



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 20, 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

Charles L. Miller
Office of Federal and State Materials
and Environmental Management Program

Karen D. Cyr
Office of the General Counsel

Bruce S. Mallett, Region IV

FROM: Aaron T. McCraw, IMPEP Project Manager */RA/*
State Agreements and Industrial Safety Branch
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Program

SUBJECT: MINUTES: JUNE 12, 2007, SPECIAL MANAGEMENT
REVIEW BOARD (MRB) MEETING

Enclosed are the minutes of the Management Review Board meeting held on June 12, 2007. If you have comments or questions, please contact me at 301-415-1277.

Enclosure: Minutes of the Management
Review Board Meeting

cc: Pearce O'Kelley, SC, OAS Liaison
Cynthia Sanders, GA
Beverly Hall, NC
Robert Owen, OH

Management Review Board Members

Distribution: DCD (SP01)

DMSSA RF

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SMoore, FSME/DMSSA

DWhite, FSME/DMSSA

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DATE	06/20/07		

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF JUNE 12, 2007

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, DEDMRT
Charles Miller, MRB Member, FSME
Kim Karcagi, FSME
Monica Orendi, FSME
Michael Kunowski, OEDO

Karen Cyr, MRB Member, OGC
Duncan White, FSME
Aaron McCraw, FSME
Dennis Sollenberger, FSME

By teleconference:

Bruce Mallett, MRB Member, Region IV
James Kottan, Region I
Cynthia Sanders, GA
Lee Cox, NC
Wendy Tingle, NC
Michael Snee, OH

Pearce O'Kelley, OAS Liaison, SC
James Sommerville, GA
Beverly Hall, NC
Marion Eaddy, NC
Robert Owen, OH

1. **Convention.** Ms. Kim Karcagi convened the meeting at 1:05 p.m. She noted that this Management Review Board (MRB) meeting was open to the public; however, no members of the public participated in this meeting. She then transferred the lead to Mr. Martin Virgilio, Chair of the MRB. Introductions of the attendees were conducted.
2. **Periodic Meetings Discussion.**

Periodic Meeting with Georgia. Mr. Duncan White led the discussion of the results of the periodic meeting with the Georgia Radioactive Materials Program (ADAMS Accession Number ML063330561). The meeting was held on August 24, 2006. Mr. White summarized the status of each of the nine recommendations made during the 2004 Integrated Materials Performance Evaluation Program (IMPEP) review. Mr. Miller inquired about the status of providing a backup to the principal sealed source and device (SS&D) reviewer. Ms. Cynthia Sanders responded that the program lost one of the two individuals that were working toward SS&D reviewer qualifications. She added that the State is working to hire a replacement that will also enter the SS&D qualification pathway. Mr. Virgilio, in a followup question, asked if the other individual that was previously working toward SS&D qualification is now currently qualified. Ms. Sanders indicated that he was not yet fully qualified. Ms. Sanders notified the MRB that she had spoke with Tim Harris of the NRC at the Conference of Radiation Control Program Directors, Inc., meeting in Spokane, Washington, about gaining SS&D review experience for the unqualified individuals by assisting in reviews at NRC Headquarters. Dr. Bruce Mallett asked about the extension policy for routine inspections. Mr. White indicated that the review team was making the recommendation for Georgia to adopt a similar policy to the NRC, as described in the November 2004 revision to NRC Inspection Manual Chapter 2800. Mr. McCraw added that some Agreement States still allow extensions of inspection intervals based on good performance and that this practice is acceptable as long as the NRC's inspection frequencies for equivalent or similar license types are still met.

Mr. White continued his presentation with the status of the Georgia program, as observed during the August 24, 2006, periodic meeting. Ms. Sanders provided updates, as appropriate. Dr. Charles Miller asked about the State's efforts to increase fees and if that would be directly associated with salary increases. Ms. Sanders indicated that all license fee increases must be approved by a board. Mr. Jim Sommerville clarified that the Georgia program is adequately funded by the fees that are currently collected. He added that the Department is providing money to all programs to re-evaluate their staff salaries. Dr. Miller also inquired if any generic issues have emerged from the State's regulatory actions with respect to the removal of uranium from drinking water. Ms. Sanders indicated that she was not aware of any problems to date. Mr. Virgilio asked about the current status of the State's regulations. Mr. Sommerville indicated that the program is scheduled to present its rule revisions to the Board in September of this year. Dr. Mallett asked if the NRC has taken any actions in response to the State's comment in the periodic meeting summary regarding the short turnarounds requested of the States by the NRC on particular issues. Ms. Sanders added that her staffing shortages have caused Georgia to not respond to certain NRC requests in a timely manner. The MRB stated that NRC staff try to remain cognizant of all pending requests and attempt to space out requests; however, some issues are urgent and responses are needed as soon as possible.

Periodic Meeting with North Carolina. Mr. White also led the discussion of the results of the periodic meeting with the North Carolina Radiation Protection Section (ADAMS Accession Number ML062970108). The meeting was held on August 23, 2006. Mr. White discussed the status of the two recommendations made to State during the 2004 IMPEP review and discussed the current status of the program. Dr. Miller inquired about the experiences of home-based inspectors. Mr. Lee Cox indicated that the initiative is working very well and has made response to incidents and licensee requests more efficient. Mr. Cox indicated that, to date, no downside to the home-based inspector initiative has been noted. The initiative is actually helping the State recruit and retain qualified staff. A discussion on jurisdictional issues occurred. Dr. Miller inquired about the degree of State involvement in certain activities. Mr. Cox provided Dr. Miller the status of the State's actions. Mr. Cox commended the NRC for their timely response to a jurisdictional issue involving the Brunswick nuclear power plant.

Periodic Meeting with Ohio. Dr. Dennis Sollenberger led the discussion of the results of the periodic meeting with the Ohio Bureau of Radiation Protection (ADAMS Accession Number ML063550157). The meeting was held on November 29, 2006. Dr. Sollenberger discussed the current status of the program, noting that Ohio routinely contributes resources to IMPEP reviews of other States. Dr. Sollenberger noted that because of out-of-state travel limitations and overtime pay restrictions the State had to surrender two slots at the NRC's security course, which is highly recommended for individuals performing Increased Controls inspections. Ms. Karen Cyr commended the State for their excellence in program administration, but noted a concern with completing the Increased Controls inspections in a timely manner with limited resources. Mr. Robert Owen indicated that the State has two trained inspectors and is planning to send two additional individuals to the next course that is offered by the NRC. Mr. Owen also indicated that the State is looking at alternatives to the NRC's training, such as in-house or on-the-job training. Dr. Mallett suggested that the NRC could send a trained

inspector to assist Ohio with their on-the-job training. Mr. Owen said he appreciated the offer and would consider accepting it. Dr. Miller inquired further about the out-of-state travel limitations.

Comments. Mr. McCraw commented on the timeliness of the presentation of periodic meetings to the MRB. He indicated that the NRC's reorganization and other priorities had pushed back some of the presentations, causing them to not be presented to the MRB in a timely manner. He indicated that following the July 19, 2007, Special MRB meeting that all outstanding periodic meetings will have been discussed. He also informed the MRB that an action plan was in place to ensure that all future periodic meetings will be discussed with the MRB in a timely manner. He indicated that the goal was to have all presentations within 3-6 months from the date of the respective periodic meeting.

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. **Adjournment.** The meeting was adjourned at approximately 2:22 p.m.