

# Heightened Oversight Conference Call Summary

Illinois February 2, 2006

## Participants:

### Illinois Emergency Management Agency

Paul Eastvold  
Joe Klinger  
Gibb Vinson  
Ted Henry  
Rose Miller-Ihlenfeldt

### NRC State and Tribal Programs

Dennis Rathbun  
John Zabko  
Aaron McCraw

### NRC Region III

Gary Shear  
Jim Lynch

This was the third heightened oversight call resulting from the April 2005 Illinois Integrated Materials Performance Evaluation Program (IMPEP) review. The review identified a number of regulations which were overdue for adoption. In June 2005, the Management Review Board found the Illinois program to be adequate to protect public health and safety but not compatible with the NRC's program. The Management Review Board determined that the Illinois program should undergo a period of heightened oversight until the State adopts regulations identified as overdue. The heightened oversight process involves State preparation of a program improvement plan, bimonthly conference calls, and submission of status reports.

The Illinois program improvement plan was submitted on August 10, 2005, identifying a tracking schedule for overdue regulations. A status report with an "IMPEP Milestones" table, was submitted on January 31, 2006, prior to the conference call.

During this conference call, the following items were discussed:

- Gibb Vinson discussed each of the regulations identified on the updated IMPEP Milestones table, which tracks the regulation process.
- John Zabko acknowledged the receipt of an Illinois regulation package submitted on January 31, 2006, which addresses regulations in Illinois Parts 310, 340, and 346. NRC staff will complete the review of these regulations by the end of March.
- Aaron McCraw stated that the IMPEP Milestones table compares favorably with the

Illinois State Regulation Status form maintained by NRC.

- Joe Klinger indicated that the remaining overdue regulations in Parts 330 and 335 are in process and will be submitted to NRC as soon as possible. Mr. Klinger emphasized that all overdue regulations are expected to be adopted, and approved by NRC, prior to April 30, 2006.
- John Zabko and Jim Lynch discussed the IMPEP follow-up review scheduled for June 6 and 7, 2006. The exit meeting with Illinois management will be on June 7th at 9:00 a.m. Janet Schlueter from STP, and either Steve Reynolds or Gary Shear from Region III, will represent NRC management at the exit meeting.
- The next heightened oversight call is scheduled for 1:00 p.m. (CT) on April 6, 2006. Illinois will submit a status update prior to the call. Jim Lynch will prepare a call agenda.

Questions or comments about this call should be directed to Jim Lynch, Regional State Agreements Officer, at (630) 829-9661.

**Heightened Oversight Conference Call Agenda**  
**with the Illinois Emergency Management Agency**

**Date:** February 2, 2006

**Time:** 1:00 - 2:00 p.m. CT

**Telephone Numbers:** Dial (800) 638-8081; enter Access Code 2867# or  
Dial (301) 231-5539; enter Access Code 2867#

**Discussion Items:**

1. Update of the Status of Each Overdue Regulation as Discussed in the January 31, 2006 IEMA E-mail
2. Discussion of Changes to Items or Dates for Completion 3/31/06
3. Confirmation of Follow-up Review Scheduled for June 6, 2006 9:00 am on 6/7
4. Date for Next Conference Call 4/6

**References:**

Final IMPEP report dated July 21, 2005  
IEMA response to the final report dated August 10, 2005  
NRC "Heightened Oversight" letter dated September 21, 2005  
IEMA Update e-mail dated January 31, 2006

If you have any questions or agenda additions, please call Jim Lynch, Regional State Agreements Officer, at (630) 829-9661.

End of April 30, no overdue

**From:** "Vinson, Gibb" <Vinson@iema.state.il.us>  
**To:** "DKR@nrc.gov" <DKR@nrc.gov>  
**Date:** 1/31/06 10:08AM  
**Subject:** Final Illinois Regs

Dennis, please accept these attachments as our formal submittal for compatibility review of IL Part 310 (for 1998-1, 1998-5, 2002-1); IL Part 340 (for RATS 1995-3, 1995-5, 1997-1, 1997-3, 1998-5, 1998-6, 1999-3 and 2002-1); and IL part 346 (for 1993-2, 1998-5 and 2000-2).

The only overdue rules left open now should be RATS 1995-1, 2001-1 and all of the Part 35 RATS (1995-7, 1997-3, 1998-5 and 2002-2) which have been through first notice already and been reviewed by NRC as drafts.

Let me know if this matches your status sheet for Illinois.

Thanks,

Gibb Vinson, Supervisor  
Radioactive Materials Licensing  
Illinois Emergency Management Agency  
(217)785-9928 - office  
(217)782-1328 - fax

<<register\_volume29\_issue53.doc>>

**CC:** "Eastvold, Paul" <Eastvold@iema.state.il.us>, "Klinger, Joe" <Klinger@iema.state.il.us>, "Henry, Ted" <Henry@iema.state.il.us>, "ATM@NRC.GOV" <ATM@NRC.GOV>, "Schneider, Kathy" <kxs@nrc.gov>

**Mail Envelope Properties** (43DF98E1.5FE : 22 : 13822)

**Subject:** IL. Reg. Milestones Table - update  
**Creation Date:** 1/31/06 11:05AM  
**From:** "Vinson, Gibb" <Vinson@iema.state.il.us>

**Created By:** Vinson@iema.state.il.us

**Recipients**

nrc.gov  
 ch\_po.CH\_DO  
 JLL2 (James Lynch)

iema.state.il.us  
 mcclain (Kevin McClain)  
 Henry (Ted Henry)  
 Klinger (Joe Klinger)  
 Eastvold (Paul Eastvold)

**Post Office**  
 ch\_po.CH\_DO

**Route**  
 nrc.gov  
 iema.state.il.us

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	133	01/31/06 11:05AM
IMPEPmilestones(NRCreview).xls		30208
Mime.822	43422	

**Options**

**Expiration Date:** None  
**Priority:** Standard  
**Reply Requested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

IMPEP Milestones  
Regulations and Rule making

IEMA Reg PART	RAT's ID	NRC Part	Resp. Indv.	NRC Compat due date	Draft to IEMA staff	Draft to Legal for JCAR Prep	Draft to NRC for prelim review & comment	Date sent to Gov/JCAR for review	Publish prop rule in IL Reg & Public comment period	Comment Resolved/ JCAR accepts rule	Final Rule published in IL Reg	(Proposed) (Final) Rule comments from NRC	Status/Comments
310	1997-6	Part 20.1003	TLH	20-Aug-00	21-Sep-04	07-Jan-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	8/23/05 (F)	N/C NRC (F in IL)
		Part 40.4		"	"	"	"	"	"	"	"	"	"
		Part 70.4		"	"	"	"	"	"	"	"	"	"
1998-1		Parts 30.10, 40.10 61.9b, 70.10, and 150.2		12-Feb-01	21-Sep-04	07-Jan-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)	N/C NRC (F in IL)
1998-5		Part 20.1003		26-Oct-01	21-Sep-04	07-Jan-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)	N/C NRC (F in IL)
2002-1		Part 20.1003		05-Apr-05	21-Sep-04	07-Jan-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)	N/C NRC (F in IL)
326	1995-6	Part 30.36	GMM	24-Nov-98			02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	01-Jun-00	8/23/05 (F)	N/C NRC (F in IL)
	1997-6	Part 30.35		20-Aug-00			02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	"	"	"
		Part 40.36		"			"	"	"	"	"	"	"
		Part 70.25		"			"	"	"	"	"	"	"
1998-2		Part 30, 40, 70		none				14-Jun-05	01-Jul-05	15-Nov-05	"	8/21/00 (F)	Not required
2003-1		Part 30, 40, 70		03-Dec-06			02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	"	11/17/05 (F)	N/C NRC (F in IL)
330	1995-1	Part 35.2	TLH	01-Jan-98	21-Oct-04	07-Mar-05	02-May-05	19-Oct-05	18-Nov-05			6/30/05 (P)	1st notice complete 1/17/06
		Part 35.7		"	"	"	"	"	"			"	"
		Part 35.11(a) & (c)		"	"	"	"	"	"			"	"
1997-2		Part 150		27-Feb-00							01-Jun-00	8/21/00 (F)	6/1/00 Final
		Part 150.20(c)		"							"	"	"
1997-6		Part 20 subpart E		20-Aug-00	21-Oct-04	07-Mar-05	02-May-05	19-Oct-05	18-Nov-05			8/23/05 (F)	1st notice complete 1/17/06
		Part 20.1402		"	"	"	"	"	"			"	"
		Part 20.1406		"	"	"	"	"	"			"	"
		Part 20.2402(b)		"	"	"	"	"	"			"	"
		Part 30.36		"	"	"	"	"	"			"	"
2001-1		Part 30, 31, 32		16-Feb-04	21-Oct-04	07-Mar-05	02-May-05	19-Oct-05	18-Nov-05			8/23/05 (P)	Reply to NRC comments 9/28/05
335	1992-1	Part 35	CGV	27-Jan-95									Not Applicable
1995-7		Part 35.2		20-Oct-98	08-Sep-04	07-Jan-05	02-May-05	19-Oct-05	18-Nov-05			6/30/05 (P)	1st notice complete 1/17/06
		Part 35.33(a)(2)		"	"	"	"	"	"			"	"
1997-3		Part 35.75		29-May-00	08-Sep-04	07-Jan-05	02-May-05	19-Oct-05	18-Nov-05			6/30/05 (P)	1st notice complete 1/17/06
1998-5		Part 35.641 & 643		26-Oct-01	08-Sep-04	07-Jan-05	02-May-05	19-Oct-05	18-Nov-05			6/30/05 (P)	1st notice complete 1/17/06
2002-2		Parts 20, 32, 35		24-Oct-05	08-Sep-04	07-Jan-05	02-May-05	19-Oct-05	18-Nov-05			6/30/05 (P)	1st notice complete 1/17/06
2005-2		Part 35		29-Apr-08									

IMPEP Milestones  
Regulations and Rule making

IEMA Reg PART	RAT's ID	NRC Part	Resp. Indv.	NRC Compat due date	Draft to IEMA staff	Draft to Legal for JCAR Prep	Draft to NRC for prelim review & comment	Date sent to Gov/JCAR for review	Publish prop rule in IL Reg & Public comment period	Comment Resolved/ JCAR accepts rule	Final Rule published in IL Reg	(Proposed) (Final) Rule comments from NRC	Status/Comments	
340	1991-4	Parts 20 & 40	TLH	15-Oct-94	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	1/20/04 (F)	N/C NRC (F in IL)	
	1995-2	Part 20.1703		13-Mar-98	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05		Not Applicable	
	1995-3	Part 20 & 61		01-Mar-98	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	11/24/99 (F)	N/C NRC (F in IL)	
	1995-5	Part 19 & 20		14-Aug-98	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)	N/C NRC (F in IL)	
	1997-1	Part 20.1003		09-Jan-00	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)	N/C NRC (F in IL)	
		Part 20.1101(d)		"	"	"	"	"	"	"	"	"	"	"
		Part 20.2203		"	"	"	"	"	"	"	"	"	"	"
		Part 2203(b)(2)		"	"	"	"	"	"	"	"	"	"	"
	1997-3	Part 20.1003		29-May-00	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)		N/C NRC (F in IL)
		Part 20.1301(a)		"	"	"	"	"	"	"	"	"	"	"
		Part 20.1903		"	"	"	"	"	"	"	"	"	"	"
	1998-5	Part 20.1201		26-Oct-01	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)		N/C NRC (F in IL)
		Part 20.1208		"	"	"	"	"	"	"	"	"	"	"
		Part 32.54		"	"	"	"	"	"	"	"	"	"	"
		Part 20.2101		"	"	"	"	"	"	"	"	"	"	"
		Part 20.2106		"	"	"	"	"	"	"	"	"	"	"
		Part 20.2202		"	"	"	"	"	"	"	"	"	"	"
		Part 20.1206		"	"	"	"	"	"	"	"	"	"	"
		Part 20.1501		"	"	"	"	"	"	"	"	"	"	"
		Part 20.1502		"	"	"	"	"	"	"	"	"	"	"
		Part 20.1906		"	"	"	"	"	"	"	"	"	"	"
	1998-6	Part 20.1002		20-Nov-01	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)		N/C NRC (F in IL)
		Part 20.2006		"	"	"	"	"	"	"	"	"	"	"
1999-3	Part 20.1003		02-Feb-03	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05			Not Applicable	
	Part 20.1702		"	"	"	"	"	"	"	"	"	"	"	
	Part 20.1703		"	"	"	"	"	"	"	"	"	"	"	
	Part 20.1704		"	"	"	"	"	"	"	"	"	"	"	
	Part 20.1705		"	"	"	"	"	"	"	"	"	"	"	
	Part 20 App A		"	"	"	"	"	"	"	"	"	"	"	
2002-1	Part 20.1201(a)		05-Apr-05	05-Jun-03	25-Feb-05	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)		N/C NRC (F in IL)	
2005-1	Part 30		11-Jul-08											
341	1996-1	Part 71	SCC	01-Apr-99	07-Nov-02	22-Oct-04	02-May-05	18-Nov-04	01-Dec-04	30-Jan-05	13-May-05	8/23/05(F)	Final; N/C NRC	
	2004-1	Part 71		01-Oct-07	17-Jun-05	23-Jun-05		19-Oct-05	18-Nov-05				1st Notice	

IMPEP Milestones  
Regulations and Rule making

IEMA Reg PART	RAT's ID	NRC Part	Resp. Indv.	NRC Compat due date	Draft to IEMA staff	Draft to Legal for JCAR Prep	Draft to NRC for prelim review & comment	Date sent to Gov/JCAR for review	Publish prop rule in IL Reg & Public comment period	Comment Resolved/ JCAR accepts rule	Final Rule published in IL Reg	(Proposed) (Final) Rule comments from NRC	Status/Comments
346	1993-2	Part 36	JGK	01-Jul-96	15-Apr-04	12-Nov-04	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	11/17/05 (P)	N/C NRC (F in IL)
	1998-5	Part 36.23		26-Oct-98	15-Apr-04	12-Nov-04	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	6/30/05 (P)	N/C NRC (F in IL)
	2000-2	Part 36.55		08-Jan-04	15-Apr-04	12-Nov-04	02-May-05	14-Jun-05	01-Jul-05	15-Nov-05	16-Dec-05	8/23/05 (F)	N/C NRC (F in IL)
		Part 36.81		"	"	"	"	"	"	"	"		
350	1991-1	Part 34	JGK	10-Jan-94	30-Jan-03	23-Feb-03	20-Jan-04	14-Jun-05	18-Nov-05		10-Sep-04	8/23/05 (F)	N/C NRC (F in IL)
	1991-2	Part 34		none	30-Jan-03	23-Feb-03	20-Jan-04	14-Jun-05	18-Nov-05		10-Sep-04	8/23/05 (F)	"
	1995-4	Part 34		30-Jun-98	30-Jan-03	23-Feb-03	20-Jan-04	14-Jun-05	18-Nov-05		10-Sep-04	8/23/05 (F)	"
	1997-5	Part 34		27-Jun-00	30-Jan-03	23-Feb-03	20-Jan-04	14-Jun-05	18-Nov-05		10-Sep-04	8/23/05 (F)	"
	1998-4	Part 34		09-Jul-01	30-Jan-03	23-Feb-03	20-Jan-04	14-Jun-05	18-Nov-05		10-Sep-04	8/23/05 (F)	"
	2000-2	Part 34		08-Jan-04	30-Jan-03	23-Feb-03	20-Jan-04	14-Jun-05	18-Nov-05		10-Sep-04	8/23/05 (F)	"
351	2000-1	Part 39	JGK	17-May-03	05-Feb-03	27-Feb-03	20-Jan-04	N/A	26-Sep-03	10-Aug-04	10-Sep-04	8/23/05 (F)	Final 9/10/04; N/C NRC
	2000-2	Part 39.65		08-Jan-04	05-Feb-03	27-Feb-03	20-Jan-04	N/A	26-Sep-03	10-Aug-04	10-Sep-04	8/23/05 (F)	Final 9/10/04; N/C NRC
	1998-5	Part 39.33		26-Oct-01	05-Feb-03	27-Feb-03	20-Jan-04	N/A	26-Sep-03	10-Aug-04	10-Sep-04	8/23/05 (F)	Final 9/10/04; N/C NRC
@	New NRC Regulations to be reviewed & drafted within 365 days of final promulgation, if appropriate												
#	NRC comments overdue												