



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

December 16, 2005

**Heightened Oversight
California Conference Call Summary
Date of Call: December 8, 2005**

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

NRC Attendees

Dennis Rathbun, Deputy Director
State and Tribal Programs (STP)
Len Wert, Division Director, DNMS
Linda McLean RSAO
Chuck Cain, RIV
John Zabko, STP
Kathleen Schneider, STP
Osiris Siurano, STP
Aaron McCraw, STP

State of California Attendees

Larry Barrett, Division of Food, Drug & Radiation
Safety
Ed Bailey, Radiological Health Branch (RHB)
Gary Butner, RHB
Phillip Scott, RHB
Drew Johnson, RHB
Victor Anderson, RHB
Gonzalo Perez, RHB

NRC staff opened the call with recognition of the progress that has been made on the IMPEP Review recommendations. After the introductions and initial statements, California addressed the questions regarding the updated Program Improvement Plan (the Plan) submitted to NRC on November 28, 2005. The Plan discussed the status on the ten recommendations issued to California during the 2004 IMPEP Review.

Recommendation 1 - Program Resources

RHB received approval for an additional nine positions. RHB has conducted interviews for three of the nine approved positions. Three applicants have been offered employment. This recommendation remains open.

Recommendation 2 - Location/Security of licensed material

The California staff said that all of the licensees and material mentioned in the IMPEP report have been accounted for, with one exception. The exception is a licensee that moved to Oregon. The State has asked Oregon for assistance in finding the licensee. Procedures have been developed and implemented to identify and track lost licensees. This recommendation is considered closed in the Plan.

Recommendation 3 - Prompt issuance of inspection reports

The State reported that there are only five inspection reports out of 397 inspections this year that were issued later than 30 days. The Branch has made good progress in the timeliness of issuance of inspection reports. This recommendation is considered closed in the Plan

Recommendation 4 - Incident and Allegation files being used as a reference for license reviewers

New information technology enhancements were made to the database system to allow the review of 100% of incident and allegation histories during licensing actions. This recommendation is considered closed in the Plan

Recommendation 5 - Closing of events reported to Nuclear Material Events Database (NMED)

The State identified nearly 400 open incidents that needed to be closed. The State closed out 98% of the open incidents in the NMED database, and have developed new procedures to ensure 95% of new reportable incidents are closed out within 120 days or the incident is reported to Branch management. The Branch has made good progress in this area. This recommendation is considered closed in the Plan

Recommendation 6 - Prompt reporting of events to NMED

New procedures have been developed and implemented to monitor NMED reporting. The procedures requires that if the reports are not submitted to NMED within 30 days, management is to be notified. As of June 2004, only three events did not meet the 30 day criteria. This recommendation is considered closed in the Plan

Recommendation 7 - Tracking of incidents and allegations for proper disposition

New procedures are being developed to track incident and allegation investigations. Information technology enhancements have been completed. The reporting criteria to be used in the new database are under development. This recommendation remains open.

Recommendation 8 - Adoption of NRC amendments

The California staff reviewed the progress of all the outstanding amendments. Nine regulation packages are in various stages of completion as follows:

- ' One regulation package is out for public comment. The comment period ends January 23, 2006;
- ' Four packages are in different departments within the Agency; and
- ' Four packages are still in the Radiological Health Branch.

NRC stated their concern that the State has made little progress in the adoption of these amendments. Eight of these amendments were due between the period of 2001 - 2005. Seven of the these amendments are slated to be adopted as late as between June 2006 - March 2007. The State said that they are committed to concentrating their efforts on the

regulations, and have given the utmost management attention to adopting the regulations. This recommendation remains open.

Recommendation 9 - Develop a process for tracking/incorporating/evaluating SS&D defects and incidents for possible revaluation of SS&D sheets.

A new policy for tracking/incorporating/evaluating SS&D defects and incidents for possible revaluation of SS&D sheets has been completed and signed by Branch management. This recommendation is considered closed in the Plan

Recommendation 10 - Reevaluation of the NOVA R&D model CINDY neutron device.

This recommendation is considered closed in the Plan.

Other topics discussed.

The follow-up IMPEP Review scheduled for March 27-31, 2006, was discussed.

The NRC staff expressed their appreciation for California's efforts. The California staff assured the NRC that program improvements are being given the utmost management attention and maximum resource allocation that is possible at this time.

The next call is scheduled for the first week in February 9, 2006.

California Conference Call Summary

bcc: (via ADAMS e-mail distribution):

LWert

CCain

JSchlueter, STP

DRathbun, STP

LMcLean

KSchneider, STP

AMcCraw, STP

JZabko, STP

OSiurano, STP

SUNSI Review Completed: ADAMS: **Yes** No Initials: __mlm__

ADAMS: Yes 9 No Initials: __mlm__

 Publicly Available 9 Non-Publicly Available 9 Sensitive Non-Sensitive

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