

MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH (DPH)  
CONFERENCE CALL  
April 28, 2015

<b>NRC Participants</b>	<b>Massachusetts DPH Participants</b>
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## **SUMMARY**

During the Integrated Materials Performance Evaluation Program (IMPEP) review of the New Hampshire Agreement State Program (Program) conducted on July 28 – August 1, 2014, the review team found the Commonwealth's performance satisfactory for four performance indicators and satisfactory, but needs improvement, for three performance indicators: Technical Quality of Inspections, Technical Quality of Licensing Actions, and Technical Quality of Incident and Allegation Activities. The review team made one recommendation to strengthen the Commonwealth's incident response program.

On October 28, 2014, the Management Review Board (MRB) found the Program adequate to protect public health and safety, but needs improvement, and compatible with the NRC's program. The MRB directed NRC staff to initiate a period of Monitoring, and requested that calls between the Massachusetts DPH and NRC staff be conducted on a quarterly basis, and that a Periodic Meeting take place in approximately July 2015.

The following is a status summary of the one recommendation made during the 2014 IMPEP review:

**Recommendation:** The review team recommends that the Commonwealth strengthen its incident response program and take measures to ensure that the Program's evaluation of events is thorough, complete, properly documented to facilitate future follow-up, and undergoes appropriate management review prior to closeout.

**Status:** The Program has implemented the use of a challenge board for their evaluation of event follow up actions. The inspector assigned to an event will work with the scheduling supervisor and materials supervisor to ensure follow up actions are complete, thorough, and properly documented. In addition, the inspector presents the case to the Program Director and other appropriate staff to determine if additional information is needed to close out the event. The Program Director reviews all event reports for completeness prior to close out of the events.

## **DISCUSSION OF PROGRAM STATUS**

### Technical Staffing and Training (2014 IMPEP: Satisfactory)

The Program reported no changes in technical staffing since the previous Monitoring call. The two technical staff members who were hired after the 2014 IMPEP review are progressing through the qualification process. There is currently a State-wide hiring freeze which has affected filling the Deputy Director position. There is also a freeze on out-of-State travel; however, staff members are allowed to attend the NRC courses.

The Program provided support to the Maine Agreement State program by having a State of Maine materials inspector observe a senior Massachusetts materials inspector conduct an inspection at a medical facility in Massachusetts.

#### Status of the Materials Inspection Program (2014 IMPEP: Satisfactory)

The Program reported that there have been no inspections completed overdue since the 2014 IMPEP review. The Program continues to focus on completing and documenting inspections within the required timeframe. Once a month at a minimum, Program managers and technical staff review upcoming inspections to ensure the Program meets its timeliness goals.

#### Technical Quality of Inspections (2014 IMPEP: Satisfactory, but Needs Improvement)

The Program Director reported that there has been more management oversight of the inspection program since the 2014 IMPEP review. The Program Director has completed two supervisory accompaniments of the Materials Supervisor and provided feedback on the inspections. The Program Supervisor continues to conduct supervisory accompaniments of technical staff on materials inspections with a goal of completing two accompaniments for each inspector annually. Senior inspectors continue to mentor less experienced inspectors as part of the Program's goal of having a sustained learning environment for inspectors.

#### Technical Quality of Licensing Actions (2014 IMPEP: Satisfactory, but Needs Improvement)

Massachusetts maintains approximately 440 specific radioactive materials licenses. The Program does not have a backlog in licensing actions. The Program Director reported that there are no changes in the licensing area since the December 2014 Monitoring. During that call, the Program reported that the issues identified during the 2014 IMPEP review had been addressed (e.g., changing the IC license condition back to the NRC approved version; marking sensitive, security-related information; and reviewing applicable licenses for maximum possession limits).

#### Technical Quality of Incident and Allegation Activities (2014 IMPEP: Satisfactory, but Needs Improvement)

The Program reported six events since the 2014 IMPEP review, four of which were reportable to NRC. As noted in the discussion above on the recommendation made by the 2014 IMPEP review team, the Program has implemented the use of a challenge board as part of the Program's evaluation of event follow up activities.

NRC has not transferred any allegations to Massachusetts since the 2014 IMPEP review.

#### Compatibility Requirements (2014 IMPEP: Satisfactory)

At the time of the 2014 IMPEP review, the Program had no regulation amendments that were overdue for adoption. The Program Director reported that currently the Commonwealth has placed a freeze on regulation changes. The Program is in the process of completing the proposed version of Massachusetts' equivalent regulation to 10 CFR Part 37 and other regulation changes. If the freeze is not lifted in sufficient time for Massachusetts to adopt their equivalent Part 37 regulations by March 19, 2016, then Massachusetts plans to use an approved license condition to meet the implementation date.

Sealed Source and Device (SS&D) Evaluation Program (2014 IMPEP: Satisfactory)

The Program plans to train the two newest staff members as SS&D reviewers. Both of these individuals have engineering backgrounds. The Program received an application from a broad scope manufacturer/general license distributor, currently located in Texas and anticipating moving activities to Massachusetts, for 4 SS&D registration evaluations and plans for submitting 10 additional registrations. The Program plans to meet with the applicant to discuss the information needed to complete their review.

Conclusion

Massachusetts continues to make progress in addressing the recommendation on incident response and other issues identified during the 2014 IMPEP review. The Program has no current vacancies in technical positions and the two new technical staff members continue to make progress on their inspection qualifications. The Program has no overdue inspections and no backlog in licensing actions.

A Periodic Meeting to discuss the status of the Massachusetts radioactive materials program will be scheduled for July or August 2015.