



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
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February 17, 2005

Mr. William A. Passetti, Chief
Bureau of Radiation Control
Department of Health
Bin C21
4052 Bald Cypress Way
Tallahassee, FL 32399-1741

Dear Mr. Passetti :

A periodic meeting with the Florida Office of Radiation Control was held on February 3, 2005. The purpose of this meeting was to review and discuss the status of Florida's Agreement State program. Specific topics and issues of importance discussed at the meeting included program strengths, staffing and training, performance of licensing and inspection activities, incidents and allegations and the updating of regulations for compatibility.

I have completed and enclosed a general meeting summary. There were no specific actions identified during the meeting.

If you feel that my conclusions do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me at 610-337-5358 or email to sam9@nrc.gov to discuss your concerns.

Thank you and your staff for the exchange of information and kindness extended during my visit.

Sincerely,

/RA/

Sheri Minnick
Regional State Agreements Officer
Division of Nuclear Materials Safety

Enclosure: As stated

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AGREEMENT STATE PERIODIC MEETING SUMMARY FOR FLORIDA

DATE OF MEETING: February 3, 2005

ATTENDEES:

NRC

Sheri Minnick, RSAO, Region I

STATE

William Passetti, Chief, Bureau of Radiation Control (BRC)

Michael Stephens, Administrator, Radioactive Materials

Debra Gilley, Licensing Manager

Paul Vause, Licensing Manager

Cindy Becker, Administrator, Field Operations

Various program staff

DISCUSSION:

A meeting was held with the Florida representatives on February 3, 2005 in Tallahassee, Florida. The topics listed in NRC letter dated January 7, 2005 (ML050070096) to Mr. Passetti were discussed. Details for each area are discussed below.

The previous IMPEP review was conducted during the period of February 3-7, 2003. During the 2003 review, no recommendations or suggestions were made by the team. The Management Review Board met on April 15, 2003, concurred on the team's findings, and found the Florida program adequate to protect public health and safety and compatible with the Nuclear Regulatory Commission's program.

There have been no changes in the organization since the last IMPEP. The Secretary of the Department of Health is the State Health Officer and a cabinet level position. The Bureau of Radiation Control (BRC) reports through the Division of Environmental Health to the Deputy State Health Officer.

There have been no significant changes in the organizational structure of the BRC since the last IMPEP. The Bureau is headed by the Chief, Mr. William A. Passetti, and has five major technical areas: Radioactive Materials, Field Operations, Environmental Radiation, Radiologic Technology, and Radiation Machines. Currently, the Bureau has around 100 employees. The Administrator, Radioactive Materials, is located in the Tallahassee office which coordinates the Agreement State materials program, and the licensing and enforcement functions. The Administrator, Field Operations, is located in Tallahassee and is responsible for coordinating all inspections (materials and x-ray) and the training program. Inspections are performed out of the Tallahassee office and Field Operations offices located in Miami, Lantana, Ft. Myers, Tampa, Orlando, Pensacola, and Jacksonville. In addition, the Health Department has agreements with Broward County and Polk County that allows these County programs to conduct materials inspections and x-ray inspections under their respective jurisdictions. The Environmental Radiation Laboratory is located in Orlando, and is responsible for radiological analysis of samples; emergency response actions; and coordination of materials event actions, documentation and reporting.

Florida representatives related that their programs were strong with adequate support from the Department of Health, legislative support, stable sources of funding, adequate administrative support, legal support, good laboratory and field equipment, and well trained staff.

The Materials Program Administrator reported that the State currently has 1533 specific licenses. There has been a steady increase since 2000, mostly in medical licensees. Licenses are issued out of Tallahassee and all are peer reviewed. There is no licensing backlog.

Inspection documents are prepared for every inspection, reviewed by the supervisor and issued out of Tallahassee. Feedback is provided to the inspectors through the Field Operations managers, during training, and inspector accompaniments. Inspection due lists are generated on a yearly and quarterly basis for planning purposes and tracked. There are no overdue core inspections. Quarterly reports on performance measures are prepared and monthly conference calls are conducted with the field offices. Quarterly staff meetings with field managers are held.

Allegations and incidents are appropriately processed on a case-by-case basis, and follow-up inspections are conducted as needed. All reports of events are coordinated out of the Orlando laboratory including the notification to NRC. If it is determined that a special (reactive) inspection is needed, the appropriate field office is notified to conduct the inspection. If it is determined that special inspections are not needed, a note to file is made instructing the next inspector to review at the routine inspection. This document is sent to the appropriate inspection file in the field offices. The State has been very responsive to the Regional requests when replies or actions were needed to close out the allegations or deal with other requests for information.

The mechanism for reporting events, what events to report, the timeliness of reporting, completeness of the reports, and closing out reports was discussed. Upon review of the NMED system, and the NRC Operating Events, the reports show that events are being appropriately reported and documented to NRC and the NMED system. Routine events are provided to the NRC contractor on a monthly frequency, and significant events are reported to the NRC Operations Center.

The Program has a history of providing a good training program for the staff members. New efforts have been made, such as the addition of a one week investigators course that was a joint effort between the training staff and local law enforcement.

The managers reported that self-assessments were being accomplished through the use of the IMPEP training information provided, and it was noted that the Bureau Chief and the Materials Administrator had both participated on several IMPEP teams.

The status of the adoption of regulations for compatibility was discussed. Based upon the NRC's Regulation Assessment Tracking System (RATS), it was noted that the Florida Administrative Code (FAC) needed a number of updates. The Materials Administrator indicated that the following rules have been completed by the Program, have been proposed and are in the legislative process: 1997-5, 1999-3, 2001-1, 2002-2, and 2002-1. These rules should be submitted to the NRC in approximately three months. The following proposed rules have become final and need to be submitted to the NRC: 1997-6, and 1998-4. Although the Program indicated that they had already submitted these two rules to STP, since they have not been

updated in RATS, they will be resubmitted. Following the regulation review, the RATS system will be updated to reflect the State Regulation Status (SRS) sheet, that replaced the RATS tracking system in the SA-201 procedure.

The State was informed that the next Florida IMPEP review is currently scheduled for CY 2007.

CONCLUSION:

The Florida program has effective management, well trained technical staff, and sufficient equipment and resources to carry out the Agreement Program under the IMPEP criteria. The State does not currently have any inspection or licensing backlogs and the staff are active in participating in the Conference of Radiation Control Program Directors activities, Organization of Agreement State activities, and NRC/State working groups. All of the IMPEP Indicators were discussed and there were no performance issues identified during the meeting.

ACTION ITEMS:

None.