

NEW HAMPSHIRE DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)
CONFERENCE CALL
April 12, 2013

NRC Participants	New Hampshire DHHS Participants
Donna Janda, RSAO, Region I	Michael Dumond, Administrator, Bureau of Public Health Protection
Raymond Lorson, Director, DNMS, Region I	Augustinus Ong, Administrator, Radiological Health Section
Lisa Dimmick, Health Physicist, FSME	Twila Kenna, Manager, Radioactive Materials Program
Michelle Beardsley, Health Physicist, FSME	Sandra Ordway, Records Control Clerk, Radiological Health Section

SUMMARY

During the October 2012 Integrated Materials Performance Evaluation Program (IMPEP) review of the New Hampshire Agreement State Program (Program), the review team found the State's performance satisfactory for five performance indicators and unsatisfactory for one performance indicator, Compatibility Requirements. No new recommendations were made by the IMPEP review team regarding program performance; however, the review team determined that the recommendation from the 2008 IMPEP review, regarding the development and implementation of an action plan to adopt NRC regulations in accordance with the current NRC policy, should be kept open.

On December 18, 2012, the Management Review Board (MRB) met to consider the proposed final IMPEP report on the Program. The MRB found the Program adequate to protect public health and safety and not compatible with the NRC's program. The MRB directed NRC staff to initiate a period of Monitoring, and requested that calls between the New Hampshire DHHS and NRC staffs be conducted every four months, and that a Periodic Meeting take place in approximately October 2014. This is the first conference call with DHHS since the December 2012 MRB meeting. In a letter dated January 29, 2013, DHHS provided their response to the IMPEP findings and submitted the State's action plan to adopt regulations in accordance with NRC's policy on adequacy and compatibility (ML13044A096). NRC acknowledged DHHS's response and action plan in a letter dated February 28, 2013 (ML13058A105).

The following is a status summary of the one recommendation that remained open from the 2008 IMPEP review:

Recommendation: The review team recommends that the State develop and implement an action plan to adopt NRC regulations in accordance with the current NRC policy on adequacy and compatibility.

Status: Prior to the submission of their action plan to adopt NRC regulations, New Hampshire submitted proposed revisions to their regulations incorporating the 10 CFR Part 35 provisions of RATS IDs 1997-3, 2002-2, 2005-2, 2006-1, 2007-1, 2007-3, and 2009-1 to NRC on December 5, 2012. NRC provided comments to New Hampshire on these proposed regulations in a letter dated March 28, 2013. The State submitted their action plan to NRC on January 29, 2013.

DISCUSSION OF PROGRAM STATUS

Technical Staffing and Training

Since the 2012 IMPEP review, the vacant Radiation Health Physicist III position, which will be split between mammography and regulation development, has been posted externally. The part-time word processing position was filled in late 2012. The Radiological Emergency Response Program Manager position was vacant at the time of this call. The Radiological Health Section Administrator currently is responsible for these emergency response duties until the position is filled.

Program management continues to support staff training. The Program continues to move forward with staff qualifications in licensing and inspection activities.

Status of the Materials Inspection Program

The Program reported that there have been no inspections completed overdue since the 2012 IMPEP review. The Program continues to focus on completing and documenting inspections within the required timeframe.

Technical Quality of Inspections

As part of a Department initiative, a quality improvement plan for the Program is being implemented. The Program staff meets twice per month with management to discuss process improvements such as implementation of deadlines for inspection-related documents.

All supervisory accompaniments for all inspectors have been scheduled for this calendar year. The Section Manager will perform the accompaniments for the technical staff. The Program Administrator stated that he plans to conduct future inspection accompaniments after he has completed the NRC Inspection Procedures course.

Technical Quality of Licensing

The program currently has no backlog in licensing actions. The Program staff is reviewing every step of the licensing program as part of the new quality assurance process.

Technical Quality of Incident and Allegation Activities

The Section Manager noted that the Program has been coordinating efforts with the U.S. Environmental Protection Agency for an incident involving cleanup/disposal of radioluminescent markers which had been buried on a private property. In order to capture lessons learned from this event and to better understand roles and responsibilities of the various Federal and State agencies involved in the process, the Program plans to hold an after action meeting once the cleanup and disposal activities are completed.

Compatibility Requirements

As stated previously, NH submitted proposed revisions to their regulations incorporating the 10 CFR Part 35 provisions of several NRC amendments. In addition, NH submitted an action plan to address the recommendation left open from the 2008 IMPEP review. The Radiological Health Section formed a Rulemaking Committee which developed the action plan and

established milestones to monitor the State's progress in the adoption of overdue regulations. NH has 10 overdue amendments which are being tracked in the State's action plan. The State's current goal is to address the 10 overdue amendments by November 2013.

Sealed Source and Device (SS&D) Evaluation Program

The State has had no new actions since the 2012 IMPEP review. One staff member plans to attend SS&D training when it is held in 2014.

Conclusion

New Hampshire has shown progress in addressing their overdue regulations. The Program has posted a position which will provide 0.5 FTE for regulation development. The Program has no overdue inspections and no backlog in licensing actions.

The next conference call to discuss the status of New Hampshire's radioactive materials program will be conducted in August 2013.