



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 E LAMAR BLVD
ARLINGTON, TX 76011-4511**

October 21, 2014

**MONITORING CALL SUMMARY FOR THE
NORTH DAKOTA RADIATION CONTROL PROGRAM
SEPTEMBER 29, 2014**

NRC Attendees	North Dakota Attendees
Kevin Williams, Acting Deputy Director, DNMS, Region IV	Terry O'Clair, Director, Division of Air Quality
Binesh Tharakan, RSAO, Region IV	Dale Patrick, Program Manager, Radiation Control Program
Lisa Dimmick, FSME	David Stradinger, Environmental Scientist, Radiation Control Program
	Karen Deibert, Environmental Scientist, Radiation Control Program
	Brooke Olson, Environmental Scientist, Radiation Control Program
	Allan Knapp, Environmental Scientist, Radiation Control Program

Background:

Following the April 2013 IMPEP review, the Management Review Board (MRB) directed the period of Heightened Oversight be discontinued for the North Dakota Program (the Program) and that Monitoring be implemented. Monitoring is less formal oversight by the NRC, but requires regular communication between the Program and NRC staff through quarterly conference calls. The purpose of the conference calls is to review the Program's progress towards implementing recommendations made by the IMPEP review team as well as to discuss the status of the IMPEP indicators and changes that could impact the Program's performance. There was one open recommendation from the 2011 IMPEP review, and one new recommendation identified during the 2013 IMPEP review.

The 2011 recommendation involves in part, that the State update their existing procedures and develop new procedures as necessary to document the policies and procedures of the North Dakota Program; and, to examine options to retain staff and develop staffing depth within the Program. The 2013 recommendation involves in part, that the State develop and implement a plan to ensure staff are trained and fully qualified to be able to perform each type of inspection performed within the State.

The first Monitoring call was held on October 22, 2013, and the second Monitoring call was held on January 22, 2014. A Periodic Meeting was held with the Program in the State office on June 25, 2014. Summaries of the two previous Monitoring calls and the Periodic Meeting can be found in NRC's ADAMS using accession numbers ML13311B301, ML14037A131, and ML14199A041, respectively. The most recent Monitoring call was held with the Program on September 29, 2014, with the participants listed above.

September 29, 2014, status:

The first open recommendation from Section 2.1 of the 2011 IMPEP report, states, "The review team recommends that the State (1) update its existing procedures and develop new procedures as necessary, to memorialize the policies and practices of the Agreement State Program, to serve as a knowledge management tool, and (2) examine options to increase staff retention and/or develop sufficient depth in staffing to effectively implement the program.

The North Dakota Program has addressed both parts of this recommendation. The Program has completed development of procedures to document the policies and practices of the North Dakota Program. The procedures have been implemented and are being used in the field. The procedures are working documents that are revised as necessary to reflect the current practices of the Program and to implement new guidance.

The second part of this open recommendation concerns staff retention and depth. With respect to retention, the Program has raised the full promotion potential of two inspector positions from Environmental Scientist 2 positions to Environmental Scientist 3 positions. This results in higher salary incentives and career growth opportunities for the staff. With respect to depth, the Program hired two new full time staff members within the last month to add to sufficient depth to the current staff and help effectively implement the radioactive materials program.

Just prior to the Periodic Meeting held in June, one experienced inspector left the Program to take a position in the private sector. This created a vacant Environmental Scientist 3 position, which was eventually filled from within the Program. Since the vacancy was filled from within the Program, it created a vacant Environmental Scientist 2 position. The Program successfully recruited a qualified candidate from outside the Division and was able to fill the vacancy. Division management recognized the need for additional staff in the Radiation Control Program because the experience level in the Program was low compared to previous years. Management reorganized some functions in the Division of Air Quality to gain an additional position for the Radiation Control Program.

Currently, the Program has one manager, two Environmental Scientist 3 (ES3) positions and two Environmental Scientist 2 (ES2) positions. A third ES2 position is being requested through the legislature, which will eventually bring the total number of staff to five plus one manager. The new staff members have started the qualification process and have been provided with the documented qualification program information. The new staff members are being mentored by the manager and other qualified staff. The new staff members will attend several NRC training courses over the next year.

The second open recommendation from Section 3.2 of the 2013 IMPEP report, stated, "The review team recommends that the State develop and implement a plan to ensure that inspectors become qualified to conduct inspections in all radioactive material program areas licensed by the State."

The Program continues to show progress in addressing this open recommendation. The Program developed and documented a formal qualification process that is equivalent to NRC Inspection Manual 1246, and has been very successful in enrolling new inspectors for NRC training courses. Although each staff member reviews licensing actions and performs inspections, the qualification requirements for license reviewers and inspectors are separate processes and are independent of each other. This separation of qualification requirements helps facilitate a "divide and conquer" strategy within the Program such that the full scope of the

Program's licensing actions and inspections are addressed in a timely manner. The Program Director reported that the senior ES3 inspector is certified to license and inspect all radioactive material program areas that are licensed by the State. The Program's other ES3 inspector has completed several formal training classes, and is in the process of being certified to license and inspect gauges, medical, and radiography licenses soon. The two new ES2 staff members have started the formal qualification process. The senior ES3 inspector continues to mentor and work with the other inspectors to develop the necessary licensing and inspection skills for them to become fully qualified inspectors in all licensed radioactive material areas. Along with the Program Manager, the Program Director maintains oversight of the formal training program and is responsible for certifying completion of the formal training and qualification program.

The next Monitoring call is currently scheduled for December 10, 2014, at 2 pm Central time.

Sincerely,

/RA/

Binesh K. Tharakan
Regional State Agreements Officer
Region IV

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Regional State Agreements Officer
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Monitoring Call Summary

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