

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM  
QUESTIONNAIRE

Illinois Emergency Management Agency, Bureau of Radiation Safety  
Reporting Period: May 16, 2009, to April 26, 2013

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**

1. 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.

**The NRC's 2009 review team recommended that the State provide inspection documentation to licensees within 30 days of the completed inspection in accordance with the Section's policies and procedures. As a result, the section refined their inspection documentation process, including the use of NRC 591-type forms that can be used to close out inspection documentation in the field. The Unit Supervisor confirms that inspection documentation is currently provided to licensees in a timely fashion. Inspection documentation is also tracked by the Bureau Chief in a monthly report. This was further addressed in the June 15, 2011 periodic meeting with NRC.**

**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;
  - (b) A chart showing positions of the radiation control program, including management; and
  - (c) Equivalent charts for sealed source and device evaluation, low-level radioactive waste and uranium recovery programs, if applicable.

**See Attachment 1.**

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.

---

<sup>1</sup> Estimated burden per response to comply with this voluntary collection request: 53 hours. Forward comments regarding burden estimate to the Records Management Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0183), Office of Management and Budget, Washington, DC 20503. If an information collection does not display a currently valid OMB control number, NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

If these regulatory responsibilities are divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials program. If consultants were used to carry out the program's radioactive materials responsibilities, include their efforts. The table heading should be:

#### **IEMA Management**

Name	Position	Area of Effort	FTE%
Jonathan Monken	Director	Administration	3
Joseph Klinger	Assistant Director	Administration	10
Don Agnew	Acting Bureau Chief – Radiation Safety	Administration	50

#### **Radioactive Materials/SSD**

Name	Position	Area of Effort	FTE%
Charles Vinson	Radioactive Materials Section Head	Administration/SSD	100
Mary Burkhart	Materials Licensing Unit Supervisor	Materials Licensing Supervision/SSD	75
Sandi Kessinger	Licensing Security Manager	Materials Security Supervision/SSD	90
Terry Lindley	Materials License Reviewer	Materials Licensing	100
Nathan Albrecht	Materials License Reviewer	Materials Licensing	100
Whitney Cox	Materials License Reviewer	Materials Licensing	100
Robert Harris	Materials License Reviewer	Materials Licensing	100
Daren Perrero	Inspection & Enforcement Unit Supervisor	Inspection & Enforcement Supervision	100
Andy Gulczynski	Regional Inspector Supervisor	Inspection & Enforcement	100
Robin Muzzalupo	Inspector	Inspection & Enforcement	100
Wendell Hickman	Inspector	Inspection & Enforcement	100
John Papendorf	Inspector	Inspection & Enforcement	100
Joanne Kark	Inspector	Inspection & Enforcement	100
Beverly Clark	Inspector	Inspection & Enforcement	100

#### **Bureau of Environmental Radiation Safety (LLRW, Decommissioning and Uranium Recovery)**

Name	Position	Area of Effort	FTE%
Adnan Khayyat	Bureau Chief – Environmental Radiation Safety	Administration	20
Kelly Horn	Environmental Management Section Head	Supervision	100
Kelly Grahn	W. Chicago On-Site Resident Inspector/LLRW License Reviewer	Inspection, Licensing, 274i Inspections	100
Michelle Rauworth	Laboratory Supervisor	Kerr McGee project Laboratory Analysis	50
Mike Klebe	Unit Supervisor	LLRW & Decommissioning Supervision	100

### Contractors

Consulting Co. Name	Area of Effort	FTE%
Hanson Engineers, Inc.	Engineering technical support for license review and evaluation and construction oversight of decommissioning activities at Tronox's W. Chicago facility.	Approximately 20 individuals totaling 4 FTE (FY09)

### Subcontractors

Company Name	Area of Effort
URS, Inc.	Health Physics
Intera, Inc.	Hydrology & Geotechnical
REM, LLC	Sampling & Verification Studies
Legal Services	Financial assurance arrangements for Tronox

4. Please provide a listing of all new professional personnel hired into your radioactive materials program since the last review, indicate the date of hire; the degree(s) they received, if applicable; additional training; and years of experience in health physics or other disciplines, as appropriate.

#### Radioactive Materials/SSD, LLRW and Uranium Recovery Programs

**Nathan Albrecht, B.S. Applied Health Science, MPH; 2010 – 2012 Graduate Public Service Intern with IEMA's Radon Program; Additional coursework includes University of Illinois Chicago's Radon Measurement course, American Lung Association's Radon Mitigation course and NRC courses. Date of hire was 2/12/2011.**

**Whitney Cox, B.S. Environmental Studies/Chemistry, MPH; 2010 – 2012 Graduate Public Service Intern with IEMA's Radon Program; Additional coursework includes University of Illinois Chicago's Radon Measurement course, American Lung Association's Radon Mitigation course and NRC courses. Date of hire was 2/12/2011.**

**Rob Harris, College classes in civil engineering and computer science. 17 years work experience in civil engineering including materials testing (nuclear density testing) and acceptance, project estimating, project management, project scheduling, false work calculations and costing of projects. Courses include AMRL (AASHTO Materials Reference Laboratory) testing program for Hot Mix Asphalt, Coarse Aggregate and Fine Aggregate, PSI/Troxler nuclear density training programs and NRC courses. Date of hire was 2/12/2011.**

**Beverly Clark, B.A. Management, A.S. Radiologic Technology; Radiologic Technology 2 year program; IEMA X-Ray inspector for 27 years; Nuclear medicine supervisor at Texas County Memorial Hospital for 2 years; numerous X-ray and nuclear medicine courses as CEUs and NRC courses.**

**Terry Lindley, B.S. Nuclear Medicine, M.S. Radiation Health Physics; Certified Nuclear Medicine Technologist (CNMT) by Nuclear Medicine Technology Certification Board (NMTCB); American Board of Health Physics Associate Member (passed part 1 exam); 6 years in nuclear pharmacy as a lab technician/supervisor; 3 years as health physicist in radiopharmaceutical industry; and, numerous NRC courses. Date of hire was 2/1/2010.**

5. Please list all professional staff who have not yet met the qualification requirements for a radioactive materials license reviewer or inspector. For each, list the courses or equivalent training/experience they need and a tentative schedule for completion of these requirements.

**Radioactive Materials/SSD**

<b>Terry Lindley:</b>	<b>H-313 Brachytherapy (March class cancelled)</b>
<b>Robert Harris:</b>	<b>S-201 Increased Controls (accepted for May 6, 2013 class) H-305 Industrial Radiography (February class cancelled. Applied for June 10, 2013 class)</b>
<b>Whitney Cox:</b>	<b>H-304 Nuclear Medicine (applied for August 5, 2013 class) H-313 Brachytherapy (applied for August 12, 2013 class) S-201 Increased Controls (accepted for May 6, 2013 class) H-201 Advanced HP (applied for September 16, 2013 class) H-314 Well Logging (applied for September 23, 2013 class) H-305 Industrial Radiography (applied for June 6, 2013 and October 21, 2013 classes)</b>
<b>Nathan Albrecht:</b>	<b>H-304 Nuclear Medicine (March class cancelled) H-313 Brachytherapy (March class cancelled) H-201 Advanced HP (applied for September 16, 2013 class) H-305 Industrial Radiography (February class cancelled. Applied for June 10, 2013 class)</b>
<b>Beverly Clark:</b>	<b>All NRC Courses completed. Needs to demonstrate further competence in the field in order for completion of training. As such, radiography, well logging, gamma knife and broad scope field work are still pending. Completion of training for radiography and well logging should be completed by the end of the calendar year.</b>

**LLRW and Uranium Recovery Programs**

**None**

6. Identify any changes to your qualification and training procedure that occurred during the review period.

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

**National Incident Management System Training IS series  
Peakeasy Gamma Spectroscopy Training  
Investigations, Special Surveys, and Source Recoveries**

7. Please identify the technical staff that left your radioactive materials program during the review period and indicate the date they left.

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

Steve Collins	Acting Materials Licensing Unit Supervisor	Materials Licensing Supervision	01/02/2011
Paul Eastvold	Bureau Chief – Radiation Safety	Administration	01/01/2013
Richard Hasty	Materials License Reviewer	Materials Licensing	05/01/2011
James Ewan	Materials License Reviewer	Materials Licensing	01/01/2012
George Merrihew	Inspector	Inspection & Enforcement	01/02/2011
Gary McCandless	Bureau Chief – Environmental Safety	Administration	05/31/2012
John Barcalow	LLRW License & Decommissioning	LLRW Licensing, Decommissioning, Financial Surety	01/01/2011
Marjorie Walle	Decommissioning Reviewer/Financial Assurance	LLRW Licensing, Decommissioning, Financial Surety	05/31/2012
Tim Runyon	Environmental Management Section Head	Supervisor, LLRW Decommissioning, Financial Surety	05/31/2012

8. List any vacant positions in your radioactive materials program, the length of time each position has been vacant, and a brief summary of efforts to fill the vacancy.

**Radioactive Materials/SSD**

Currently, we have 2 vacancies. One is a license reviewer/regulations position that has been vacant since January 1, 2012. The other is the Bureau Chief Position which has been vacant since January 1, 2013.

**LLRW and Uranium Recovery Programs**

None.

9. For Agreement States, does your program have an oversight board or committee which provides direction to the program and is composed of licensees and/or members of the public? If so, please describe the procedures used to avoid any potential conflict of interest.

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

Yes. Board members are required to complete a conflict of interest questionnaire for the Governor's office before they are appointed. Board members are also required to take annual ethics training and pass a test following such training. During the course of the training, board members are instructed to contact a Governor-appointed Ethics Officer if there is a perceived conflict of interest.

II. Status of Materials Inspection Program

10. Please identify individual licensees or categories of licensees the State is inspecting less frequently than called for in NRC's Inspection Manual Chapter (IMC) 2800 and explain the reason for the difference. The list only needs to include the following information: license category or licensee name and license number, your inspection interval, and rationale for the difference.

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

**The Agency inspects at frequencies at least as restrictive as IMC 2800. Table to be provided during on-site review.**

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.

**Radioactive Materials/SSD Program**

**Including reciprocity authorizations, 981 inspections of NRC priority 1, 2 or 3, or licenses were conducted for the period. Fifty-nine initial inspections were conducted for new licensees during the period. Table of inspections conducted in the review period to be provided during on-site review.**

**LLRW and Uranium Recovery Programs**

**For Tronox (Kerr-McGee), an LLRW inspector is located on site. For Chicago Magnesium, an inspector visits the site during cleanup activities when contractor is onsite.**

**LLRW participated extensively in auditing ADCO IL-01347-01 in 2010 through 2012 to assure that ADCO meets the requirements for financial assurance and does not hold waste longer than specified in their license. This included participation in an inspection in August 2010, June 2011, July 2011 and October 2011.**

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. At a minimum, the list should include the following information for each inspection that was conducted overdue during the review period:

- (1) Licensee Name
- (2) License Number
- (3) Priority (IMC 2800)
- (4) Last inspection date or license issuance date, if initial inspection
- (5) Date Due
- (6) Date Performed
- (7) Amount of Time Overdue
- (8) Date inspection findings issued

As a result of IEMA's heightened inspection frequency, it is rare that a licensee's inspection would fall into an overdue criteria. Two inspections were conducted overdue due to scheduling problems when measured against NRC priorities as follows:

Licensee Name	License Number	Priority	Last Inspec	Due	Performed	Days Overdue	Findings Issued	Site No.
Team Industrial Services	IL-01136-01	1	5/28/08	8/28/09	9/22/09	25	9/22/09	11
Mistras Group	IL-01225-221	1	7/23/08	10/23/09	11/6/09	14	11/6/09	9

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.

**None currently overdue.**

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.

**Reciprocity licenses are not issued for a fixed calendar year. As a result reporting the number that were candidates at a given time is not possible. However, 107 entities applied for and received reciprocity status over the entire period. A total of 84 field operation inspections were conducted for those licensees. Table of inspections to be provided during on-site review.**

### III. Technical Quality of Inspections

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

#### **Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

**The Section implemented the equivalent US NRC 591 form for clear inspections and inspections with minor items or few deficiencies. Responsibility for investigation of radiation monitor alarms at scrap yards and landfills has been transferred to the Bureau of Environmental Radiation Safety. Any alarms that can be attributed to a licensee's failure to follow procedures, license conditions or regulations are referred to the Radioactive Material Section for review/corrective action.**

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>
------------------	-------------------	-------------------------	-------------

#### **Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

**See Attachment 2.**

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?

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

No changes from previous reporting period. All radiological instruments are in calibration at this time with a sufficient number available at any given time. Those calibrations are performed either by the manufacturer or the Agency's certified calibration facility.

IV. **Technical Quality of Licensing Actions**

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

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

685 active specific licenses

49 active SSD registries plus 2 custom evaluations

14 manufacturers

LLRW Section currently reviews three licenses:

IL-01347-01	ADCO
STA-583	Tronox
IL-02251-01	Water Remediation Technologies

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.

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

IL-01034-02	Resurrection Medical Center	Renewal	07/20/2010
IL-01347-01	ADCO Services, Inc.	Renewal	01/31/2012
IL-01347-01	ADCO Services, Inc.	Renewal	10/26/2010
IL-01347-01	ADCO Services, Inc.	Renewal	10/31/2011
IL-01410-01	Decatur Memorial Hospital	Renewal	08/31/2010
IL-01418-01	Alexian Brothers Medical Center	Renewal	09/27/2010
IL-01478-01	AbbVie, Inc.	Renewal	06/04/2010
IL-01678-02	University of Chicago Medical Ctr.	Renewal	12/07/2010
IL-01766-03	Rush University Medical Center	Renewal	04/27/2012
IL-01768-01	Cook County Hospital	Renewal	01/31/2012
IL-01879-01	Northwestern University	Renewal	06/10/2011
	Office of Research Safety		
IL-01906-01	PETNET Solutions	Renewal	03/22/2011
IL-02062-01	Bard Brachytherapy, Inc.	Renewal	07/12/2011
IL-02074-01	IBA Molecular North America, Inc.	Renewal	03/29/2012
IL-01097-01	Michael Reese Medical Center	Termination/ Decomm	12/30/2009
IL-01123-01	Steris Isomedix (Morton Grove)	Termination	03/19/2012
IL-01347-01	ADCO Services, Inc.	Termination (ongoing)	
IL-01803-01	ICAL	Termination	06/21/2011
IL-01410-01	Decatur Memorial Hospital	New PET Cyclotron	02/05/2013
	Global Isotopes IL-02444-01		
IL-01721-03	Cardinal Health 414, LLC	New PET Cyclotron	04/12/2012
IL-02392-01	Chicago ProCure Management, LLC	New Proton Facility	01/26/2010
IL-01165-01	Children's Hospital	Decomm irrads/bldg	06/01/2011



IL-01209-01	General Dynamics	Decomm test tunnel	11/09/2009
IL-01693-01	University of Chicago	Decomm	04/05/2010
IL-01077-01	Chicago Magnesium Casting Co.		

Ongoing decommissioning work has been done in phases in order to help the company obtain the financing for the cleanup. Extensive ground contamination needed to be removed because they buried material onsite during the 1960's and 1970's. An alternate disposal option was approved under 32 IAC 340.1020 in 2008 in three disposal campaigns, most recently in 2011. A dose based release criteria, based in 32 IAC 330.325 (25 mrem/year) was approved in December of 2010 and was utilized to complete the balance of the remediation in 2011. An additional ALARA criterion was imposed in the areas they opened for remediation under office and production buildings. Office buildings were required to be indistinguishable from background. Decommissioning is essentially complete and IEMA is waiting for the licensee's decommissioning contractor to submit the Final Status Survey report prior to license termination.

STA-583 Tronox LLC

Filed for Bankruptcy protection in February of 2009. The licensee operated in a maintenance basis during 2010. Site activities include:

- Financial surety instruments have funded an Environmental Trust beginning in 2011. The license was transferred to the Trustee (Weston Solutions) in February 2011 (Amendment 75) and renewed in February 2012 (Amendment 76) and modified to allow the staging of overburden from an offsite superfund project on the licensed site (Amendment 77) in September of 2012.
- An amendment request to resume onsite remediation activities is pending and will be issued as Amendment 78.
- During this time, the related Superfund activities for the Kress Creek site have been completed and the restored areas are in a maintenance and monitoring mode. A single related residential remediation will be completed in 2013.
- A pilot study began in 2012 and will be completed in 2013 to evaluate grouting as an alternative for GW remediation

9152075	Grace Performance Chemicals	Bankruptcy	4/202001
STA-583	Tronox LLC	Bankruptcy	1/14/2009
IL-1828-01	H. H. Holmes Testing Laboratories	Bankruptcy	1/3/2011
IL-2318-01	American Diagnostic Medicine	Bankruptcy	2/15/2011
IL-1473-01	Associated Engineering & Technology, Inc.	Bankruptcy	6/7/2011
9223790	American Airlines Cargo	Bankruptcy	11/29/2011
IL-01523-01	Dynegy Midwest Generation, Inc.	Bankruptcy	7/16/2012
9223655	Midwest Generation EME, LLC.	Bankruptcy	12/17/12

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

**Radioactive Materials/SSD**

**Measurement of fixed length applicator tubes and transfer tubes for a High Dose Rate Afterloader in accordance with 32 Ill. Adm. Code 335.8160(b) (4) & (6)” (April 1, 2011)**

**LLRW and Uranium Recovery Programs**

**None**

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

**Radioactive Materials/SSD**

**See Attachment 3 for Policy Memoranda issued since the last IMPEP. In addition we have issued:**

- **New guidance document to parallel NRC instructional set “Instructions for Preparing Applications for Radioactive Material Licenses Authorizing the Use of Sealed Sources in Portable Devices.”**
- **New Medical Training/Preceptor forms to parallel NRC preceptor forms for medical use.**
- **Mass email capability developed so all specific and general licensees can receive information notices or emergency information.**
- **Email address created so that licensees can submit minor amendments electronically.**
- **Self-inspection for SSD QA/QC plans.**
- **Standardized language for medical licenses implemented.**
- **Allowance for on-line courses for portable gauge licensees.**
- **New form for review of requests for one time disposal of sources.**
- **New guidelines for use of I-131 at clinics.**
- **New microsphere guidance to include Interventional Radiologists (Rev. 6).**
- **Monitoring NRC/IDPR websites to identify entities/users that have had licenses revoked or suspended.**
- **Tightened screening for those people authorized to speak and act on behalf of licensee. Including use of background questionnaire.**
- **Proactive outreach to licensees in cases of terrorism, earthquakes, floods, explosions, etc.**
- **All staff trained under Federal NIMS Incident Management Program**
- **Adoption of Safety Culture paradigm**

### LLRW and Uranium Recovery Programs

Financial Assurance Requirements, Part 326 was revised to incorporate revisions regarding sealed sources activity limits and clarify exemptions allowed. "Guidance Document on Financial Assurance" Revision 2 was issued January 2007 and is currently under review for updates. There are 62 active general and specific licensee that have posted financial assurance arrangements and these licensee are being monitored.

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.

### For Radioactive Materials/SSD

Entire licensing staff transitioned in 2010-2011. Also, a hiring policy change was implemented where license reviewers would start as HP technicians resulting in additional training delays for complex actions. Staff has been attending the NRC core courses as expediently as possible.

Several staffers have had applications for the NRC medical courses and advanced health physics courses denied. The action plan is to have staff complete these so that these actions can be independently completed by new staff.

### Renewals

IL-01248-02 NorthShore University Medical Park - No health and safety issues exist. Renewal has been reviewed and a letter to the licensee will be forthcoming. The Radiation Safety Officer is preparing to retire this year.

IL-01764-01 High Technology Medical Park - No health and safety issues exist. This file has not been reviewed due to a shortage of available and trained staff who can review this license.

IL-01693-01 University of Chicago - No health and safety issues exist. This file has not been reviewed due to a shortage of available and trained staff who can review this license.

IL-01224-02 Advocate Illinois Masonic Medical Center - No health and safety issues exist. This renewal will require one more round of interrogatories and it is nearing completion.

IL-01773-01 Northern Illinois University - No health and safety issues exist. This file is under review and a deficiency letter is forthcoming.

IL-01480-02 Rosalind Franklin University of Medicine & Science - No health and safety issues exist. This file has not been reviewed due to a shortage of available and trained staff who can review this license.

IL-01780-01 R.M. Wester & Associates - No health and safety issues exist. This file has not been reviewed due to a shortage of available and trained staff who can review this license.

**LLRW and Uranium Recovery Programs**

**None**

V. **Technical Quality of Incident and Allegation Activities**

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 format:

Licensee Name   License #                      Date of Incident/Report                      Type of Incident

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

**None to report. All incidents have been reported to the US NRC.**

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

**Radioactive Materials/SSD, LLRW and Uranium Recovery Programs**

**See item 15 above regarding response to scrap yard and landfill radiation monitor alarms.**

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.

**20 ILCS 3305/ Illinois Emergency Management Agency Act**

**20 ILCS 3310/ Nuclear Safety Law of 2004.**

**FREEDOM OF INFORMATION ACT [5 ILCS 140/1 - 140/11] - amended**

**ILLINOIS ADMINISTRATIVE PROCEDURE ACT [5 ILCS 100/1-1 - 15-100] - amended**

**Radioactive Waste Storage Act [420 ILCS 35]**

**Radiation Protection Act of 1990 [420 ILCS 40] - amended**

**Uranium and Thorium Mill Tailings Control Act [420 ILCS 42] - amended**

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

**Public Act 91-752 which was effective June 1, 2005, extended the sunset date for the Radiation Protection Act of 1990 until January 1, 2021.**

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.

Illinois adopted the regulations for RATS 2007-2 on June 2, 2011. NRC subsequently had 2 comments on smoke detector language. These were corrected and sent to NRC for review on June 21, 2012 and approved on August 7, 2012. This is currently out as a notice for comment by stakeholders in the Illinois Register as of March 1, 2013.

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.

When a rulemaking is contemplated, a description of the proposed rule is submitted to the Illinois Secretary of State Index Unit to be listed on the semiannual Regulatory Agenda. The Regulatory Agenda is published in the Illinois Register and allows the Agency to obtain comments from the public prior to proposing rulemaking.

Agency staff drafts the rule, taking into account NRC's rule, comments previously submitted to the NRC, any CRCPD language available, and comments on that section of the rule previously identified as needing to be fixed. After drafting, rules are typically provided to staff for internal review and comment. Writing a rule can take anywhere from a couple of weeks to several months, depending upon the number of changes to be made and the number of comments received. The draft rules are subsequently submitted to the Director's Office and the Governor's office for approval prior to 1<sup>st</sup> Notice. Once all approvals are obtained and comments incorporated, the proposed rule is submitted for 1<sup>st</sup> Notice to the Joint Committee on Administrative Rules (JCAR), a bipartisan committee consisting of legislators from the State House of Representatives and the Senate. First Notice is a 45 day public comment period that begins on the day the proposed rule is published in the Illinois Register. The public may submit comments on the proposed rule to the Agency and the Agency will respond to the public comments in its 2<sup>nd</sup> Notice filings with JCAR. The 2<sup>nd</sup> Notice period for normal\* rulemakings is 45 days. The Agency must answer all questions posed by JCAR staff (both in 1<sup>st</sup> & 2<sup>nd</sup> Notice) during 2<sup>nd</sup> Notice. JCAR may request that the Agency modify or clarify the language of the proposed rulemaking if JCAR determines the Agency does not have statutory authority, language is inappropriate or ambiguous. This is also the time to work out any problems that might have arisen since the rulemaking was first proposed. At the end of the 2<sup>nd</sup> Notice period, a hearing is held before JCAR in which they may ask additional questions of the Agency. After the hearing is held, unless JCAR issues an objection to the rulemaking, the Agency may file for adoption.\*For identical in substance rulemakings or those rulemakings necessary to implement, secure, or maintain federal authorization for a program (i.e., Compatibility Levels A & B), the Agency may adopt the verbatim text of laws, regulations, or orders as necessary and appropriate for authorization or maintenance of the program. For identical in substance rulemakings, the Agency shall publish 1<sup>st</sup> Notice of the rulemaking in the Illinois Register to provide public notice and opportunity for public comment; specifically refer to the appropriate federal laws, regulations, or orders; and follow the format reasonably prescribed by the Secretary of State by rule. These rulemakings become effective following the 45 day 1<sup>st</sup> Notice period immediately upon filing for adoption with the Secretary of State or at a date required or authorized by the relevant federal laws, regulations, or orders as stated in the notice of the rulemaking, and shall be published in the Illinois Register.

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

29. Prepare a table listing new and amended (including transfers to inactive status) SS&D registrations of sources and devices issued during the review period. The table heading should be:

<u>SS&amp;D Registry Number</u>	<u>Manufacturer, Distributor or Custom User</u>	<u>Product Type or Use</u>	<u>Date Issued</u>	<u>Type of Action</u>
---	---	--------------------------------	------------------------	---------------------------

**To be provided during on-site review.**

30. Please include information on the following questions in Section A, as they apply to the SS&D Program:

Technical Staffing and Training – **See Questions 2-9**  
Technical Quality of Licensing Actions – **See Questions 18-22**  
Technical Quality of Incident and Allegation Activities – **See Questions 23-24**

III. Low-level Radioactive Waste Disposal Program

31. Please include information on the following questions in Section A, as they apply to the Low-Level Radioactive Waste Disposal Program:

Technical Staffing and Training – **See Questions 2-9**  
Status of Materials Inspection Program – **See Questions 10-14**  
Technical Quality of Inspections – **See Questions 15-17**  
Technical Quality of Licensing Actions – **See Questions 18-22**  
Technical Quality of Incident and Allegation Activities – **See Questions 23-24**

IV. Uranium Recovery Program

32. Please include information on the following questions in Section A, as they apply to the Uranium Recovery Program:

Technical Staffing and Training – **See Questions 2-9**  
Status of Materials Inspection Program – **See Questions 10-14**  
Technical Quality of Inspections – **See Questions 15-17**  
Technical Quality of Licensing Actions – **See Questions 18-22**  
Technical Quality of Incident and Allegation Activities – **See Questions 23-24**

# ATTACHMENT 2

License #	Site #	Insp. Date	Inspectors	Suprv	Lic Cat
86-01037-02	1	7/24/2009	WMH	ASG	Broadscope Medical
86-01037-02	2	7/24/2009	WMH	ASG	
86-01037-02	3	7/24/2009	WMH	ASG	
86-01037-02	5	7/24/2009	WMH	ASG	
86-01037-02	2	7/24/2009	WMH	ASG	
86-01037-02	5	7/24/2009	WMH	ASG	
86-01355-01	2	10/16/2009	RDH	CGV	Manufacturing
86-01178-01	13	11/16/2009	RGM	ASG	Port Gauge
86-02092-01	2	11/23/2009	JBK	ASG	Vet Therapy
86-02386-01	1	12/8/2009	JDP	ASG	Manufacturing
86-02178-01	2	1/15/2010	WMH	ASG	HDR/Gamma Knife
86-02178-01	2	1/15/2010	WMH	ASG	
86-01271-01	1	2/11/2010	GEM,RDH	DMP	Broadscope Academic
86-01472-01	1	2/23/2010	RDH	CGV	Port Gauge
86-01875-01	1	4/12/2010	WMH	ASG	Radiography
86-01875-01	1	4/12/2010	WMH	ASG	
86-01695-01	1	7/16/2010	RGM	ASG	Broadscope Academic
86-01248-02	8	9/29/2010	RGM	ASG	Broadscope Medical
86-01248-02	1	9/29/2010	RGM	ASG	
86-01248-02	2	9/29/2010	RGM	ASG	
86-01248-02	3	9/29/2010	RGM	ASG	
86-01248-02	9	9/29/2010	RGM	ASG	
86-01248-02	6	9/29/2010	RGM	ASG	
86-01248-02	7	9/29/2010	RGM	ASG	
86-01248-02	10	9/29/2010	RGM	ASG	
86-01248-02	1	10/1/2010	RGM	ASG	
86-01225-22	9	1/13/2011	SMK	DMP	Radiography
86-01225-22	9	1/13/2011	SMK	DMP	
86-02080-01	2	2/10/2011	RDH	DMP	Medical Non-WD
77-00167-01	99	4/28/2011	SMK	DMP	Reciprocity - Service
86-01271-01	1	5/5/2011	SMK	DMP	Broadscope Academic
86-01096-01	2	6/24/2011	TWL	CGV	GC
86-02425-01	1	6/24/2011	TWL	CGV	Port Gauge
86-01921-01	1	6/28/2011	TWL	CGV	Port Gauge
86-02020-01	1	6/28/2011	TWL	CGV	Well Logging
86-02355-01	1	7/7/2011	BSC	DMP	Port Gauge
86-01938-01	1	8/4/2011	TWL	CGV	Port Gauge
86-01291-22	1	8/10/2011	JBK	ASG	Medical Non-WD
86-01721-01	5	9/28/2011	TWL	DMP	Nuclear Pharmacy
86-02419-01	1	10/31/2011	BSC	DMP	Port Gauge
86-01965-01	1	1/27/2012	JDP	ASG	Medical Non-WD
86-01403-01	1	2/9/2012	RGM	ASG	HDR/Gamma Knife
86-01654-01	1	3/2/2012	WMH	ASG	Service
86-01237-01	1	3/14/2012	BSC	DMP	Medical Non-WD
86-01762-01	1	3/21/2012	BSC	DMP	Medical
86-01046-01	1	3/29/2012	BSC	DMP	Medical
86-01362-01	1	4/4/2012	BSC	DMP	Medical
86-01362-01	2	4/5/2012	BSC	DMP	
86-02266-01	1	4/10/2012	BSC,RCH	DMP	Medical Non-WD
86-01834-01	1	6/27/2012	BSC	DMP	Medical
86-01593-01	1	7/10/2012	BSC	DMP	Medical

86-01271-01	1	7/17/2012	BSC,NIA, SMK	DMP	Broadscope Academic
86-01668-01	1	9/20/2012	BSC,WMH	DMP	Broadscope Academic
86-02204-01	17	10/31/2012	JDP	ASG	Mobile Nuc Med
86-02204-01	29	10/31/2012	JDP	ASG	
86-01204-01	1	11/13/2012	BSC	DMP	HDR/Gamma Knife
86-01409-01	1	11/28/2012	BSC	DMP	HDR/Gamma Knife
86-01409-01	2	11/28/2012	BSC	DMP	
86-01444-22	1	12/10/2012	RGM	ASG	Fixed Gauge
86-02127-01	1	12/13/2012	JBK	ASG	Port Gauge
86-01721-01	5	1/16/2013	BSC	DMP	Nuclear Pharmacy
86-02394-01	2	1/31/2013	BSC	DMP	Manufacturing
86-02394-01	1	1/31/2013	BSC	DMP	



**ACTIVE MEMORANDA/POLICY INDEX**

1. Memo to RAM Staff regarding Frequency of Inspections. (January 5, 2005)
2. Memo to Licensing Staff - Update, Procedures/Responsibilities for Processing Licensing Actions. (February 15, 2005)
3. Memo to RAM Staff regarding Increased Controls. (September 20, 2005)
4. Memo to RAM Staff regarding Controls Condition. (October 7, 2005)
5. Memo to RAM Staff regarding Controls Condition. (October 19, 2005)
6. Memo to RAM Staff regarding Security Review for All Actions. (April 28, 2006)
7. Memo to Technical Staff regarding Policy Concerning Increased Controls Inspection Prioritization. (May 18, 2006)
8. Memo to RAM Staff regarding Security Checklist/Background Checks. (August 1, 2007)
9. Memo to RAM Staff regarding Security Checklist/Background Checks. (February 11, 2008)
10. Memo to RAM Staff regarding Increased Controls Requirements. (March 28, 2008)
11. E-mail to RAM Staff regarding Non-Collocation Condition. (May 6, 2008)
12. E-mail to RAM Staff regarding Security Related Information, NRC Information Notice 2008-03. (July 16, 2008)
13. Memo to RAM Staff regarding Fingerprint Reminder Letter. (September 10, 2008)
14. Memo to RAM Staff regarding Specialty Board(s) Certification Recognized by NRC Under 10 CFR Part 35. (September 19, 2008)
15. Memo to RAM Staff regarding Acting Unit Head. (October 16, 2008)

16. Memo to RAM Staff regarding Technical Request Form. (December 1, 2008)
17. Memo to RAM Staff regarding Steve Collins as Acting Licensing Unit Supervisor. (January 14, 2009)
18. Memo to RAM Staff regarding Security Checklist/Background Checks. (March 13, 2009)
19. Memo to Gibb Vinson (distributed to RAM staff) regarding Revisions to Standard Conditions. (March 25, 2009)
20. Memo to RAM Staff regarding Fingerprinting & FBI Identification & Criminal History Record Checks. (April 2, 2009)
21. Memo to RAM Staff regarding Compliance with National Source Tracking System (NSTS) Requirements. (July 14, 2009)
22. Memo to RAM Staff regarding Prohibition on Unlimited Possession Limits on Radioactive Materials Licenses. (August 6, 2010)
23. Memo to Joe Klinger regarding exemption granting Resurrection Medical Center partial relief from 32 Ill. Adm. Code 335.8160(b)(6) for the measurement of HDR applicator tubes used in conjunction with the Nucletron MicroSelectron HDR Classic. (April 1, 2011)
24. Memo to RAM Staff regarding Mary Burkhart named as Supervisor of Radioactive Materials Licensing. (April 26, 2011)
25. Memo to RAM Licensing Staff regarding IC Security Checklist and On-Site Security Inspections. (July 25, 2011)
26. Memo to RAM Licensing staff regarding Additional Licensing Condition. (November 3, 2011)
27. Memo to BRS & BES Technical Staff regarding Shift in Duties for Incident Response. (December 21, 2011).
28. Management Control Policy – Effective April 1, 2012.

29. Memo to Gibb Vinson regarding Permit 29/Combined BRS Materials Use. (May 30, 2012.)
30. Memo to Policy Manual regarding Protection Requirements for Safeguards Information-Modified. (November 1, 2012)
31. Memo to Policy Manual regarding Need-To-Know List for access to Safeguards Information-Modified. (November 14, 2012)
32. Memo to Materials Licensing Staff, Kessinger and Perrero regarding new form to document one time disposal of sealed sources. (December 27, 2012)
33. Email to RAM staff regarding Safety Culture Polity Statement. (Jan 7, 2013)

(g:\office\lists\actmem.ind2009)