

February 19, 2003

MEMORANDUM TO: Management Review Board Members:

Carl J. Paperiello, EDO
Paul H. Lohaus, STP
Margaret V. Federline, NMSS
Karen D. Cyr, OGC

FROM: Osiris Siurano, Health Physicist */RA/*
Office of State and Tribal Programs

SUBJECT: DRAFT MINUTES: FEBRUARY 3, 2003 RHODE ISLAND
MRB MEETING

Attached are the draft minutes of the Management Review Board (MRB) meeting held on February 3, 2003. We plan to finalize these minutes at the next MRB meeting. If you have comments or questions, please contact me at 415-2307.

Attachment:
As stated

cc: Marie Stoekel, RI
Roland Fletcher, MD

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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, OEDO
Paul Lohaus, MRB Member, STP
Karen Cyr, MRB Member, OGC
Margaret Federline, MRB Member, NMSS
James Lynch, Team Leader, RGN III
Duncan White, Team Member, RGN I
Marie Stoekel, RI
Richard Struckmeyer, NMSS
Peter Ruedel, GAO
Osiris Siurano, STP

Josephine Piccone, STP
Lance Rakovan, STP
Kathleen Schneider, STP
Isabel Schoenfeld, OEDO
Brenda Usilton, STP
Patricia McGrady-Finneran, STP
Terry Brock, STP
Ryan Coles, GAO
Cardelia Maupin, STP

By teleconference:

Cynthia Sanders, GA, Team Member
Francis Costello, RGN I
George Pangburn, RGN I

John Ferruolo, RI
Dennis Klaczynski, RI

Note:

Roland Fletcher, OAS Liaison, MD, called during the MRB meeting to indicate that a higher priority meeting in the State of Maryland prevented him from attending the MRB as the Agreement State Liaison.

1. **Convention.** Carl Paperiello, Chair of the (MRB), convened the meeting at 2:06 p.m. Introductions of the attendees were conducted.
2. **New Business. Rhode Island Review Introduction.** Mr. James Lynch, Region III, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Rhode Island review.

Mr. Lynch summarized the review and noted the findings. Preliminary work included a review of Rhode Island's response to the IMPEP questionnaire. The onsite review was conducted November 18-22, 2002. 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. Preliminary results of the review, which covered the period of July 31, 1998 to November 22, 2002, were discussed with Rhode Island's management on November 22, 2002. Following the review, the team issued a draft report on December 18, 2002, received Rhode Island's comment letter dated January 15, 2003, and submitted a proposed final report to the MRB on January 27, 2003. Mr. Lynch noted that recommendations from the previous IMPEP review were closed.

Common Performance Indicators. Mr. Lynch presented the findings regarding the common performance indicator, Technical Staffing and Training. His presentation corresponded to Section 3.1 of the proposed final IMPEP report. The team found Rhode Island's performance with respect to this indicator to be "satisfactory" and made one recommendation involving interim qualifications. The MRB and Mr. Lynch

discussed the implementation of the recent changes to the MRB procedures in regard to the new order of discussion of the common performance indicators in the IMPEP reports and presented at MRB meetings. Starting with this MRB, the common performance indicator, Technical Staffing and Training, will be presented and discussed first. The MRB also discussed Rhode Island's staffing issues. The MRB highlighted the ability of the Office of Occupational and Radiological Health (the Office) to have personnel support from other areas within the Office and agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Mr. White reviewed the common performance indicator, Status of Materials Inspection Program. His presentation corresponded to Section 3.2 of the proposed final IMPEP report. The review team found Rhode Island's performance with respect to this indicator "unsatisfactory" and made two recommendations regarding inspections of core licenses. The MRB discussed the status of Rhode Island's action plan for conducting overdue inspections and staff training. The MRB also discussed the possible alternatives that the Office may consider to deal with the inspections and staffing issues and agreed that Rhode Island's performance was "unsatisfactory" for this indicator.

Mr. Lynch presented the common performance indicator, Technical Quality of Inspections. His presentation corresponded to Section 3.3 of the proposed final IMPEP report. The review team found that Rhode Island's performance with respect to this indicator was "satisfactory" and the MRB agreed.

Ms. Sanders presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. Her presentation corresponded to Section 3.4 of the proposed final IMPEP report. The team found Rhode Island's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

Ms. Sanders presented the findings regarding the final common performance indicator, Response to Incidents and Allegations. Her presentation corresponded to Section 3.5 of the proposed final IMPEP report. The team found Rhode Island's performance with respect to this indicator to be "satisfactory." A discussion on the completeness of the State incidents' files was held. The MRB discussed with Ms. Stoeckel the desirability of the Office to have complete incident information in their files including copies of Nuclear Material Events Database (NMED) reports. Ms. Stoeckel agreed. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Mr. White led the discussion of the non-common performance indicator, Legislation and Program Elements Required for Compatibility. His discussion corresponds to Section 4.1 of the proposed final IMPEP report. The team found Rhode Island's performance to be "satisfactory" and made one recommendation in regard to the adoption of overdue regulations. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Mr. White led the discussion of the non-common performance indicator, Sealed Sources and Devices (SS&D) Evaluation Program. His discussion corresponded to Section 4.2 of the proposed final IMPEP report. The team found Rhode Island's performance to be "satisfactory" and made one recommendation regarding training and qualifications of

SS&D reviewers. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

MRB Consultation/ Comments on Issuance of Report. Mr. Lynch concluded, based on the discussion and direction of the MRB, that Rhode Island's Program was rated "satisfactory" for six performance indicators and "unsatisfactory" for the indicator, Status of Materials Inspection Program. The MRB found the Rhode Island Radiation Control Program adequate to protect public health and safety, but needs improvement, and compatible with NRC's program. The IMPEP team recommended a period of heightened oversight and a follow-up IMPEP review in approximately one year and the MRB agreed.

Comments. Mr. Lynch thanked the Office chief and staff for their cooperation and professionalism during the onsite review. Ms. Stoeckel thanked the IMPEP team for their work and stated her appreciation for the opportunity for feedback and learning during the process and for the positive interaction between Rhode Island's staff and the IMPEP team during the review. Ms. Sanders was thankful for the opportunity to participate on the review team.

3. **Status of Current and Upcoming Reviews.** Ms. Schneider reported that the New Hampshire and Florida IMPEP reviews were being performed during this week. She also discussed the Heightened Oversight Monitoring Chart.
5. **Adjournment.** The meeting was adjourned at approximately 2:58 p.m.