



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

March 27, 2015

**MONITORING CALL SUMMARY FOR THE
NORTH DAKOTA RADIATION CONTROL PROGRAM
MARCH 24, 2015**

NRC Attendees	North Dakota Attendees
Binesh Tharakan, RSAO, Region IV	Terry O'Clair, Director, Division of Air Quality
Randy Erickson, RSAO, Region IV	Dale Patrick, Manager, Radiation Control Program
Duncan White, NMSS	David Stradinger, Environmental Scientist, Radiation Control Program
Lisa Dimmick, NMSS	Karen Deibert, 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 (Program) and that a period of Monitoring be implemented. Monitoring is less formal oversight by the NRC, but requires regular communication between the Program and NRC staff through quarterly Monitoring 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 most recent quarterly Monitoring call was held with the Program on March 24, 2015, with the participants listed above. Four previous quarterly Monitoring calls were held on October 22, 2013, January 22, 2014, September 29, 2014, and December 10, 2014. In addition, a Periodic Meeting was held with the Program in the State of North Dakota office on June 25, 2014. Summaries of the four previous Monitoring calls and the Periodic Meeting can be found in NRC's ADAMS using Accession Numbers ML13311B301, ML14037A131, ML14294A351, ML14351A493, and ML14199A041, respectively.

March 24, 2015 status:

The first open recommendation from Section 2.1 of the 2011 IMPEP report, stated, "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 Program has addressed both parts of this recommendation. The Program has completed development of procedures to document its policies and practices. 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. There have been no significant changes to the procedures or policies of the Program since the last quarterly Monitoring call held on December 10, 2014.

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 (ES2) positions to Environmental Scientist 3 (ES3) 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 just prior to the last Monitoring call, and has received approval from the Governor's office to pursue adding another staff member. The North Dakota House of Representatives has also passed the legislation required to add another staff member. If the bill passes the North Dakota Senate, then the Program will be able to add another staff member and have a total of five technical staff members and a manager. This will increase depth and flexibility, as well as, improve the Program's effectiveness and efficiency in implementing the radioactive materials program.

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 senior ES3 inspector is fully qualified to conduct inspections in all radioactive material program areas, and the second ES3 inspector is qualified to perform gauge and radiography inspections. The two new ES2 staff members have started the qualification process; have been provided with the documented qualification program information; and have attended several NRC courses to date. Staff members still in the process of being qualified are being mentored by the manager and qualified ES3 staff.

The Program continues to be very successful in enrolling new inspectors for NRC training courses. New staff members will attend several NRC training courses over the next year. On-the-job training is provided by the fully qualified senior ES3 inspector, and the Program Manager. North Dakota staff also accompanies NRC and other Agreement State inspectors when those training opportunities become available. In early December, two North Dakota inspectors accompanied an NRC inspector during inspections to further understand and gain knowledge about inspection practices and techniques. Each staff member reviews licensing actions and performs inspections under supervision of the Program Manager or senior ES3 inspector. The qualification requirements for license reviewers

and inspectors are separate and 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 Division Director and Program Manager are responsible for certifying completion of the formal training and qualification program.

Since the last Monitoring call, there have been no changes to the Program’s organization or budget. However, there are bills currently in the North Dakota legislature that could increase the budget for the Program, especially activities associated with naturally occurring radioactive material. The Division Director reported that he does not anticipate any negative impacts to the Program’s financial ability to effectively implement the radioactive materials program.

No additional Monitoring calls are scheduled. The next review of the Program will be a full IMPEP review scheduled for June 22-26, 2015.

The Division Director and Program Manager are responsible for certifying completion of the formal training and qualification program.

Since the last Monitoring call, there have been no changes to the Program’s organization or budget. However, there are bills currently in the North Dakota legislature that could increase the budget for the Program, especially activities associated with naturally occurring radioactive material. The Division Director reported that he does not anticipate any negative impacts to the Program’s financial ability to effectively implement the radioactive materials program.

No additional Monitoring calls are scheduled. The next review of the Program will be a full IMPEP review scheduled for June 22-26, 2015.

Distribution:

- Lisa Dimmick, NMSS
- Laura Dudes, NMSS
- Chris Einberg, NMSS
- Randy Erickson, RSAO
- Pam Henderson, NMSS
- Mark Shaffer, DNMS
- Karen Meyer, NMSS
- Linda Howell, DNMS
- Binesh Tharakan, RSAO
- Duncan White, NMSS

DOCUMENT NAME: S:\DNMS\!SAO\Monitoring Program\North Dakota\03.24.15 North Dakota Monitoring Call Summary.docx

ADAMS ACCESSION NUMBER: **ML15090A122**

<input checked="" type="checkbox"/> SUNSI Review By: BKT		ADAMS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive	Keyword: IMPEP
OFFICE	RIV:RSAO				
NAME	BKTharakan				
SIGNATURE					
DATE	03/27/15				

OFFICIAL RECORD COPY