



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD, SUITE 102
KING OF PRUSSIA, PA 19406-1415

August 22, 2025

Catherine Perham, Supervising
Radiological Health Specialist
Division of Healthcare Quality and Safety
Radiological Health Section
Rhode Island Department of Health
3 Capitol Hill
Providence, RI 02908

SUBJECT: RHODE ISLAND PERIODIC MEETING SUMMARY

Dear Catherine Perham:

A periodic meeting was held with you and your staff on April 22, 2025, at your office in Providence, Rhode Island. The purpose of this meeting was to review and discuss the status of the Rhode Island Agreement State Program. The scope of the meeting was limited to activities conducted by the Radiological Health Section. The U.S. Nuclear Regulatory Commission was represented by Jacob Zimmerman, Division Director, Division of Radiological Safety and Security, and me.

I have completed and enclosed a general meeting summary, including any specific actions resulting from discussions. Based on the criteria established in Section IV.D.1 of the Office of Nuclear Material Safety and Safeguards Procedure SA-116 "Periodic Meetings between IMPEP Reviews," a Management Review Board meeting for this periodic meeting is not required at this time.

If you feel that our conclusions do not accurately summarize the meeting discussion or have any additional remarks about the meeting in general, please contact me at 610-337-5102, or by email at shawn.seeley@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn W. Seeley", is located below the word "Sincerely,".

Signed by Seeley, Shawn
on 08/22/25

Shawn W. Seeley
Regional State Agreements Officer
Division of Radiological Safety and Security

Enclosure:
Rhode Island Periodic Meeting Agenda

cc:

Joseph Catalano, Deputy Director
Division of Healthcare Quality and Safety

Jacqueline Kelley, Associate Director
Division of Healthcare Quality and Safety



INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

PERIODIC MEETING WITH THE STATE OF RHODE ISLAND

TYPE OF OVERSIGHT: NONE

April 22, 2025

PERIODIC MEETING PARTICIPANTS

NRC

- Jacob Zimmerman, acting Director, Division of Radiological Safety and Security
- Shawn Seeley, Regional State Agreements Officer

State of Rhode Island

- Jacqueline Kelley, Director, Division of Healthcare Quality and Safety (DHQS)
- Joe Catalano, Deputy Director, DHQS
- Catherine Perham, Supervising Radiological Health Specialist
- Dennis Klaczynski, Senior Radiological Health Specialist
- Gbenga Elegbede, Radiological Health Specialist
- Jared Brokke, Radiological Health Specialist

1.0 INTRODUCTION

This report presents the results of the periodic meeting held between the U.S. Nuclear Regulatory Commission (NRC) and the State of Rhode Island (RI). The meeting was conducted in accordance with the Office of Nuclear Material Safety and Safeguards [Procedure SA-116 "Periodic Meetings between IMPEP Reviews,"](#) dated October 6, 2021.

The meeting focused on the radioactive materials program as it is carried out under Section 274b.(of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the RI. The Rhode Island Agreement State Program is administered by the Radiation Control Agency (the Agency) which is located within the Center for Health Facilities Regulation (the Center). The Center is part of the Rhode Island Department of Health (the Department). The Program is managed by the Supervising Radiological Health Specialist and Chief of Center for Health Facilities Regulation.

At the time of the periodic meeting, the Rhode Island Agreement State Program regulated approximately 40 specific licenses authorizing possession and use of radioactive materials.

Since the October 16-19, 2023, Integrated Materials Performance Evaluation Program (IMPEP) review, there have been no changes to the organizational structure. A Management Review Board (MRB) meeting to discuss the outcome of the 2023 IMPEP review was held on January 17, 2024. The team found that Rhode Island's performance was satisfactory for all six performance indicators: Technical Staffing and Training; Status of Materials Inspection Program; Technical Quality of Inspections; Technical Quality of Licensing Actions; Technical Quality of Incident and Allegation Activities; and Legislation, Regulations, and Other Program Elements.

The 2023 IMPEP team recommended and the MRB Chair agreed to close two of the three previous recommendations, and the recommendation related to accessibility of licensing and inspection documentation remain open with modifications, and be moved from the Technical Staffing and Training performance indicator to the Technical Quality of Licensing Actions performance indicator. The team recommended and the MRB Chair agreed that three of the 2021 recommendations be closed and the fourth one modified. The recommendation was modified to read: "Recommend that Rhode Island management take measures to ensure licensing and inspection documentation is complete and stored in a centralized filing system."

Based on the findings and the criteria in the NRC Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)," the team recommended and the MRB Chair agreed that based on Rhode Island's improved performance, that they be removed from enhanced oversight.

2.0 COMMON PERFORMANCE INDICATORS

Five common performance indicators are used to review the NRC Regional Office and Agreement State radioactive materials programs during an IMPEP review. These indicators are: (1) Technical Staffing and Training, (2) Status of Materials Inspection Program, (3) Technical Quality of Inspections, (4) Technical Quality of Licensing Actions, and (5) Technical Quality of Incident and Allegation Activities.

2.1 Technical Staffing and Training (2023 IMPEP review: Satisfactory)

The Program is comprised of a supervisor and four technical staff. This equates to approximately 2.9 full-time equivalent in the radiation control program. Two of the technical staff and the supervisor are fully qualified inspectors and license reviewers. The other two technical staff are working toward becoming fully qualified.

Since the 2023 IMPEP review there have been three vacancies. All three positions were filled prior to the periodic meeting. Rhode Island had one open vacancy at the time of the periodic meeting. This was an over hire. Rhode Island has a training and qualification program that is compatible with the NRC's Inspection Manual Chapter (IMC) [IMC 1248](#). Qualified licensing and inspection staff complete at least 24 hours of refresher training every 2 years.

2.2 Status of the Materials Inspection Program (2023 IMPEP review: Satisfactory)

Rhode Island completed 15 Priority 1, 2, and 3 inspections since the 2023 IMPEP Review. Rhode Island's approach to conducting reciprocity inspections has been risk informed. Rhode Island performed no reciprocity inspections since the 2023 IMPEP review. There was discussion on the importance of conducting reciprocity inspections based on risk and safety significance. At the time of the periodic meeting, the program had no inspections overdue. Rhode Island utilizes an access database for tracking inspection due dates. They intend to obtain and utilize web-based Licensing for licensing and inspection in the near future.

2.3 Technical Quality of Inspections (2023 IMPEP review: Satisfactory)

RI completed 15 Priority 1, 2, and 3 inspections since the 2023 IMPEP review. There was one initial inspection conducted and no overdue inspections. RI conducted inspections at the same frequency as the NRC. The new Supervising Radiological Health Specialist will be scheduling the inspector accompaniments for the qualified inspectors. RI's inspection procedures are compatible with NRC's [IMC 2800](#), "Materials Inspection Program." The RI program has an adequate number of calibrated and operable radiation survey instruments available to support the inspection program.

2.4 Technical Quality of Licensing Actions (2023 IMPEP Review: Satisfactory)

RI has approximately 40 specific licensees. At the time of the meeting, RI completed approximately 21 licensing actions and there was no backlog of licensing actions.

There was one recommendation that was modified from the 2023 IMPEP review.

Recommendation: RI management has taken measures to ensure proper licensing and inspection documentation is completed and stored in a centralized filing system.

Status: RI's Supervising Radiological Health Specialist created an access database to serve as a centralized filing system for licensing and inspection documentation to assist the program. Since the 2023 IMPEP review, RI is continuing to work on digitizing all the

current licenses and is adding all newly received amendments and all new license actions into their SharePoint library. During the periodic meeting, RI demonstrated how the access database will be used to track incoming licensing actions.

RI follows the NRC's NUREG 1556 series as guidance when completing licensing actions along with the most current versions of the NRC's Pre-Licensing Guidance and the Risk Significant Radioactive Materials Checklist. License reviewers are responsible for the performance of pre-licensing visits when warranted. RI issues licenses with 10-year expiration dates.

2.5 Technical Quality of Incident and Allegation Activities (2023 IMPEP review: Satisfactory)

There were no events that occurred that were required to be reported to the NRC since the 2023 IMPEP review. No allegations were received directly by RI. RI responded to five non-reportable events since the 2023 IMPEP review. RI followed all internal procedures when responding to those events. RI's procedures are compatible to the NRC's incident and allegation procedures.

3.0 NON-COMMON PERFORMANCE INDICATORS

Four non-common performance indicators are used to review Agreement State/NRC Region programs: (1) Compatibility Requirements, (2) Sealed Source and Device Evaluation Program, (3) Low-Level Radioactive Waste (LLRW) Disposal Program, and (4) Uranium Recovery Program. The NRC's Agreement with RI only includes the non-common performance indicators LROPE and LLRW. Whereas RI does not have an LLRW site within their State, nor do they expect to obtain one in the near future, this indicator was not reviewed during the meeting.

3.1 Compatibility Requirements (2023 IMPEP review: Satisfactory)

RI's current effective statutory authority is contained in Section 23-1.3 Radiation Control of the RI Statutes. The RI Department of Health is designated as the State's Radiation Control Agency. No legislation affecting the radiation control program was passed since the 2023 IMPEP. RI's administrative rulemaking process takes approximately 12-18 months from drafting to finalizing a rule. The public, the NRC, other agencies, and potentially impacted licensees and registrants are offered an opportunity to comment during the process. Comments are considered and incorporated, as appropriate, before the regulations are finalized and approved. The team noted that the State's rules and regulations are not subject to "sunset" laws.

Since the 2023 IMPEP, no regulations came due for adoption. RI staff was reminded that RATS-ID 2022-1; 2022-2; and 2023-1, would all become due for adoption before the next IMPEP. RI committed to ensuring these entered their administrative rulemaking process to ensure timely adoption. RI does incorporate NRC rules by reference, which has streamlined the approval and final adoption process.

3.2 LLRW Disposal Program

In 1981, the NRC amended its Policy Statement, "Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States

Through Agreement,” to allow a State to seek an amendment for the regulation of LLRW as a separate category. Those States with existing Agreements prior to 1981 were determined to have continued LLRW disposal authority without the need for an amendment. Although, RI has authority to regulate a LLRW disposal facility, the NRC has not required States to have a program for licensing a disposal facility until such time as the State has been designated as a host State for a LLRW disposal facility. When an Agreement State has been notified or becomes aware of the need to regulate a LLRW disposal facility, it is expected to put in place a regulatory program that will meet the criteria for an adequate and compatible LLRW disposal program. There are no plans for an LLRW disposal facility in RI. Accordingly, this topic was not discussed during the periodic meeting.

4.0 SUMMARY

RI continued to be an effective and well managed Agreement State program. RI experienced the departure of several key staff, including the director, since the 2023 IMPEP. It did lead to some shifting of work within the program until such time as a new director was named in December 2024. At the time of the Periodic Meeting, there was one vacancy. The Program is effectively managing its licensing and inspection activities. However, reciprocity inspections were not being conducted. RI committed to resuming reciprocity inspections using a risk-based safety significance approach. The Program appeared to be responding to events as appropriate, and they reported they currently have no overdue regulation amendments.

During the periodic meeting, RI noted that they had completed the outstanding recommendation from the 2023 IMPEP. Furthermore, they intend to utilize the NRC’s web-based licensing program to further manage their licensing and inspection activities. This would replace their access database for document retention.

Based on the information discussed during the periodic meeting, the NRC staff recommended that RI’s next IMPEP review be held in FY 2027, consistent with the (MRB) direction from the 2023 IMPEP review.

RHODE ISLAND PERIODIC MEETING SUMMARY DATE August 22, 2025

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| NAME | SSeeley SS | | | |
| DATE | Aug 22, 2025 | | | |

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