

May 30, 2007

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

Karen D. Cyr, General Counsel

Charles L. Miller, Director  
Office of Federal and State Materials  
and Environmental Management Programs

Bruce Mallett, Regional Administrator, Region IV

FROM: Kim Karcagi, General Scientist */RA/*  
Office of Federal and State Materials  
and Environmental Management Programs

SUBJECT: JUNE 12, 2007 SPECIAL MRB MEETING

A Special Management Review Board (MRB) meeting to discuss the results of periodic meetings with Agreement States has been scheduled for **Tuesday, June 12, 2007, from 1:00 p.m. to 3:00 p.m. EST, in One White Flint North, Room O-3-B6**. The periodic meeting summary reports of the following States will be discussed: Georgia, North Carolina, and Ohio. The periodic meeting summary reports for each State are enclosed (Enclosures 1, 2, and 3).

In accordance with Management Directive 5.6, this meeting is open to the public. The agenda for the meeting is enclosed (Enclosure 4).

If you have any questions or need additional information, please feel free to contact me at (301) 415-6701.

Enclosures:  
As stated

cc: Pearce O'Kelley, SC  
Organization of Agreement States  
Liaison to the MRB

Management Review Board Members

May 30, 2007

Distribution: DCD (SP01)  
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Joshua Palotay, FSME  
Monica Orendi, FSME  
Kathleen Schneider, FSME  
William Rautzen, FSME  
Dennis Sollenberger, FSME

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| <b>OFC</b>  | FSME/DMSSA  | FSME/DMSSA |  |  |  |
| <b>NAME</b> | KKarcagi:kk | AMcCraw    |  |  |  |
| <b>DATE</b> | 5/30/07     | 5/30/07    |  |  |  |

**OFFICIAL AGENCY RECORD**



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](mailto: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

**ENCLOSURE 1**

## 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.

| <b>RATS ID</b> | <b>Status on SRS Sheet</b> | <b>Current Status</b>               | <b>State's Next Actions</b>   |
|----------------|----------------------------|-------------------------------------|---|
| 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.



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

October 23, 2006

Beverly O. Hall, Chief  
Radiation Protection Section  
Division of Environmental Health  
Department of Environment & Natural Resources  
3825 Barrett Drive  
Raleigh, NC 27609-7221

Dear Ms. Hall:

A periodic meeting with the North Carolina Radiation Protection Section was held on August 23, 2006. The purpose of the meeting was to review and discuss the status of the North Carolina Agreement State program. The NRC was represented by William Rautzen from the NRC's Office of State and Tribal Programs and me. Specific topics and issues of importance discussed at the meeting included the reorganization of the Section and the Section's actions in response to the recommendations from the 2004 Integrated Materials Performance Evaluation Program review.

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](mailto: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:  
W. Rautzen, MSSA  
L. Cox, North Carolina

**ENCLOSURE 2**

## AGREEMENT STATE PERIODIC MEETING SUMMARY FOR NORTH CAROLINA RADIATION PROTECTION SECTION

DATE OF MEETING: August 23, 2006

### ATTENDEES:

Duncan White, RSAO

Bill Rautzen, ASPO

Lee Cox, Supervisor, Radioactive Materials Branch

Beverly Hall, Chief, Radiation Protection Section

### DISCUSSION:

#### A. IMPEP Recommendations

There were two recommendations from the last Integrated Materials Performance Evaluation Program (IMPEP) review of the North Carolina Agreement State program that occurred August 16-20, 2004

1. The review team recommends that the Branch develop and implement a reliable and comprehensive licensing and inspection, and SS&D product evaluation database that serves as an effective planning, tracking and management tool.

Current Status: The Branch has revised and updated both the licensing and inspection and the SS&D databases. The databases are able to generate the information needed to serve as effective management tools. It is recommended that this item be verified at the next review.

2. The review team recommends that the Branch assess their licensing quality control process and tools to improve accuracy and consistency of licensing actions.

Current Status: The Branch has implemented a quality assurance/quality control program to improve the quality and consistency of the licensing actions. These include templates for individual license types and a single set of license conditions. It is recommended that this item be verified at the next review.

#### B. Program Status

Earlier this year, the Branch was reorganized to address the need for staff in order to meet increased responsibilities. Overall, the Branch has an additional 2.5 FTEs. Incident response activities are now part of the Branch since most incidents are related to radioactive materials. Staff assignments were also realigned with separation of licensing, incident response and inspection responsibilities. Two individuals are now home-based inspectors, another two individuals work out of the Raleigh office on inspection and licensing and yet another two individuals are assigned licensing, regulations and sealed source and device (SS&D) evaluations. One individual is assigned as a waste coordinator and another individual is assigned as incident coordinator and lead on security inspections. These individuals have been participating in two year programs of Certified Public Management and Masters of Arts program in Security Studies (Homeland Security and Defense) from the Naval Post Graduate School in Monterey, California respectively which has consumed a significant amount of time. Both

individuals will be completing the programs in October 2006 which will allow them to refocus efforts on their lead responsibilities. Another individual is part time with the Branch and assigned the general licensing program. The Branch also includes a supervisor and administrative assistant. The Branch Supervisor indicated the reorganization has worked well since its implementation.

There are currently no vacancies in the Branch. Since the last IMPEP review, one individual left the Branch and that vacancy was filled with a trainee. The Branch found it impossible to recruit a fully trained individual at the low salary offered, so a trainee position was created and filled.

The Branch Supervisor reported that there are no overdue inspections or licensing backlog. The Branch has identified 49 licensees that required inspections for increased controls. The Branch has started the inspections and has planned to increase the number of increased control inspections performed. The Branch anticipates completing the required increased controls inspections by the end of the year. With regard to the protection of sensitive information, the Branch has received feedback from their Attorney General that this information can be protected under State law.

Since the last IMPEP review, NRC staff found 61 events in the Nuclear Materials Events Database (NMED). Twenty six (26) of the events were reportable and all were found to be complete and updated in a timely manner. The Radioactive Materials Supervisor discussed an initiative in 2005 resulting in the simultaneous inspections of all nuclear pharmacies of a particular licensee due to the Branch's concerns over the licensee's rapid expansion in the State and a contamination event at one of their facilities. The initiative was successful in re-focusing the licensee's attention on health and safety issues. There was one allegation referred by Region I to the Branch. NRC staff determined that the State took appropriate action on this matter.

The Branch has processed a number of SS&D requests in 2006. One significant effort was the amendment of all Troxler SS&D registry sheets to increase the leak test frequency from 6 to 12 months. The Branch is also working on two requests for general licensed chemical agent detectors for use by the military. The Branch Supervisor noted that a number of manufacturers and distributors in the State are going out of business and that the Branch needs to be proactive in investigating and ensuring the proper transfer and/or disposal of radioactive material prior to terminating their licensed activities in an orderly fashion.

The Branch is currently working on a number of requests for large and complicated licenses including a commercial panoramic irradiator and new licenses to support the buildup of the fuel cycle operations at Global Nuclear Fuels. With regard to decommissioning, the Branch will be following up on a potential 10 CFR Part 20.304 legacy waste burial issue at North Carolina State. A significant licensing issue that the Bureau is currently evaluating involves a potentially large number of public and private water treatment systems (approximately 90 systems) across the State that are designed to remove uranium and radium from the water to meet the new EPA drinking water standard. One proposed solution for compliance is removal of uranium and radium by anion/cation exchange on resin filter media. The Section is evaluating data and information along with other States agencies to determine, if any, licensing issues could arise with concentrated amounts of uranium and radium on resin media and backwash.

Since the IMPEP review in 2004, there has been no legislative changes. NRC staff reviewed the most recent State Regulation Status (SRS) Sheet dated August 15, 2006 with Branch staff. In the table below, the current status and the State's next action for each RATS ID either not done or partially completed are presented.

| <b>RATS ID</b> | <b>Status on SRS Sheet</b> | <b>Current Status</b>  | <b>Next Actions</b>   |
|----------------|----------------------------|--|---|
| 1998-4         | No action                  | 2004 IMPEP report indicated draft version reviewed by NRC            | NRC will determine if the draft and/or final version of the amendment was submitted for NRC review. |
| 2002-2         | No action                  | Branch currently working with advisory group on drafting regulations | Start administrative process to adopt regulations in January 2007                                   |
| 2004-1         | No action                  | No activity  | Branch will start work on drafting regulations at a later date                                      |
| 2005-1         | No action                  | No activity  | Branch will start work on drafting regulations at a later date                                      |
| 2005-2         | No action                  | Branch currently working with advisory group on drafting regulations | Start administrative process to adopt regulations in January 2007                                   |
| 2006-1         | No action                  | No activity  | Branch will start work on drafting regulations at a later date                                      |

C. Other Discussion Topics

The Branch indicated that their strengths included licensing, timely completion of SS&D evaluations and the regionalization of their inspection and incident response activities. Challenges for the program include recruiting qualified personnel due to low salaries, the implementation of the increased controls, continued need to upgrade and automate the inspection documentation process and improve the effectiveness of the general license registration program.

In terms of feedback, the Branch had positive experiences with the NRC on the coordination of the new irradiator application with NMSS and NSIR, the useful and applicability of NMED and communications with the Region and STP on incidents. The Branch had a number of comments where the NRC's performance could have been better. These included the lack of timeliness (two years) for the NRC to reach a decision on the North Carolina State irradiator/research reactor issue, the onslaught of requests and mandates (particularly increased controls) and its impact on State resources, the confusion exhibited by NRC in implementing the pre-licensing review and the lack of knowledge and understanding exhibited by the NRC of the 1997 compatibility policy during the NARM rulemaking process.

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, 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. Section and Branch management was invited to participate when NRC staff presents the results of this periodic meeting to the MRB. No specific actions were identified as a result of this meeting.

December 21, 2006

Robert Owen, Chief  
Bureau of Radiation Protection  
Ohio Department of Health  
246 N. High Street  
P.O. Box 118  
Columbus, OH 43215

Dear Mr. Owen:

A periodic meeting with Ohio was held on November 29, 2006. The purpose of this meeting was to review and discuss the status of Ohio's Agreement State program. The NRC was represented by Dennis Sollenberger from the NRC's Office of Federal and State Materials and Environmental Programs, Randy Erickson from the NRC Region IV Office, and me.

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 discussion, or have any additional remarks about the meeting in general, please contact me at (630) 829-9661, or e-mail to [JLL2@NRC.GOV](mailto:JLL2@NRC.GOV) to discuss your comments.

Sincerely,

*/RA/*

James L. Lynch  
State Agreements Officer

Enclosure:  
As stated

cc w/encl: C. O'Claire, Ohio State Liaison Officer

**ENCLOSURE 3**

## AGREEMENT STATE PERIODIC MEETING SUMMARY FOR OHIO

DATE OF MEETING: NOVEMBER 29, 2006

ATTENDEES:

NRC

STATE

Jim Lynch  
Dennis Sollenberger  
Randy Erickson

Deborah Arms  
Bob Owen  
Mike Snee  
Marcia Howard  
Steve James  
Mark Light  
Steve Helmer  
Chuck McCracken

DISCUSSION:

Previous Review

The last IMPEP review, performed in 2004, did not identify any recommendations for the State.

Radiation Control Program Organization and Staffing

A well-trained, experienced staff remains a strength of the Ohio Department of Health (ODH) radiation control program. A recent reorganization has the radiation control program organization divided into three sections, Nuclear Material Safety, Technical Support and X-Ray. The Technical Support Section is responsible for regulations, training, self-assessments, RSO functions and emergency response. The Nuclear Material Safety Section is divided into three units, Medical, Non-Medical and Decommissioning. Increased Controls inspections and the sealed source and device program were moved to the Decommissioning unit. Bureau management stated that technical staff members are cross-trained in other disciplines so that groups can support each other if faced with a loss of personnel or significant workload increase. The Agreement program has two vacancies, both in the Technical Support Section.

A Bureau employee is now located in the Northeast District office, and is primarily responsible for emergency response duties.

NRC Changes

Organizational changes in the NRC, such as the creation of the Office of Federal and State Materials and Environmental Programs and the Office of New Reactors, were discussed.

Training

The radiation control program staff is experienced and well trained. Bureau management stated that they are still faced with a severe limitation on out-of-state travel (12 days per person annually). This statewide position requires the program to look more at in-state and in-house

training. ODH has hosted several of the NRC-sponsored training courses in Columbus. Bringing those courses to Ohio allows extensive staff participation and saves a considerable amount of travel funds.

The out-of-state travel limitation, coupled with overtime pay restrictions, resulted in Ohio giving up two course slots to the October 2006 NRC Security training course in Albuquerque, NM. The loss of these slots left the program with only two inspectors trained to perform Increased Controls security inspections. Two supervisors also took the course, but do not routinely perform inspections. Considering the upcoming Increased Controls inspection workload, the program will be challenged to complete the required security inspections in a timely manner. Ohio offered to host a security training course, however, NRC does not currently have any courses scheduled for 2007.

One of the program supervisors, Mark Light, participated on the Oregon IMPEP team in 2006. Karl Von Ahn is scheduled to participate on the South Carolina IMPEP review in 2007. ODH management was encouraged to continue to support the IMPEP program to share Ohio expertise and to strengthen staff skills and perspectives.

#### Energy Policy Act of 2005

Governor Taft sent a letter to Chairman Klein on December 1, 2006, confirming that Ohio wishes to retain jurisdiction over NARM.

#### Inspections

Ohio inspection frequencies are at least as frequent as NRC's. No inspections are overdue.

As stated in the Training section, having only two inspectors trained to perform Increased Controls inspections makes for sometimes difficult scheduling issues. Thus far, all Increased Controls inspections have been performed in a timely manner.

To make the security inspections as efficient as possible, program managers were encouraged to review the field office inspection guidance in NRC's Inspection Manual Chapter 2800.

#### Licensing

No licensing backlogs exist. Licensing actions are responded to within 30 days of receipt.

The Program used orders and license conditions to require that medical facilities in the State distribute Patient Release Cards to released patients with radioactive material doses.

#### Self-Assessments

The value of programmatic self-assessments was discussed during the meeting. The Technical Support Section is actively performing self-assessments of the Agreement Program functions.

#### Regulations

Rulemaking in the State generally takes from nine months to a year from initial regulation development to the final rule. Program managers indicated that the rules are up-to-date, with more recent rules in process.

## Security

Ohio entered into a 274i agreement with the NRC to inspect materials licensee compliance with NRC-ordered additional security measures. A new 274i agreement was recently reached regarding inspection of the RAMQC orders. Bureau managers informed the NRC representatives that they have implemented adequate controls over Safeguards information.

## Incidents

ODH staff communicates reportable incidents promptly to the NRC Operations Center and to Region III. Eighteen incidents were reported since the last IMPEP review. The program supervisors input incident information directly into the Nuclear Materials Events Database (NMED). A review of NMED identified timely input of incidents.

A recent significant contamination event at sealed source manufacturing licensee facility was well communicated to the NRC. As that facility is decontaminated, updates are being provided to the Region III office.

## Allegations

Eight allegations were transferred to Ohio from the NRC since the last IMPEP review. ODH staff investigated the allegations and took prompt, appropriate actions in all cases. Investigation results were provided earlier to the Regional State Agreements Officer.

## Licensee Updates

Information on current decommissioning activities in Ohio was shared. Updates were provided regarding:

- The RMI decommissioning project, expected to be completed in early 2007.
- The BP Chemical possession only license.
- The Battelle Memorial Institute-West Jefferson decommissioning project, nearing license termination.
- Plum Brook research reactor and offsite contamination issues.
- Advanced Medical Systems, Inc. which is now actively decommissioning its manufacturing facilities. The financial surety instrument, which NRC had held since before Ohio became an Agreement State, is now canceled.

## Sealed Sources and Devices

Three staff members are fully qualified SS&D reviewers. The review process includes a peer review and a management review of each action. ODH developed an SS&D qualification journal based on the NRC SS&D qualification journal and it is being used for reviewers. The journals are currently up-to-date for all staff performing SS&D reviews. There is no backlog of SS&D actions.

## CONCLUSIONS:

The Ohio Radiation Control Program appears to be a strong, stable Agreement State program. The program has a strong cadre of cross-trained staff and the training level for staff members is good.

Timely completion of Increased Controls security inspections will be a challenge for the Program, considering that only two inspectors are currently qualified to perform these inspections, at this time. ODH management indicated that training obstacles could be overcome when the training course is next offered.

During the 2004 MRB meeting, it was recommended that the next IMPEP review be scheduled in four years. Those present at this meeting agreed to schedule the review as planned, in late 2008.

**Agenda for Management Review Board Meeting  
June 12, 2007, 1:00 p.m. - 3:00 p.m. EST, O-3-B6**

1. Announcement of Public Meeting to all attendees and request for identification of any members of the public participating in this meeting.
2. MRB Chair convenes meeting. Introduction of MRB members, Agreement State representatives, and other participants. (OAS Liaison is Pearce O'Kelley of South Carolina)
3. Discussion of Periodic Meetings:
  - a. Georgia (August 24, 2006) - ML063330561 - White/Palotay
  - b. North Carolina (August 23, 2006) - ML062970108 - White/Rautzen
  - c. Ohio (November 29, 2006) - ML063550157 - Lynch/Sollenberger
4. Establishment of Precedents/Lessons Learned
5. Adjournment

|           |                      |                           |
|-----------|----------------------|---------------------------|
| Invitees: | Martin Virgilio, EDO | Duncan White, FSME        |
|           | Karen Cyr, OGC       | Joshua Palotay, FSME      |
|           | Charles Miller, FSME | William Rautzen, FSME     |
|           | Bruce Mallett, RIV   | James Lynch, RIII         |
|           | Pearce O'Kelley, SC  | Dennis Sollenberger, FSME |
|           | Cynthia Sanders, GA  | James Kottan, RI          |
|           | Beverly Hall, NC     | Kim Karcagi, FSME         |
|           | Lee Cox, NC          | Janet Schlueter, FSME     |
|           | Robert Owen, OH      | Scott Moore, FSME         |
|           | Marcia Howard, OH    | Aaron McCraw, FSME        |
|           | Michael Snee, OH     | Monica Orendi, FSME       |
|           | Andrea Kock, OEDO    | Kathleen Schneider, FSME  |