

## CONFERENCE CALL SUMMARY WITH KENTUCKY

DATE OF CALL: February 13, 2006

### ATTENDEES:

Sheri Minnick, Region I  
John Zabko, Office of State and Tribal Programs  
Dewey Crawford, Kentucky  
Matthew McKinley, Kentucky

### BACKGROUND:

Subsequent to the July 2005 Kentucky Periodic Meeting, a Management Review Board was held on October 17, 2005. The Management Review Board requested quarterly conference calls be conducted between the appropriate Kentucky and NRC staffs to monitor the State's performance. This is the first monitoring conference call.

### STATUS OF PROGRAM:

Kentucky's progress on the following performance indicators was discussed; Staffing and Training, Status of Inspections, Compatibility Requirements, Incidents and Allegations, and Sealed Source & Device Program. Details are provided in the attached Memorandum dated February 3, 2006. In addition, the Program reported that one staff member, who is a partially qualified inspector, has resigned.

NRC noted that the Program is completing tasks necessary to properly implement Increased Controls requirements within the state.

### STATUS OF OPEN RECOMMENDATIONS:

Kentucky's progress on the recommendations made during the July 2004 IMPEP was discussed. Details are provided in the attached Memorandum dated February 3, 2006.

### NEXT CALL:

The next call is scheduled for May 1, 2006 at 2 p.m.

### NEXT PERIODIC MEETING:

The next periodic meeting is scheduled for July 6, 2006 at 1 p.m.

### ATTACHMENT:

February 3, 2006 Memorandum, Subject: Kentucky program update



**CABINET FOR HEALTH & FAMILY SERVICES**  
COMMONWEALTH OF KENTUCKY  
FRANKFORT 40621-0001

Department for Public Health  
Mail Stop HS1C-A

**MEMORANDUM**

**TO:** Sheri Minnick  
Region I, Regional State Agreements Officer  
NRC

**FROM:** Dewey Crawford, Manager  
Radiation Health Branch

**SUBJECT:** Kentucky program update

**DATE:** February 3, 2006

Below is the Kentucky Agreement State Program update submitted in preparation for the quarterly monitoring conference call on February 13, 2006.

Update on the following areas found not fully satisfactory at the 2004 IMPEP :

**Status of Staffing and Training (New hires, Completed staff training)**

According to the 10/19/05 special MRB meeting minutes, the NRC is aware of our 3 new hires. 1 of these individuals is considered a .5 FTE due to splitting his time between us and the lab. 1 member of the staff remains deployed in Iraq. The section is currently comprised of 6.5 FTEs and the supervisor. Additional qualifications since 10/19/05 include 1 staff member who qualified fixed and Portable Gauges and another staff member who qualified Radiography and Well Logging. All staff have received training and qualification on the Transcom system, 3 staff members attended Hazwoper training and 1 attended radiation safety school presented by a local gauge manufacturer.

**Status of Materials Inspections ( Overdue inspections, Cat 1,2,3, & initials)**

At the time of the last review in July 2005, the program had 20 core licenses overdue by more than 25%. Currently, we have 26 licenses overdue by more than 25%. Although this reflects a further decline in this area, the Branch informed the NRC of the decision to temporarily suspend inspections last fall to provide the time necessary to train the new staff and assess priorities. A plan was established to ensure that all overdue inspections as well as all other due inspections will be completed by November 2006.

**Status of Regulations (Amendments overdue)**

We informed the NRC during the teleconference on 10/19/05 that the 5 overdue regulation amendments will be worked on in the future. As the section's staff members advance their qualifications and experience, current time constraints should be eased. Progress will begin as early as July 2006, with completion anticipated during the General Assembly session of 2007.

Status of Incidents & Allegations (Number of incidents, Status of NRC and NMED reporting)

There are currently 3 open NMED events that originated from KY. All of these issues have been closed according to our own I&A procedures, but need final close out via NMED. We have been working with our in-house IT people to overcome some issues that have been causing an unreliable connection to the NMED site. These closeouts will be accomplished by the end of Feb. 2006.

SS&D Evaluation Program (Status of SS&D program with respect to recommendations below)

See information below.

Update on the following open recommendations from the 2004 IMPEP review:

The review team recommends that the Branch establish, implement and document a training program for SS&D reviewers.

We are negotiating with Kirk Nielson of URS to provide this service to the State as a part of an existing contract. We are also following up with Lloyd Bowling of the NRC to ensure we reserve space in a SS&D workshop, should one be provided.

The review team recommends that the registration certificate evaluation criteria and document format be consistent with NUREG-1556, Volume 3;  
The review team recommends that the Branch review and determine the status of SS&D registrations issued to non-Kentucky manufacturers and take appropriate action to either update or inactivate the registration certificates;  
The review team recommends that the Branch implement an enforceable mechanism (e.g., rule or license condition) to have the manufacturers report defects, deviations or non-conformance of safety-related systems, structures, or components and document follow up actions.

A new employee was hired as a 0.5 FTE and has been tasked with establishing and implementing the SS&D program. Although he is not directly involved in contract negotiations with URS, he has been tasked with specific goals for 2006. See enclosure 1 for a copy of the stated duties and expectations regarding the completion of the items listed above.

The review team recommends that the Branch document incident and allegation responses in accordance with its procedures and provide training on their procedures to all technical staff.

This recommendation was completed as of July 2005. This training, along with other

important topics will be included in our annual training curriculum.

The review team recommends that the Branch identify those licensees who require financial assurance and take appropriate action to have them comply with the Commonwealth's decommissioning and financial assurance requirements.

We have created the database and are in the process of identifying the licensees who are required to provide financial assurance.

The review team recommends that the Branch upgrade their database so that all relevant licensee data are incorporated and maintained to ensure that inspections can be scheduled and performed in accordance with the requirements of MC 2800. Specifically, initial inspection due dates were not entered, and thus a large number of initial inspections were overdue.

The section implemented a policy of assigning a next inspection due date at the time the new license is initially submitted for entry into the database. This has worked well; however, we are continuing to pursue programming the database to require the next inspection due date data field be completed prior to transmitting the initial license data. This will prevent the data from being entered until this field is completed. The RCPD met with the CDP administrator 1/26/06 to discuss this issue. The reprogramming should be completed by the end of March 2006.

Discussion of Implementation of the Increased Controls requirements in Kentucky.

The section supervisor reported to Andrew Mauer on 1/19/06 that we had sent the increased controls letter to all appropriate licensees on Dec. 2, 2005. As of the end of January, we were still waiting on a response from 4 of 20 licensees. We have made contact with these licensees via phone and have been assured that they will respond as soon as possible. There is no indication that any of the remaining 4 licensees will have any problems with timely implementation.

Confirmation of the Next NRC periodic meeting with the Kentucky program: July 6, 2006.

Date for Next Conference Call

**Enclosure 1**

## **Sealed Sources & Devices**

Duties: Maintain the SS& D program

Expectations: Maintains source and device registries issued by the State of Kentucky up to date. Ensures all registry amendment requests are tracked and processed to closure. Coordinates with the NRC and / or other States as necessary for technical guidance and information sharing.

**Primary:** Mel  
**Back up:** Matt  
**Date:** February 3, 2006  
**Subject:** Establish goals for 2006

Work with RMS supervisor to establish and document a comprehensive program including registration certificate evaluation criteria and document format consistent with NUREG-1556, Vol. 3;

We are negotiating with Kirk Nielson of URS to provide this service to the State as a part of an existing contract. We are also following up with Lloyd Bowing of the NRC to ensure we reserve space in a SS&D workshop, should one be provided. It is understood that we don't have complete control over the timelines with regard to this goal. The expectation is that the primary will periodically (at least monthly) monitor the progress and take appropriate actions to ensure reasonable advancement is occurring.

Determine the status of SS&D registrations issued to non-Kentucky manufacturers and take appropriate action to either update or inactivate the registration certificates.

Research the implementation of an annual fee for each KY certificate in current active status on the SS&D registry.

Implement an enforceable mechanism (e.g. rule or license condition) to have manufacturers in the State (Ronan) report defects, deviations or non-conformance of safety related systems, structures or components and document follow up actions.

Meet with RMS supervisor periodically (monthly preferred) to discuss progress and adjust (if necessary) goals.