

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM
QUESTIONNAIRE

Name of State: **Maine**

Reporting Period: **October 14, 2006 to May 6, 2011**

Note: If there has been no change in the response to a specific question since the last IMPEP questionnaire, the State or Region may copy the previous answer, if appropriate.

A. GENERAL

Please prepare a summary of the status of the State's or Region's actions taken in response to each of the open recommendations from previous IMPEP reviews.

Response:

The contractor developed database never came to fruition. Staff expanded and updated the current database (Microsoft Access) to document and track all actions pertaining to specific licenses, general licenses, and reciprocity. Duplicity of logs (i.e. paper and digital) has been changed to digital only. Scanning technology has been obtained in order to convert paper documents to digital so they can be stored in folders assigned to each licensee (specific, general and reciprocity). Instrument calibrations are tracked in Microsoft Excel.

On November 10, 2009 the State's rules were changed. These changes addressed the items noted in the periodic meeting held on October 29, 2008 and all other changes up to and including RATS ID 2009-1.

A two tier fee increase (2011 and 2012) was implemented by a rule change effective May 15, 2010.

Staffing remains an open item due to loss of one inspector and a hiring freeze implemented by the governor's office.

Training issues remain an open item due to State budget restrictions though indications are that travel that is funded is usually approved.

B. COMMON PERFORMANCE INDICATORS

I. Technical Staffing and Training

2. Please provide the following organization charts, including names and positions:

- (a) A chart showing positions from the Governor down to the Radiation Control Program Director; **See attached Organizational Chart**
- (b) A chart showing positions of the radiation control program, including management; and **See attached Organizational Chart**
- (c) Equivalent charts for sealed source and device evaluation, low-level radioactive waste and uranium recovery programs: **See attached Organizational Chart**

3. Please provide a staffing plan, or complete a listing using the suggested format below, of the professional (technical) full-time equivalents (FTE) applied to the radioactive materials program by individual. Include the name, position, and, for Agreement States, the fraction of time spent in the following areas: administration, materials licensing & compliance, emergency response, low-level radioactive waste, uranium recovery, other. If these regulatory responsibilities are divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials

11. Please provide the number of routine inspections of Priority 1, 2, and 3 licensees, as defined in IMC 2800 and the number of initial inspections that were completed during each year of the review period.

<u>Year</u>	<u>Priority 1</u>	<u>Priority 2</u>	<u>Priority 3</u>	<u>Initial</u>
2006	4	3	0	1
2007	2	2	2	5
2008	3	3	2	1
2009	2	2	5	1
2010	2	2	5	2
2011	3	2	2	2

12. Please submit a table, or a computer printout, that identifies inspections of Priority 1, 2, and 3 licensees and initial inspections that were conducted overdue.

Response: No inspections were conducted past due date.

13. Please submit a table or computer printout that identifies any Priority 1, 2, and 3 licensees and initial inspections that are currently overdue, per IMC 2800. At a minimum, the list should include the same information for each overdue inspection provided for Question 12 plus your action plan for completing the inspection. Also include your plan for completing the overdue inspections.

Response: Currently there are no overdue inspections.

14. Please provide the number of reciprocity licensees that were candidates for inspection per year as described in IMC 1220 and indicate the number of reciprocity inspections of candidate licensees that were completed each year during the review period.

Response:

<u>Year</u>	<u>Visits</u>	<u>Companies</u>	<u>Inspections</u>
2006	27	8	5
2007	12	8	3
2008	12	5	2
2009	11	9	4
2010	10	7	1
2011	14	8	2

II. Technical Quality of Inspections

15. What, if any, changes were made to your written inspection procedures during the reporting period?

Response: Updates were made in response to changes of NRC Inspection Manual. All our inspection and licensing procedures mirror the NRC procedures.

16. Prepare a table showing the number and types of supervisory accompaniments made during the review period. Include:

<u>Inspector</u>	<u>Supervisor</u>	<u>License Category</u>	<u>Date</u>
Wayne Malloch	Donna Janda, NRC	1	April 14, 2011

17. Describe or provide an update on your instrumentation, methods of calibration, and laboratory capabilities. Are all instruments properly calibrated at the present time? Were there sufficient calibrated instruments available throughout the review period?

Response:

There are calibrated instruments available at all times. Calibration dates are staggered to prevent a complete loss of a specific type of instrument or detection capability. All instruments are calibrated by an approved calibration service. See Calibration Sheet.

The State Health and Environmental Laboratory provides radio-analysis services.

IV. Technical Quality of Licensing Actions

18. How many specific radioactive material licenses does your program regulate at this time?

Response: 125

19. Please identify any major, unusual, or complex licenses which were issued, received a major amendment, were terminated, decommissioned, submitted a bankruptcy notification or renewed in this period.

Response: None

20. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the review period.

Response: None

21. What, if any, changes were made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?

Response: Updates were made in response to changes in NRC licensing procedures. All our licensing procedures mirror the NRC procedures.

22. Identify by licensee name and license number any renewal applications that have been pending for one year or more. Please indicate why these reviews have been delayed and describe your action plan to reduce the backlog.

Response: None

23. For Agreement States, please provide a list of any reportable incidents not previously submitted to NRC (See Procedure SA-300, *Reporting Material Events*, for additional guidance, OMB clearance number 3150-0178). The list should be in the following

Response: No reportable events not previously submitted.

24. Identify any changes to your procedures for responding to incidents and allegations that occurred during the period of this review.

Response: No Changes

C. NON-COMMON PERFORMANCE INDICATORS

I. Compatibility Requirements

25. Please list all currently effective legislation that affects the radiation control program. Denote any legislation that was enacted or amended during the review period.

Response:

***Maine Revised Statutes Title 22 Health and Welfare
Chapter 159-A State Nuclear Safety Program
Chapter 160 Radiation Protection Act
Chapter 163 New England Compact on Radiological Health Protection
Chapter 165 Radon Registration Act***

26. Are your regulations subject to a "Sunset" or equivalent law? If so, explain and include the next expiration date for your regulations.

Response: No

27. Please review and verify that the information in the enclosed State Regulation Status (SRS) sheet is correct. For those regulations that have not been adopted by the State, explain why they were not adopted, and discuss actions being taken to adopt them. If legally binding requirements were used in lieu of regulations and they have not been reviewed by NRC for compatibility, please describe their use.

Response: *Updated rules were issued on November 10, 2009 and in May 15, 2010. These changes updated the rules to and including RATS ID 2009-1.*

28. If you have not adopted all amendments within three years from the date of NRC rule promulgation, briefly describe your State's procedures for amending regulations in order to maintain compatibility with the NRC, showing the normal length of time anticipated to complete each step.

Response: *All amendments issued prior to January 1, 2011 have been adopted.*

II. Sealed Source and Device (SS&D) Evaluation Program

Response: *Not Applicable*

III. Low-level Radioactive Waste Disposal Program

Response: *Not Applicable.*

IV. Uranium Recovery Program

Response: *Not Applicable*