



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET SW SUITE 23T85  
ATLANTA, GEORGIA 30303-8931

August 30, 2001

Mr. Thomas E. Hill, Manager  
Radioactive Materials Program  
Department of Natural Resources  
4244 International Parkway, Suite 114  
Atlanta, GA 30354

SUBJECT: ANNUAL MEETING

Dear Mr. Hill:

A periodic meeting with Georgia was held on August 8, 2001. The purpose of this meeting was to review and discuss the status of Georgia Agreement State program. The NRC was represented by Cardelia Maupin from the NRC's Office of State and Tribal Programs (OSTP), and myself. Specific topics and issues of importance discussed at the meeting included actions on previous IMPEP findings, program strengths, staffing and training, performance of licensing and inspection activities, and the updating of regulations for compatibility.

Enclosure 1 is a copy of the meeting summary. As a result of our meeting, we understand that you are in the process of amending the Georgia Rules and Regulations for Radioactive Materials, and that the draft revisions will be provided to STP for review. Enclosure 2 is a copy of your organizational chart that was provided during the meeting.

If you feel that our conclusions do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me at 404-562-4704, or e-mail to [rlw@nrc.gov](mailto:rlw@nrc.gov) to discuss your concerns.

Sincerely,

*/RA/*

Richard L. Woodruff  
Regional State Agreement Officer

Enclosures: 1. Periodic meeting summary  
2. Georgia organizational chart

cc w/encls:  
R.E. Trojanowski  
C. Maupin, OSTP  
P. Lohaus, OSTP  
K. Schneider, OSTP

PUBLIC DOCUMENT (circle one): YES NO

OFFICE	RII:DNMS	RII:DNMS					
SIGNATURE	RLW 8/29/01	DMC 8/30/01					
NAME	RLWoodruff	DMCollins					
DATE	8/ /2001	8/ /2001	8/ /2001	8/ /2001	8/ /2001	8/ /2001	8/ /2001
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY DOCUMENT NAME: C:\Program Files\Adobe\Acrobat 4.0\PDF Output\01RPTCOV.wpd

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR GEORGIA

DATE OF MEETING: AUGUST 8, 2001

ATTENDEES:

NRC  
 Richard L. Woodruff, RSAO, Region II  
 Cardelia Maupin, ASPO, OSTP

STATE  
 Thomas E. Hill, Manager, Radioactive Materials Program  
 Cornelius Maryland , Principle Radiation Specialist

DISCUSSION:

A meeting was held with the Georgia representatives on August 8, 2001 in Mr. Hill's office. The topics listed in NRC letter dated June 12, 2001 to Mr. Hill were discussed. Details for each area are discussed below.

Action on Previous Review Findings

The previous IMPEP review was conducted during the period of April 3-7, 2000. During the review, one recommendation was made to the State as follows:

Recommendation: The review team recommends that the Program review all Georgia licenses to ascertain if they require financial assurance, and take appropriate action on each affected license to ensure that all licenses meet the State's financial assurance requirements.

Status: The Program Manager related that the Environmental Radiation Specialist in charge of each of the six Regional areas was instructed to review each license in their Region and ascertain if the license required financial assurance. The Program Manager related that the action on this recommendation was completed in December of 2000, and that all licenses meet the State's financial assurance requirements. No additional licenses were identified as needing action regarding this issue. Currently, the program has four licenses that are required to have financial assurance.

It is recommended that the status of this recommendation be confirmed during the casework review at the next IMPEP.

### Program Strengths and/or Weaknesses

The Program Manager related that the strength of the Program was the staff. The Program received adequate support from the Department of Natural Resources, legislative support, stable sources of funding, administrative support, legal support, adequate equipment, low staff turnover, and the staff are well trained.

No performance type weaknesses were identified by NRC during this meeting. However, the Program Manager discussed the current Sealed Source and Device (SS&D) workload, and related that additional effort in this area may be needed to keep up with the workload. The SS&D reviewer also does the licensing and quality assurance type inspections for these facilities, and proctor's the tests for Industrial Radiography Certification. We noted that the Program has other staff that have received training in SS&D reviews, and we discussed the need for concurrence reviews. The Program Manager is continuing to monitor, evaluate and manage the needs of this program function.

### Feedback on NRC's Program

The status of the adoption of the 10 CFR Part 35 was discussed in general, and the Program Manager related that he had concerns about the proposed training requirements for the licensure of physicians. The Program Manager has scheduled a staff meeting for discussion of issues and changes needed to update the medical regulations.

The NRC's Temporary Instruction (TI) on a pilot program for reciprocity inspections (MC 1220) was discussed, and the TI was provided to the Program Manager electronically on August 13, 2001.

The Program Manager related that comments were made concerning 10 CFR Part 40 exemptions for uranium contained in aircraft counterweights (Issue Summary 2001-13), and were mailed electronically to the technical contact and to STP.

### Status of State Program and/or Policy Changes

There have been no changes in the structure of the organization since the last review. The Director of the Environmental Protection Division (EPD) reports to the Commissioner, Department of Natural Resources (a cabinet level position) and the Board of Directors. The Radioactive Materials Program and the Environmental Radiation Programs are located in the Program Coordination Branch under EPD.

The Materials Program is headed by the Program Manager and has a Secretarial II position, an Accounting Clerk position, and eight Environmental Radiation Specialist 3 positions. The Materials Program has one vacancy (Specialist 3) which was in the process of being filled at the time of the meeting. The vacancy occurred when one Specialist left the program and was hired by the NRC, Region II Office. The workload is divided into six geographical areas with one person assigned to handle all licensing, inspections, and incidents in that area. All of the technical staff work out of the Atlanta office except for one person assigned to the Savannah, GA, EPD Area Office. One Radiation Specialist performs all licensing and inspection actions associated with SS&D reviews, and coordinates/proctors the Industrial Radiographer

certifications. One Radiation Specialist manages the technical data, tracks all licensing and inspection information, and tracks incidents and makes entries into the NMED system.

The Environmental Radiation Program is headed by a Program Manager, has eight technical positions, and coordinates the contract for the Environmental Radiation Laboratory. The contracted Laboratory is located at the Georgia Institute of Technology. Three of the Environmental Radiation Specialist in the Environmental Program also have experience and training in the Materials Program area which provides good backup capability for the Materials Program and for response to incidents as needed.

The Program Manager reported that there have been no legislative changes that directly impacted the Materials Program, and that there were no reorganizations or redistribution of responsibilities. The Program is funded 100% from fees.

The Materials Program manager reported that the State currently has 490 specific licenses of which 296 are core licenses. The Materials Program reported a record performance of 196 inspections performed during the year 2000, and currently there are no licensing, inspection, or enforcement backlogs. As noted earlier, the Program Manager is monitoring the SS& D workload.

#### Status of NRC program changes that could impact the State

The Program Manager keeps track of regulatory issues through the STP web site, STP correspondence, the Organization of Agreement States (OAS), the Conference of Radiation Control Program Directors (CRCPD), and is knowledgeable of changes that could impact the Georgia program. The Program Manager regularly provides comments on NRC issues, and the Manager and one Radiation Specialist participates on the National Materials Program working group. The staff have actively participated on other NRC working groups and CRCPD committees.

#### Results of internal program audits/self assessments

The Program conducted self assessments prior to the previous two IMPEPs. It was noted that three staff members have participated on IMPEPs which also helps the program to be knowledgeable of changes that could impact their program, and the IMPEP process. During the meeting, the Program Director responded to discussions with data, charts, lists, and other computerized information that demonstrated the program's ability to track and assess the status of regulatory issues, and the management of resources.

#### Status of Allegations Previously Referred

The Manager related that their agency had very few allegations, that allegations were processed on a case-by-case basis, and that follow-ups were conducted as needed. Two allegations have been referred to Georgia by the NRC Region II office since the April 7, 2000 review and there are no outstanding NRC issues related to the referrals. The Program Manager provided copies of the letters that described the actions taken in response to the allegations. Only information concerning the NRC referred allegations was reviewed.

#### Nuclear Material Events Database (NMED) Reporting

A general discussion was held with the Program Manager and the Specialist who reports incident data to NRC and the NMED. In response, State representatives related that the NMED

reporting system was being utilized and they acknowledged that the NMED system was more user friendly than in previous years. The Program also maintains the event data on their own tracking system including information on complaints and non-AEA materials. No performance issues concerning the reporting of incident data were identified.

### Compatibility of State Regulations

The NRC representatives discussed the Office of State and Tribal Programs (OSTP) procedure (SA-201) for reviewing State regulations. The Program Manager provided a printout of the chronology of amendments needed for compatibility which was modified to show the status of each regulation adoption in a separate column. The State Status column shows the corresponding Georgia regulation number and date the regulation became effective. This Georgia document was compared with the State Regulation Status (SRS) sheet on the STP web site, and we determined that 14 amendments are needed for the Georgia regulations to be current with the NRC amendments that have been adopted, and nine of these amendments are overdue for adoption. These amendments start with Regulation Assessment Tracking System Identification (RATS ID) number 1996-3 through RATS ID 2002-2. It was noted that some of the RATS ID's do not need to be adopted because Georgia does not have any uranium mills, low-level radioactive waste sites, or well logging licensees.

The Georgia Rules and Regulations for Radioactive Materials, Chapter 391-3-17, were last updated effective May 6, 1997. The Program Manager related that Georgia code does not allow for minor amendments in that whenever a rule is changed, the entire section must be revised, which increases the cost of the revision even for very minor changes. The Program Manager consolidates the rules needed for adoption and submits the proposed rule packages to the Department of Natural Resources (DNR) Board usually on a three year frequency, but was delayed this time in anticipation that the new 10 CFR Part 35 would become final.

The Program has plans to update the Radioactive Materials regulations that are needed for compatibility and provide the proposed amendments to the DNR Board for approval during the Board's February, 2002 meeting. The Program Manager related that all of the rules needing revision had been drafted and would be posted on the Georgia web site for comment sometime in September of 2001. Comments received must be incorporated into the proposed rules and advertised for comment 30 days prior to the Board meeting. The proposed rules are provided to the Board approximately two weeks prior to their meeting, which translates into a short time frame for NRC comments. We discussed this comment period and the Program Manger agreed to provide the rules to NRC for comment during the draft stage so as to provide additional time for comment.

### Schedule for the Next IMPEP Review

The State was informed that the next Georgia review under the IMPEP procedure is scheduled for FY 2004. The NRC representatives expressed their appreciation to the Program manager for Georgia's participation in the IMPEP Program, and for the excellent support in providing well trained and experienced personnel for participation on the IMPEP teams. The Program manager expressed his opinion that the participation had helped their program in preparation for IMPEP reviews, that their program had benefitted from the exchange of information received from other IMPEP team members and their interactions with other programs during the reviews.

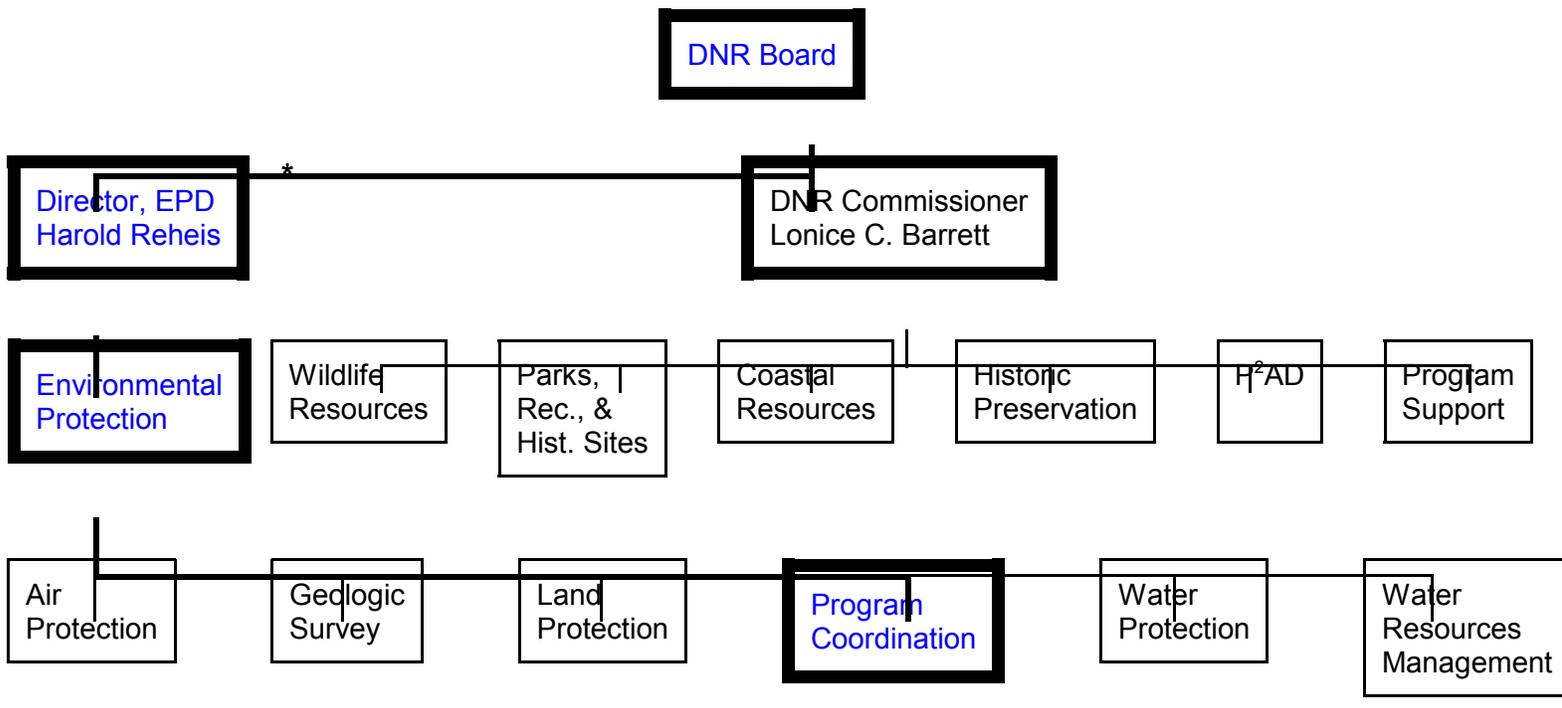
CONCLUSION:

The Georgia program has good support from the Department of Natural Resources, good managers, and trained, experienced staff. By all indications (performance), the Georgia program has the resources to be adequate to protect public health and safety under the IMPEP criteria.

ACTION ITEM:

For the Georgia Program to remain compatible, the revisions to the Georgia Rules and Regulations for Radioactive Materials, Chapter 391-3-17, need to be provided to NRC for comment in accordance with procedure SA-201.

# Organizational Chart -- Georgia Department of Natural Resources



**Branch Chief -- James L. Setser**



Program Manager	Thomas E. Hill
Secretary II	Lynn Bridges
Accounting Clerk	Kathaleen Hill
Env. Rad. Spec. 1	Elizabeth Seale
Env. Rad. Spec. 3	Elizabeth Drinnon
Env. Rad. Spec. 3	Rodriquez Harrell
Env. Rad. Spec. 3	Eric Jameson
Env. Rad. Spec. 3	Cornelius Maryland
Env. Rad. Spec. 3	Irene Bennett
Env. Rad. Spec. 3	Cynthia Sanders
Env. Rad. Spec. 3	Vacant

Positions -- 11    Vacant -- 1

Program Manager	James C. Hardeman
Env. Spec. III	Sidney B. Simonton
Env. Spec. III	Clifford P. Blackman
Env. Spec. II	Gary Dean Johnson
Prin. Env. Rad. Spec.	William L. Slocumb
Assoc. Env. Spec.	Arthur Crumbley
Assoc. Env. Spec.	Eric Shane Porterfield
Lab Associate	James E. Gary
Lab Assistant	Richard Jakiel

Positions -- 9    Vacant -- 0

<u>Environmental Radiation Laboratory</u> Contracted with Georgia Tech	
Director	Dr. Bernd Kahn
Associate Director	Robert Rosson
Radiochemist	Ramon Garcia
Radiochemist	Jeff Lahr
Electronic Tech.	David Crowe

**\*NOTE: The EPD Director serves at the pleasure of the DNR Board. The DNR Board members are appointed by the Governor.**

Revised 08/08/01

