

July 19, 2006

MEMORANDUM TO: Management Review Board Members:

Martin J. Virgilio, OEDO
Margaret V. Federline, NMSS
Francis X. Cameron, OGC
Janet R. Schlueter, STP

FROM: Aaron T. McCraw, Health Physicist */RA/*
Office of State and Tribal Programs

SUBJECT: MINUTES: JUNE 29, 2006, ALABAMA MRB MEETING

Enclosed are the minutes of the Management Review Board (MRB) meeting held on June 29, 2006. If you have comments or questions, please contact me at 415-1277.

Enclosure:
As stated

cc: John Parker, OAS Liaison, NM
Kirksey Whatley, AL

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RStruckmeyer, NMSS/IMNS

SMinnick, RI

REvans, RIV

ESkotak, TX

CMaupin, STP

SWastler, NMSS

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF JUNE 29, 2006

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

Martin Virgilio, MRB Chair
Margaret Federline, MRB Member, NMSS
Cardelia Maupin, Team Member, STP
Aaron McCraw, STP
Andrea Kock, OEDO

Janet Schlueter, MRB Member, STP
Francis Cameron, MRB Member, OGC
Sandra Wastler, Team Member, NMSS
Richard Struckmeyer, NMSS

By Teleconference:

John Parker, OAS Liaison, NM
Eric Skotak, Team Member, TX
David Walter, AL
Brad Grinstead, AL

Sheri Minnick, Team Leader, RI
Kirksey Whatley, AL
James McNees, AL
Dennis O'Dowd, NH

1. **Convention.** Mr. Aaron McCraw convened the meeting at 1:03 p.m. He noted that this Management Review Board (MRB) meeting was open to the public. However, no members of the public attended this meeting. He then transferred the lead to Mr. Martin Virgilio, Chair of the MRB. Introductions of the attendees were conducted.
2. **Alabama IMPEP Review.** Ms. Sheri Minnick, team leader, lead the presentation of the Alabama Integrated Materials Performance Evaluation Program (IMPEP) review results to the MRB. The on-site review was conducted by an interoffice team during the period of April 3-7, 2006.

Common Performance Indicators. Ms. Minnick presented the findings regarding the common performance indicator, Technical Staffing and Training. Her presentation corresponded to Section 3.1 of the proposed final IMPEP report. The review team found Alabama's performance with respect to this indicator to be "satisfactory" and made no recommendations. Ms. Janet Schlueter asked for further clarification on the State's fees for a radioactive materials license. Mr. Kirksey Whatley clarified that the State's fees are legislatively set at 75 percent of the NRC's fees and do not require additional actions to appropriately adjust them when the NRC's fees change. The MRB agreed that Alabama's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Minnick presented the findings regarding the common performance indicator, Status of Materials Inspection Program. Mr. Robert Evans was the principal reviewer for this indicator; however, he was unable to participate in the MRB. Her presentation corresponded to Section 3.2 of the proposed final IMPEP report. The review team found Alabama's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Alabama's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Minnick also presented the findings regarding the common performance indicator, Technical Quality of Inspections, in place of Mr. Evans. Her presentation corresponded to Section 3.3 of the proposed final IMPEP report. The review team found Alabama's performance with respect to this indicator to be "satisfactory" and made no recommendations. Several MRB members asked the review team about the team's finding a lack of documentation for public dose assessments and effluent constraint rule requirements in inspection files. The review team clarified that the State's inspectors are conducting these portions of the inspections; however, there is no documentation unless there is a violation. The MRB asked that additional language be put in this section of the final IMPEP report to clarify. There was also a brief discussion on the State's use of combination cellphone/2-way radios to enhance communication between the Montgomery office and inspectors in the field. The MRB agreed that Alabama's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Eric Skotak presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. His presentation corresponded to Section 3.4 of the proposed final IMPEP report. The team found Alabama's performance with respect to this indicator to be "satisfactory" and made no recommendations. Ms. Schlueter asked the State about their availability of staff to conduct the increased controls inspections. Mr. Whatley replied that the State has a sufficient number of trained inspectors and has two more allocated slots for training in Fiscal Year 2007. Mr. Virgilio asked if the State had begun the increased controls inspections. Mr. Whatley replied affirmatively. The MRB agreed that Alabama's performance met the standard for a "satisfactory" rating for this indicator.

Ms. Cardelia Maupin presented the findings regarding the common performance indicator, Technical Quality of Incident and Allegation Activities. Her presentation corresponded to Section 3.5 of the proposed final IMPEP report. The review team found Alabama's performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Alabama's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Ms. Sandra Wastler presented the findings regarding the non-common performance indicator, Compatibility Requirements. Her presentation corresponded to Section 4.1 of the proposed final IMPEP report. The review team found Alabama's performance to be "satisfactory" and made no recommendations. The report originally reflected that the State had a rule package addressing six NRC amendments awaiting approval. The MRB asked about the current status of the rulemaking package. Mr. Whatley indicated that the rules were approved and will be sent to the NRC in final. The MRB asked that the report or the cover letter reflect the most recent status of the rulemaking package. The MRB agreed that Alabama's performance met the standard for a "satisfactory" rating for this indicator.

MRB Consultation/Comments on Issuance of Report. Ms. Minnick concluded, based on the discussion and direction of the MRB, that the Alabama program be rated "satisfactory" for all of the performance indicators. Accordingly, the review team recommended that the Alabama Agreement State Program be found adequate to protect public health and safety and compatible with NRC's program. The review team

recommended and the MRB agreed that the next full IMPEP review take place in approximately four years.

Comments. Mr. Virgilio thanked the team for a well done job and the State for its cooperation. Mr. Whatley indicated that this marks two cycles of “clean” reviews and that it shows dedication on the part of the State and its staff. Mr. Whatley thanked the team for their professionalism while on site. Mr. John Parker, OAS Liaison, congratulated the State on their ability to adapt to the changing regulatory environment. Mr. Skotak indicated that this was his first IMPEP review as a team member and was fortunate to have the opportunity to participate.

3. **Precedents/Lessons Learned.** No precedents that will be applied to the IMPEP process in the future were established by the MRB during this review.
4. **Good Practices.** No good practices were identified during this review.
5. **Adjournment.** The meeting was adjourned at approximately 1:50 p.m.