QUARTERLY CONFERENCE CALL WITH KENTUCKY

DATE OF CALL: March 27, 2008

ATTENDEES:

Kentucky
D. Crawford, Manager, Radiation Control Program
M. McKinley, Supervisor, Radioactive Materials Section

NRC
J. Kottan, Region I
M. Orendi, FSME

BACKGROUND:

During the 2004 Integrated Materials Performance Evaluation Program (IMPEP) review of the Kentucky Agreement State Program, the review team found the Commonwealth's performance satisfactory for five indicators and satisfactory, but needs improvement, for three performance indicators. Seven recommendations were made by the IMPEP review team. The review team recommended, and the Management Review Board (MRB) agreed, that the Kentucky Agreement State Program is adequate to protect public health and safety and compatible with NRC's program. The MRB directed the staff to conduct a periodic meeting one year after the IMPEP review.

On July 14, 2005, a periodic meeting was held with Kentucky. The findings of this periodic meeting were discussed at an MRB meeting on October 17, 2005. Because of continued performance concerns, the Kentucky program was placed on Monitoring by the MRB. The MRB directed the staff to hold quarterly conference calls with Kentucky and hold a periodic meeting in July 2006. The next periodic meeting was held on July 6, 2006, and the findings of this periodic meeting were discussed at an MRB meeting on May 10, 2007. The MRB directed that Monitoring would continue for the Kentucky program along with quarterly conference calls, and a periodic meeting would be conducted in July 2007.

On July 31, 2007, a periodic meeting was held with Kentucky, and the findings of this meeting were discussed at an MRB meeting on September 20, 2007. At Kentucky's request, the MRB agreed to keep Kentucky on Monitoring and to continue the quarterly conference calls. The next IMPEP review of the Kentucky program will take place in July 2008.

DISCUSSION OF PROGRAM STATUS:

Mr. McKinley led the discussion of the Commonwealth's status for each of the IMPEP performance indicators.

Technical Staffing and Training

There has been no change in staffing since the December 5, 2007 quarterly conference call. The staff consists of eight individuals, including the supervisor. Four of the staff are fully qualified and the remainder are partially qualified. Kentucky continues to move forward with staff qualifications. The program is adequately staffed.

Status of the Materials Inspection Program

The 2004 IMPEP review team recommended that Kentucky upgrade their database used for storing all relevant licensee data in order to ensure inspections can be performed at the required frequencies, and Kentucky continues to enhance this database. The program continues to work to reduce the number of overdue inspections. Mr. McKinley stated that his goal was to have no overdue inspections by the next IMPEP review in July 2008

Technical Quality of Inspections

Inspections are being adequately documented. Annual inspector accompaniments are on going.

Technical Quality of Licensing

The 2004 IMPEP review team recommended that licensees that require financial assurance be identified and action taken to have the licensees comply with the financial assurance requirements. Two Kentucky licensees, both State universities, meet the criteria for needing financial assurance. Both of these licensees are working on obtaining letters of intent. Kentucky expects to complete the action by the IMPEP review in July 2008. Other licensing actions are being completed in a timely manner.

Technical Quality of Incidents and Allegations

Kentucky has been responsive when reportable events have occurred. Commonwealth staff are available to discuss the status of events with NRC staff and provide information on planned follow-up actions.

Compatibility Requirements

Kentucky continues to move forward in this area. The program has contracted with an outside individual to revise the regulations. Kentucky has submitted draft regulations to the NRC for review and received 17 comments. Kentucky is working on its response to the NRC's comments and expects to submit the revised regulations within the next several weeks. Mr. McKinley anticipates that the final regulations will be implemented by the end of July 2008. Additionally, the Mr. McKinley stated that finger printing requirements will be implemented by license condition, and that the license conditions will be submitted to the NRC for review soon with an expected implementation in June 2008.

Sealed Source and Device (SS&D) Evaluation Program

The 2004 IMPEP review generated four recommendations for this indicator, one of which recommended that Kentucky review the status of SS&D registrations and take action to either update or inactivate the registration certificates. Kentucky has inactivated those certificates that could be closed. Mr. McKinley will be attending the NRC's SS&D workshop to provide depth in the program. Work on the other recommendations continues.

Low Level Radioactive Waste (LLRW) Disposal Program

There have been no changes in the program since the last quarterly conference call. Kentucky continues to perform radiological environmental monitoring of the closed Maxey Flats LLRW disposal site.

NEXT CALL:

The next call for the second quarter of 2008 will be scheduled for late June or early July 2008 in order to allow for discussion of any IMPEP issues prior to the on-site portion of the review during the last week of July.

SUMMARY:

Kentucky's program continues to improve. Kentucky has been responsive to the recommendations that were made during the 2004 IMPEP review. Draft overdue regulations were submitted for NRC review, and Kentucky expects to have the final regulations implemented by the end of July 2008. The program is adequately staffed. The database used to store licensee data has been enhanced in order to ensure that inspections and licensing actions are completed at the required frequencies. NRC staff believes that Kentucky will be able to meet the requirements for all performance indicators at the next IMPEP.