



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

August 10, 2001

Mr. Mike Broderick
Environmental Program Manager
Radiation Management Section
Department of Environmental Quality
P.O. Box 1677
Oklahoma City, OK 73101-1677

Dear Mr. Broderick :

An orientation meeting with Oklahoma was held on July 18, 2001. The purpose of this meeting was to review and discuss the implementation of Oklahoma's Agreement State Program. The NRC was represented by Patricia Larkins from NRC's Office of State and Tribal Programs, and Dwight Chamberlain and me from NRC's Region IV office. Specific topics and issues of importance discussed at the meeting included the status of Oklahoma's program and policy changes under development, such as, changes in program staff, program reorganizations, legislative changes, redistribution of responsibilities, and changes in program budget/funding.

On August 9, 2001, the NRC staff discussed with the Management Review Board the status of the Oklahoma agreement program. The NRC staff plans to closely follow the status of Oklahoma's actions to address the impact of the loss of staff on the program. This will be accomplished through bimonthly conference calls between you and NRC staff and a one-day management meeting in your offices in late CY 2001 or early CY 2002.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Linda McLean".

Linda McLean
State Agreements Officer
Region IV

cc:
Paul Lohaus, Director,
Office of State and Tribal Programs (OSTP)

Attachment: as stated

Mike Broderick

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR OKLAHOMA
DATE OF MEETING: July 18, 2001

ATTENDEES:

NRC

Dwight Chamberlain, Director, Division of Nuclear Materials Safety, RIV
Linda McLean, Regional State Agreements Officer, Region IV
Patricia Larkins, Agreement State Project Officer, OSTP

State of Oklahoma

Mike Broderick, Environmental Program Manager
Pamela Bishop, Environmental Programs Specialist III.

In addition, NRC met with Scott Thompson, Director, and Catherine Sharp, Deputy Director, Department of Environmental Quality. The NRC also met with the program staff and participated in the Section's weekly inspection debriefs.

DISCUSSION:

The following is a summary of the meeting held in Oklahoma City, Oklahoma, on July 18, 2001, between representatives of the NRC and the State of Oklahoma. During the meeting, the topics suggested in a letter dated May 15, 2001, from Mrs. McLean to Mr. Broderick were discussed. The discussion pertaining to each topic is summarized below. The results of the orientation meeting was discussed with the Management Review Board on August 9, 2001.

1. Strengths and/or weaknesses of the State program, as identified by the State or NRC, including the identification of actions that could diminish weaknesses.

Strengths: The State has an adequate number of funded positions, and capable staff. The Section is financially strong and has dedicated fees. The Section currently has eight full time positions filled, which includes the Program Manager, one part-time position, and one FTE unfilled. The Section has funding and authorization to fill the vacant position and plans to fill it in CY 2001.

Weaknesses: The loss of two qualified inspectors early in the program has challenged the Section. Currently only two staff members are fully qualified. The Program Manager is one of the qualified staff members. Other staff have been interim qualified for certain program activities.

Another stated weakness is the State's salary structure. The loss of two trained staff to States offering more money has already impacted the program. The Program Manager is concerned that it will continue to be an issue until the pay structure can be improved. The State Legislature has agreed to pay-for-performance increases to help with this problem.

Mike Broderick

2. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC.

Although, the Section has sufficient training funds, NRC's decision to stop funding for training has impacted the program. The impact on Oklahoma has been and may continue to be, the loss of qualified inspectors to States that offer higher pay. States with little or no training money or out-of-state travel funds may seek fully qualified inspectors from other States to fill their opened positions.

3. Status of State program or policy changes under development or recently completed including:

- a. Changes in program staff: The Section lost two qualified inspectors right before and shortly after the Agreement was signed, and one staff member was placed on permanent disability. The three vacant positions have been filled, and the new staff are in the process of being trained.
- b. Program reorganizations: No reorganizations are planned.
- c. Legislative changes: No legislative changes are anticipated.
- d. Redistribution of responsibilities: Due to the large number of licensing actions received by the Section (approximately 50% more than what RIV would receive in a similar time period adjusted for the program size), the Program Manager has assigned two staff at 90% of their time on license review activities. One of the license reviewers is also partially responsible for the State's radiographer certification program in addition to the licensing review activities.

The Program Manager stated that they have not been able to follow their training plan as expected. Two staff members have been interim qualified to perform certain types of inspections. (The interim qualifications procedure was not in Oklahoma's training procedure; however it is an acceptable practice, but should be documented.)

- e. Changes in program budget/funding: The Section is financially sound. No changes are anticipated.
4. Status of NRC program changes (similar to those in 2.) that could impact Agreement States.

Some proposed regulations may impact the Section, (e.g., general license registration, 10 CFR Part 35 changes).

5. Results of any internal program audits/self-assessments conducted by the State or NRC.

In preparation of this meeting the Section reviewed the status of the program, and provided the NRC with database statistics on the program activities (attached). Although the State appeared to be keeping up with inspections that were coming due, it was clear that they were challenged. With the loss of two qualified staff members, they

Mike Broderick

were challenged to complete inspections before being overdue and to work the growing backlogged licensing actions. The Program Manager is considering performing an IMPEP type review prior to the first IMPEP scheduled next year.

Following the meeting, the RSAO discussed with the Program Manager, that NRC staff is planning to conduct a follow-up review to monitor the status of the program in late CY 2001 or early CY 2002.

One new inspector was accompanied during inspections by the RSAO in March 2001. The inspector was accompanied during inspections of an industrial radiography program and a nuclear medicine program. On the accompaniment, the inspector demonstrated appropriate inspection techniques. The inspector was prepared and thorough in the reviews of the licensees' radiation safety programs. Overall, the technical performance of the inspector was satisfactory.

6. Status of all allegations and concerns previously referred by NRC to the Agreement State Radiation Control Program for action and methods used to resolve allegations and concerns that have been closed.

The Section has followed up on a number of allegations and responded to several events and appears to have responded to the events and allegations in a timely and thorough manner.

7. Changes to NRC regulations since the Agreement became effective.

No changes have been made to Oklahoma's regulations. Pending changes include: the registration of GL devices, 10 CFR Part 35, some minor changes to the well-logging rules, and recent changes in Part 20, (e.g., skin dose).

8. Nuclear Material Event Database (NMED) reporting, including event follow-up and closure information.

Most of the Section's staff have been trained in the new NMED program. The ASPO discussed the importance of timely event reporting to NMED.

9. Schedule for the first IMPEP review.

The first IMPEP for the State is tentatively scheduled for July 2002. The NRC met with the Director and Deputy Director of the Land Protection Division within the Oklahoma Department of Environmental Quality and discussed the IMPEP Program review.

On August 9, 2001, the NRC staff discussed with the Management Review Board the status of the Oklahoma agreement program. NRC staff plans to closely follow the status of Oklahoma's actions to address the impact of the loss of staff on the program. This will be accomplished through bimonthly conference calls between the State and NRC staff and a one-day management meeting in the State's offices in late CY 2001 or early CY 2002.

Mike Broderick

The results of the orientation meeting was discussed with the Management Review Board on August 9, 2001. The NRC staff

MEMORANDUM

Date: July 17, 2001

To: Mike Broderick, Environmental Programs Manager

From: Pam Bishop, Environmental Programs Specialist

Licensing:

	New	Renewal	Amendment	Termination
Number of licensing actions received since 9/29/00	12	23	129	11
Number of licensing actions issued since 9/29/00	6	2	68	3
Date of oldest licensing action not completed	1/8/01	9/29/00	9/29/00	1/30/01

1. All the pre-2001 amendment requests that are not completed have received an NOD to which there has been no response.

Inspection:

Number of new licenses inspected within six months	1
Number of new licenses NOT inspected within six months	3
Number of core licensees inspected	12
Number of core licensees inspected at frequencies >25%	0
Number of non-core licenses inspected	13
Number of non-core licenses inspected at frequencies more than >25%	0

Allegations, Incidents and Complaints:

Total received	10
Resolved	6
Enforcement in progress	2
Still open	2

Reciprocities:

	Requests	Inspections
Priority 1 (50%)	2	0
Priority 2 (50%)	0	0
Priority 3 (30%)	6	2
Priority 4 (25%)	0	0
Priority 5 (10%)	<u>16</u>	<u>3</u>
Total	24	5

Licensing Statistics

DATE	APPLICATIONS RECEIVED					LICENSING ACTIONS COMPLETED														
	Total	New	Renew	Amend	Term	Issued					Withdrawn					Denied				
						Total	New	Renew	Amend	Term	Total	New	Renew	Amend	Term	Total	New	Renew	Amend	Term
Aug-00	1			1		0					0					0				
Sep-00	16		6	10		0					0					0				
Oct-00	19	3	5	11		1			1		0					1				1
Nov-00	12	1		11		1			1		0					0				
Dec-00	10		2	8		4	2		2		0					0				
Jan-01	21	2	1	16	2	5	1		4		3			1	2	0				
Feb-01	21	2		16	3	5		1	4		0					0				
Mar-01	25	2	3	16	4	6	1		5		0					0				
Apr-01	20		1	18	1	26			26		0					0				
May-01	17	1	3	12	1	16			15	1	0					0				
Jun-01	9	1	2	6		10			8	2	0					0				
	171	12	23	125	11	74	4	1	66	3	3	0	1	2	0	1	0	0	1	0
Jul-01	5			5		3			3		2	2				0				
Aug-01																				
Sep-01																				
Oct-01																				
Nov-01																				
Dec-01																				
Jan-02																				
Feb-02																				
Mar-02																				
Apr-02																				
May-02																				
Jun-02																				
	5	0	0	5	0	3	0	0	3	0	2	2	0	0	0	0	0	0	0	0

BACKLOG
 Total 93
 New 6
 Renew 21
 Amend 58
 Term 8

IN PROGRESS (7/16/01)
 Total 17
 New 1
 Renew 1
 Amend 13
 Term 2

PXBLDAT
INSPECTIONS DUE THROUGH AUG-'01

7/18/2001

APP NAME	LIC NO	INSPECTOR	NEXT INSP	EARLIEST INSP	LATEST INSP
HAYES EVALUATION LOGGING & PERFORAT	35-19614-01	FLYNN	200101	200005	200109
STILLWATER MEDICAL CENTER	OK-16149-01	IDRISSA	200101	200005	200109
INSPECTION MANAGEMENT CORPORATION	35-26824-01	IDRISSA	200101	200011	200104
ST. JOSEPH REGIONAL MEDICAL CENTER	OK-14046-02	IDRISSA	200101	200005	200109
JOB CONSTRUCTION COMPANY, INC.	35-27032-01	MATTHEWS	200102	200002	200202
ELITE WIRELINE, INC.	35-19775-01	FLYNN	200102	200006	200110
PHILLIPS PETROLEUM COMPANY	OK-00313-03	MATTHEWS	200102	200002	200202
GOLD PERFORATING COMPANY, INC.	35-12733-03	FLYNN	200102	200006	200110
BILL MILLER, INC.	35-19048-01	IDRISSA	200102	200012	200105
ARROW NDE CO., INC.	35-23198-01	IDRISSA	200102	200012	200105
GLOVER CONSTRUCTION COMPANY, INC.	35-27514-01	MATTHEWS	200103	200003	200203
JANE PHILLIPS EPISC.-MEM. MED. CTR.	OK-01164-02	IDRISSA	200103	200007	200111
ST. JOHN MEDICAL CENTER	35-00376-02	IDRISSA	200103	200007	200111
RIVEST TESTING USA, INC.	35-27438-01	IDRISSA	200104	200101	200107
MILLS BIOPHARMACEUTICALS INC.	OK-27502-01	MATTHEWS	200104	200008	200112
EASTERN OKLAHOMA MEDICAL CENTER, INC	35-16700-01	IDRISSA	200104	200008	200112
ASEC MANUFACTURING	35-27512-01	MATTHEWS	200105	200005	200205
HILLCREST MEDICAL CENTER	OK-09206-03	IDRISSA	200105	200009	200201
H&H X-RAY SERVICES, INC.	17-19236-02	IDRISSA	200105	200102	200108
HCA HEALTH SERVICES OF OKLAHOMA INC	OK-21035-01	BISHOP	200106	200103	200109
ENDOCRINE GROUP, THE	OK-27567-01	IDRISSA	200106	200010	200202
INTEGRIS CLINTON REGIONAL HOSPITAL	35-17654-01	IDRISSA	200107	200011	200203
WOODWARD HOSPITAL & HEALTH CENTER	OK-21269-01	IDRISSA	200107	200011	200203
COMPUTALOG WIRELINE SERVICES, INC.	42-26891-02	FLYNN	200107	200010	200204
MCMASTER CONSTRUCTION, INC.	35-26994-01	MATTHEWS	200107	200007	200207
MIDWEST INSPECTION SERVICES	35-27005-01	IDRISSA	200107	200104	200110
CHICAGO MINIATURE LAMP, INC.	35-19956-01	MATTHEWS	200107	200011	200203
WYNNEWOOD REFINING COMPANY	35-12636-10	MATTHEWS	200108	200008	200208
MIDAMERICA HEALTHCARE, INC.	35-13058-01	IDRISSA	200108	200012	200203
SYNCOR INTERNATIONAL CORPORATION	35-23359-02MD	IDRISSA	200108	200105	200111
MOBILE CARDIAC IMAGING, LLC	35-27617-01	IDRISSA	200108	200102	200202
GLOBE X-RAY SERVICES, INC.	OK-15194-01	IDRISSA	200108	200005	200111
IRISNDT, INC.	OK-30246-01	IDRISSA	200108	200105	200111

APP NAME	LIC NO	INSPECTOR	NEXT INSP	EARLIEST INSP	LATEST INSP
TULSA CORDIS PHARMACY	35-27517-01MD	IDRISSA	200108	200105	200111
BIG STATE X-RAY, INC.	35-21144-01	IDRISSA	200108	200105	200105
CANCER TREATMENT CENTER OF TULSA	35-27041-01	HOGGARD	200108	200105	200111
TULSA GAMMA RAY, INC.	35-17178-01	IDRISSA	200108	200105	200111
PLAZA MEDICAL GROUP, PC	35-18025-01	IDRISSA	200108	200012	200204
HILLCREST - HARVARD, INC.	35-17926-02	IDRISSA	200108	200012	200403
CLAREMORE REGIONAL HOSPITAL, L.L.C.	OK-16298-01	IDRISSA	200108	200012	200204