

June 14, 2006

MEMORANDUM TO: Martin J. Virgilio
Deputy Executive Director for Materials, Research,
State and Compliance Programs
Office of the Executive Director for Operations

Karen D. Cyr, General Counsel

Jack R. Strosnider, Director
Office of Nuclear Material Safety and Safeguards

Janet R. Schlueter, Director
Office of State and Tribal Programs

FROM: Dennis K. Rathbun, Deputy Director */RA/*
Office of State and Tribal Programs

SUBJECT: INTEGRATED MATERIALS PERFORMANCE EVALUATION
PROGRAM (IMPEP) REVIEW OF THE ALABAMA
RADIATION CONTROL PROGRAM

This memorandum transmits to the Management Review Board (MRB) a proposed final report (Enclosure 1) documenting the IMPEP review of the Alabama Agreement State Program. The review of the Alabama Program was conducted by an interoffice team during the period of April 3-7, 2006. The team issued a draft report to Alabama on April 28, 2006 for factual comment. Alabama responded to the findings and conclusions of the review by letter dated May 16, 2006, from Mr. Kirksey E. Whatley, Director, Office of Radiation Control. Based on the letter, Alabama had no comments on the draft report.

The review team is recommending that Alabama's performance be found satisfactory for all performance indicators reviewed. Accordingly, the review team is recommending that the Alabama Agreement State Program be found adequate to protect public health and safety and compatible with NRC's program.

The Management Review Board meeting to consider the Colorado report is scheduled for **Thursday, June 29, 2006, from 1:00 p.m. - 3:00 p.m., in One White Flint North, Room O-3B6**. In accordance with Management Directive 5.6, the meeting is open to the public. The agenda for that meeting is enclosed (Enclosure 2).

If you have any questions prior to the meeting, please contact me at 301-415-2325 or Mr. Aaron T. McCraw at 301-415-1277.

Enclosures:
As stated

cc w/ encl: Kirksey E. Whatley, Director
Office of Radiation Control
Alabama Department of Public Health

John Parker, New Mexico
Organization of Agreement States
Liaison to the MRB

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INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM
REVIEW OF ALABAMA AGREEMENT STATE PROGRAM

April 3-7, 2006

PROPOSED FINAL REPORT

U.S. Nuclear Regulatory Commission

ENCLOSURE 1

1.0 INTRODUCTION

This report presents the results of the review of the Alabama Agreement State program. The review was conducted during the period of April 3-7, 2006, by a review team comprised of technical staff members from the Nuclear Regulatory Commission (NRC) and the State of Texas. Team members are identified in Appendix A. The review was conducted in accordance with the "Implementation of the Integrated Materials Performance Evaluation Program and Rescission of Final General Statement of Policy," published in the Federal Register on October 16, 1997, and the February 26, 2004, NRC Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)." Preliminary results of the review, which covered the period of April 13, 2002, to April 7, 2006, were discussed with Alabama management on the last day of the review.

[A paragraph on the results of the Management Review Board (MRB) meeting will be included in the final report]

The Alabama Agreement State program is administered by the Department of Public Health (the Department), Office of Radiation Control (the Office). The Director of the Office reports to the State Health Officer, who serves as the Director of the Department. Organization charts for the Department and the Office are included as Appendix B. At the time of the review, the Alabama Agreement State program regulated 438 specific licenses authorizing Agreement materials. The review focused on the materials program as it is carried out under the Section 274b. (of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the State of Alabama.

In preparation for the review, a questionnaire addressing the common and non-common performance indicators was sent to the Office on January 24, 2006. The Office provided its response to the questionnaire on March 27, 2006. A copy of the questionnaire response may be found on the NRC's Agencywide Documents Access and Management System (ADAMS) using the Accession Number ML060870402.

The review team's general approach for conduct of this review consisted of: (1) examination of Alabama's response to the questionnaire; (2) review of applicable Alabama statutes and regulations; (3) analysis of quantitative information from licensing and inspection databases; (4) technical review of selected files; (5) two field accompaniments of an Alabama inspector; and (6) interviews with staff and management to answer questions or clarify issues. The review team evaluated the information gathered against the IMPEP performance criteria for each common and applicable non-common indicator and made a preliminary assessment of the Agreement State program's performance.

Section 2 below discusses the Program's actions in response to recommendations made during the previous review. Results of the current review for the IMPEP common performance indicators are presented in Section 3. Section 4 discusses results of the applicable non-common performance indicators, and Section 5 summarizes the review team's findings.

2.0 STATUS OF ITEMS IDENTIFIED IN PREVIOUS REVIEWS

During the previous IMPEP review, which concluded on April 12, 2002, no recommendations were made by the review team.

3.0 COMMON PERFORMANCE INDICATORS

IMPEP identifies five common performance indicators to be used in reviewing both NRC Regional and Agreement State programs. These indicators include: (1) Technical Staffing and Training, (2) Status of Materials Inspection Program, (3) Technical Quality of Inspections, (4) Technical Quality of Licensing Actions, and (5) Technical Quality of Incident and Allegation Activities.

3.1 Technical Staffing and Training

Issues central to the evaluation of this indicator include the Office's staffing level and staff turnover, as well as the technical qualifications and training histories of the staff. To evaluate these issues, the review team examined the Office's questionnaire response relative to this indicator; interviewed Office management and staff; and reviewed job descriptions, training plans, and training records. The review team also considered any possible workload backlogs in evaluating this indicator; however, no licensing or inspection casework backlogs were identified.

The Office has a Director, an Assistant Director, and four technical Branches: the Inspection Branch; the Licensing Branch; the Healing Arts and X-Ray Branch; and the Emergency Planning and Environmental Monitoring Branch. The Inspection and Licensing Branches make up the Agreement State program. The Office Director spends approximately twenty percent of his time on Agreement State program activities. Among other duties, the Assistant Director, who is a Certified Health Physicist, provides technical assistance to the staff and handles allegations.

There are two technical staff positions and one Branch Director position in both the Inspection Branch and Licensing Branch. One staff member is new to the Alabama materials program and one staff member has returned to the Office after 20 years of service with another Agreement State program. The Office currently has no vacancies in the Agreement State program.

The Office Director is very supportive of staff training opportunities, as well as staff participation in working groups. All but two staff members have attended the five-week Health Physics course conducted by the Oak Ridge Institute of Science and Education. The remaining two staff members were attending the course during the week of the review. The Inspection Branch Director and primary inspector both attended the NRC Security Systems and Principles Course in Autumn 2005.

The review team noted that the Office experienced stable funding during the review period due to the Alabama law that established radioactive materials licensing fees at 75 percent of the fees that the NRC charges its materials licenses. The Office is fully funded from fees.

The Office has a documented training plan that is consistent with the guidance in the NRC/Organization of Agreement States Training Working Group Report and NRC's Inspection

Manual Chapter (MC) 1246. They also have on-the-job training to supplement the course work so that individuals may broaden their work areas. New staff members are assigned increasingly complex licensing duties and accompany more experienced inspectors during increasingly complicated inspections under the direction of their Branch Director. Inspectors are assigned independent inspections after demonstrating competence during accompaniment evaluations by the Branch Director. The team confirmed that the new staff are in the process of gaining qualifications at an appropriate pace.

The Radiation Advisory Board (the Board) is an advisory board to the State Health Officer. The Board serves in an advisory capacity when requested by the State Health Officer. Several members of the Board are either licensed themselves or work for licensees. Members of the Board are required to file annual Ethics Commission Statements regarding their service and possible conflicts of interests.

Based on the IMPEP evaluation criteria, the review team recommends that Alabama's performance with respect to the indicator, Technical Staffing and Training, be found satisfactory.

3.2 Status of Materials Inspection Program

The review team focused on five factors while reviewing this indicator: inspection frequency, overdue inspections, initial inspections of new licenses, timely dispatch of inspection findings to the licensees, and the performance of reciprocity inspections. The review team's evaluation is based on the Office's questionnaire response relative to this indicator, data gathered from the Office's licensee database, examination of completed inspection casework, and interviews with staff.

A Department memorandum dated May 12, 2004, entitled "License and Registration Inspections Priority," established that inspections be conducted in accordance with the priority schedule provided in MC 2800, with more frequent inspections in some categories. For example, all NRC Priority T (telephone) programs are considered Priority 5 by the Office. The memorandum also established a policy for more frequent inspections of licensees whose previous inspection identified violations, based on severity and repetition.

The Office maintains an "Inspections Due" database, sorted by priority, to identify the inspection due dates of all licensees. The database contains sufficient information for proper management of the inspection program. The Inspection Branch conducts an average of 106 inspections per year. Only one inspection was conducted overdue during the review period. This inspection was incorrectly coded as an out-of-State licensee, which resulted in a delay in conducting the initial inspection. The percentage of overdue inspections was below one percent of the inspections conducted by the Office during the review period.

The review team noted that the Office routinely performed inspections of materials licensees on an unannounced basis, except for initial inspections. Initial inspections of new licensees are scheduled for nine months after the date the license is issued. An inspection is performed before the end of the first year of license issuance independent of whether materials have been acquired or not. Fifty-five initial inspections were performed during the review period. All initial inspections were conducted within the scheduled interval, except for the one overdue inspection mentioned above.

NRC allows Agreement State licensees 180 days of use of radioactive materials in NRC jurisdiction under reciprocity. Alabama regulations only allow 30 days of use of radioactive materials in the State under reciprocity. After 30 days, an out-of-State Alabama license must be obtained. Holders of these out-of-State licenses are required to give a notification in advance of any use of radioactive material in Alabama.

Because of the short reciprocity interval, the review team could not directly apply the reciprocity inspection goal of 20 percent, as prescribed by MC 1220, to this program. Many companies have out-of-State Alabama licenses and are inspected annually by the program. The review team found that many of the reciprocity licensees entered the State for one to two days throughout the year for jobs lasting only a few hours each trip, and thus attempted inspections were not able to be completed. Office management indicated that performing reciprocity inspections remains a goal of the Office. The review team concluded that the Office's performance of reciprocity inspections over the review period was acceptable.

The timeliness of the issuance of inspection findings was evaluated by the team's review of inspection casework. Fifty-four inspection reports from 25 inspection files were reviewed for timeliness. All inspection reports are signed by the Inspection Branch Director. The inspection results were transmitted to licensees within 30 days, with four exceptions. All four overdue letters involved enforcement actions.

Based on the IMPEP evaluation criteria, the review team recommends that Alabama's performance with respect to the indicator, Status of Materials Inspection Program, be found satisfactory.

3.3 Technical Quality of Inspections

The review team evaluated the inspection reports, enforcement documentation, and inspection field notes, and interviewed inspectors for 25 radioactive materials inspections conducted during the review period. The casework reviewed included inspections by six materials inspectors and covered inspections of various types including: industrial radiography, medical broad scope, medical institutions, nuclear pharmacies, research and development, nuclear laundry, blood irradiator, and source material. Appendix C lists the inspection casework reviewed for completeness and adequacy.

Based on the casework reviews, the review team found that routine inspections covered all aspects of a licensee's radiation protection program. Inspection reports were thorough, complete, consistent, and of high quality, with sufficient documentation to ensure acceptable performance with respect to health and safety by the licensee. Previous violations and other findings are reviewed during each subsequent inspection. Draft reports were reviewed and approved by supervisors in a timely manner. Inspection findings led to appropriate and prompt regulatory action. Team inspections were performed when appropriate and for training purposes.

Documentation in the inspection files adequately supported any cited violations, recommendations made to licensees, unresolved safety issues, and discussions held with the licensee during exit meetings. The review team noted that the inspector checklists do not specifically mention public dose assessments and the effluent Constraint Rule requirements, and therefore there was no documentation of inspection reviews in these areas. The review

team discussed the benefits of including these items in the inspector checklists for completeness.

During the review period, the Inspection Branch Director performed annual accompaniments of the fully-qualified inspector and performed additional accompaniments of the new inspector going through the qualification process. The review team noted that the Inspection Branch Director conducted materials inspections on a routine basis (about once per month); however, since the Office's internal procedures do not require accompaniments for a Director, he was not accompanied annually. The review team found this practice acceptable because of the extensive experience of the Inspection Branch Director.

The review team noted that all technical staff members are equipped with a combination cell phone/two-way radio for communication. Inspectors can contact the Office immediately if there is a problem in the field. The inspectors can also be reached anywhere in the State of Alabama if the need arises.

The Office maintains a sufficient number and variety of survey instruments to perform radiological surveys of materials licensees. The review team examined the State's instrumentation and observed that the survey instruments were calibrated and operable.

The review team accompanied one materials inspector during the period of March 7-8, 2006. The inspector was accompanied on inspections of a medical licensee and an industrial radiography licensee. These accompaniments are identified in Appendix C. During the accompaniments, the inspector demonstrated appropriate performance-based inspection techniques and knowledge of regulations. The inspector was prepared and was thorough in the reviews of the licensees' radiation safety programs. Overall, the technical performance of the inspector was excellent and adequately assessed radiological health and safety.

Based on the IMPEP evaluation criteria, the review team recommends that Alabama's performance with respect to the indicator, Technical Quality of Inspections, be found satisfactory.

3.4 Technical Quality of Licensing Actions

The review team examined completed licensing casework and interviewed license reviewers for 17 specific licenses. Licensing actions were reviewed for completeness, consistency, proper radioisotopes and quantities, qualifications of authorized users, adequate facilities and equipment, adherence to good health physics practices, financial assurance, operating and emergency procedures, appropriateness of the license conditions, and overall technical quality. The casework was also reviewed for timeliness, use of appropriate deficiency letters and cover letters, reference to appropriate regulations, product certifications, supporting documentation, consideration of enforcement history, pre-licensing visits, supervisory review as indicated, and proper signatures. The casework was checked for retention of necessary documents and supporting data.

The licensing casework was selected to provide a representative sample of licensing actions that were completed during the review period. Licensing actions selected for evaluation included three new licenses, five renewals, nine amendments, and two terminations. The sampling included the following types of licenses: medical (institution, private practice, and

broad scope), nuclear laundry, industrial radiography, well logging, portable and fixed gauges, radioisotope and sealed source radiotherapy, decontamination services, and a nuclear pharmacy. A listing of the licensing casework evaluated can be found in Appendix D.

The review team found that the licensing actions were thorough, complete, consistent, and of acceptable quality with health and safety issues properly addressed. Licenses are issued for a five year period under a timely renewal system. License tie-down conditions were stated clearly, backed by information contained in the file, and inspectible. Standard license conditions are used. The licensee's compliance history was taken into account when reviewing all renewal applications and major amendments. Terminated licensing actions are well documented, showing appropriate transfer and survey records. The exemptions noted in the questionnaire response relative to this indicator were determined to be appropriate and well documented by license conditions.

In addition to review by the license reviewer, the Licensing Branch Director performs a technical review on all licensing actions. All licenses are signed by the Office Director and the State Health Officer.

The review team examined the licensees that the Office had determined met the criteria for the increased controls per COMSECY-05-0028. The review team determined that the Office had correctly identified the licensees that require increased controls based on this criteria, and will continue to issue increased controls to any additional licensees, as appropriate. Each licensee was issued a license amendment requiring increased controls in accordance with the time lines established by the Commission in the Staff Requirements Memorandum (SRM) for COMSECY-05-0028. The Office has started to plan for the initial set of inspections of these licensees in accordance with the increased control requirements.

Based on the IMPEP evaluation criteria, the review team recommends that Alabama's performance with respect to the indicator, Technical Quality of Licensing Actions, be found satisfactory.

3.5 Technical Quality of Incident and Allegation Activities

In evaluating the effectiveness of the Office's actions in responding to incidents, the review team examined the Office's response to the questionnaire relative to this indicator, evaluated selected incidents reported for Alabama in the Nuclear Material Events Database (NMED) against those contained in the Office files, and evaluated the casework and supporting documentation for radioactive materials incidents. A list of the incident casework examined, with case-specific comments, is included in Appendix E. The team also reviewed the Office's response to allegations involving radioactive materials including those referred to the State by the NRC during the review period. The review team also discussed the Office's incident and allegation policies, procedures, files, and tracking system with the staff.

The review team identified 174 incidents in NMED for the State of Alabama during the review period and selected 17 incidents for review. The incidents included: damaged equipment, equipment failures, a fire, medical events, an abnormal occurrence, lost and stolen radioactive material, leaking sources, and an overexposure. The review team found that the Office's response to incidents was complete and comprehensive. Initial responses were prompt and well-coordinated, and the level of effort was commensurate with the health and safety

significance. The Office dispatched inspectors for on-site investigations when appropriate, and took suitable enforcement and follow-up actions.

The responsibility for initial response and follow-up actions to materials incidents may be assigned to any member of the materials program. Upon receipt, Office staff reviews the incident, decides on the appropriate response, and logs the incident into the Office's log book. Documentation related to an incident is placed both in an incident file and in the appropriate license docket file.

The Office's incident procedure indicates that events requiring immediate notification be provided to the NRC within 24 hours, and 30-60 day reportable events are provided to the NRC in monthly reports. The review team noted that the Office usually meets the 24 hour notification of significant events. All the incidents requiring 30-60 day notification were reported to the NRC within the required time frame. The Office uses the latest NMED software to track all radioactive material incidents. Three staff members are trained in the use of the computer system and one staff member manages the State's submissions. The Office promptly responded to requests for information from the NMED contractor by e-mails with attachments.

In evaluating the effectiveness of Alabama's actions responding to allegations, the review team examined the Office's questionnaire response relative to this indicator, casework for the three allegations referred to the State by the NRC as well as the casework for four additional allegations reported directly to the State. The team noted that the State receives a relatively small number of allegations. The Office evaluates each allegation and determines the proper level of response. The review of the casework indicated that the Office took prompt and appropriate action in response to the concerns raised. All of the allegations reviewed were appropriately closed and the review team noted that allegations were treated and documented internally in the same manner as incidents. The State makes every effort to protect an alleged's identity, and it is only released for a good cause. There were no performance issues identified from the review of the casework documentation.

Based on the IMPEP evaluation criteria, the review team recommends that Alabama's performance with respect to the indicator, Technical Quality of Incident and Allegation Activities, be found satisfactory.

4.0 NON-COMMON PERFORMANCE INDICATORS

IMPEP identifies four non-common performance indicators to be used in reviewing Agreement State Programs: (1) Compatibility Requirements; (2) Sealed Source and Device Evaluation Program; (3) Low-Level Radioactive Waste Disposal Program; and (4) Uranium Recovery Program. Only the first non-common performance indicator was applicable to this review.

4.1 Compatibility Requirements

4.1.1 Legislation

Legislative authority to create the program and enter into an Agreement with the NRC was granted in 1963 (Acts of 1963, No. 582). The State Board of Health is designated as the State's radiation control agency. Along with the Office's response to the questionnaire relative to this indicator, the staff provided the review team with the opportunity to review copies of

legislation that affects the radiation control program. The review team noted that the legislation had not changed since the previous IMPEP review.

4.1.2 Program Elements Required for Compatibility

The State regulations for control of radiation are located in Chapter 420-3-26 of the Alabama regulations for Control of Radiation and apply to ionizing and non-ionizing radiation, whether emitted from radionuclides or devices. Alabama requires a license for possession and use of radioactive materials, including naturally-occurring and accelerator-produced radioactive material.

The review team examined the procedures used in the State's rulemaking process and found that the public and other interested parties are offered an opportunity to comment on proposed regulation changes. Rulemaking responsibility is assigned to the Office Director. Draft regulations are sent to the NRC for review. The package of proposed regulations prepared by the Office requires review by the Alabama Office of General Counsel and approval from the State Committee of Public Health (SCPH). The State has Emergency Rule capability, if public health and safety is at risk. Although the State's rules and regulations are not subject to "sunset" laws, the entire program is subject to a sunset review every four years. The most recent review in 2005 recommended for continuance of the program.

The review team evaluated Alabama's response to the questionnaire relative to this indicator, reviewed the status of regulations required to be adopted by the State under the Commission's adequacy and compatibility policy, and verified the adoption of regulations with data obtained from the Office of State and Tribal Program's State Regulation Status Data Sheet. Since the previous IMPEP review, the Department adopted two regulation amendments. These regulations were:

- "Respiratory Protection and Controls to Restrict Internal Exposures," 10 CFR Part 20 amendment (64 FR 54543; 64 FR 55524).
- "Revision of the Skin Dose Limit," 10 CFR Part 20 amendment (67 FR 16298).

Currently, the Office has six regulations in one rule package that is out for public comment. The package was expected to be adopted by SCPH by May 17, 2006, and should have become effective 35 days after publication. The entire rule package was delayed within STP, due to the resolution of issues associated with the regulation "Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material." These regulations are:

- "Energy Compensation Sources for Well Logging and Other Regulatory Clarifications," 10 CFR Part 39 amendment (65 FR 20337) that became effective May 17, 2000 and was to be implemented by May 17, 2003.
- "New Dosimetry Technology," 10 CFR Parts 34, 36, and 39 amendments (65 FR 63749) that became effective January 8, 2001 and was to be implemented by January 8, 2004.
- "Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material," 10 CFR Parts 30, 31, and 32 amendments (65 FR 79162) that became effective February 16, 2001 and was to be implemented by February 16, 2004.

- “Medical Use of Byproduct Material,” 10 CFR 20, 32, and 35 amendments (67 FR 20249) that became effective October 24, 2002 and was to be implemented by October 24, 2005.
- “Financial Assurance for Materials Licensees,” 10 CFR Parts 30, 40, and 70 amendment (67 FR 57327) that became effective December 3, 2003.
- “Medical Use of Byproduct Material - Recognition of Specialty Boards,” 10 CFR Part 35 amendments (70 FR 16336) that became effective April 29, 2005.

The Office will need to address the following three regulations in upcoming rulemakings or by adopting alternate legally-binding requirements:

- “Compatibility with IAEA Transportation Safety Standards and Other Transportation Safety Amendments,” 10 CFR Part 71 amendment (69 FR 3697) that became effective October 1, 2004.
- “Security Requirements for Portable Gauges Containing Byproduct Material,” 10 CFR Part 30 amendment (70 FR 2001) that became effective July 11, 2005.
- “Medical Use of Byproduct Material - Recognition of Specialty Boards; Correction,” 10 CFR Part 35 amendment (71 FR 1926) that became effective January 12, 2006.

In order to inform portable gauge licensees of the new requirements for security of portable gauges in a timely manner, on January 15, 2004, the Office issued a letter describing acceptable means of the use of two independent physical controls.

Based on IMPEP evaluation criteria, the review team recommends that Alabama’s performance with respect to the indicator, Compatibility Requirements, be found satisfactory.

5.0 SUMMARY

As noted in Sections 3 and 4 above, the review team found Alabama’s performance to be satisfactory for all applicable performance indicators. The review team made no recommendations regarding the performance of the Alabama Agreement State program. Accordingly, the review team recommends that the Alabama Agreement State program be found adequate to protect public health and safety and compatible with NRC’s program. Based on the results of the current IMPEP review, the review team recommends that the next full IMPEP review take place in approximately four years.

LIST OF APPENDICES AND ATTACHMENT

Appendix A	IMPEP Review Team Members
Appendix B	Alabama Organization Charts
Appendix C	Inspection Casework Reviews
Appendix D	License Casework Reviews
Appendix E	Incident Casework Reviews
Attachment	May 16, 2006 Letter from Kirksey E. Whatley Alabama's Response to Draft IMPEP Report

APPENDIX A

IMPEP REVIEW TEAM MEMBERS

Name	Area of Responsibility
Sheri Minnick, Region I	Team Leader Technical Staffing and Training
Robert Evans, Region IV	Status of Materials Inspection Program Technical Quality of Inspections Inspector Accompaniments
Eric Skotak, TX	Technical Quality of Licensing Actions
Cardelia Maupin, STP	Technical Quality of Incident and Allegation Activities
Sandra Wastler, NMSS	Compatibility Requirements

APPENDIX B

ALABAMA ORGANIZATION CHARTS

ADAMS: ML061020532

APPENDIX C

INSPECTION CASEWORK REVIEWS

NOTE: CASEWORK LISTED WITHOUT COMMENT ARE INCLUDED FOR COMPLETENESS ONLY. NO SIGNIFICANT COMMENTS WERE IDENTIFIED BY THE REVIEW TEAM.

File No.: 1

Licensee: Space Science Services, Inc.
Inspection Type: Routine, Unannounced
Inspection Date: 8/23/05

License No.: 217
Priority: 1
Inspectors: KH, MR

File No.: 2

Licensee: University of Alabama - Birmingham
Inspection Type: Routine, Unannounced
Inspection Dates: 2/07-10/06

License No.: 266
Priority: 1
Inspectors: DT, MR

File No.: 3

Licensee: University of South Alabama
Inspection Type: Routine, Unannounced
Inspection Dates: 10/5-13/05

License No.: 584
Priority: 1
Inspector: MR

File No.: 4

Licensee: Southern Company
Inspection Type: Routine, Unannounced
Inspection Date: 12/6/05

License No.: 644
Priority: 1
Inspector: MR

File No.: 5

Licensee: GE Inspection Services, Inc.
Inspection Type: Routine, Announced
Inspection Date: 1/10/06

License No.: 754
Priority: 1
Inspector: MR

File No.: 6

Licensee: Cardinal Health (Huntsville)
Inspection Type: Routine, Unannounced
Inspection Date: 2/16/06

License No.: 1068
Priority: 1
Inspector: MR

File No.: 7

Licensee: MISTRAS Holding Group
Inspection Type: Routine, Unannounced
Inspection Date: 2/15/06

License No.: 1075
Priority: 1
Inspector: MR

File No.: 8

Licensee: Cox Nuclear Pharmacy
Inspection Type: Routine, Unannounced
Inspection Date: 2/25/05

License No.: 1111
Priority: 1
Inspector: MR

File No.: 9

Licensee: Unified Testing and Engineering
Inspection Type: Routine, Unannounced

License No.: 1128
Priority: 1

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Inspection Date: 3/7/06

Inspector: MR

File No.: 10

Licensee: Cardinal Health (Birmingham)
Inspection Type: Routine, Unannounced
Inspection Date: 12/7/05

License No.: 1168
Priority: 1
Inspector: MR

File No.: 11

Licensee: Oceaneering International, Inc.
Inspection Type: Routine, Unannounced
Inspection Date: 7/7/05

License No.: 1255
Priority: 1
Inspector: DT

File No.: 12

Licensee: Team Industrial Services, Inc.
Inspection Type: Routine, Unannounced
Inspection Date: 7/7/05

License No.: 1313
Priority: 1
Inspectors: DT, RS

File No.: 13

Licensee: American Cast Iron Pipe Co.
Inspection Type: Routine, Unannounced
Inspection Date: 3/10/05

License No.: 338
Priority: 2
Inspector: MR

File No.: 14

Licensee: Brookwood Medical Center
Inspection Type: Routine, Unannounced
Inspection Dates: 5/6-7/04

License No.: 459
Priority: 2
Inspector: MR

File No.: 15

Licensee: Wyle Laboratories
Inspection Type: Routine, Unannounced
Inspection Dates: 8/26-27/04

License No.: 525
Priority: 2
Inspector: MR

File No.: 16

Licensee: Eastern Technologies
Inspection Type: Routine, Unannounced
Inspection Dates: 5/18-19/05

License No.: 947
Priority: 2
Inspector: MR

File No.: 17

Licensee: Tri-State Cancer Center
Inspection Type: Initial Inspection
Inspection Due: 7/19/06

License No.: 1423
Priority: 2
Inspector: N/A

File No.: 18

Licensee: Southern Research Institute
Inspection Type: Routine, Unannounced
Inspection Dates: 3/15-16/05

License No.: 262
Priority: 3
Inspector: MR

File No.: 19

Licensee: Shelby Baptist Medical Center
Inspection Type: Routine, Unannounced
Inspection Date: 3/8/06

License No.: 498
Priority: 3
Inspector: MR

File No.: 20

Licensee: Rusty's Well Service
Inspection Type: Routine, Unannounced
Inspection Date: 9/20/02

License No.: 1005
Priority: 3
Inspector: DT

File No.: 21

Licensee: State of Alabama, Dept. of Public Health
Inspection Type: Routine, Unannounced
Inspection Date: 10/3/03

License No.: 220
Priority: 5
Inspector: BS

File No.: 22

Licensee: Qore, Inc.
Inspection Type: Routine, Unannounced
Inspection Date: 3/8/06

License No.: 1022
Priority: 5
Inspector: CC

File No.: 23

Licensee: American Red Cross Blood Services
Inspection Type: Routine, Unannounced
Inspection Date: 3/5/03

License No.: 1026
Priority: 5
Inspector: DT

File No.: 24

Licensee: Battelle Memorial Institute
Inspection Type: Initial, Announced
Inspection Date: 3/29/06

License No.: 1375
Priority: 5
Inspector: MR

File No.: 25

Licensee: Metalworking Products
Inspection Type: Routine, Unannounced
Inspection Date: 5/13/04

License No.: STB-332
Priority: 5
Inspector: MR

INSPECTOR ACCOMPANIMENTS

The following inspector accompaniments were performed prior to the on-site IMPEP review:

Accompaniment No.: 1

Licensee: Unified Testing and Engineering
Inspection Type: Routine, Unannounced
Inspection Date: 3/7/06

License No.: 1128
Priority: 1
Inspector: MR

Accompaniment No.: 2

Licensee: Shelby Baptist Medical Center
Inspection Type: Routine, Unannounced
Inspection Date: 3/8/06

License No.: 498
Priority: 3
Inspector: MR

APPENDIX D

LICENSING CASEWORK REVIEWS

NOTE: CASEWORK LISTED WITHOUT COMMENT IS INCLUDED FOR COMPLETENESS ONLY. NO SIGNIFICANT COMMENTS WERE IDENTIFIED BY THE REVIEW TEAM.

File No.: 1

Licensee: Gulf States Steel, Inc.

Type of Action: Termination

Date Issued: 12/13/05

License No: 894

Amendment No.: 7

License Reviewer: DW

File No.: 2

Licensee: Unified Testing and Engineering Services, Inc.

Type of Action: Amendment

Date Issued: 2/28/06

License No: 1128

Amendment No.: 12

License Reviewer: NM

File No.: 3

Licensee: UAB Highlands

Types of Action: Renewal, Amendment

Dates Issued: 9/15/05, 3/20/06

License No: 1179

Amendment Nos.: 9, 10

License Reviewers: DW, KH

File No.: 4

Licensee: Protechnics

Type of Action: New

Date Issued: 1/18/06

License No: 1427

Amendment No.: N/A

License Reviewer: DW

File No.: 5

Licensee: University of South Alabama

Type of Action: Amendments

Date Issued: 11/3/05, 2/7/06

License No: 584

Amendment Nos.: 57, 58

License Reviewer: KH

File No.: 6

Licensee: Brookwood Medical Center

Type of Action: Renewal

Date Issued: 8/11/04

License No: 459

Amendment No.: 97

License Reviewer: BS

File No.: 7

Licensee: Team Industrial Services, Inc.

Type of Action: Amendment

Date Issued: 11/8/05

License No: 1313

Amendment No.: 10

License Reviewer: NM

File No.: 8

Licensee: Huntsville Hospital System

Type of Action: Renewal

Date Issued: 9/28/05

License No: 274

Amendment No.: 119

License Reviewer: DW

File No.: 9

Licensee: Pope Engineering and Testing Labs

Type of Action: Termination

License No: 1047

Amendment No.: 8

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Date Issued: 10/4/05

License Reviewer: KH

File No.: 10

Licensee: Shelby Baptist Medical Center

Type of Action: Amendment

Date Issued: 3/16/06

License No: 498

Amendment No.: 36

License Reviewer: KH

File No.: 11

Licensee: American Cast Iron Pipe Company

Type of Action: Amendment

Date Issued: 9/3/05

License No: 338

Amendment No.: 25

License Reviewer: KH

File No.: 12

Licensee: Advanced Medical Imaging Center

Type of Action: Amendment

Date Issued: 12/6/04

License No: 1078

Amendment No.: 9

License Reviewer: DW

File No.: 13

Licensee: Cox Nuclear Pharmacy, Inc.

Type of Action: Renewal

Date Issued: 8/11/03

License No: 1111

Amendment No.: 21

License Reviewer: DW

File No.: 14

Licensee: Eastern Technologies, Inc.

Type of Action: Amendment

Date Issued: 8/29/05

License No: 947

Amendment No.: 15

License Reviewer: DW

File No.: 15

Licensee: Tri-State Cancer Center

Type of Action: New

Date Issued: 10/19/05

License No: 1423

Amendment No.: N/A

License Reviewer: DW

File No.: 16

Licensee: Walker Real Estate, LLC

Type of Action: New

Date Issued: 1/18/06

License No: 1428

Amendment No.: N/A

License Reviewer: NM

File No.: 17

Licensee: Wyle Laboratories

Type of Action: Renewal

Date Issued: 9/27/04

License No: 525

Amendment No.: 30

License Reviewer: BS

APPENDIX E

INCIDENT CASEWORK REVIEWS

NOTE: CASEWORK LISTED WITHOUT COMMENT ARE INCLUDED FOR COMPLETENESS ONLY. INCIDENT LOG NUMBERS WERE NOT NOTED. THE INCIDENT IS REFERENCED BY THE NMED NUMBER ONLY.

File No.: 1

Licensee: Consoer Townsend
Envirodyne Eng., Inc..

Date of Incident: 6/11/03

Investigation Date: 6/17/03

License No.: 1254

Incident Log No.: NMED 030614

Type of Incident: Damage to Gauge

Type of Investigation: Inspection

File No.: 2

Licensee: Sloss Industries

Date of Incident: 8/13/03

Investigation Date: 8/14/03

License No.: 271

Incident Log No.: NMED 030771

Type of Incident: Equipment Failure

Type of Investigation: Inspection

File No.: 3

Licensee: Eastern Technologies, Inc.

Date of Incident: 1/6/04

Investigation Date: 1/13/04

License No.: 947

Incident Log No.: NMED 040083

Type of Incident: Fire

Type of Investigation: Inspection

File No.: 4

Licensee: Northeast Alabama
Regional Med. Ctr.

Date of Incident: 8/10/04

Investigation Date: 10/14/04

License No.: 315

Incident Log No.: NMED 040610

Type of Incident: Medical Event
(Abnormal Occurrence)

Type of Investigation: Inspection

Comment:

This was a significant event requiring reporting to the NRC within 24-hours. The incident occurred on 8/10/04, was discovered on 8/12/04, and reported to State on 8/17/04. The State indicated that they delayed reporting to the NRC until 8/24/04 because they were awaiting additional information from the licensee.

File No.: 5

Licensee: BP AMOCO Chemicals

Date of Incident: 12/2/04

Investigation Date: 12/2/04

License No.: 256

Incident Log No.: NMED 040853

Type of Incident: Equipment Failure

Type of Investigation: Phone

File No.: 6

Licensee: Cardinal Health Nuclear Pharmacy

Date of Incident: 5/13/05

Investigation Date: 5/13/05

License No.: 1068

Incident Log No.: NMED 050435

Type of Incident: Medical Event

Type of Investigation: Phone

File No.: 7

Licensee: Cardinal Health Nuclear Pharmacy

Date of Incident: 9/2/05

Investigation Date: 9/2/05

License No.: 1068

Incident Log No.: NMED 050789

Type of Incident: Medical Event

Type of Investigation: Phone

File No.: 8

Licensee: Baptist Medical Ctr. Princeton

Date of Incident: 9/20/05

Investigation Dates: 9/20-22/05

License No.: 600

Incident Log No.: NMED 050640

Type of Incident: Medical Event, Leaking Source

Type of Investigation: Phone

File No.: 9

Licensee: Goodwin, Mills & Cawood, Inc.

Date of Incident: 12/12/05

Investigation Dates: 12/12/05

License No.: 1404

Incident Log No.: NMED 050811

Type of Incident: Stolen Gauge

Type of Investigation: Inspection

File No.: 10

Licensee: University of Alabama

Date of Incident: 12/6/04

Investigation Date: 12/6/04

License No.: 164

Incident Log No.: NMED 060093

Type of Incident: Leaking Source

Type of Investigation: Inspection

File No.: 11

Licensee: International Paper

Date of Incident: 10/21/05

Investigation Date: 10/21/05

License No.: 581

Incident Log No.: NMED 060170

Type of Incident: Lost/Stolen Material

Type of Investigation: Phone

Comment:

This was a significant event requiring reporting to the NRC within 24-hours. The incident was reported to the State on 10/21/05, and inadvertently not reported to the NRC until 2/28/06.

File No.: 12

Licensee: Thompson Engineering and Testing, Inc.

Date of Incident: Between 9/1/02 and 3/10/03

Investigation Date: 10/22/03

License No.: 694

Incident Log No.: NMED 032060

Type of Incident: Lost/Stolen Material

Type of Investigation: Phone

File No.: 13

Licensee: University of Alabama

Date of Incident: 4/22/02

Investigation Dates: 4/22-25/02

License No.: 266

Incident Log No.: NMED 020437

Type of Incident: Lost/Stolen Material

Type of Investigation: Inspection

File No.: 14

Licensee: Code Services, Inc.

Date of Incident: 5/24/02

Investigation Dates: 5/24/6/7/02

License No.: 1075

Incident Log No.: NMED 020674

Type of Incident: Overexposure

Type of Investigation: Inspection

File No.: 15

Licensee: Building And Earth Sciences, Inc.

Date of Incident: 9/18/02

Investigation Date: 9/18/02

License No.: 1266

Incident Log No.: NMED 020887

Type of Incident: Lost/Stolen Material

Type of Investigation: Referral to TN

File No.: 16

Licensee: East Alabama Medical Center

Date of Incident: 9/5/02

Investigation Date: 9/5/02

License No.: 105

Incident Log No.: NMED 020931

Type of Incident: Leaking Source

Type of Investigation: Phone

File No.: 17

Licensee: DCH Regional Medical Center

Date of Incident: 9/12/02

Investigation Date: 9/12/02

License No.: 219

Incident Log No.: NMED 021053

Type of Incident: Lost/Stolen Material

Type of Investigation: Phone

ATTACHMENT

April 10, 2006 Letter from Kirksey E. Whatley
Alabama's Response to Draft IMPEP Report

ADAMS: ML061440520

Agenda for Management Review Board Meeting
June 29, 2006, 1:00 p.m. - 3:00 p.m. (EST), OWFN-3-B6

1. Announcement of public meeting, request for members of the public to indicate they are participating and their affiliation.
2. MRB Chair convenes meeting. Introduction of MRB members, review team members, State representatives, and other representatives participating through telephone bridge. (Organization of Agreement States (OAS) Liaison is John Parker from New Mexico.)
3. Consideration of the Alabama IMPEP Report.
 - A. Presentation of Findings Regarding Alabama Program and Discussion.
 - Technical Staffing and Training
 - Status of Materials Inspection Program
 - Technical Quality of Inspections
 - Technical Quality of Licensing Actions
 - Technical Quality of Incident and Allegation Activities
 - Compatibility Requirements
 - B. IMPEP Team Recommendations.
 - Adequacy and Compatibility Rating
 - Recommendation for Next IMPEP Review
 - C. MRB Consultation/Comments on Issuance of Report.
4. Request for comments from Alabama Management, OAS Liaison and State IMPEP Team Member. (State IMPEP team member is Eric Skotak of Texas.)
5. Adjournment.

Invitees:	Martin Virgilio, OEDO	Sheri Minnick, RI
	Janet Schlueter, STP	Cardelia Maupin, STP
	Karen Cyr, OGC	Sandra Wastler, NMSS
	Jack Strosnider, NMSS	Robert Evans, RIV
	John Parker, NM	Eric Skotak, TX
	Kirksey Whatley, AL	Shawn Smith, STP
	Aaron McCraw, STP	Richard Struckmeyer, NMSS
	Osiris Suirano, STP	Michael Ernstes, OEDO
	Dennis Rathbun, STP	Jennifer Tobin, STP

ENCLOSURE 2