

March 21, 2013

MEMORANDUM TO: Michael F. Weber
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

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

Mark A. Satorius, Director
Office of Federal and State Materials
and Environmental Management Programs

Robert Lewis, Deputy Regional Administrator
Region IV

FROM: Michelle R. Beardsley, Health Physicist **/R/A MArribas-Colon for/**
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: APRIL 2, 2013 SPECIAL MRB MEETING

A Special Management Review Board (MRB) meeting, to discuss the results of the periodic meetings held with the Virginia and Rhode Island Agreement State Programs and with the U.S. Nuclear Regulatory Commission, Region I, Division of Nuclear Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Programs has been scheduled for **Tuesday April 2, 2013 from 1:00 p.m. to 4:00 p.m. ET, in One White Flint North, Room 17-B4**. The summaries for each of the meetings are enclosed (Enclosures 1, 2 and 3).

In accordance with Management Directive 5.6, the meeting is open to the public. The agenda for this meeting is enclosed (Enclosure 4).

If you have any questions or need additional information, please feel free to contact me at (610) 337-6942 or Michelle.Beardsley@nrc.gov.

Enclosures:

As stated

cc: Gibb Vinson, Illinois
Organization of Agreement States
Liaison to the MRB

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MRB Members

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OFFICE	MSSA/ASPB
NAME	/MArribas-Colon for/ MBeardsley
DATE	03/21/2013

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AGREEMENT STATE PERIODIC MEETING SUMMARY FOR
VIRGINIA DEPARTMENT OF HEALTH'S
DIVISION OF RADIOLOGICAL HEALTH

DATE OF MEETING: November 8, 2012

NRC Attendees	Virginia Department of Health Attendees
Monica Orendi, Region I RSAO	Marissa J. Levine, MD, MPH, Deputy Commissioner
Daniel Collins, Deputy Director, Region I	Steve Harrison, Director, Division of Radiological Health
Duncan White, Branch Chief, Office of Federal and State Materials and Environmental Management Programs	Michael Welling, Assistant Director, Radioactive Materials Program

DISCUSSION:

During the 2010 Integrated Materials Performance Evaluation Program (IMPEP) review of the Virginia Agreement State Program (the Program), the review team found the Commonwealth's performance satisfactory for all six performance indicators applicable to the Program. The review team made one recommendation. On January 31, 2011, the Management Review Board (MRB) met to consider the proposed final IMPEP report on the Virginia Agreement State Program. The MRB found the Program adequate to protect public health and safety and compatible with 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 four years and that a periodic meeting be held in approximately two years from the date of the November 2010 IMPEP.

The following is the status summary of the Commonwealth's actions to address the open recommendation from the November 2010 IMPEP report:

1. The review team recommended that the Commonwealth implement, use, and update the licensing and inspection qualification journals for each staff member.

Status: Since the November 2010 IMPEP, the Program has implemented and started to use licensing and inspection journals for the staff. The Program noted that the journals, at the time of the periodic meeting, were not completely up to date and that the newest staff member had not yet received a qualification journal.

OTHER TOPICS COVERED DURING THE MEETING INCLUDED:

Program Strengths

The Program has an experienced and well-trained staff. One of the technical staff is a certified health physicist. Three technical staff and the Assistant Director of the Program came from other Agreement State Programs.

Two technical staff work from their homes which allows for quicker response times to incidents occurring at licensees in those areas five to six hours away from the Program office. Program management is able to interact with the remote staff on a daily basis through email and phone communication. The remote staff is also brought to Richmond on an as needed basis (roughly quarterly).

Program Weaknesses

Although the Program believes that having staff located out of their homes in different regions is a strength, they also feel that this is a Program weakness. Having staff present at alternate locations can make the licensing process less efficient. All paperwork has to be scanned and then emailed to the staff member performing the work. This adds an additional workload to staff in the main office and can increase the length of time it takes to process an action.

Feedback on the NRC's Program

The Program Director commented that both the overall relationship and communications with the NRC are good. The Program Director also felt that information sharing between the two agencies went smoothly and efficiently.

Agreement State Program Staffing and Training

The Program staff currently consists of four full time technical staff, one hourly/ wage based technical staff, 2 administrative staff (one full time and one hourly), and a program manager. The hourly/wage technical staff position is in the process of being converted to a full time position. This has been approved and should be in place by the next IMPEP review. The Program has increased its staffing level by one full time equivalent since the last IMPEP. The program director that held the position during the 2010 IMPEP review has retired. The position was posted and subsequently filled in June 2012. No other staff turnover has occurred since the 2010 IMPEP review. Two of the five technical staff are still in the qualification process. One of the individuals is fully qualified to do all inspection and licensing activities except for Increased Controls and irradiator inspections and the other technical staff member is at the beginning of his qualification process. According to the Program Director, the number of FTE in the radioactive materials program is adequate when the Program is fully staffed. Support for staff training exists in the Program. Program staff has attended NRC and other training courses. The Program also does in house training and has junior staff accompany senior staff to aid in the learning process.

Organization

The Virginia Agreement State Program is located in the Division of Radiological Health of the Office of Epidemiology within the Virginia Department of Health under the Deputy Commissioner for Public Health.

Program Budget/Funding

The Program Director stated that the Program is 100 percent fee funded. The funds are placed into a restricted fund for the Radioactive Materials Program. Although the money is placed into a restricted fund the Program does face some challenges and needs approval before using the money for purchases. At the end of November the current fee schedule in VA is being lowered for 22 fee categories. The Program currently has a budget surplus and the lowered fees will not impact the Department's ability to fund the program.

Inspection and Licensing Programs

The Program's inspection frequencies are at least as frequent as NRC's. Four inspections, one priority one and three priority three inspections, are currently overdue. At the time of the periodic meeting the Program was unsure of how many inspections had been completed overdue since the 2010 IMPEP review. The Program uses a form similar to NRC's form 591 to be able to issue clear inspection findings in the field.

The Program currently has approximately 420 specific licenses. The Program has completed 623 licensing actions since the 2010 IMPEP. The Program currently has 56 licensing action in house the longest of which is a renewal that has been pending since June 2009. The Program has implemented maximum possession limits for all of its licenses and is using pre-licensing guidance for new license applications.

Regulations and Legislative Changes

The Commonwealth adopts some NRC regulations by reference and uses its own rule text to adopt the other required regulations. The Virginia regulatory process typically takes a minimum of two years to complete. Virginia does have a fast track method where if a regulation has been vetted through the federal process it does not need to go out for public comment and the process can then be completed in approximately one year. At the time of the periodic meeting the Program had no overdue regulations due for adoption. There have been no legislative changes since the 2010 IMPEP review which affect the Virginia Agreement State program.

Event Reporting

The Program has reported 16 events to the NRC since the 2010 IMPEP review. Follow up information for all events reported by the Program are included in the Commonwealth's NMED entries. It was noted that there were a few NMED entries requiring additional information from the Program to close out the NMED item. This was brought to the Program's attention during the periodic meeting and the Program stated that they would work on resolving those issues.

Response to Incidents and Allegations

The Program continues to be sensitive to notifications of incidents and allegations. Incidents are quickly reviewed for their effect on public health and safety. Staff is dispatched to perform

onsite investigations when necessary. The Program is aware of the need to maintain an effective response to incidents and allegations. No allegations were referred from NRC to the Program and the Program did not receive any allegations since the 2010 IMPEP review.

Current State Initiatives

Virginia is in the process of investigating whether the moratorium on uranium mining should be lifted. A Uranium Working Group (UWG) was established and has been meeting since January, 2012 to study this issue. The UWG is expected to complete its final report and submit it to the Governor's Office by December 1, 2012 and the Governor's Office is expected to present the report to the Coal and Energy Commission for their consideration in mid-December. The General Assembly will convene in January, 2013 for a 45 day session. A decision on whether or not to lift the moratorium is anticipated to be made at that time. Currently no decision has been made on whether Virginia would request to amend their Agreement with the NRC if the moratorium is lifted.

Emerging Technologies

The Program has two licensees using radium-223 as part of an investigational new drug protocol.

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

The Program received a request from a university licensee to conduct research on radiation under a contract from NASA. The Program is working with the licensee to understand the scope and nature of the research.

State's Mechanisms to Evaluate Performance

The Assistant Director for Radioactive Materials accompanies all inspectors on an annual basis. The Program management and staff meet on a quarterly basis. The Program does not have a mechanism in place to fully evaluate its performance outside of the IMPEP review. Program management agreed to consider implementing a mechanism in the future.

CONCLUSIONS:

The Virginia radioactive materials program continues to be an effective Agreement State program with an experienced and well-trained staff. There are no vacancies in the Program at this time. The Program is effectively managing its licensing and inspection activities.

NRC staff recommends that the next IMPEP review should be conducted as scheduled in FY 2015 (tentatively November 2014).

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR
RHODE ISLAND DEPARTMENT OF HEALTH'S
RADIATION CONTROL PROGRAM

DATE OF MEETING: December 12, 2012

NRC Attendees	Rhode Island Department of Health Attendees
Monica Orendi, State Agreements Officer, Region I	Andrew Powers, Acting Chief, State Licensing Unit
Raymond Lorson, Director, Region I	Charma Waring, Supervisor, Radiation Control Program
Michelle Beardsley, Health Physicist, Office of Federal and State Materials and Environmental Management Programs	William Dundulis, Risk Assessment Toxicologist
	Dennis Klaczynski, Radiological Health Specialist

DISCUSSION:

During the October 2011 Integrated Materials Performance Evaluation Program (IMPEP) review of the Rhode Island Agreement State Program (the Program), the review team found the State's performance satisfactory for the performance indicators Technical Staffing and Training, Technical Quality of Licensing, and Technical Quality of Incidents and Allegations; satisfactory but needs improvement for the performance indicators Technical Quality of Inspections and Compatibility Requirements; and unsatisfactory for the performance indicator Status of Materials Inspection Program. The review team made six recommendations. On January 17, 2012, the Management Review Board (MRB) met to consider the proposed final IMPEP report on the Rhode Island Agreement State Program. The MRB found the Program adequate to protect public health and safety but needs improvement and compatible with 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 four years and that a periodic meeting be held in one year. The review team also recommended and the MRB agreed that a period of Monitoring be initiated for Rhode Island.

The following is the status summary of the State's actions to address the open recommendations from the October 2011 IMPEP report:

1. The review team recommended that the State document its training and qualification program for license reviewer and inspectors, including the reimplementation, use, and update of licensing and inspection qualification cards for each staff member.

Status: Rhode Island has made progress in this area. Current qualification cards have been brought up to date, however the Program plans to change the way they track training and qualification in the near future. The Program plans to integrate the tracking of training and qualification into the office wide electronic system already in use by the Office of Facilities Regulation.

2. The review team recommends that the State take appropriate measures to conduct Priority 1, 2, and 3 inspections and initial inspections in accordance with the inspection priority in Inspection Manual Chapter 2800.

Status: Since October 2011 Rhode Island has made inspections a top priority. Rhode Island has completed all Priority 1, 2, and 3 inspections in accordance with the inspection priority in Inspection Manual Chapter 2800. Rhode Island has completed no inspections overdue by more than twenty five percent of its assigned inspection frequency. Rhode Island has had no new license applications requiring an initial inspection since October 2011.

3. The review team recommends that the State take measures to ensure that inspection records and narrative reports are documented in accordance with the Program's Inspection Manual.

Status: Rhode Island has taken measures to ensure that inspection records and narrative reports are documented in accordance with the Program's Inspection Manual. Inspection reports are reviewed by senior level staff for completeness.

4. The review team recommends that a Program supervisor or other appropriately qualified senior staff member accompany each inspector, at least annually, to ensure quality and consistency in the inspection program.

Status: One of the two inspectors has been accompanied in calendar year 2012. The Program anticipates being able to accompany the other inspector before the end of December.

5. The review team recommends that the State conduct initial and subsequent security-related inspections in a manner that provides for verification of licensee compliance with the requirements.

Status: The Program has focused on performing security-related inspections along with the routine health and safety inspections. During these inspections the Program is verifying licensee requirements with both security-related and health and safety requirements.

6. The review team recommends that the State adopt all currently overdue regulations required for compatibility and adopt future regulation amendments within their required three year time frame.

Status: Rhode Island currently has seven regulation amendments overdue for adoption. Rhode Island is working through their process and hopes to have proposed regulation in to the NRC for review by the end of the first quarter of calendar year 2013. Final regulation adoption, which will include regulation changes through Regulation Amendment Tracking System (RATS) ID 2012-4, is anticipated in the summer of 2013.

OTHER TOPICS COVERED DURING THE MEETING INCLUDED:

Program Strengths

The Program has an experienced and well-trained staff. Although the Program is currently short staffed the current staff is very dedicated and has a willingness to put forth the effort to get the job done. The Program also has a very good professional relationship with its licensees allowing for openness and good communication.

Program Weaknesses

The Program feels that staffing issues are a weakness of the program. The Program currently has one staff vacancy and one staff person who is out on extended medical leave. These two unmanned positions have placed a burden on the program.

Feedback on the NRC's Program

The Program commented that both the overall relationship and communications with the NRC are good. The Program did provide an inquiry on why the naval site in Newport was requiring Rhode Island general licensees to file with the NRC for reciprocity to work at the site. The question was taken back to the NRC Region I office for follow-up. NRC staff members who work with the Navy agreed to reach out to both Rhode Island and the naval site in Newport to resolve the issue.

Agreement State Program Staffing and Training

The Program staff currently consists of three technical staff and a program supervisor. One of the three technical staff is currently on extended medical leave and is not anticipated to return to the Program. The Program also has one technical staff vacancy. This vacancy was created when a technical staff member was promoted to the program supervisor position which had been vacant since October 2008. The Program is unable to back fill the staff position at this time but is planning on building it into the 2014 budget and hopes to get approval to post the position then (the 2014 budget goes into effect July 2013). No other staff turnover has occurred since the 2011 IMPEP review. The current staff comprises approximately 1.8 full time equivalents (FTE). According to the program supervisor the number of FTE in the radioactive materials program is adequate when the Program is fully staffed. Support for staff training exists in the Program. Program staff has attended NRC and other training courses.

Organization

The Rhode Island Agreement State Program is located in the State Licensing Unit, in the Office of Facilities Regulation, which is in the Division of Environmental and Health Services, located within the Rhode Island Department of Health. The Program anticipates a reorganization happening in the next 6 months. It is believed that the reorganization will happen below the Office level and will create two new units within the Office of Facilities Regulation: a licensing unit and a federal certification unit. The Program will inform NRC of the new structure when changes are made.

Program Budget/Funding

The Program is 100 percent fee funded. The funds are placed into a restricted receipt account for the Radiation Control Program. Although the money is placed into a restricted fund the Program does face some challenges and needs approval before using the money for purchases. The surplus money at the end of each fiscal year cannot be taken and placed into the State's general fund without an approved change to the legislation.

Inspection and Licensing Programs

The Program's inspection frequencies are at least as frequent as NRC's. No inspections were overdue by more than twenty five percent of their assigned inspection frequency at the time of the periodic meeting. Also no inspections have been completed overdue by more than twenty five percent of their assigned inspection frequency since the 2011 IMPEP review. The Program has completed 18 Priority 1, 2, and 3 inspections since the October 2011 IMPEP. The Program uses a form MAT-6 which is similar to NRC's form 591 to be able to issue clear inspection findings in the field. The Program has had no initial inspections since the October 2011 IMPEP review and completed the one overdue initial inspection mentioned in the 2011 IMPEP report in December 2011.

The Program currently has approximately 45 specific licenses. The Program has 5 renewal packages in house. Licenses are renewed every ten years in Rhode Island. The Program has been working on one renewal application for approximately 10 years. The Program requested an updated renewal package from this licensee which they received six months ago and hopes to issue the renewed license soon. The Program has implemented maximum possession limits for all of its licenses and is using pre-licensing guidance for new license applications.

Regulations and Legislative Changes

Rhode Island is continuing to work on promulgating regulations. The Program hopes to have proposed regulations, which will cover regulation amendment changes through RATS ID 2012-4, submitted to the NRC by the end of the first calendar quarter in 2013. The Program also believes that it will submit final regulation amendment changes to the NRC by the end of the summer of 2013.

The following seven regulation amendment changes are overdue for adoption:

- “Compatibility with IAEA Transportation Safety Standards and Other Transportation Safety Amendments,” 10 CFR Part 71 (69 FR 3697), that was due for Agreement State implementation on October 1, 2007. (RATS ID 2004-1)
- “Minor Amendments,” 10 CFR Parts 20, 30, 32, 35, 40, and 70 (71 FR 15005), that was due for Agreement State implementation on March 27, 2009. (RATS ID 2006-1)
- “Medical Use of Byproduct Material - Minor Corrections and Clarifications,” 10 CFR Parts 32 and 35 (72 FR 45147, 54207) that was due for Agreement State implementation on October 29, 2010. (RATS ID 2007-1)
- “Requirements for Expanded Definition of Byproduct Material,” 10 CFR Parts 20, 30, 31, 32, 33, 35, 61, and 150 amendment (72 FR 55864), that was due for Agreement State adoption by November 30, 2010. (RATS ID 2007-2)
- “Exemptions from Licensing, General Licenses, and Distribution of Byproduct Material: Licensing and Reporting Requirements,” 10 CFR Parts 30, 31, 32, and 150 amendment (72 FR 58473), that was due for Agreement State adoption by December 17, 2010. (RATS ID 2007-3)
- “Occupational Dose Records, Labeling Containers, and Total Effective Dose Equivalent,” 10 CFR Parts 19 and 20 (72 FR 68043) that was due for Agreement State implementation on February 15, 2011. (RATS ID 2008-1)
- “Medical Use of Byproduct Material – Authorized User Clarification,” 10 CFR Part 35 amendment (74 FR 33901), that was due for Agreement State implementation on September 28, 2012. (RATS ID 2009-1)

Event Reporting

The Program has reported one event to the NRC since the 2011 IMPEP review. Follow up information for the event reported by the Program is included in the State’s NMED entry. It was noted that the NMED item was listed as still being open by the State even though the State had submitted communication stating that the event was closed. This was brought to the Program’s attention during the periodic meeting and the Program stated that they would work on resolving the issue.

Response to Incidents and Allegations

The Program continues to be sensitive to notifications of incidents and allegations. Incidents are quickly reviewed for their effect on public health and safety. Staff is dispatched to perform onsite investigations when necessary. The Program is aware of the need to maintain an

effective response to incidents and allegations. No allegations were referred from NRC to the Program and the Program did not receive any allegations since the 2011 IMPEP review.

Current State Initiatives

Rhode Island is looking at ways to stream line their inspection process. The State is also looking into further developing the use of mobile technology.

Emerging Technologies

No emerging technologies were identified during the periodic meeting.

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

No large, complicated or unusual authorizations for the use of radioactive material were identified during the periodic meeting.

State's Mechanisms to Evaluate Performance

The Program Supervisor will be accompanying all inspectors on an annual basis. The Program management and staff meet as needed to discuss program priorities. The Program does not have a mechanism in place to fully evaluate its performance outside of the IMPEP review. The Program stated it would consider implementing a mechanism in the future to aid in further evaluation of program performance between IMPEP reviews.

CONCLUSIONS:

Rhode Island continues to be an effective Agreement State program with an experienced and well-trained staff. There is one vacancy and one unstaffed position, due to a staff member being out on extended medical leave, in the Program at this time. The Program has completed no inspections overdue since the October 2011 IMPEP review. Adoption of regulation changes within the required three year time period is an ongoing issue for the Program. The Program has seven regulation amendment changes overdue for adoption.

NRC staff recommends that the Program continue on Monitoring, a periodic meeting be held in 18 months from the date of the previous periodic meeting, and the next IMPEP review be conducted as scheduled in FY 2016.

U.S. NRC REGION I
PERIODIC MEETING SUMMARY

DATE OF MEETING: FEBRUARY 6, 2013

ATTENDEES:

FSME	REGION I
Brian McDermott, Director Division of Materials Safety and State Agreements	Raymond Lorson, Director Division of Nuclear Materials Safety
Michelle Beardsley, Health Physicist Agreement State Programs Branch Division of Materials Safety and State Agreements	Daniel Collins, Deputy Director Division of Nuclear Materials Safety
	James Dwyer, Chief Medical Branch
	Marc Ferdas, Chief Decommissioning Branch
	Judy Joustra, Chief Commercial and R&D Branch
	David Lew, Deputy Regional Administrator Region I (exit meeting)

DISCUSSION:

The Region I radioactive materials program is administered by the Division of Nuclear Materials Safety (the Division). The Division is composed of four branches: the Commercial and Research and Development Branch, the Decommissioning Branch, the Medical Branch, and the Material Security and Industrial Branch.

The previous IMPEP review was conducted the week of April 26-30, 2010. The review team found Region I's performance to be satisfactory for all performance indicators reviewed. Accordingly, the review team recommended, and the MRB agreed, that the Region I program is adequate to protect public health and safety.

The following topics were discussed during this meeting:

1) Status of operating plan metrics:

No issues were identified with respect to operating plan metrics. Specific areas relating to the status of operating plan metrics are discussed under other headings in this summary.

2) Review of strategic plan metrics and an assessment of the quality of the data contained in the monthly reports on material statistics:

No issues were identified with respect to strategic plan metrics. The quality of data contained in the monthly reports has been adequate.

3) Status of the Region's actions to address all open IMPEP review findings and/or open recommendations:

There are no open recommendations from the previous IMPEP review.

4) Status of the Region's Program:

a) Staffing and training:

The attendees reviewed the Division's staffing plan, along with the status of inspector and license reviewer qualifications. The Division reports a total of 42.0 FTE for Fiscal Year (FY) 2013; 30.0 FTE are technical staff positions and 12.0 FTE are management/administrative staff. They report that 87% of the technical FTE are dedicated to safety and security activities and the remainder to Interim Spent Fuel Storage Installations (ISFSI) and decommissioning activities. Since the 2010 IMPEP review, the Division has been able to hire and/or replace staff to fill all vacated positions and are therefore, fully staffed. No concerns with staffing were identified.

The Division uses the qualification program outlined in Inspection Manual Chapter (IMC)1246, "Formal Qualification Programs in the Nuclear Material Safety and Safeguards Program Area," along with DNMS Directive 0400/1, "DNMS Training and Qualification Program" that outlines the implementation of IMC 1246, for the inspection and licensing staff. Generally, staff receives qualification in all areas of the materials program. All staff is currently qualified, partially qualified or going through the process. No concerns with staff qualifications and training were identified.

b) Program reorganizations:

The Division acknowledged the challenges with meeting the Agency's supervisory ratio goal (i.e. 9.2 staff: 1 manager) with their current organizational structure of four branches. They noted that their proposed 2016 organizational plan contains three branches, with the potential to have a project manager dedicated to the implementation of the new 10 CFR Part 37 activities. The Region I staffing plan also includes a dedicated Licensing Assistance Team (LAT) to assist the technical staff with the administrative processing of documents.

c) Changes in program budget/funding:

No changes were noted, except that the funding of 1.0 FTE for the NUREG-1556 revision activities will be eliminated in FY2014.

d) Materials inspection and licensing programs:

Staff reviewed the quarterly Operating Plan (Op plan) metrics issued by FSME since the last IMPEP review. The Division noted that they review the status of inspection and licensing activities at a biweekly management meeting. The Division explained that while the Op plan report summaries indicate that there were no overdue inspections performed in FY 2010, 2011 and 2012, they identified six inspections that had been initiated and kept open (not closed) for an extended period due to technical or regulatory issues and are overdue. To prevent recurrence of this issue, the inspection tracking reports have been modified to improve visibility of these open inspections. The Division has issued 81 new licenses since the last IMPEP review and all have been inspected on time. The Division has exceeded the criteria for inspecting reciprocity activities (i.e. at least 20% of candidate licensees) in each year since the last IMPEP review. The Division discussed the unique challenges associated with inspection activities in the Commonwealth of Puerto Rico including issues with travel, communication, regulatory culture and waste disposal.

The Division reported that 32 out of 1839 total licensing actions completed since the last IMPEP review (1.7%) were overdue. Some reasons for the overdue actions included higher complexity license activities, newer staff needing additional time for review, and some actions that required the submission of a Technical Assistance Request (TAR).

e) Response to incidents and allegations:

Attendees discussed the Division's program for incident response including the completeness and timeliness of NMED reporting. FSME staff provided to the Division a list of records dating back to 2011 categorized in NMED as "not complete" or "request for additional information". The Division committed to investigating these cases and supplying what is needed for closure. They requested assistance with some type of "tickler" report from the NMED contractor or inclusion of these cases in the quarterly operating plan data issued by FSME, for better management oversight of these cases to completion. FSME staff will take this item for action.

The Division provided a summary report of the annual Regional Enforcement and Allegations Self-Assessment and Lessons Learned audits performed since June 2010. The report showed that the Division took prompt and comprehensive actions on all findings.

5) Review of Regional self-assessments:

The Division provided their reports of self-assessments performed since the 2010 IMPEP review. These included an examination of: Financial Assurance documents, Licensing and Inspection Activities, Record Transfer for Material License Terminations, Response to Notices of Violations and NRC Acknowledgement and Changes in Next Inspection Date as a Result of Significant Licensing Actions. The self-assessments identified minor issues for which the Division implemented prompt and appropriate corrective actions.

6) New or potential FSME initiatives that may impact the Regions:

FSME discussed ongoing initiatives including their plan to focus resources on the completion of the NUREG-1556 guidance revisions, Part 37 implementation activities, use of new technology (one-time password devices) for ISMP (NSTS, WBL, and LVS), and the work with federal partners on the IAEA's draft Code of Conduct for scrap metals.

SUMMARY:

No performance concerns with respect to the IMPEP criteria were identified.

Schedule for the next IMPEP review:

Staff will recommend to the MRB that, in accordance with current IMPEP policy, the next IMPEP review of the Region I radioactive materials program be held in FY 2015.

**Agenda for Management Review Board Meeting
April 02, 2013 1:00 p.m. – 4:00 p.m. ET, O-17B4**

1. Announcement of Public Meeting to all attendees and request for identification of any members of the public participating in this meeting.
2. MRB Chair convenes meeting. Introduction of MRB members, NRC staff members, State representatives, and other participants.
3. Discussion of Periodic Meetings:
 - a. Virginia Department of Health
(November 8, 2012) – ML12334A295 – Orendi / Collins / White
 - b. Rhode Island Department of Health
(December 12, 2012) – ML13010A295 – Orendi / Lorson / Beardsley
 - c. NRC Region I Materials Program
(February 6, 2013) – ML13070A036 – McDermott / Beardsley
4. Adjournment

Invitees:	Michael Weber, DEDMRT	Brian Holian, FSME
	Bradley Jones, OGC	Pamela Henderson, FSME
	Mark Satorius, FSME	Duncan White, FSME
	Robert Lewis, Region IV	Lisa Dimmick, FSME
	Gibb Vinson, IL	Karen Meyer, FSME
	Brian McDermott, FSME	Jack Foster, OEDO
	Michelle Beardsley, FSME	Monica Orendi, Region I/RSAO
	William Dean, Region I	Donna Janda, Region I/RSAO
	David Lew, Region I	Michael Welling, VA
	Raymond Lorson, Region I	Andrew Powers, RI
	Daniel Collins, Region I	Charma Waring, RI