

## MINUTES: KANSAS TELECONFERENCE OF FEBRUARY 14, 2005

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

Vivian Campbell, RIV  
John Zabko, OSTP  
Tom Conley, KS  
Dave Whitfill, KS

### 1. **Status of Actions**

**Staffing:** The State reported that they currently have two vacancies. The State recently lost the new hire and still has one vacancy which has been open for about one year. The State has posted one vacancy and expects to post the second vacancy soon.

Staffing and training continue to be a challenge for the Bureau. Over the past two years they have trained three staff. Only one of the three staff has remained with the Bureau. The Bureau has been authorized for five additional staff positions to be filled next fiscal year. Because of the low salaries, the Bureau finds it difficult to attract qualified staff. Therefore, new staff need considerable training. Bureau management is trying to upgrade the job classification for technical staff so that salaries will be more competitive. Bureau management stated that they have upper management support.

The new fee schedule is in place and the State is collecting fees. These fees are placed in a fee fund for the Bureau. However, the Bureau does not have access to the fees until July 1, 2005, the beginning of FY 2006.

**Licensing:** The State currently has 325 specific licensees. Some licensees have terminated their licenses due to the implementation of fees. Bureau management expects even more licensees to terminate as the fee program becomes fully implemented.

Bureau management indicated that they were getting behind a bit in timeliness of licensing. At the time of the monitoring call, the program had 33 amendments and new applications pending, approximately 20 percent were more than 90 days old. The program had 17 renewals pending, approximately 30 percent greater than 180 days old.

**Inspections:** Bureau management indicated that they are also beginning to get behind on inspections due to staffing issues. Currently, the program has three core inspections greater than 25 percent overdue. The Bureau is managing the inspection schedule based on priority, inspection history, and physical location because of the bad weather conditions in Kansas.

**Regulations:** The Bureau has submitted all the proposed rule packages to the Department of Administration. Many of the packages have been in Administration for several months. Some rules have gone back and forth between the Bureau and Administration for editorial changes. Once approved by the Department of Administration, the rules will go to the Attorney General's office for review of statutory

authority. Bureau management stated that they can not project when NRC will receive the first rule package for review.

The NRC staff talked to the Bureau about the length of time it is taking to promulgate rules in Kansas. Bureau management indicated that the process is now outside the Bureau's control. There is only one staff person in Department of Administration who must review all regulations promulgated in the Kansas. Because of the size of the Bureau's rule packages, the Division has given priority to smaller packages that can be reviewed quickly. Consequently, some radiation packages have been in Administration for months.