

July 17, 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

James P. Biggins, Deputy Assistant General Counsel  
for Reactor and Materials Rulemaking  
Office of the General Counsel

Brian E. Holian, Deputy Director  
Office of Federal and State Materials  
and Environmental Management Programs

William M. Dean, Regional Administrator  
Region I

FROM: Michelle R. Beardsley, Health Physicist **/RA/**  
Division of Materials Safety and State Agreements  
Office of Federal and State Materials  
and Environmental Management Programs

SUBJECT: MINUTES: JULY 8, 2013 ILLINOIS  
MANAGEMENT REVIEW BOARD (MRB) MEETING

Enclosed are the minutes of the MRB meeting held on July 8, 2013. If you have comments or questions, please contact me at (610) 337-6942.

Enclosure: Cover Page and Minutes of the  
Management Review Board Meeting

cc w/encl.: Joseph G. Klinger, Assistant Director  
Illinois Emergency Management Agency

Jennifer Opila, Colorado  
Organization of Agreement States  
Liaison to the MRB

## Management Review Board Members

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<b>OFFICE</b>	FSME/MSSA	FSME/MSSA
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<b>DATE</b>	07/17/13	07/17/13

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## MINUTES: MANAGEMENT REVIEW BOARD MEETING OF JULY 8, 2013

The attendees were as follows:

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

Michael Weber, MRB Chair, DEDMRT  
Brian Holian, MRB Member, FSME  
James Biggins, MRB Member, OGC  
Maria Arribas Colon, Team Member, FSME

Janine Katanic, FSME  
Lisa Dimmick, FSME  
Jack Foster, OEDO

### By telephone:

Cynthia Pederson, RIII  
Donna Janda, Team Leader, RI  
Anne Boland, RIII  
Vanessa Danese, Team Member, TX  
Michelle Beardsley, FSME  
Jennifer Opila, MRB Member, CO

Pamela Henderson, FSME  
James Lynch, Team Member, RIII  
James Jarvis, Team Member, CO  
Roberto Torres, RIV  
Latischa Hansen, RIV

1. **Convention.** Ms. Lisa Dimmick convened the meeting at 2:05 p.m. (ET). She noted that this Management Review Board (MRB) meeting was open to the public; however, no members of the public participated in this meeting. Ms. Dimmick then transferred the lead to Mr. Michael Weber, Chair of the MRB. Introductions of the attendees were conducted.
2. **Illinois IMPEP Review.** Ms. Donna Janda, Team Leader, led the presentation of the Illinois Integrated Materials Performance Evaluation Program (IMPEP) review results to the MRB. She summarized the review and the team's findings for the eight indicators reviewed. The on-site review was conducted by a review team composed of technical staff members from the NRC and the States of Colorado and Texas during the period of April 22–26, 2013. Prior to the onsite review, the team conducted inspection accompaniments of four inspectors. A draft report was issued to the State for factual comment on May 21, 2013. The State responded to the review team's findings by email dated May 30, 2013. The last IMPEP review for Illinois was conducted in May 2009. Ms. Janda noted that the recommendation made during the previous IMPEP has been closed by this review team.

**Common Performance Indicators.** Ms. Donna Janda presented the findings regarding the common performance indicator, *Technical Staffing and Training*. Her presentation corresponded to Section 3.1 of the proposed final IMPEP report. The review team found that the State currently had two positions vacant in the Radioactive Materials Section (RAM) including the Bureau Chief position. She further noted that the State had experienced significant turnover during the review period with five staff leaving the RAM section (including the Bureau Chief, Acting Materials Licensing Supervisor, and three technical staff); and four license reviewers and one inspector were hired into the RAM program. She reported that all of the license reviewers and the new inspector are in various stages of the qualification process. Ms. Janda stated that the Bureau of Environmental Safety experienced some turnover during the review period as well; but all positions were filled and the Bureau was operating at full staff at the time of the review.

She noted that there were no backlogs in licensing or inspections as the managers performed these functions as needed. The MRB questioned the State on any progress to date in filling the vacant positions. The State reported that the license reviewer/regulation position will not likely be approved to be filled due to budget constraints; and that the Bureau Chief position had been filled since the IMPEP.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

Ms. Maria Arribas Colon presented the findings regarding the common performance indicator, *Status of Materials Inspection Program*. Her presentation corresponded to Section 3.2 of the proposed final IMPEP report. Ms. Colon reported that the team found that the State conducted 3 out of 655 Priority 1, 2 and 3 inspections overdue, and none of the 21 initial inspections overdue. Overall, this resulted in less than 1 percent of inspections being performed overdue during the review period. The review team found that the State issued 1 out of 48 inspection reports beyond the RAM section's goal of 30 days after the inspection (i.e., 12 days). She further noted that the State exceeded the NRC's criteria of inspecting 20 percent of candidate licensees operating under reciprocity in each of the four years covered by the review period.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

Ms. Vanessa Danese presented the findings regarding the common performance indicator, *Technical Quality of Inspections*. Her presentation corresponded to Section 3.3 of the proposed final IMPEP report. She noted that the team found through the inspector accompaniments and examination of casework review, that inspectors were thorough, professional and addressed all health, safety and security issues. She noted that inspection documentation was complete and comprehensive and of high quality. Ms. Danese stated that the State's inspection procedures are consistent with the inspection guidance in Inspection Manual Chapter 2800.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

Ms. Donna Janda presented the findings regarding the common performance indicator, *Technical Quality of Licensing Actions*. Her presentation corresponded to Section 3.4 of the proposed final IMPEP report. Ms. Janda reported that the team's review revealed that licensing actions were of high quality, thorough, complete with health and safety and security issues properly addressed. The team noted that the Program's process of having every licensing action reviewed and signed by a supervisor ensured that, even with four new license reviewers, the licensing actions were of high quality.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

Mr. Jim Lynch presented the findings regarding the common performance indicator, *Technical Quality of Incident and Allegation Activities*. His presentation corresponded to Section 3.5 of the proposed final IMPEP report. Mr. Lynch reported that the review team found the State's responses to incidents and allegations to be complete and comprehensive. He noted that the State receives approximately 75-100 incidents annually of which 75% involve radiation monitor trips at landfills and scrapyards; and further noted that the State responds to all of these with an onsite visit. The MRB commended the State for their diligence in responding to these monitor trips and questioned them as to the risks they have identified with these events. The State reported that some of the more significant findings have been in cases where orphaned sources were identified as the cause of the trip, and the State was able to enter them into the Nuclear Materials Event Database for future tracking. The MRB concluded that more discussion is needed on this subject, and directed FSME staff to research this for discussion at the upcoming Organization of Agreement States meeting in August 2013.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

3. **Non-Common Performance Indicators.** Mr. Jim Lynch presented the findings regarding the non-common performance indicator, *Compatibility Requirements*. His presentation corresponded to Section 4.1 of the proposed final IMPEP report. Mr. Lynch noted that during the review period, Illinois submitted two packages covering six regulation amendments since the last IMPEP review and is up to date on all NRC regulatory amendments currently required for compatibility. The MRB commended the State on its improved performance in this area as they had been found unsatisfactory for this indicator in the 2005 IMPEP review.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

Mr. James Jarvis presented the findings regarding the non-common performance indicator, *Sealed Source and Device (SS&D) Evaluation Program*. His presentation corresponded to Section 4.2 of the proposed final IMPEP report. Mr. Jarvis noted that during the review period the State processed 19 SS&D actions, 9 inactivations, 9 amendments and 1 new application; 6 of these actions were reviewed by the team. He noted that all of the SS&D evaluations were found to be based on sound conservative assumptions and good health physics practices to ensure that public health and safety was adequately protected.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

Mr. James Jarvis presented the findings regarding the non-common performance indicator, *Uranium Recovery Program*. His presentation corresponded to Section 4.4 of the proposed final IMPEP report. Mr. Jarvis noted that the Bureau of Environmental Radiation Safety (BERS) administers the State's uranium recovery program. He stated that at the time of the review, the BERS regulated one uranium recovery license which is in the process of decommissioning. Mr. Jarvis reported that since the last IMPEP review four individuals left the BERS including the Bureau Chief and staff from the Low Level Radioactive Waste and Decommissioning Unit; however all positions had been filled at the time of this review. He further noted that the team's review of staffing/training, inspection, licensing actions and incident/allegation activities revealed that the State's uranium recovery program is adequate to perform its duties. The MRB questioned the statement in the report that the BERS does not issue formal inspection reports but uses email and phone records. The State responded that during site decommissioning activities, they perform ongoing, continuous site assessments not conducive to a final inspection report; however, they agreed that a formal report issued on a periodic basis summarizing inspection activities would be appropriate and beneficial to the Program. The MRB requested that the team provide further clarifications to the report regarding this issue; and also regarding the State's training program responsibilities across all of the Bureaus.

The review team found Illinois' performance with respect to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Illinois' performance met the criteria for a "satisfactory" rating for this indicator.

4. **MRB Consultation/Comments on Issuance of Report.** The MRB found the Illinois Agreement State Program adequate to protect public health and safety, and compatible with NRC's program. Based on the results of the current IMPEP review, the MRB agreed that the next IMPEP review of the Illinois Agreement State Program should take place in approximately five years.
5. **Precedents/Lessons Learned.** The MRB established no new precedents during this meeting
6. **Adjournment.** The meeting was adjourned at approximately 3:04 p.m. (ET)