

September 30, 2009

MEMORANDUM TO: Eric Benner, Acting Deputy Director
Licensing and Inspection Directorate
Division of Spent Fuel Storage and Transportation, NMSS

FROM: James J. Pearson, Senior Safety Inspector **/RA/**
Rules, Inspections, and Operations Branch
Division of Spent Fuel Storage and Transportation, NMSS

SUBJECT: SUMMARY OF SEPTEMBER 24, 2009, MEETING WITH BEST®
THERATRONICS

Background

A public meeting was held on September 24, 2009, in Rockville, Maryland, between U.S. Nuclear Regulatory Commission (NRC) staff and Best® Theratronics, Ltd. (Best), as a follow-up to an NRC inspection (71-0943/2009-201), which occurred during August 10-14, 2009. The purpose of the meeting was to discuss details of quality assurance program implementation improvements made by Best. The NRC inspection team identified a number of programmatic concerns during the August inspection. One significant concern was identified regarding potential weld defects in Best's transport packages. The NRC recognizes that Best is in the process of addressing the potential weld defects through the normal implementation of their Quality Assurance (QA) Program. The NRC has an overall concern about Best's approach to full implementation of their QA Program, especially since this was the second meeting in four months to discuss Best's performance.

Discussion

The purpose of the meeting was for Best to present to NRC staff and management information regarding how it will improve the implementation of its QA Program. The meeting began with the SFST Division Director explaining that the inspection results describing Best's QA program implementation as marginally adequate was not acceptable to the NRC and should not be acceptable to Best. Additionally, NRC staff described the need for a philosophy shift and a top down commitment from Best to improve. The Best General Manager (GM) responded by ensuring the NRC that they are committed to improve from the top of the Best organization down through the Best staff. The Best GM also indicated that he was increasing his effort to assure the culture changes necessary at Best occurred. The NRC staff emphasized the need for Best to ensure full compliance with Part 71 requirements by strict procedural adherence and improved development of controlling procedures, drawings, and instructions. The NRC staff indicated that Best needs to improve the implementation of its QA Program to build our trust that Best will properly control its QA Program, Certificates of Compliance, and the safe shipment of radioactive materials.

Best described that they had already completed some of the easier corrective actions needed to address violations identified by the NRC during the inspection. Additional efforts are being undertaken by Best to contract with a quality assurance expert to provide further guidance, make additional quality improvements and provide required training to Best's staff. The SFST Division Director discussed the importance of an accurate and timely response to the inspection report and the associated findings and the continuing efforts by Best to eliminate recurrence of quality assurance issues. During the meeting, the NRC and Best made no regulatory commitments and no proprietary information was shared or discussed.

Docket No. 71-0943
TAC No. LA0119

Enclosures:

1. Meeting Agenda
2. List of Meeting Attendees
3. Best® Theratronics Presentation

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Distribution: SFST r/f NMSS r/f NRC Attendees BWhite

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DATE	09/25/2009		09/25 /2009		09/30/2009			

C=Without attachment/enclosure E=With attachment/enclosure N=No copy **OFFICIAL RECORD COPY**

Agenda

U. S. NRC Meeting with Best[®] Theratronics, Ltd.

QUALITY ASSURANCE PROGRAM

Thursday, September 24, 2009

- 1:00 p.m. General Meeting Information and Introductions
- 1:20 p.m. Best Theratronics presentation and group discussion
- 2:50 p.m. Public comments or questions for the NRC Staff
- 3:00 p.m. Meeting Adjourned

Meeting Between the Nuclear Regulatory Commission and Best Theratronics
September 24, 2009
Meeting Attendees

<u>NAME</u>	<u>AFFILIATION</u>
Bill Brach	NRC/SFST
Dave Pstrak	NRC/SFST
Jim Pearson	NRC/SFST
Eric Benner	NRC/SFST
Raynard Wharton	NRC/SFST
Ruth Bergin	Best Theratronics
Michael de van der Schueren	Best Theratronics
Sujat Sukthankar	Best Theratronics
Jim McNamara	Best Theratronics

Best[®] Theratronics Presentation Slides