

February 13, 2001

MEMORANDUM TO: Management Review Board Members:

Paul H. Lohaus, Acting Chair, MRB, STP  
John Hickey, NMSS  
Karen Cyr, OGC  
Frederick C. Combs, STP

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

SUBJECT: FINAL MINUTES: KENTUCKY MRB MEETING

Attached are the final minutes of the Management Review Board (MRB) meeting held on October 24, 2000. If you have any questions, please contact me at 415-2320 or Lance Rakovan at 415-2589.

Attachment:  
As stated

cc: Carl Paperiello, EDO  
William Kane, NMSS  
John Volpe, KY  
Roland Fletcher, MD  
Steven Collins, IL

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JPeterson, SC  
RWoodruff, RII  
DWhite, RI  
JCruz, RIV  
MFuller, EDO

DCD (SP01) PDR (YES)

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DATE	02/13/2001								

STP-AG-11

MINUTES: MANAGEMENT REVIEW BOARD MEETING OF OCTOBER 24, 2000

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 Acting Chair, STP  
John Hickey, MRB Member, NMSS  
Thomas O'Brien, Team Leader, STP  
Lance Rakovan, STP

Frederick Combs, MRB Member, STP  
Karen Cyr, MRB Member, OGC  
Kathleen Schneider, STP  
Roland Fletcher, MD

By telephone:

Jeffrey Cruz, Team Member, RIV  
Richard Woodruff, Team Member, RII  
John Volpe, KY  
Carl Trump, MD

James Peterson, Team Member, SC  
Steven Collins, MRB Liaison, IL  
Vicki Jeffs, KY  
Duncan White, RI

1. **Convention.** Paul Lohaus, Chair of the Management Review Board (MRB), convened the meeting at 1:00 p.m. Introductions of the attendees were conducted.
2. **New Business. Kentucky Review Introduction.** Mr. Thomas O'Brien, STP, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Kentucky review.

Mr. O'Brien summarized the review and noted the findings. Preliminary work included a review of Kentucky's response to the IMPEP questionnaire. The onsite review was conducted July 17-21, 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 August 21, 2000; received Kentucky's comment letter dated September 8, 2000; and submitted a proposed final report to the MRB on October 18, 2000.

**Common Performance Indicators.** Mr. Cruz 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 Kentucky's performance with respect to this indicator "satisfactory with recommendations for improvement," and made two recommendations regarding the inspection frequency for core licenses operating from multiple permanent field offices and performing reciprocity inspections in accordance to the Branch's frequency. The MRB agreed that Kentucky's performance met the standard for a "satisfactory with recommendations for improvement" rating for this indicator.

Mr. Cruz also reviewed the common performance indicator, Technical Quality of Inspections. His presentation corresponded to Section 3.2 of the report. The team found that Kentucky's performance for this indicator was "satisfactory," and made no recommendations. The MRB agreed that Kentucky's performance met the standard for a "satisfactory" rating for this indicator.

Mr. O'Brien 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 Kentucky's performance with respect to this indicator was "satisfactory," and made one recommendation concerning documentation of staff's equivalent training and experience. The MRB and Dr. Volpe discussed the State's present staffing and succession planning and the training Kentucky staff is undertaking. The MRB agreed that Kentucky's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Petersen presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. He summarized the findings in Section 3.4 of the report. The team found Kentucky's performance to be "satisfactory" for this indicator and made no recommendations. The MRB discussed financial assurance requirements with the Kentucky staff. The MRB agreed that Kentucky'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 Kentucky's performance relative to this indicator to be "satisfactory" and made no recommendations. Dr. Volpe discussed the use of the NMED software by the Kentucky laboratory staff. The MRB agreed that Kentucky's performance met the standard for a "satisfactory" rating for this indicator.

**Non-Common Performance Indicators.** Mr. O'Brien 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 Kentucky's performance relative to this indicator to be "satisfactory," and made no recommendations. The MRB agreed that Kentucky's performance for this indicator met the standard for a "satisfactory" rating.

Mr. Woodruff 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 Kentucky's performance relative to this indicator to be "satisfactory" and made one recommendation regarding the need to commit resources to complete all SS&D re-evaluations prior to the next IMPEP review. The MRB agreed that Kentucky's performance for this indicator met the standard for a "satisfactory" rating.

Mr. Woodruff led the discussion of the non-common performance indicator, Low-Level Radioactive Waste Disposal Program, which is summarized in Section 4.3 of the report. The team found Kentucky's performance relative to this indicator to be "satisfactory" and made no recommendations. The MRB directed the team to delete the phrase "due to rededication efforts" in Section 4.3.4. The MRB agreed that Kentucky's performance for this indicator met the standard for a "satisfactory" rating.

**MRB Consultation/Comments on Issuance of Report.** Mr. O'Brien concluded, based on the discussion and direction of the MRB, that Kentucky's program was rated "satisfactory" for four of the common performance indicators and applicable non-common performance indicators and "satisfactory with recommendations for improvement" for the Status of the Materials Inspection Program. The MRB found the Kentucky program to be 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 Kentucky.** Dr. Volpe indicated that it is always valuable to have an independent review of their program's performance.

3. **Timing of Maryland Follow-up IMPEP Review.** Mr. O'Brien and Mr. White presented the results of the Periodic Meeting held with the State of Maryland on June 29, 2000. The discussion followed the information provided in the August 4, 2000 memorandum to the MRB of the general summary of that meeting. Mr. Fletcher represented the State of Maryland and discussed with the MRB the actions taken to date by the State and the impact of the court case the State is presently involved with a licensee. Mr. White and Mr. O'Brien stated that it was their view that the delay of the follow-up IMPEP review to August 2001 would be appropriate. The MRB agreed with the NRC staff and accepted the recommendation that the Maryland follow-up IMPEP review be scheduled for August 2001.
4. **Approval of the Georgia MRB Minutes.** The minutes from the Georgia MRB meeting were provided and approved by the MRB.
5. **Flexibility of IMPEP Review Scheduling.** Mrs. Schneider discussed the need to develop guidance on the window of time for scheduling the IMPEP reviews during a fiscal year. She proposed  $\pm$  4 month window based on the date of the onsite portion of the previous IMPEP review. STP would send an All Agreement States letter soliciting comments on the proposal and then finalized the guidance in the next revision to Management Directive 5.6. The MRB approved of this proposal.
6. **Status of Remaining Reviews.** The FY 2001 schedule was distributed to the MRB. Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports.
7. **Adjournment.** The meeting was adjourned at approximately 3:00 p.m.