



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

November 29, 2006

Cynthia A. Sanders, Manager
Radioactive Materials Program
Department of Natural Resources
Atlanta Tradeport, Suite 100
4220 International Parkway
Atlanta, GA 30354

Dear Ms. Sanders:

A periodic meeting with the Georgia Radioactive Materials Program was held on August 24, 2006. The purpose of the meeting was to review and discuss the status of the Georgia Agreement State program. The NRC was represented by Joshua Palotay from the NRC's Office of State and Tribal Programs and me. Specific topics and issues of importance discussed at the meeting included the Program's actions in response to the recommendations from the 2004 Integrated Materials Performance Evaluation Program review and inspection backlog.

I have completed and enclosed a general meeting summary, including any specific actions that will be taken as a result of the meeting.

If you feel that our conclusions do not accurately summarize the meeting discussions, or have any additional remarks about the meeting in general, please contact me at (610) 337-5042 or by e-mail at adw@nrc.gov to discuss your concerns.

Thank you for your cooperation.

Sincerely,

Original signed by Duncan White

Duncan White, CHP
Regional State Agreements Officer
Division of Nuclear Materials Safety

Enclosure: As stated

cc:
J. Palotay, FSME

C. Sanders
Georgia Radioactive Materials Program

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AGREEMENT STATE PERIODIC MEETING SUMMARY FOR GEORGIA RADIOACTIVE MATERIALS PROGRAM

DATE OF MEETING: August 24, 2006

ATTENDEES:

Duncan White, RSAO

Joshua Palotay, FSME

Cynthia Sanders, Manager, Radioactive Materials Program

Ted Jackson, Program Manager, Environmental Emergency and Radiation Program

James Sommerville, Chief, Program Coordination Branch

DISCUSSION:

A. IMPEP Recommendations

There were nine recommendations from the last Integrated Materials Performance Evaluation Program (IMPEP) review of the Georgia Agreement State program that occurred August 23-26, 2004. The current status for each of the recommendations is detailed below.

1. The review team recommends that the Program update its inspection procedures to eliminate extensions of license inspection due dates.

Current Status: The Inspection Procedures for the Radioactive Materials Program manual has been revised to eliminate the extension of the inspection due dates. It is recommended that this item be verified at the next review.

2. The review team recommends that Notice of Violation and licensee acknowledgment letters receive appropriate supervisory review and approval.

Current Status: The Program Manager is currently performing all the reviews and approvals of notice of violation and licensee acknowledgment letters. It is recommended that this item be verified at the next review.

3. The review team recommends that the Program develop and implement a process for conducting annual accompaniments of all radiation compliance inspectors by a supervisor.

Current Status: The Program Manager has accompanied all inspectors in 2005 and begun to accompany new hires in 2006. It is recommended that this item be verified at the next review.

4. The review team recommends that the Program revise and implement procedures to address the handling of cases where inspections reveal a systematic breakdown of a licensee's radiation program and when a large number of health and safety violations are identified.

Current Status: The Program has established an enforcement procedure that addresses the importance of compliance with Department requirements and describes in detail the significance and severity of violations. The procedure also addresses the Program's mission to deal with licensees who do not achieve the necessary attention to detail and compliance with Department requirements. Since approval of the procedure, it has been used on one occasion as part of consent order with a licensee. It is recommended that this item be verified at the next review.

5. The review team recommends that the staff receive training on STP Procedure SA-300, identifying abnormal occurrences and schedule of reporting of significant events to the NRC headquarters.

Current Status: The Program has adopted STP Procedure SA-300 for reporting events and staff received training on the procedure. It is recommended that this item be verified at the next review.

6. The review team recommends that the Program develop and qualify one additional Specialist in SS&D evaluations to provide backup for the principal reviewer.

Current Status: The Program has taken a number of steps to provide a backup for their principal SS&D reviewer. Two staff members attend the NRC Sealed Source and Device Workshop. One of these individuals has been assigned a significant SS&D application for review. The Program Manager also indicated the Program's intention to contact the NRC's SS&D Evaluation Program staff to arrange for these two individuals to gain additional experience by working with NRC staff. At this time, neither individual is fully trained as an SS&D reviewer at this time. This recommendation remains open.

7. The review team recommends that the Program develop written qualification requirements for SS&D reviewers.

Current Status: A written procedure for the qualification of SS&D reviewers has been established. It is recommended that this item be verified at the next review.

8. The review team recommends that the Program establish an objective method to address defects and incidents involving SS&D evaluations that include the identification of generic issues, trend analysis, and the communication of findings with other regulatory agencies.

Current Status: The Program has established written procedures for the investigation of SS&D defects and incidents. The Program has also developed a standard license condition and amended the appropriate licenses to require manufacturers/distributors to report defects, deviation or operations affecting the integrity of the product. It is recommended that this item be verified at the next review.

9. The review team recommends that the staff with primary review and concurrence responsibilities for SS&D Evaluation attend a training course on root cause analysis such as the NRC course "Root Cause/Incident Investigation Workshop" (G-205).

Current Status: The staff member with primary review and concurrence responsibilities for SS&D evaluation successfully completed Root Cause/Incident Investigation Workshop (G-205). It is recommended that this item be verified at the next review.

B. Program Status

Since the last IMPEP review, two individuals have left the program and two individuals have been hired to replace them. These individuals are in the process of being qualified for licensing and inspection. The Program has one vacancy created by the permanent appointment of the Program Manager which they are in the process of filling. Although the Program is fee based, the fees have not changed since 1992.

Due to the large number of programs under the Chief for Program Coordination Branch, two Managers were placed between the various Programs in the Branch and the Branch Chief. The Radioactive Materials Section is now one of four Programs in Emergency Response and Radiation. The Program Manager indicated that the additional level of management has been beneficial for the Radioactive Materials Section.

Each technical staff person is assigned a Region of the State and is responsible for the inspections in that Region. One of the Regions assigned to one of the individuals who left the Program has experienced a number of overdue inspections. These inspections have been reassigned to the other qualified inspectors. Currently, there are six priority 2 and 3 inspections not completed.

NRC staff notes that the 16 of the 35 events in the National Materials Event Database (NMED) required reporting to the NRC. Four of the recent events were open at the time of the periodic meeting with the remainder of the reportable events closed. No allegations were referred by the Region to the Program in the last two years.

The sealed source and device (SS&D) evaluation program has been active in the last two years. The Program has completed 28 actions since the 2004 IMPEP review. Two major SS&D efforts for the Program are the reviews of a new stereotactic radiosurgery (gamma knife) device and a thermoluminescence dosimeter irradiator.

Significant decommissioning activities for the Program over the last two years included a pool irradiator and a facility that processed rare earths. Also, the Program is working on a licensing issue involving the processing of disposable garments at a nuclear laundry facility. The Program noted that another significant licensing issue currently being evaluated involves a potentially large number of portable water treatment systems across the State that are designed to remove uranium, thorium and radium from the water to meet the new EPA drinking water standard. It is anticipated that the resin beds could contain concentrations of uranium in excess of 0.05% by weight, which would require specific licensing. Pilot programs are now underway in a few municipalities. At this time, the Program will likely issue a specific license to the service provider(s) to handle the waste resins instead of licensing each individual water treatment facility.

The Program has 26 licensees subject to increased controls and has completed five inspections. The Program anticipates that these inspections will be completed in accordance with the prioritization schedule. The Program Manager noted that the Radioactive Materials Program staff has conducted training with local law enforcement agencies on increased controls.

The Program Manager indicated that inspector accompaniments are up to date.

Since the IMPEP review in 2004, there have been no legislative changes. NRC staff reviewed the most recent State Regulation Status (SRS) Sheet dated August 31, 2006 with Program staff. In the table below, the current status and the State's next action for each RATS ID for those amendments not adopted as final.

RATS ID	Status on SRS Sheet	Current Status	State's Next Actions
2002-1	No action	This amendment is currently overdue	The Program plans to initiate the process to adopt the amendment in 2007.
2003-1	No action	This amendment is currently due.	The Program plans to initiate the process to adopt the amendment in 2007.
2004-1	No action	This amendment is currently due.	The Program plans to initiate the process to adopt the amendment in 2007.
2005-1	No action	This amendment is currently due.	The Program plans to initiate the process to adopt the amendment in 2007.
2005-2	No action	This amendment is currently due.	The Program plans to initiate the process to adopt the amendment in 2007.
2006-1	No action	This amendment is currently due.	The Program plans to initiate the process to adopt the amendment in 2007.

C Other Discussion Topics

The Radioactive Materials Program moved into new offices in November 2004 within the same office complex.

A significant initiative at the Branch level is the preparation of a business plan. As part of this initiative and once the one vacant position is filled, a gap analysis for the Radioactive Materials Program will be completed to identify manpower needs and support requests for additional resources. The Branch is also looking at mechanisms to retain personnel including the creation of a Senior position in the Radioactive Materials Program that allows for additional promotional potential. The Branch is also considering salary adjustments based on years of service.

The Program indicated that their strengths included a core group of experienced staff and that they were cross trained to perform licensing and inspection activities. Since the Program is fee based, the Program has been able to fill vacant positions with quality individuals. The Program indicated that the implementation of the increased controls has been a challenge due to the loss of the two experienced staff members.

The Program noted that review deadlines for various requests from the NRC were generally short which does not allow sufficient time for a thoughtful response.

NRC staff described the current status of NRC's security initiatives involving material licensees, changes in the Commission and new Chairman, management changes at the Region and headquarters, current status of NRC's activities with regard to the Energy Policy Act, proposed reorganizations of NMSS, STP and NRR, transfer of Mississippi to Region IV, National Source tracking System, and status of States pursuing Agreement State status.

D. Conclusions

NRC staff concluded that the next IMPEP review should be conducted as scheduled in FY 2008. Department management was invited to participate when NRC staff presents the results of this periodic meeting to the MRB.

NRC staff indicated that they would continue to monitor the Program's efforts to reduce the inspection backlog.