

February 13, 2001

MEMORANDUM TO: Management Review Board Members:

Carl J. Paperiello, DEDMRS/EDO  
William F. Kane, NMSS  
Joseph R. Gray, OGC  
Paul H. Lohaus, STP

FROM: Lance J. Rakovan, Health Physicist */RA/*  
Office of State and Tribal Programs

SUBJECT: FINAL MINUTES: NORTH CAROLINA MRB MEETING

Attached are the final minutes of the Management Review Board (MRB) meeting held on December 8, 2000. If you have comments or questions, please contact me at 415-2589.

Attachment:  
As stated

cc: R. Mel Fry, NC  
J. Robin Haden, NC  
Alice Rogers, TX

Distribution:

DIR RF

KSchneider, STP

SDroggitis, STP

PLarkins, ASPO

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MFuller, EDO

North Carolina File

LMcLean, RIV

DPiskura, RIII

RWoodruff, RII

BJSmith, MS

JJankovich, NMSS

KCyr, OGC

DCD (SP01) PDR (YES)

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**STP-AG-21**

## MINUTES: MANAGEMENT REVIEW BOARD MEETING OF DECEMBER 8, 2000

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

Carl Paperiello, MRB Chair, EDO  
William Kane, MRB Member, NMSS  
Linda McLean, Team Leader, RIV  
R. Mel Fry, NC  
Frederick Sturz, NMSS  
Nader Mamish, EDO  
Lance Rakovan, STP

Paul Lohaus, MRB Member, STP  
Joseph Gray, MRB Member, OGC  
John Jankovich, Team Member, NMSS  
J. Robin Haden, NC  
Cheryl Trottier, NMSS  
Kathleen Schneider, STP

By video conference:

Richard Woodruff, Team Member, RII

Douglas Collins, RII

By telephone:

Alice Rogers, OAS Liaison, TX  
B. J. Smith, Team Member, MS

Deborah Piskura, Team Member, RIII  
Patricia Larkins, STP

1. **Convention.** Carl Paperiello, Chair of the Management Review Board (MRB) convened the meeting at 10:30 a.m. Introductions of the attendees were conducted.
2. **New Business. North Carolina Review Introduction.** Ms. Linda McLean, RIV RSAO, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the North Carolina review.

Ms. McLean summarized the review and noted the findings. Preliminary work included a review of North Carolina's response to the IMPEP questionnaire. The onsite review was conducted September 18-22, 2000. 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 October 20, 2000; received North Carolina's comment letter dated November 21, 2000; and submitted a proposed final report to the MRB on November 29, 2000. At the MRB meeting, Mr. Fry and Ms. Haden provided the MRB with a December 6, 2000 letter detailing the State's actions to the recommendations in the draft IMPEP report.

**Common Performance Indicators.** Mr. Smith reviewed the common performance indicator, Status of the Materials Inspection Program. His presentation corresponded to Section 3.1 of the IMPEP report. The review team found North Carolina's performance with respect to this indicator "satisfactory," and made two recommendations. The MRB, the IMPEP team and the State discussed different interpretations for the guidance in NRC Inspection Manual Chapter 2800. Ms. McLean suggested that a recommendation to the NRC on clarifying the guidance involving nuclear pharmacy priorities be included in the final report and the MRB agreed. The MRB agreed that North Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Smith also reviewed the common performance indicator, Technical Quality of Inspections. His presentation corresponded to Section 3.2 of the report. The team

found that North Carolina's performance indicator was "satisfactory," and made no recommendations. The MRB agreed that North Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Ms. McLean presented the findings regarding the common performance indicator, Technical Staffing and Training. Her presentation corresponded to Section 3.3 of the IMPEP report. The team found that North Carolina's performance with respect to this indicator was "satisfactory," and made two recommendations involving a written training program and training for staff that work with brachytherapy/teletherapy and irradiator licensees. The MRB noted that the recommendation involving a written training program should include reference to the NRC/OAS Training Working Group Recommendations for Agreement State Training Program report. After a brief discussion involving the National Materials Program, the MRB agreed that North Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Piskura 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 North Carolina's performance to be "satisfactory" for this indicator and made no recommendations. After a brief discussion about timely renewal and backlogs, the MRB agreed that North Carolina's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Woodruff 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 North Carolina's performance relative to this indicator to be "satisfactory" and made one recommendation involving NMED reporting. Mr. Woodruff noted that for clarity, the phrase "as requested by" would be changed to "in accordance with" in the recommendation. The MRB and the team discussed North Carolina's procedures noting that the State does not have separate procedures for incidents and allegations. The team reported that there were no performance issues identified. The MRB, the State, Ms. Larkins, and Mr. Woodruff discussed the State's NMED reporting history over the review period including alternative reporting methods and various problems with NMED software. The MRB and Mr. Woodruff discussed the inconsistencies in NMED reporting. Mr. Woodruff stated that health and safety issues were properly addressed by the State for each incident. The MRB agreed that North Carolina's performance met the standard for a "satisfactory" rating for this indicator.

**Non-Common Performance Indicators.** Mr. Woodruff 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 North Carolina's performance relative to this indicator to be "satisfactory," and made no recommendations. The MRB agreed that North Carolina'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 North Carolina's performance relative to this indicator to be "satisfactory" and made three recommendations. The MRB and Mr. Jankovich

discussed the recommendation involving the Humbolt Scientific, Inc. sheet. Due to the actions taken by the State in response to the recommendations in the draft report, the MRB directed that additional language be added to the report detailing the State's actions, and that the recommendation be removed. After a brief discussion involving a written training program for SS&D reviewers, the MRB agreed that North Carolina's performance for this indicator met the standard for a "satisfactory" rating for this indicator.

**MRB Consultation/Comments on Issuance of Report.** Ms. McLean concluded, based on the discussion and direction of the MRB, that North Carolina's program was rated "satisfactory" for all performance indicators. The MRB found the North Carolina radiation control program was adequate to protect public health and safety and compatible with NRC's program. The IMPEP team recommended that the next IMPEP review be conducted in four years, and the MRB agreed.

**Comments from the State of North Carolina.** Mr. Fry commented that the timing of the review was ideal for the State. He thanked the IMPEP team and noted that they went out of their way to share their experience.

Ms. Haden stated that though this was her second IMPEP, it was her first MRB meeting. She noted that the process has become less intrusive. She expressed her appreciation for the North Carolina staff on their performance.

As this was Mr. Smith's last IMPEP review as a team member, Dr. Paperiello thanked him for his participation in IMPEP. Dr. Paperiello also thanked Ms. Rogers for participating on her first MRB meeting as an Organization of Agreement States (OAS) Liaison.

3. **Status of Remaining Reviews.** Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports. She noted that Tennessee requested and received an extension for replying to their final IMPEP report.
4. **Adjournment.** The meeting was adjourned at approximately 11:35 a.m.