,



Mike Broderick
Environmental Program Manager

Enclosures

Staffing analysis

Interim qualification memorandum for Jerry Matthews

July 13, 2000

MEMORANDUM

TO: Jerry Matthews
FROM: Mike Broderick
SUBJECT: Authorizations under Agreement State status

When Oklahoma becomes an Agreement State, you are authorized to do Basic AEA Inspections on an interim basis. This authorization is contingent on your successful completion of the Inspection Procedures Course.

Your first two inspections under this interim authorization will be conducted under oversight of Pam Bishop or Steven Fernandez. Your sixth inspection will also be conducted under oversight of an experienced inspector designated by me. After you have completed ten inspections under this authorization, your eleventh inspection will be overseen by an experienced inspector and by me, and I will consider whether to extend this interim authorization, cancel it, or declare you qualified on a permanent basis.

Broderick

| | | |
|------------------------------------|-----|------------|
| AEA Inspection Accompaniments | 5% | |
| AEA Rules Development | 10% | |
| AEA Management Review of Licensing | 40% | 90 days/yr |
| AEA Enforcement Activities | 10% | |
| Non-Agreement State Activities | 35% | |

Bishop

| | | |
|-----------------------------|-----|---------------|
| Agreement State Licensing | 50% | 112.5 days/yr |
| Agreement State Inspections | 50% | 112.5 days/yr |

Fernandez

| | | |
|-----------------------------|------|-------------|
| Agreement State Licensing | ~44% | 91 days/yr |
| Agreement State Inspections | ~56% | 125 days/yr |

Hoggard

| | | |
|--------------------------------|-----|----------------|
| Agreement State Inspections | 50% | 112.5 days/ yr |
| Non-Agreement State Activities | 40% | |
| Reserved for contingencies | 10% | |

Matthews

| | | |
|--------------------------------------|---------------|--------------|
| Agreement State Inspections | 30% | 66.5 days/yr |
| Agreement State Licensing | 10% (trainee) | |
| Industrial Radiography Certification | 25% | |
| Non-Agreement State Activities | 25% | |
| Reserved for contingencies | 10% | |

Flynn

| | | |
|--------------------------------|---------------|--|
| Agreement State Inspections | 25% (trainee) | |
| Non-Agreement State Activities | 65% | |
| Reserved for contingencies | 10% | |

Heath

| | | |
|--------------------------------|---------------|--|
| Agreement State Inspections | 10% (trainee) | |
| Agreement State Licensing | 10% (trainee) | |
| Non-Agreement State Activities | 70% | |
| Reserved for contingencies | 10% | |

New Hire

| | | |
|--------------------------------|-----|--|
| Non-Agreement State Activities | 90% | |
| Reserved for Contingencies | 10% | |

NEED ANALYSIS

| License Category | Number of Licenses | Licensing Renewals/ Yr@_days | Licensing Amendment Days/ Yr | Total licensing Staffdays/yr | Inspection Priority | Inspections/ yr@_days | Inspection staff days/ yr |
|--------------------------------------|--------------------|------------------------------|------------------------------|------------------------------|---------------------|-----------------------|---------------------------|
| Academic | 10 | 1@6 | 5 | 11 | 5 | 2@5 | 10 |
| Broad Scope Academic | 5 | 1@6 | 3 | 9 | 2 | 2@5 | 10 |
| Nuc Med - IP 2 | 2 | 1@6 | 1 | 7 | 2 | 1@5 | 5 |
| Nuclear Med - IP 3 | 51 | 5@6 | 26 | 56 | 3 | 17@5 | 85 |
| Nuclear Med - IP 5 | 16 | 2@6 | 8 | 20 | 5 | 3@5 | 15 |
| Brachytherapy | 3 | 1@6 | 2 | 8 | 1 | 3@5 | 15 |
| Teletherapy | 2 | 1@6 | 1 | 7 | 3 | 1@5 | 5 |
| Medical - Broad Scope | 1 | 1@6 | - | 6 | 1 | 1@5 | 5 |
| Nuclear Pharmacy | 2 | 1@6 | 1 | 7 | 1 | 2@5 | 10 |
| Measuring Systems (Gauge, GC, other) | 76 | 8@2 | 38 | 54 | 5 | 15@3 | 45 |
| Industrial - other IP 2 | 3 | 1@6 | 2 | 8 | 2 | 2@5 | 10 |
| Industrial - other IP 3 | 10 | 1@6 | 5 | 11 | 3 | 3@5 | 15 |
| Industrial - other IP 5 | 8 | 1@6 | 4 | 10 | 5 | 2@3 | 6 |
| Industrial Radiography | 19 | 2@6 | 10 | 22 | 1 | 19@5 | 95 |
| Well Logging | 12 | 1@6 | 6 | 12 | 3 | 4@5 | 20 |
| LLW Disposal Services | 1 | 1@6 | - | 6 | 1 | 1@5 | 5 |
| New Applications | 3 | 3@7 | - | 21 | Initial | 3@5 | 15 |

*To simplify assumptions, one IP3 facility in Program Code 3611 is treated as IP2 here

RESOURCE ANALYSIS

| Staff Member | Bishop | | Fernandez | | Hoggard | | Matthews | | Broderick | | Total | |
|--------------------------------------|------------|------------|-----------|------------|------------|-----|-----------|-----|-----------|---------------|------------|------------|
| | Insp | Lic | Insp | Lic | Insp | Lic | Insp | Lic | Insp | Mgmt Rev. Lic | Insp | Lic |
| Academic | | | | 9 | | | 10 | | | 2 | 10 | 11 |
| Broad Scope Academic | 10 | 7 | | | | | | | | 2 | 10 | 9 |
| Nuclear Med - IP 2 | | 5 | | | 5 | | | | | 2 | 5 | 7 |
| Nuclear Med - IP 3 | | | | 48 | 85 | | | | | 8 | 85 | 56 |
| Nuclear Med - IP 5 | | | | 18 | 15 | | | | | 2 | 15 | 20 |
| Brachytherapy | 15 | 6 | | | | | | | | 2 | 15 | 8 |
| Teletherapy | 5 | 6 | | | | | | | | 1 | 5 | 7 |
| Medical - Broad Scope | 5 | 5 | | | | | | | | 1 | 5 | 6 |
| Nuclear Pharmacy | 10 | 6 | | | | | | | | 1 | 10 | 7 |
| Measuring Systems (gauge, GC, other) | | | | 50 | | | 45 | | | 4 | 45 | 54 |
| Industrial - Other IP 2 | 10 | 7 | | | | | | | | 1 | 10 | 8 |
| Industrial - Other IP 3 | 15 | 9 | | | | | | | | 2 | 15 | 11 |
| Industrial - Other IP 5 | 6 | 8 | | | | | | | | 2 | 6 | 10 |
| Industrial Radiography | 24 | 20 | 71 | | | | | | | 2 | 95 | 22 |
| Well Logging | 10 | 10 | 10 | | | | | | | 2 | 20 | 12 |
| LLW Disposal Services | | 5 | 5 | | | | | | | 1 | 5 | 6 |
| New Applications | | 16 | 5 | | 5 | | 5 | | | 5 | 15 | 21 |
| Totals | 110 | 110 | 91 | 125 | 110 | | 60 | | | 40 | 371 | 275 |

BALANCE ANALYSIS

| License Category | Inspection staff days | | Licensing staff days | |
|-------------------------|-----------------------|-----------|----------------------|-----------|
| | Needed | Available | Needed | Available |
| Academic | 10 | 10 | 11 | 11 |
| Broad Scope Academic | 10 | 10 | 9 | 9 |
| Nuclear Med - IP 2 | 5 | 5 | 7 | 7 |
| Nuclear Med - IP 3 | 85 | 85 | 56 | 56 |
| Nuclear Med - IP 5 | 15 | 15 | 20 | 20 |
| Brachytherapy | 15 | 15 | 8 | 8 |
| Teletherapy | 5 | 5 | 7 | 7 |
| Medical - Broad Scope | 5 | 5 | 6 | 6 |
| Nuclear Pharmacy | 10 | 10 | 7 | 7 |
| Measuring Systems | 45 | 45 | 54 | 54 |
| Industrial - Other IP 2 | 10 | 10 | 8 | 8 |
| Industrial - Other IP 3 | 15 | 15 | 11 | 11 |
| Industrial - Other IP 5 | 6 | 6 | 10 | 10 |
| Industrial Radiography | 95 | 95 | 22 | 22 |
| Well Logging | 20 | 20 | 12 | 12 |
| LLW Disposal Services | 5 | 5 | 6 | 6 |
| New Applications | 15 | 15 | 21 | 21 |

NRC PROGRAM CODES ASSIGNED TO EACH CATEGORY ON THE ANALYSIS CHARTS

Academic
3620

Broad Scope Academic
1100,3610,3611

Nuc Med IP 2
2220

Nuc Med IP 3
2120,2200,2511

Nuc Med IP 5
2121,2201,2400,2410

Brachytherapy
2230

Teletherapy
2300

Medical Broad Scope
2110

Nuclear Pharmacy
2500

Measuring Systems (Gauge, GC, Other)
3120,3121,3123,3124

Industrial - Other IP 2
3800

Industrial - Other IP 3
3225,3214,22120

Industrial - Other IP 5
3510,3221,3240,3251

Industrial Radiography
3310,3320

Well Logging
3110,3111

LLW Disposal Services
3234