

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR
SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
DIVISION OF WASTE MANAGEMENT

DATE OF MEETING: August 5, 2009

NRC Attendees	South Carolina Division of Waste Management Attendees
Donna Janda, Region I RSAO	Richard Haynes, Director
Monica Orendi, FSME	Susan Jenkins, Manager, Infectious and Radioactive Waste Management Section

DISCUSSION:

The South Carolina Agreement State program is located in the Department of Health and Environmental Control (DHEC). Within the DHEC, the Infectious and Radioactive Waste Management Section of the Division of Waste Management (DWM) in the Bureau of Land and Waste Management (Bureau), is responsible for the oversight of the Barnwell Low-Level Radioactive Waste (LLRW) Disposal Site and approximately 21 other licenses for waste-related operations. Within the DHEC, the Bureau of Radiological Health (BRH) administers the radioactive materials program which has approximately 400 licenses.

In July 2007, the Integrated Materials Performance Evaluation Program (IMPEP) review team found the South Carolina DHEC Agreement State Program's (the Program) performance to be satisfactory for all common and non-common performance indicators. Additionally, no recommendations were made by the review team regarding the Program. On October 15, 2007, the Management Review Board (MRB) met to consider the IMPEP review team's proposed findings regarding the Program. The MRB found the Program adequate to protect public health and safety and compatible with the NRC's program. Based on the results of the IMPEP review, the review team recommended, and the MRB agreed, that the next full IMPEP review take place in approximately four years. The MRB also determined that a periodic meeting should take place in the summer of 2009. This summary describes this periodic meeting.

TOPICS COVERED DURING THE MEETING INCLUDED:

Program Strengths

A well-trained, stable, and experienced staff is a major strength of the Program. Additional strengths of the Program include involvement with Department of Homeland Security initiatives; maintaining an active role in the Conference of Radiation Control Program Directors; knowledge of Department of Transportation regulations which contributes to enhancement of the inspection program; participation in the Sealed Source and Device Working Group; and knowledge of depleted uranium issues.

Program Weaknesses

The DWM staff noted that a potential weakness of the Program is that several staff members are close to retirement age. The staff is addressing plans for knowledge management transfer in anticipation of the potential effects of staff retirements.

Enclosure

Feedback on the NRC's Program

The Program discussed past communication issues associated with receipt of NRC letters and electronic mail. This item was addressed during previous contacts between DWM management, FSME, and the Region I RSAOs. DWM management stated that there has been significant improvement in this area. The Program commented that the overall relationship with the NRC is good.

Agreement State Program Staffing and Training

The Program has been fully staffed for several years and consists of five technical staff, two administrative staff, and two supervisors, including the DWM Director. The Program noted that because the workload has decreased since the closure of the Barnwell radioactive waste disposal site to non-Compact licensees in June 2008, Program resources have been shifted from the radioactive waste program to Department of Energy activities. The Program expects to decrease staff by one full-time equivalent during the summer of 2010.

Organization

The Bureau has reorganized since the 2007 IMPEP review. There have been no changes to the Program's organization since the 2007 IMPEP.

Program Budget/Funding

The DWM Director stated that the radioactive waste program is fee-based and is adequately funded at this time. Licensee fees were increased by 50% since the last IMPEP (except for Barnwell fees which increased greater than 100%). The Program may reduce the fees for Barnwell in 2010. Fees generated from transportation permits have decreased significantly recently. The Program requires transporters to obtain permits to transport radioactive waste into or within the State.

Inspection/Licensing Programs

DWM has 22 specific licenses involving radioactive waste disposal, waste processing, waste research and development, and sites in the process of decommissioning. Six of these licenses are NORM licenses for water treatment systems. The Program's inspection frequencies are at least as frequent as NRC's. No inspections were overdue with respect to NRC inspection priorities. The Program maintains a database to monitor inspection scheduling and tracking. Management is aware of the importance of inspection program schedules.

The Program had no licensing actions that were overdue. The Program is aware of the requirement for "pre-licensing" visits. The Program hand delivers all new licenses and will not issue a license if the information gathered during the pre-licensing visit does not match the information provided in the license application. The Barnwell disposal site license renewal is still under appeal.

Regulations

The Program has no overdue regulations. Responsibility for drafting regulations is now being split between DWM and BRH. The State has the authority to issue legally binding requirements (e.g., license conditions) until compatible regulations become effective.

Event Reporting

The Program has had no reportable events since the 2007 IMPEP review.

Response to Incidents and Allegations

DWM continues to be sensitive to notifications of incidents and allegations. Incidents are quickly reviewed for the potential effect on public health and safety. Staff is dispatched to perform onsite investigations when necessary. DWM has lead responsibility for responding to radiation alarms at metal recycling facilities and solid waste facilities. The Program staff is cognizant of NMED reporting requirements. There were no allegations referred from NRC to the program since the 2007 IMPEP review.

Significant Events and Generic Implications

DWM reported that no significant events have occurred since the 2007 IMPEP review. No generic implications have been identified.

Status of Low-Level Radioactive Waste Disposal Program

DWM staff members perform semi-annual inspections at the Barnwell Low-Level Radioactive Waste Disposal Site. DWM staff perform weekly inspections of disposal site status and operations. An onsite DWM inspector performs a separate weekly inspection of Phase I closure activities at the Barnwell site and inspects every shipment arriving at Barnwell. Recent activities at Barnwell include Phase I closure and capping of trenches and demolition of five onsite buildings. Extent of contamination studies of groundwater and surface water continue to be performed.

Current State Initiatives

The DWM staff has been actively involved in engaging public participation in groundwater studies at the Barnwell disposal site.

Emerging Technologies

None noted.

Large, Complicated, or Unusual Authorizations for Use of Radioactive Material

The Program received one licensing action in January 2009 for a new mixed waste facility which will require a radioactive waste license and a RCRA permit. This action is currently under review. The Program has not received any unusual requests for use of radioactive materials.

State's Mechanisms to Evaluate Performance

The Program evaluates program performance through tracking all licensing and inspection information on databases and spreadsheets. The Division Director periodically reviews the status of Program activities. Staff performance is tracked through annual Employee Performance and Development Plans.

Current NRC Initiatives

NRC staff discussed ongoing initiatives with the DWM staff. These included upcoming rulemaking, pre-licensing guidance, fingerprinting orders, national source tracking system, web-based licensing, generally-licensed devices, website for complex decommissioning sites, and enhancements to the FSME website.

Summary

The South Carolina radioactive materials program continues to be a strong, stable Agreement State program. The Program staff is experienced and well trained. The Program staff is addressing plans for knowledge management transfer in anticipation of the potential effects of staff retirements.

NRC staff recommends that the next IMPEP review should be conducted as scheduled in FY 2011 (tentatively July 2011).