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**Subject:** IMPEP PIP Update  
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**Attachments:** [20110817.IMPEP PIP.pdf](#)

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Attached is the updated PIP to address the comments from our phone call on August 9.

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"Paint a masterpiece daily. Always autograph your work with excellence." Greg Hickman

# Performance Improvement Plan and Progress Report

17-Aug-11

## North Dakota Radiation Control Program

Recommendations	Tasks	Milestones	Assignments	Anticipated Completion Date	Status	Completion Date
<p>1. The review team recommends that the State: (1) update its existing procedures and develop new procedures, as necessary, to memorialize the policies and practices of the Agreement State program and to serve as a knowledge management tool, and (2) examine options to increase staff retention and/or develop sufficient depth in staffing to effectively implement the program. (Section 2.1)</p> <p>.....</p> <p><i>Any policy or procedure needed to fulfill any of the following recommendations will be developed, implemented and documented using the steps laid out here in 1.a and/or 1.b</i></p>	1.a Develop written policies for current activities.	1.a.1 Develop a list of specific policies	Manager/Staff	12/31/11	In Process	
		1.a.2 Draft individual policies	Manager/Staff	6/30/2012	In Process	
		1.a.3 Written policies reviewed	Manager/Staff	6/30/2012	In Process	
		1.a.4 Written policies implemented	Manager/Staff	6/30/2012	In Process	
		1.a.5 Policies incorporated into appropriate management document	Program Manager	6/30/2012	In Process	
	1.b Develop written procedures for current activities.	1.b.1 Develop a list of specific procedures.	Manager/Staff	12/31/11	In Process	
		1.b.2 Draft individual procedures	Manager/Staff	6/30/2012	In Process	
		1.b.3 Written procedures reviewed	Manager/Staff	6/30/2012	In Process	
		1.b.4 Written procedures implemented	Manager/Staff	6/30/2012	In Process	
		1.b.5 Procedures incorporated into appropriate management document	Program Manager	6/30/2012	In Process	
	2.a Identify potential staff to attend NRC training.	2.a.1 Staff identified by name	Program Manager		Done	7/20/11
		2.a.2 Apply for NRC training	Program Manager	11/1/11		
	2.b Staff retention options	2.b Provide annual performance bonus	Dept Management		Done	4/8//11
2. The review team recommends that the State take measures to ensure that initial inspections are performed at the interval prescribed in IMC 2800. (Section 2.2)	Update the license review form to include entering the initial inspection for nine months after the license issue date	License Review form updated	Dave		<b>Done</b>	4/8/11
3. The review team recommends that the State take measures to ensure that inspection findings are communicated to licensees within 30 days of the date of the inspection. (Section 2.2)	Develop a procedure to ensure response within 30 days.	Procedure drafted and implemented	Manager		<b>Done</b>	5/9/11
4. The review team recommends that the State: (1) take measures to ensure that sufficient information pertaining to inspection observations and identified non-compliances is documented in inspection records and in letters to licensees and that these documents be appropriately reviewed by management, prior to issuance, for thoroughness and consistency, and (2) develop and implement a plan to address comments noted in Appendix C related to identified items of non-compliance that were not included in findings that were dispatched to licensees. (Section 2.3)	1. Update the Radiation Control Program Administrative Manual to reflect using NRC Inspection Manual Chapter 2800 and applicable IPs modified to reflect the ND administrative structure	1. Update the Radiation Control Program Administrative Manual to include reference to ND Inspection Manual	Program Manager		<b>Done</b>	1/1/11
	1.b Adopt the NRC Enforcement Manual, Appendix C as a reference to structure apparent non-compliances	1.b Add wording to Inspection Manual, Chapter 8.4 to require copying apparent non-compliance and recommendations from the report to the inspection letter	Program Manager	9/2/11	In Process	
		1.c Update the Radiation Control Inspection Manual, Chapter 8.4 to reflect use of NRC Enforcement Manual, Appendix C as reference for apparent non-compliance format and phrasing	Program Manager	9/2/11	In Process	
	2. Completed this recommendation in part (1)	2. Completed this recommendation in part (1)	Program Manager	9/2/11	In Process	

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5. The review team recommends that the State obtain additional training (formal and on- the-job, as appropriate) for the Branch manager and members of the technical staff to enhance inspection skills, particularly with regards to: (1) radiation safety issues associated with cyclotron operations, and (2) proper operation and use of radiation survey and measurement instrumentation. (Section 2.3)	1.a Work with MN RCP to inspect UND cyclotron as ND staff observe.	1.a Inspect UND cyclotron	Manager/staff		Done	6/23/11
	1.b Accompany MN RCP staff to observe cyclotron inspection	1.b Accompany MN staff on cyclotron inspections	Manager/staff	6/30/12	as scheduled	
		1.c Accompany NRC inspection staff on inspection in SD, WY, MT	Manager/staff	6/30/12	as scheduled	
	2.a Provide survey meter usage training	2.a Contract with qualified survey meter training provider.	Program Manager	9/29/11	In Process	
		2.b Train the staff on survey meter selection and proper usage.	Program Manager	12/31/11		
6. The review team recommends that the State: (1) take measures to ensure that the Branch's review of licensing actions are adequately documented and that licensing actions are thorough and consistent with the regulations and appropriate licensing guidance, and (2) take measures to address the licensing deficiencies that were identified in the comments in Appendix D. (Section 2.4)	1. Develop written polices and procedures to improve license review. These issues were discussed the week following the IMPEP and a procedure was put into place to prevent repeating these errors	1.a Draft license review policy	Program Manager	10/21/11		
		1.b Draft license review procedure	Manager/Staff	10/31/11		
		1.c Document policy and procedure in Admin Manual	Program Manager	10/31/11		
		1.d Implement license review procedure	Staff		Done	4/15/11
	2. Develop written polices and procedures to improve license review. These issues were discussed the week following the IMPEP and a procedure was put into place to prevent repeating these errors	2.a Draft license review policy	Program Manager	10/31/11		
		2.b Draft license review procedure	Manager/Staff	10/31/11		
		2.c Document policy and procedure in Admin Manual	Program Manager	10/31/11		
		2.d Implement license review procedure	Staff		Done	4/15/11
7. The review team recommends that the State provide additional training to the Branch manager and technical staff members regarding technical review of licensing actions, including training to ensure that the staff acquires increased familiarity with: (1) the regulations under North Dakota's equivalent to 10 CFR Parts 30 through 39, and (2) applicable licensing guidance documents for use authorization and license conditions. (Section 2.4)	1. Arrange with NRC to receive license review training	NRC provides license review training	Program Manager	As Scheduled	In Process	
	2. Develop license review forms based on NUREG-1556 series for each license type as required by the Radioactive Materials Program	2.a Use the license review forms and other NUREG documents as required.	Manager/Staff		Done	1/1/11
		2.b Document form use in Admin Manual	Program Manager	9/29/11		
8. The review team recommends that the Branch take measures to determine and document the basis of confidence, through consistent use of the pre-licensing checklist and guidance, that radioactive materials will be used as intended and as described in the application or amendment request, prior to authorizing the material on the license. (Section 2.4)	Adopt and document use of the NRC document titled "Checklist to Provide a Basis for Confidence that Radioactive Materials will be Used as Specified on the License."	1. Draft policy to use "Checklist to Provide a Basis for Confidence that Radioactive Materials will be Used as Specified on the License."	Program Manager	12/30/11		
		2. Draft procedure to use in license review.	Program Manager	12/30/11		
		3. Implement use of Checklist	Manager/staff		Done	5/2/11
		4. Document policy and procedure in Admin Manual	Program Manager	12/30/11		

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9. Regarding financial assurance, the review team recommends that the State: (1) develop a procedure or policy to assess finance assurance requirements as part of significant licensing actions and during licensing renewals; (2) review all North Dakota licenses to determine whether licensees require financial assurance, and either request financial assurance for licenses that are authorized to possess the applicable quantities or revise the license conditions to ensure clear quantity limits that will not require provision of financial assurance; and (3) take measures to ensure that any financial assurance instruments received by the Branch are maintained and stored in accordance with State requirements. (Section 2.4)	1. Include financial assurance calculations for each license application	Include FA calculations as part of new, renewal, and isotope increase/decrease license applications or amendments	Staff		Done	5/2/11
	2.a Perform FA calculations for each license	2.a Calculation for each licensee completed	Staff	12/30/11	In Process	
	2.b Issue letters to licensees that require FA/DFP	2.b Letters for FA/DFP sent as required	Manger/staff	12/30/11	In Process	
	2.c Identify licensees with open-ended possession limits and isotope T1/2 > 120 days.	2.c As appropriate, restrict possession limits, or add a license condition, or require FA/DFP as calculated.	Manger/staff	12/30/11	In Process	
	3. Track and store securely the FA documents	3.a Create a tracking mechanism.	Program Manger		Done	5/2/11
		3.b Store the documents in a locked and fireproof safe			Done	5/2/11
		3.c Modify NRC's "Decommissioning Financial Assurance Instrument Security Program" Handbook 8.12 to fit ND's Radiation Control Program	Program Manager	1/31/12		
10. The review team recommends that the State strengthen its incident response program and take measures to ensure that: (1) reported incidents are consistently evaluated to determine the appropriate type and level of Branch response; (2) licensee event reports are reviewed by the Branch for completeness and appropriate corrective actions; and (3) the Branch's evaluation of licensee events, whether based on a review of licensee reports, on-site reviews, or inspection follow-up, is properly documented to facilitate future follow-up. (Section 2.5)	1 Develop written policy to consistently process incidents	1. Modify NRC's SA-300 to fit ND's Radiation Control Program structure	Program Manager	6/30/12		
	2. Develop industry specific event forms	2. Use NRC RIV LER forms to collect basic information	Manager/Staff		Done	5/2/11
		3. Modify the LER forms to conform to ND requirements	Program Manager	6/30/12		
11. The review team recommends that the State strengthen its allegation program and take measures to ensure that: (1) allegations are promptly evaluated to determine the appropriate type and level of Branch response; (2) the Branch's evaluation of allegations and any actions taken in response to allegations is properly documented to facilitate future follow-up; and (3) processes are in place to provide a response to allegers as appropriate. (Section 2.5)	1. Develop written policy to consistently process allegations	1. Modify NRC's SA-400 to fit ND's Radiation Control Program structure	Program Manager	6/30/12		
		2. Use the NRC Allegation forms to collect allegation information	Manager/Staff		Done	5/2/11
		3. Modify NRC's Allegation forms to fit ND's Radiation Control Program	Manager/Staff	6/30/12		