

April 5, 2004

MEMORANDUM TO: Management Review Board Members:

Paul H. Lohaus, STP
Karen D. Cyr, OGC
Martin J. Virgilio, NMSS
Cardelia H. Maupin, STP

FROM: Aaron T. McCraw, Health Physicist */RA/*
Office of State and Tribal Programs

SUBJECT: FINAL MINUTES: SEPTEMBER 30, 2003 IOWA MRB MEETING

Attached are the final minutes of the Management Review Board (MRB) meeting held on September 30, 2003. If you have comments or questions, please contact me at 415-1277.

Attachment:
As stated

cc: Don Flater, IA
Pearce O'Kelley, SC

Management Review Board Members

April 5, 2004

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF SEPTEMBER 30, 2003

These minutes are presented in the same general order as the items were discussed in the meeting. The attendees were as follows:

Paul Lohaus, MRB Chair, STP
Martin Virgilio, MRB Member, NMSS
Kevin Hsueh, Team Leader, STP
Aaron McCraw, STP
Isabel Schoenfeld, EDO

Karen Cyr, MRB Member, OGC
Cardelia Maupin, MRB Member, STP
Lance Rakovan, STP
Richard Struckmeyer, NMSS

By Teleconference:

Pearce O'Kelley, OAS Liaison, SC
Daniel McGhee, IA
James Lynch, Team Member, RIII
Gary Baker, Team Member, NY

Don Flater, IA
Nancy Farrington, IA
James Mullauer, Team Member, RIII

1. **Convention.** Paul Lohaus, Chair of the Management Review Board (MRB) convened the meeting at 10:30 a.m. Introductions of the attendees were conducted.
2. **New Business: Iowa Review Introduction.** Mr. Kevin Hsueh, STP, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Iowa IMPEP review.

Mr. Hsueh summarized the review and noted the findings. Preliminary work included a review of Iowa's response to the IMPEP questionnaire. The on-site review was conducted July 29-August 1, 2003. The on-site 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. Inspector accompaniments were conducted during the week of June 16, 2003. The team issued a draft report on August 29, 2003; received Iowa's comment letter dated September 9, 2003; and submitted a proposed final report to the MRB on September 24, 2003.

Mr. Hsueh stated the team reviewed all five Common Performance Indicators and one Non-Common Performance Indicator. He noted that the IMPEP review team found Iowa's performance to be satisfactory for all performance indicators. One recommendation to the State was made during this review and the team identified one potential good practice. Iowa provided a response to the team's recommendation in the September 9, 2003 letter. He also noted the recommendation from the previous IMPEP review was closed.

Common Performance Indicators. Mr. Hsueh 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 Iowa's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Gary Baker presented the findings regarding 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 Iowa's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Baker presented the findings regarding 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 Iowa's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. James Mullauer presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. His presentation corresponded to Section 3.4 of the proposed final IMPEP report. The review team found Iowa's performance with respect to this indicator to be "satisfactory" and made one recommendation. Mr. Mullauer and the MRB discussed the content of the recommendation. Mr. Mullauer noted that the State of Iowa had taken action to address the recommendation and Mr. Flater concurred. The MRB, Mr. Mullauer, and the State discussed compatibility and consistency issues involving verification that there is no source leakage prior to termination of portable gauge licenses. The MRB discussed modifying the report to reflect the discussion and removing the recommendation. The MRB directed the team to remove the recommendation from the report and include the content of the discussion. The MRB also stated that NRC should look into implementation guidance for handling leak testing of portable gauges at license termination. After approving the good practice proposed by the team, the MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. James Lynch, presented the findings regarding the common performance indicator, Response to Incidents and Allegations. His presentation corresponded to Section 3.5 of the proposed final IMPEP report. The team found Iowa's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Mr. Hsueh led the discussion of the non-common performance indicator, Legislation and Program Elements Required for Compatibility. His discussion corresponded to Section 4.1 of the proposed final IMPEP report. The team found Iowa's performance to be "satisfactory" and made no recommendations. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

MRB Consultation/Comments on Issuance of Report. Mr. Hsueh concluded, based on the discussion and direction of the MRB, that Iowa's Program was rated "satisfactory" for all common and non-common performance indicators. One good practice was identified by the team and accepted by the MRB and the only recommendation made by the review team was removed from the report. The MRB found the Iowa Agreement State 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. Lohaus thanked Mr. Flater and his staff and the review team, including Mr. Baker. Mr. Baker commented on the IMPEP team's professionalism and courtesy. Mr. Baker also thanked the State of Iowa for their receptiveness. Mr. Flater thanked the review team. He stated that all IMPEP reviews have been of great benefit to the State of Iowa. Mr. Flater requested more frequent interaction with the NRC.

3. **Precedents/Lessons Learned.** No precedents that will be applied to the IMPEP process in the future were established by the MRB during this review.

The discussions between Mr. Mullauer and the MRB led the MRB to direct that the NRC should evaluate how the Regional Offices are implementing the procedure for termination of portable gauge licenses.

4. **Good Practices.** The Bureau identified a potential problem associated with model number designations involving Troxler 3400 Series and other Troxler Model 34XX portable gauges. To avoid the potential problem, the Bureau revised all portable gauge licenses that authorized Troxler 3400 Series by removing the 3400 series authorization and specifying each portable gauge in the Series by its own model number. The Bureau's revision of all Troxler portable gauge licenses to specifically list each gauge model number was found a good licensing practice.

5. **Adjournment.** The meeting was adjourned at approximately 11:40 p.m.