

**INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM**

**QUESTIONNAIRE**

Name of State: New Hampshire Program  
 Reporting Period: August 22, 1997 to June 29, 2001

A. COMMON PERFORMANCE INDICATORS

I. Status of Materials Inspection Program

1. Please prepare a table identifying the licenses with inspections that are overdue by more than 25% of the scheduled frequency set out in NRC Inspection Manual Chapter 2800. The list should include initial inspections that are overdue.

<u>Licensee Name</u>	<u>Insp. Frequency (Years)</u>	<u>Due Date</u>	<u>Months O/D</u>
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Response to Item A.I.1:

\*(Note: the figure we have used in "Month O/D" is months overdue past the date at 25% greater than scheduled due date. Therefore, 5 years + 15 months; 3 years + 9 months; 2 years + 6 months; 1 year + 3 months. Dates are as of June 1, 2001.)

Licensee Name License Category	Inspection Frequency (Years)	Due Date	Months O/D *
University of New Hampshire (Broadscope Academic Type A)	2	Oct 1999	14
Dartmouth College (Broadscope Academic Type A)	2	Feb 1998	20
Cheshire Medical Center (Limited scope medical; diagnostic uses medical with therapeutic nuclear medicine)	3	Jul 2000	3
Valley Regional Hospital (Limited scope medical; diagnostic uses only)	5	Mar 1999	12
Littleton Hospital (Limited scope medical; diagnostic uses only)	5	Apr 1999	11
Public Service Company of New Hampshire (fixed nuclear gauging devices)	5	Dec 1999	18
Bureau of Health Risk Assessment (x-ray fluorescence analyzer)	5	Jan 2000	2

<sup>1</sup> Estimated burden per response to comply with this voluntary collection request: 45 hours. Forward comments regarding burden estimate to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0183), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Licensee Name License Category	Inspection Frequency (Years)	Due Date	Months O/D *
The Memorial Hospital (Limited scope medical; diagnostic uses only)	5	May 1999	10
Frisbie Memorial Hospital (Limited scope medical; diagnostic uses only)	5	Aug 1998	22
Diatide, Inc. (Laboratory uses)	5	Nov 1999	4

2. Do you currently have an action plan for completing overdue inspections? If so, please describe the plan or provide a written copy with your response to this questionnaire.

The Radioactive Materials Section's Goals and Objectives, as revised July 1997, specifies that a minimum of three inspections be carried out per month. However, with the frequent turnover of staff over the last few years, time loss during the long period of position vacancies and training of new staff, both professional (i.e., health physicists and health physics support staff) and administrative support level, along with competing priorities in licensing, radiological incident and emergency response, and the loss of a database management system, this goal has been extremely difficult to meet.

3. Please identify individual licensees or groups of licensees the State/Region is inspecting more or less frequently than called for in NRC Inspection Manual Chapter 2800 and state the reason for the change.

To our knowledge, there are currently no New Hampshire specific licensees which are prioritized to be inspected less frequently than called for in the NRC Inspection Manual Chapter 2800. The program fully adopted the NRC inspection schedule in April 1997.

4. Please complete the following table for licensees granted reciprocity during the reporting period.

Approximately 40 out-of-state licensees were granted reciprocity during the reporting period. Of these, 10 were Inspection Category Priority 1 licensees (industrial radiography), 7 were paper measuring gauge or gauge service licensees (Priority 5), 9 were for soil-moisture density gauges (Priority 5), 7 x-ray fluorescence analyzers either for mineral analysis or lead-in-paint detection (Priority 5), and the remainder various types. During the review period, 6 inspections of Priority 1 were done, and 3 of Priority 5.

Priority	Number of Licensees Granted Reciprocity Permits Each Year	Number of Licensees Inspected Each Year
Service Licensees performing teletherapy and irradiator source installations or changes	YR	YR
1	YR	YR
2	YR	YR
3	YR	YR
4		
All Other		

- Other than reciprocity licensees, how many field inspections of radiographers were performed?

At least one.

- For NRC Regions, did you establish numerical goals for the number of inspections to be performed during this review period? If so, please describe your goals, the number of inspections actually performed, and the reasons for any differences between the goals and the actual number of inspections performed.

Not Applicable

## II. Technical Quality of Inspections

- What, if any, changes were made to your written inspection procedures during the reporting period?

No changes since last review.

- Prepare a table showing the number and types of supervisory accompaniments made during the review period<sup>1</sup>. Include:

<u>Inspector</u>	<u>Supervisor</u>	<u>License Cat.</u>	<u>Date</u>
Twila Kenna	D.O'Dowd;other HPs	various	various
Stephen Foster	Dennis O'Dowd	portable gauge	May 2001
Twila Kenna	Dennis O'Dowd	medical	May 2001

Also since the last review, several team inspections of licensees were carried out in which our more senior HP staff members accompanied new staff and reported to the section supervisor on inspectors' methods. Also, within a day or two following each and every inspection conducted, a detailed de-briefing on the findings are conveyed to the section supervisor. In addition to identifying any significant issues requiring prompt action, inspection methods and discussion with management, RSO's and staff are described. Finally, all inspection field note reports are reviewed by the supervisor.)

- Describe internal procedures for conducting supervisory accompaniments of inspectors in the field. If supervisory accompaniments were documented, please provide copies of the documentation for each accompaniment.

Internal procedures are that health physicist inspectors should be periodically accompanied.

- Describe or provide an update on your instrumentation and methods of calibration. Are all instruments properly calibrated at the present time?

Equipment is calibrated on a routine basis, depending on type of use. All equipment currently in use has been appropriately calibrated. All survey instruments used during licensee inspections are calibrated at least at a



NAME OF INDIVIDUAL	POSITION	HIRING DATE	DEGREES	ADDITIONAL TRAINING	YEARS OF EXPERIENCE
Twila Kenna, Ph.D.	Health Physicist I	02.20/98	B.S., Ph.D.	NRC industrial radiography; NRC licensing course; NRC inspection course; NECHPS Transportation course	See above.
Stephen Backurz	Health Physicist I	11/19/99	B.S.	N/A	Years of experience as an HP technician in the nuclear industry
Stephen Foster	Health Physicist I	02/04/00	B . S . , M.B.A.	None yet.	See above
Susan O'Conner	Radiochemist	10/27/00	B.S.	40 hour basic health physics	None
Michelle Jodoin	Administrative Support	10/06/00	N/A	N/A	N/A
Terry Estabrook	Administrative Support	03/23/01	N/A	N/A	N/A

13. Please list all professional staff who have not yet met the qualification requirements of license reviewer/materials inspection staff (for NRC, Inspection Manual Chapters 1246; for Agreement States, please describe your qualifications requirements for materials license reviewers and inspectors). For each, list the courses or equivalent training/experience they need to attend and a tentative schedule for completion of these requirements.

Stephen Foster	Licensing Course, Inspection Course, Industrial Radiography, Medical Uses
Twila Kenna	Medical Uses
Susan O'Connor	Basic Health Physics training

14. Please identify the technical staff who left the RCP/Regional DNMS program during this period.

NAME	TITLE/POSITION DESCRIPTION	EMPLOYMENT END DATE (except as noted)
J. Christopher Pirie	Health Physicist I	11/20/97
Kathleen McAllister	Health Physicist I	10/13/99
Deborah Russell	Health Physicist I	10/11/99
Stephen Backurz	Health Physicist I	4/5/01
Twila Kenna	Radiochemist/HP Support	2/19/98
Stephen Backurz	Radiochemist/HP Support	11/19/99
Elizabeth Brown	Administrative Support	5/18/00
Lorraine Spataro	Administrative Support	7/13/98
Charlie Armour	NMED Database Support	7/30/98
David Lake	NMED Database Support	10/14/99

15. List the vacant positions in each program, the length of time each position has been vacant, and a brief summary of efforts to fill the vacancy.

Health Physicist I – 3 months. See attached.

IV. Technical Quality of Licensing Actions

16. Please identify any major, unusual, or complex licenses which were issued, received a major amendment, were terminated, decommissioned, submitted a bankruptcy notification or renewed in this period. Also identify any new or amended licenses that now require emergency plans.

- Stocker & Yale, Inc. manufacturer of tritium watches and compasses; D&D for license termination.
- UNH, Type A academic licensee, D&D of former van der graff generator facility

17. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the review period.

To our knowledge, there were no variances in licensing policies and procedures or exemptions from the regulations granted during this period.

18. What, if any, changes were made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?

No significant technical changes made during the review period; Changes were made in administrative procedures to improve the licensing process, and later, to address long-term loss of administrative support staff.

19. For NRC Regions, identify by licensee name, license number and type, any renewal applications that have been pending for one year or more. Not applicable.

V. Responses to Incidents and Allegations

20. Please provide a list of the reportable incidents (i.e., medical misadministration, overexposure, lost and abandoned sources, incidents requiring 24 hour or less notification, etc. See Handbook on Nuclear Material Event Reporting in Agreement States for additional guidance.) that occurred in the Region/State during the review period. For Agreement States, information included in previous submittals to NRC need not be repeated (i.e., those submitted under OMB clearance number 3150-0178, Nuclear Material Events Database). The list should be in the following format:

No radiological incidents that met regulatory reporting requirements for inclusion in NMED, other than those involving released patient waste, and NARM and TE-NORM sources.

<u>Licensee Name</u>	<u>License #</u>	<u>Date of Incident/Report</u>	<u>Type of Incident</u>
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21. During this review period, did any incidents occur that involved equipment or source failure or approved operating procedures that were deficient? If so, how and when were other State/NRC licensees who might be affected notified? For States, was timely notification made to NRC? For Regions, was an appropriate and timely PN generated?

None noted at this time.

22. For incidents involving failure of equipment or sources, was information on the

incident provided to the agency responsible for evaluation of the device for an assessment of possible generic design deficiency? Please provide details for each case.

Not applicable

23. In the period covered by this review, were there any cases involving possible wrongdoing that were reviewed or are presently undergoing review? If so, please describe the circumstances for each case.

None noted at this time.

24. Identify any changes to your procedures for handling allegations that occurred during the period of this review.

- a. For Agreement States, please identify any allegations referred to your program by the NRC that have not been closed.

None noted at this time.

VI. General

25. Please prepare a summary of the status of the State's or Region's actions taken in response to the comments and recommendations following the last review.

Please see comments made by Duncan White made during last interim visit.

26. Provide a brief description of your program's strengths and weaknesses. These strengths and weaknesses should be supported by examples of successes, problems or difficulties that occurred during this review period.

Strengths:

Staff Training and Experience in a wide-variety of areas of responsibilities  
Quality of Licensing Actions  
Quality of Inspections  
Quality and Timeliness of Radiological Incident Response  
Quality, Quantity and Availability of Field Radiological Instrumentation

Weaknesses:

Inadequate Pay Resulting in Constant Staff Turnover and Low Morale  
Staff Responsibilities in Several Diverse Areas  
Lack of Understanding by Management Regarding Program Responsibilities  
Timeliness and Quantity of License Applications Processed  
Timeliness and Quantity of Inspections Conducted, particularly those for reciprocity

## B. NON-COMMON PERFORMANCE INDICATORS

### I. Legislation and Program Elements Required for Compatibility

27. Please list all currently effective legislation that affects the Radiation Control Program (RCP).

RSA 125-F:1-25	Radiological Health Program
RSA 107-B	Civil Defense Act
RSA 125 B:1	New England Compac Radiological Health Protection
RSA 125:77-B	Radioactive Waste Prohibition

28. Are your regulations subject to a "Sunset" or equivalent law? If so, explain and include the next expiration date for your regulations.

Yes, certain parts every six years, and others every eight years. Expiration dates for each provision vary, as each rule adopted has its own six or eight- year life.

29. Please complete the enclosed table based on NRC chronology of amendments. Identify those that have not been adopted by the State, explain why they were not adopted, and discuss any actions being taken to adopt them. Identify the regulations that the State has adopted through legally binding requirements other than regulations.

Response are still in preparation at this time, and will provided at the onsite portion of the IMPEP review.

30. If you have not adopted all amendments within three years from the date of NRC rule promulgation, briefly describe your State's procedures for amending regulations in order to maintain compatibility with the NRC, showing the normal length of time anticipated to complete each step.

Response are still in preparation at this time, and will provided at the onsite portion of the IMPEP review

### II. Sealed Source and Device Program

31. Prepare a table listing new and revised SS&D registrations of sealed sources and devices issued during the review period. The table heading should be:

<u>SS&amp;D Registry Number</u>	<u>Manufacturer, Distributor or Custom User</u>	<u>Type of Device or Source</u>	<u>Date Issued</u>
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There have been no new and revised SS&D registrations of sealed sources and devices issued during this review period.

32. What guides, standards and procedures are used to evaluate registry applications?

In the event that such an evaluation was necessary, all available NRC guidance, standards and procedures would be used, particularly NUREG-1556, Vol. 3, "Consolidated Guidance About Materials Licenses – Applications for Sealed

Source and Device Evaluation and Registration.”  
Also, applicable ANSI and ISO standards would be used, as required by the Agency’s and generally accepted licensing procedures.

33. Please include information on the following questions in Section A, as they apply to the Sealed Source and Device Program:

Technical Staffing and Training - A.III.11-15  
Technical Quality of Licensing Actions - A.IV.16-18  
Responses to Incidents and Allegations - A.V.20-23

III. Low-Level Waste Program

34. Please include information on the following questions in Section A, as they apply to the Low-level Waste Program:

Status of Materials Inspection Program - A.I.1-3, A.I.6  
Technical Quality of Inspections - A.II.7-10  
Technical Staffing and Training - A.III.11-15  
Technical Quality of Licensing Actions - A.IV.16-18  
Responses to Incidents and Allegations - A.V.20-23

Not applicable, as there is no low-level waste program in New Hampshire.

IV. Uranium Mill Program

35. Please include information on the following questions in Section A, as they apply to the Uranium Mill Program:

Status of Materials Inspection Program - A.I.1-3, A.I.6  
Technical Quality of Inspections - A.II.7-10  
Technical Staffing and Training - A.III.11-15  
Technical Quality of Licensing Actions - A.IV.16-18  
Responses to Incidents and Allegations - A.V.20-23

Not applicable, as there is no Uranium Mill program in New Hampshire.

TABLE FOR QUESTION 29.

10 CFR RULE	DATE DUE	DATE ADOPTED	OR CURRENT STATUS
Any amendment due prior to 1993. Identify each regulation (refer to the Chronology of Amendments)		2/95, 8/98 or 2/99	
Emergency Planning; Parts 30, 40, 70	4/7/93	8/98	
Standards for Protection Against Radiation; Part 20	1/1/94	2/95	
Safety Requirements for Radiographic Equipment; Part 34	1/10/94	2/99	
Notification of Incidents; Parts 20, 30, 31, 34, 39, 40, 70	10/15/94	8/98	
Quality Management Program and Misadministrations; Part 35	1/27/95	2/99	
Licensing and Radiation Safety Requirements for Irradiators; Part 36	7/1/96	Not Applicable	There are currently no plans to adopt 10 CFR equivalent regulations, (as was discussed during previous NRC IMPEP reviews, as there are no irradiators in New Hampshire that meet the requirements in Part 36. Should such an application ever be received, the Agency would begin immediate rule-making, and the very least would incorporate Part 36 by reference in the licensing document.)
Definition of Land Disposal and Waste Site QA Program; Part 61	7/22/96	Not Applicable	The establishment of a LLRW facility in the State of New Hampshire is strictly prohibited by law.
Decommissioning Recordkeeping: Documentation Additions; Parts 30, 40, 70	10/25/96	2/99	
Uranium Mill Tailings: Conforming to EPA Standards; Part 40	7/1/97	Not Applicable	There are no uranium mill tailing sites in New Hampshire.
Timeliness in Decommissioning Parts 30, 40, 70	8/15/97	Not adopted at this time	Plans are underway to adopt

Preparation, Transfer for Commercial Distribution, and Use of Byproduct Material for Medical Use; Parts 30, 32, 35	1/1/98	2/99	
Frequency of Medical Examinations for Use of Respiratory Protection Equipment	3/13/98	8/98	
Low-Level Waste Shipment Manifest Information and Reporting	3/1/98	8/98	
Performance Requirements for Radiography Equipment	6/30/98	2/99	
Radiation Protection Requirements: Amended Definitions and Criteria	8/14/98	8/98	
Medical Administration of Radiation and Radioactive Materials	10/20/98	2/99	
Clarification of Decommissioning Funding Requirements	11/24/98	2/99	
10 CFR Part 71: Compatibility with the International Atomic Energy Agency	4/1/99	2/95	
Termination or Transfer of Licensed Activities: Recordkeeping Requirements.	6/16/99	Not adopted at this time	Plans are underway to adopt at next rulemaking
Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act	1/9/2000	Not adopted at this time	Plans are underway to adopt at next rulemaking
Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State	2/27/2000	Not adopted at this time	Plans are underway to adopt at next rulemaking
Criteria for the Release of Individuals Administered Radioactive Material	5/29/2000	Not adopted at this time	Plans are underway to adopt at next rulemaking
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiography Operations; Final Rule	6/27/2000	2/99	
Radiological Criteria for License Termination	8/20/2000	Not adopted at this time	Plans are underway to adopt at next rulemaking
Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea	1/2/2001	2/99	
Deliberate Misconduct by Unlicensed Persons	2/12/2001	Not adopted at this time	Plans are underway to adopt at next rulemaking
Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations; Clarifying Amendments and Corrections	7/9/2001	2/99	
Minor Corrections, Clarifying Changes, and a Minor Policy Change	10/26/2001	Not adopted at this time	Plans are underway to adopt at next rulemaking
Transfer for Disposal and Manifest; Minor Technical Conforming Amendments	11/20/2001	Not adopted at this time	Plans are underway to adopt at next rulemaking
Radiological Criteria for License Termination of Uranium Recovery Facilities	6/11/2000	Not adopted at this time	Plans are underway to adopt at next rulemaking
Respiratory Protection and Controls to Restrict Internal Exposure	2/2/2003	Not adopted at this time	Plans are underway to adopt at next rulemaking

Energy Compensation Sources for Well Logging and Other Regulatory Clarifications - Part 39	5/17/2003	Not adopted at this time	Plans are underway to adopt at next rulemaking
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