

May 16, 2001

MEMORANDUM TO: Management Review Board Members:  
  
Carl J. Paperiello, DEDMRS/EDO  
Martin J. Virgilio, NMSS  
Stuart A. Treby, OGC  
Paul H. Lohaus, STP

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

SUBJECT: DRAFT MINUTES: COLORADO MRB MEETING

Attached are the draft minutes of the Management Review Board (MRB) meeting held on April 24, 2001. We will finalize the minutes at the Region I MRB meeting on June 5, 2001. If you have comments or questions, please contact me at 415-2589.

Attachment:  
As stated

cc: J. Jacobi, CO  
R. Fletcher, MD

Distribution:

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF APRIL 24, 2001

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  
Martin Virgilio, MRB Member, NMSS  
Roland Fletcher, OAS Liaison, MD  
Vivian Campbell, Team Member, RIV  
Ken Hooks, Team Member, NMSS  
Cathy Haney, NMSS  
Lance Rakovan, STP

Paul Lohaus, MRB Member, STP  
Stuart Treby, MRB Member, OGC  
Richard Blanton, Team Leader, STP  
Gary Baker, Team Member, NY  
Jake Jacobi, CO  
Kathleen Schneider, STP  
Cardelia Maupin, STP

By video conference:

Richard Woodruff, Team Member, RII  
Janine Katanic, RIV

Linda McLean, RIV

1. **Convention.** Carl Paperiello, Chair of the Management Review Board (MRB) convened the meeting at 1:30 p.m. Introductions of the attendees were conducted.
2. **New Business. Colorado Review Introduction.** Mr. Richard Blanton, STP, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Colorado review.

Mr. Blanton summarized the review and noted the findings. Preliminary work included a review of Colorado's response to the IMPEP questionnaire. The onsite review was conducted February 5-9, 2001. 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 March 9, 2001; received Colorado's comment letter dated March 30, 2001; and submitted a proposed final report to the MRB on April 13, 2001.

**Common Performance Indicators.** Mr. Baker 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 Colorado's performance with respect to this indicator "satisfactory," and made no recommendations. The MRB, Mr. Jacobi, and Mr. Baker discussed some of the factors involved in completing reciprocity inspections and the reasons behind the State not achieving the goals set in NRC Inspection Manual Chapter (IMC) 1220 in 1998 and 1999. Mr. Baker noted that the number of reciprocity inspections completed by the State since the last review has improved. The MRB directed that the report include additional language to clarify the State's reasons for not achieving the reciprocity inspection goals in IMC 1220. The MRB agreed that Colorado's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Baker also reviewed the common performance indicator, Technical Quality of Inspections. His presentation corresponded to Section 3.2 of the report. The team found that Colorado's performance indicator was "satisfactory," and made no

recommendations. After a brief discussion focusing on the inspector accompaniments completed by the review team, the MRB agreed that Colorado's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Campbell 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 Colorado's performance with respect to this indicator was "satisfactory," and made one recommendation involving a written training program. The MRB noted that recommendations involving written training programs have consistently been made during IMPEP reviews and suggested that the issue be brought before the Organization of the Agreement States (OAS) for further evaluation. Mr. Lohaus agreed that STP would undertake this action. Mr. Jacobi commented that he thought the recommendation was appropriate. The MRB agreed that Colorado's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Campbell 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 Colorado's performance to be "satisfactory" for this indicator and made no recommendations. The MRB and Mr. Blanton discussed the State's new policy of not listing authorized users on licenses. Mr. Blanton noted that the Phase II working group is planning to address this issue. The MRB suggested that the working group and Mr. Jacobi discuss how the State could best share their experiences with this policy with the working group. Since Mr. Blanton is a member of the Phase II working group, he will follow-up on this action. Ms. Haney discussed possible issues resulting from the State's policy and the new Part 35. The MRB agreed that Colorado'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 Colorado's performance relative to this indicator to be "satisfactory" and made one recommendation involving incident reporting. Mr. Woodruff noted that the review team did not accept one comment made by the State in their response to the draft report. The comment involved incident File No. 4. The review team continues to believe that the incident should have been reported. The MRB commended the State for their reporting events for inclusion into the National Materials Event Database (NMED). The MRB and Mr. Jacobi discussed the progress the State is making in finalizing incident procedures and completing thorough criteria for reporting events. The MRB agreed that Colorado's performance met the standard for a "satisfactory" rating for this indicator.

**Non-Common Performance Indicators.** Mr. Blanton 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 Colorado's performance relative to this indicator to be "satisfactory," and made no recommendations. The MRB commended the State on their actions in this indicator. The MRB agreed that Colorado's performance for this indicator met the standard for a "satisfactory" rating.

Mr. Blanton also 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 Colorado's performance relative to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Colorado's performance for this indicator met the standard for a "satisfactory" rating for this indicator.

Mr. Hooks presented findings regarding the final non-common performance indicator, Uranium Recovery Program. As discussed in Section 4.4 of the report, the team found Colorado's performance relative to this indicator to be "satisfactory" and made one recommendation involving written inspection results. Mr. Hook also recommended to the MRB that the State's practice of photo documentation of decommissioning construction activities be found a good practice. The MRB and Mr. Hooks discussed the State's performance involving inspection results being related to the licensee. The MRB, Mr. Jacobi, and Mr. Hooks discussed the complexities of regulating a uranium recovery site and working with multiple government agencies. The MRB supported the good practice and agreed that Colorado's performance met the standard for a "satisfactory" rating for this indicator.

**MRB Consultation/Comments on Issuance of Report.** Mr. Blanton concluded, based on the discussion and direction of the MRB, that Colorado's program was rated "satisfactory" for all performance indicators. The MRB found the Colorado 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 Colorado.** Mr. Jacobi commented that the team's findings and recommendations were appropriate. He noted that though IMPEP is not necessarily an easy process, it is very worthwhile.

3. **Status of Remaining Reviews.** Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports. She noted that the upcoming Region I MRB meeting would be the first regional MRB handled by STP.
4. **Adjournment.** The meeting was adjourned at approximately 2:25 p.m.