

April 12, 2011

MEMORANDUM TO: Scott Moore, Acting Director
Office of Federal and State Materials
and Environmental Management Programs

Bradley W. Jones, Assistant General Counsel
for Reactor and Materials Rulemaking
Office of the General Counsel

Terrence Reis, Acting Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Cindy Pederson, Deputy Regional Administrator
Region III

FROM: Karen N. Meyer, IMPEP Administrative Coordinator */RA/*
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: MINUTES: April 5, 2011 SPECIAL MANAGEMENT
REVIEW BOARD (MRB) MEETING

Enclosed are the minutes of the Special MRB meeting held on April 5, 2011, to discuss the periodic meetings held with the Rhode Island and Kentucky Agreement State Programs. If you have comments or questions, please contact me at (301) 415-0113.

cc w/encl.: Jennifer Opila, CO
Organization of Agreement States
Liaison to the MRB

Management Review Board Members

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DATE	04/12/11		

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF April 5, 2011

These minutes are presented in the same general order as the items that were discussed in the meeting. The attendees were as follows:

In person at U.S. Nuclear Regulatory Commission (NRC) Headquarters in Rockville, Maryland:

Scott Moore, MRB Chair, FSME
Brad Jones, MRB Member, OGC
Lisa Dimmick, FMSE
Duncan White, FSME

Terrence Reis, MRB Member, FSME
Karen Meyer, FSME
Kathy Schneider, FSME

By videoconference:

Cindy Pederson, MRB Member, Region II

Dan Collins, Region I

By telephone:

Jennifer Opila, OAS Liaison, CO
Raymond Rusin, Rhode Island
Curt Pendergrass, Kentucky

Monica Orendi, Region I
Matthew McKinley, Kentucky

1. **Convention.** Ms. Lisa Dimmick convened the meeting at 1:00 p.m. She noted that this MRB meeting was open to the public; however, no members of the public participated in this meeting. She then transferred the lead to Mr. Scott Moore, Chair of the MRB. Introductions of the attendees were conducted.
2. **Periodic Meetings Discussions:**

Periodic Meeting with the Commonwealth of Kentucky Agreement State Program

Ms. Monica Orendi led the discussion of the results of the periodic meeting with Kentucky (ADAMS Accession Number: ML110620319). The meeting was held in Frankfort, Kentucky on February 10, 2011. Ms. Orendi indicated that the last Integrated Materials Performance Evaluation Program (IMPEP) review was conducted in July and August, 2008, and the review team recommended, and the MRB agreed that the Commonwealth of Kentucky be found adequate to protect public health and safety, but needs improvement, and compatible with NRC's program. The review team had made six recommendations regarding improvement of inspection documentation, discussion of inspection findings with licensees, using their own calibrated equipment on inspections, developing and implementing licensing plan to identify licensees in need of comprehensive renewal, integration of FSME 07-026 pre-licensing requirements and development and implementation of mechanism regarding QA and QC approved procedures used in SS&D program. The review team found that the Commonwealth had made progress on all recommendations at the time of the review. Ms. Orendi recommended that these recommendations remain open and should be evaluated at the next IMPEP review. The MRB agreed that the next IMPEP review of the Commonwealth of Kentucky should take place, as currently scheduled, in Fiscal Year 2012. The MRB also directed that the Commonwealth remain on Monitoring at this time.

Periodic Meeting with the Rhode Island Agreement State Program

Ms. Lisa Dimmick led the discussion of the results of the periodic meeting with the Rhode Island Agreement State Program (ADAMS Accession Number: ML110630554). The meeting was held in Providence, Rhode Island on October 27, 2010. Ms. Dimmick indicated that the last IMPEP review was conducted in October 2007, and the review team recommended, and the MRB agreed, that the Rhode Island Agreement State Program be found adequate to protect public health and safety, but needs improvement, for one performance indicator, Status of Materials Inspection Program, and compatible with NRC's program. The review team had made two recommendations regarding overdue inspection completion and documenting its licensing program. Ms. Dimmick stated that at the periodic meeting, the State reported they had made progress on reducing the number of overdue regulations; however, the State was not able to make progress in addressing the second recommendation due to competing priorities. Ms. Dimmick recommended that these recommendations remain open and should be evaluated at the next IMPEP review. The MRB agreed that the next IMPEP review of the Rhode Island Agreement State Program should take place, as currently scheduled, in Fiscal Year 2012.

Comments. Ms. Dimmick restated the MRB's decisions to maintain the next IMPEP reviews for Kentucky and Rhode Island as currently scheduled in Fiscal Year 2012.

Mr. Brad Jones requested that FSME/MSSA reconsider the language "recommendation(s) remain open and should be evaluated at the next IMPEP review", when it comes to open recommendations. FSME/MSSA will re-evaluate this and will propose new language at the next MRB Meeting for consensus.

3. **Precedents/Lessons Learned.** The MRB established no new precedents to be applied to the IMPEP process during this meeting.
4. **Adjournment.** The meeting was adjourned at 2:45 p.m.