

February 25, 2004

MEMORANDUM TO: Management Review Board Members:

Carl 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: FINAL MINUTES: JANUARY 22, 2003 MAINE MRB MEETING

Attached are the final minutes of the Management Review Board (MRB) meeting held on January 22, 2003. If you have comments or questions, please contact me at 415-2307.

Attachment:
As stated

cc: Pearce O'Kelley, SC

Management Review Board Members

February 25, 2004

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MINUTES MANAGEMENT REVIEW BOARD MEETING OF JANUARY 23, 2003

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
Margaret Federline, MRB Member, NMSS
Karen Cyr, MRB Member, OGC
Linda McLean, Team Leader, RIV
Richard Struckmeyer, NMSS

Lance Rakovan, STP
Terry Brock, STP
John Zabko, STP
Isabel Schoenfeld, OEDO
Osiris Siurano, STP

By teleconference:

Duncan White, Team Member, RI
Pearce O'Kelley, OAS Liaison, SC
Lee Cox, Team Member, NC
Shawn Seely, ME
Ruth McBurnie, TX

Jay Hyland, ME
Wayne Malloch, ME
Richard Ratliff, TX
Arthur Tate, TX

1. **Convention.** Carl Paperiello, Chair of the Management Review Board (MRB) convened the meeting at 2:45 p.m. Introductions of the attendees were conducted.
2. **New Business. Maine Review Introduction.** Mrs. Linda McLean, Region IV, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Maine review.

Ms. McLean summarized the review and noted the findings. Preliminary work included a review of Maine's response to the IMPEP questionnaire. The onsite review was conducted October 29 - November 1, 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 September 18, 1998 to October 29, 2002, were discussed with Maine's management on November 1, 2002. Following the review, the team issued a draft report on November 25, 2002, received Maine's comment letter dated December 30, 2002 and submitted a proposed final report to the MRB on January 13, 2003. Ms. McLean noted that the recommendations from the previous IMPEP review were closed.

Common Performance Indicators. Mr. Cox reviewed the common performance indicator Status of Materials Inspection Program. His presentation corresponded to Section 3.1 of the proposed final IMPEP report. The review team found Maine's performance with respect to this indicator "satisfactory" and made no recommendations. The MRB requested clarification on the number of core inspections mentioned in the report since there appeared to be a discrepancy on the numbers provided. Mr. Hyland and Ms. McLean provided further clarification. The information in the report will be revised. The MRB and Mr. Hyland discussed the state's decision to perform some inspections more frequent than the NRC. The MRB agreed that Maine's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Cox presented the common performance indicator Technical Quality of Inspections. His presentation corresponded to Section 3.2 of the proposed final report. The review team found that Maine's performance with respect to this indicator was "satisfactory" and made no recommendations. The MRB and Mr. Hyland discussed the nature of the inspector accompaniments completed during the review period. The MRB agreed that Maine's performance met the standard for a "satisfactory" rating for this indicator.

Ms. McLean presented the findings regarding the common performance indicator Technical Staffing and Training. Her presentation corresponded to Section 3.3 of the proposed final report. The team found that Maine's performance with respect to this indicator to be "satisfactory." The MRB highlighted the Program's dedicated fees as a positive practice and agreed that Maine's performance met the standard for a "satisfactory" rating for this indicator.

Mr. White presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. His presentation corresponded to Section 3.4 of the proposed final report. The team found Maine's performance with respect to this indicator to be "satisfactory." The MRB highlighted the Program's streamlining of the licensing process and agreed that Maine's performance met the standard for a "satisfactory" rating for this indicator.

Ms. McLean 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 report. The team found Maine's performance with respect to this indicator to be "satisfactory." The MRB highlighted the State's efforts to provide accurate data to the NRC for posting on Nuclear Materials Event Database (NMED). The MRB agreed that Maine'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 report. The team found Maine's performance to be "satisfactory" for this indicator and the MRB agreed.

MRB Consultation/ Comments on Issuance of Report. Ms. McLean concluded, based on the discussion and direction of the MRB, that Maine's Program was rated "satisfactory" for all performance indicators. The MRB found the Maine Radiation Control Program 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. Mr. Hyland thanked the IMPEP team for their work and professionalism. He stated his appreciation for the opportunity for feedback and learning during the process and for the positive interaction between Maine's staff and the IMPEP team during the review. The MRB thanked the team and Maine for their efforts.

3. **Results of Periodic Meetings.** Mr. Rakovan briefly reported on the periodic meetings recently conducted with the States of Maryland (ML023510478), Texas (ML030090254) and New Mexico (ML023570506). He reported that Maryland's Program is having some staffing issues including loss of personnel, training of new personnel, shifting of responsibilities, and the concern of possible backlogs due to these staffing issues. The MRB discussed the possibility of placing the State on increased monitoring or sending a supportive letter. It was decided to discuss this issue with Maryland program management to determine the best course of action.

It was reported that Texas has experienced a 30% staff turnover since the last IMPEP. In addition, the Bureau's most notable challenge is the potential loss of staff due to retirement, which may lead to backlogs. The Program's funding has been cut or redirected over a two year period, which has limited the ability of the Program for training of their staff. Mr. Ratliff inquired the MRB about the possibility that the NRC could provide free training for State personnel. The MRB explained that at this moment, NRC's policy continues to be that the NRC will provide the training, but the States have to pay for tuition, travel and per diem for their staff. However, the MRB stated that the NRC may explore alternatives for assisting the States in dealing with this situation.

4. **Status of Current and Upcoming Reviews**

Mr. Rakovan also reported that the next IMPEP review for New Hampshire and Florida will be held in February 2003. A conference call with the State of Kansas was scheduled for the week of January 27, 2003.

5. **Proposed Changes to IMPEP**

The MRB approved two changes to the IMPEP process. The common performance indicator, "Technical Staffing and Training" will now be the first common performance indicator discussed in IMPEP reports and presented at MRB meetings. The two main reasons given for this change are that the information conveyed through this indicator is critical towards understanding the general state of a program under review and that the information involving the program's organization and positions included in this indicator is necessary in the discussions of the other indicators.

Also, incident summaries will not be included in the incident casework appendix unless details of the incident directly relate to a program deficiency. The reasons given for this change are that significant incidents can be found in NMED. IMPEP reports will continue to include the NMED report number for each incident reviewed. In addition, none of the other appendixes include summaries, so removing the summaries better reflects the format of the other appendixes.

6. **Adjournment.** The meeting was adjourned at approximately 4:05 p.m.