

AGREEMENT STATE ANNUAL MEETING SUMMARY FOR SOUTH CAROLINA BUREAU OF RADIOLOGICAL HEALTH (BRH), AND THE DIVISION OF RADIOACTIVE WASTE MANAGEMENT (DRWM)

DATES OF MEETING: December 16-17, 1997

ATTENDEES:

NRC

Richard L. Woodruff, RSAO, Region II
Lance J. Rakovan, ASPO, OSP

STATE

Max K. Batavia, Chief, BRH
James K. Peterson, Director, Materials Program, BRH
Virgil R. Autry, Director, DRWM
Henry J. Porter, Section Manager, DRWM

DISCUSSION:

A meeting was held with the BRH representatives on December 16, 1997, and with the DRWM representatives on December 17, 1997. During the meetings, the topics listed in NRC letters dated October 27, 1997, to Mr. Batavia, and to Mr. Autry were discussed. Details for each area are discussed below.

Action on Previous Review Findings

There have been no IMPEP reviews of the program. The previous review was conducted on March 24, 1995. During this review, one recommendation was made to the BRH concerning needed revisions to the inspection report forms for medical inspections and for the industrial radiography inspections. The BRH updated the medical report forms and the industrial radiography report forms, and the NRC closed out this recommendation by letter in May of 1996. No recommendations were made concerning the DRWM program during the previous review.

Program Strengths and/or Weaknesses

In general, both BRH and DRWM representatives related that their programs were strong, with adequate support from the Department of Health and Environmental Control (DHEC), legislative support, stable sources of funding, legal support, good equipment, and well trained staff. No performance type weaknesses were identified by NRC during this meeting.

Status of Program and/or Policy Changes

There have been no changes in the structure of the BRH or DRWM organizations since the last review. The DHEC organization is divided into two major areas, Health Services and Environmental Quality Control. BRH is under the Health

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Services area, and DRWM is under the Environmental Quality Control area. BRH reported that one additional staff member will be hired for the Radioactive Materials Section for a total of six persons. The DRWM has hired one additional engineer for a total of seven technical staff members.

The BRH reported that they regulate approximately 300 specific licensees, and that the Bureau is not experiencing any licensing or inspection backlogs. The BRH also reported that considerable staff effort has been utilized for the renewal of the Interstate Nuclear Services laundry facility, that the license renewal amendment had been appealed, and that a hearing would be held, but the hearing date had not been established. The BRH representatives expressed an interest in obtaining the NUREG-1556 series documents in an electronic format. The DRWM regulates the Barnwell low-level radioactive waste site and about 15 other waste related facilities, and the DRWM also reported no problems with licensing or inspection backlogs. The DRWM commented on the status of the Barnwell facility and the actions being taken by the licensee concerning monitoring and other on-going projects.

Impact of NRC Program Changes

The NRC representatives discussed NRC program changes that could impact the State, such as the 10 CFR Part 35 revision, the termination of the State environmental monitoring contracts, and the current status of NRC's policies involving decommissioning of formerly licensed sites and NRC's training program. In response to the discussions, both BRH and DRWM related that they would continue to provide training for their staffs to the extent possible. The State had just recently been informed of the environmental monitoring contract issue, and the impact had not been fully assessed.

Status of Allegations Previously Referred

The NRC allegation program was discussed in general with the State representatives. The BRH related that their agency had very few allegations, that allegations were processed on a case-by-case basis, and that follow ups were conducted as needed. One open allegation referred to BRH from Region II in 1997 was discussed in detail including plans for closing out the allegation.

There have been no allegations referred to the DRWM since the previous review. The DRWM related that their agency treats and processes allegations on a case-by-case basis, and that actions are taken as needed to close out the issue.

Nuclear Material Events Database (NMED) Reporting

A general discussion was held with each agency concerning the NMED reporting system. In response, BRH related that they appreciated the training efforts provided by the AEOD's office concerning the NMED system, and that BRH was utilizing the reporting system. BRH also related that the reporting was very time consuming, and that the system's information (reports) had not been utilized to any great extent.

The DRWM related that any events from their licensees would be reported to the BRH for entry into the NMED system. DRWM personnel received training on the NMED system, as provided by Mr. Sam Pettijon during a joint training session in the BRH. The issues related to problems associated with waste shipments are maintained separately and tracked under the Barnwell license, or processed under the DRWM waste permittee system, as appropriate.

Compatibility of State Regulations

The new compatibility policy was discussed in general with each office. South Carolina is unique in that regulations that are required for compatibility can be adopted administratively, and without State legislative approval. Other regulations such as fees must be approved by the legislature. This State policy has allowed the agreement program to quickly adopt regulations needed for compatibility and thus remain compatible over the years.

The BRH and the DRWM have an inter-departmental agreement that addresses policies and functions of the respective offices, including the regulation adoption process. The BRH takes the lead for drafting regulations for the agreement program, except for those regulations that are specific to radioactive waste type facilities. Both offices utilize a concurrence system for approval of draft regulations.

BRH representatives stated that all current NRC regulations needed for compatibility (within the three year time frame) have been adopted and implemented. The BRH is currently drafting all other regulations that will be needed for compatibility within the next three years, and these proposed regulations will be sent to DRWM for comment and concurrence as part of the administrative adoption process. The NRC representatives discussed the Office of State Programs (OSP) procedure for reviewing proposed State regulations, and the recent OSP actions to complete the reviews of State equivalents to 10 CFR Part 20. The BRH representatives related that any identified changes needed by the State for compatibility with Part 20 regulations would be drafted and proposed in conjunction with the changes currently being drafted for adoption.

Both BRH and DRWM requested updated copies of the current chronology of amendments needed for compatibility. Both offices also expressed the need for the chronology to identify each regulation by the Federal Register (FR) Notice, to help identify each definition, and part(s) affected by the rule change.

Schedule for the Next IMPEP Review

Both offices were informed of the next review under the IMPEP procedure scheduled for FY 1999. The IMPEP process was discussed and electronic copies of the current (FY 1998) policies and procedures were provided to the respective offices. The offices were also advised of the merits of providing trained technical personnel for participation on the IMPEP teams, and the IMPEP training. The offices were also advised of the advantages of conducting a self assessment utilizing the IMPEP procedure.

CONCLUSIONS:

Conclusion #1: Both BRH and DRWM have well trained, experienced staff, and their programs by all indications have the resources to be on target, adequate and compatible under the IMPEP criteria.

No action is necessary.

Conclusion #2: The BRH representatives requested an electronic copy of the NUREG-1556 series documents to assist them in their licensing process.

Action: The OSP will obtain the NUREG-1556 documents in electronic format and provide to the State via the NRC home page.

Conclusion #3: The State requested an updated copy of the chronology of amendments with the entries identified with the federal register notice which will assist the State in promulgating compatible regulations. To assist NRC, the State needs to provide proposed regulations in accordance with the All Agreement State letter, SP-97-029.

Action: OSP needs to provide the State with an updated copy of the chronology of amendments with the FR Notice identification.