



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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February 16, 2016

MEMORANDUM TO:

Glenn M. Tracy
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, Compliance, Administration,
and Human Capital Programs
Office of the Executive Director for Operations

Joan W. Olmstead, Attorney, Reactor and Materials
Rulemaking Division
Office of the General Counsel

Joel T. Munday, Acting Deputy Director
Office of Nuclear Material Safety
and Safeguards

Daniel H. Dorman, Regional Administrator
NRC Region I

FROM:

Lisa C. Dimmick, Senior Health Physicist */RA/*
Agreement State Programs Branch
Division of Material Safety, State, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety and Safeguards

SUBJECT:

MINUTES: FEBRUARY 8, 2016, SPECIAL MANAGEMENT
REVIEW BOARD MEETING

Enclosed are the minutes of the Special Management Review Board (MRB) meeting held on February 8, 2016, to discuss the periodic meetings held with the Arkansas and Illinois Agreement State Programs. If you have comments or questions, please contact me at (301) 415-0694.

Enclosure:
Meeting Minutes

cc: Paul Schmidt, WI
Organization of Agreement States
Liaison to the MRB

MRB Members

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MINUTES: SPECIAL MANAGEMENT REVIEW BOARD MEETING OF
FEBRUARY 8, 2016

The attendees were as follows:

In person at U.S. Nuclear Regulatory Commission (NRC) Headquarters in Rockville, Maryland:

Glenn Tracy, MRB Chair, OEDO
Joan Olmstead, MRB Member, OGC
Joel Munday, MRB Member, NMSS
Dan Dorman, MRB Member, Region I

Pam Henderson, NMSS
Lisa Dimmick, NMSS
Julian Sessoms, NMSS

By videoconference:

Mark Shaffer, Region IV
Randy Erickson, Region IV
Jackie Cook, Region IV

Jim Lynch, Region III
Matt Learn, Region III
Christine Lipa, Region III

By telephone:

Paul Schmidt, MRB Member, WI
Adnan Khayyat, IL
Gibb Vinson, IL
Duncan White, NMSS

Bernie Bevill, AR
Connie Nelson, AR
Jared Thompson, AR
Kathy Modes, NMSS

1. **Convention.** Ms. Lisa Dimmick convened the meeting at 1:02 p.m. (ET). She noted that this Management Review Board (MRB) meeting was open to the public; no members of the public participated in this meeting. Ms. Dimmick then transferred the lead to Mr. Glenn Tracy, Chair of the MRB. Introductions of the attendees were conducted.
2. **Periodic Meeting Discussions:**

Periodic Meeting with the Illinois Agreement State Program

Mr. Jim Lynch led the discussion of the results of the periodic meeting held with the Illinois Emergency Management Agency (ADAMS Accession Number: ML15329A170). The meeting was held in Springfield on November 10, 2015. Mr. Lynch noted that the last Integrated Materials Performance Evaluation Program (IMPEP) review of the Illinois Agreement State Program (Program) was conducted in July 2013. Illinois' performance was found satisfactory for all indicators. In addition, Illinois was found adequate to protect public health and safety and compatible with the U.S. Nuclear Regulatory Commission's (NRC) program.

Mr. Lynch summarized the status of the Program since the 2013 IMPEP review. The Program has 638 licensees. There are three staff level vacancies and seven overdue inspections. These overdue inspections are attributed to staffing issues and the resources needed to respond to an unusual number of events that occurred in 2015. No

significant licensing backlogs exist; however, with the shortage of license reviewers, the Program is prioritizing licensing actions with health, safety and security-related actions taking precedence. Currently, no overdue regulations and the Program is responding to incidents and allegations appropriately. The State is without a budget for the current fiscal year. The budget difficulties have negatively affected the Program. Specifically, a small number of inspections have not been performed in accordance with the appropriate inspection frequency. Additionally, travel issues have resulted from the lack of a current budget, including delayed reimbursement for employee use of personal vehicles, and for hotel charges incurred during official travel within the State.

The MRB discussed the impact of the budget impasse. The Program clarified that it could fill the vacant positions after arbitration even without a budget. Although arbitration could take 6 months. The Program can still send staff to NRC training courses. Program staff are currently not reimbursed for State related travel and expenses. Managers are helping with inspections. The MRB discussed if the next IMPEP should be scheduled sooner due to uncertainty with the budget. While the budget impasse and the staffing vacancies have put a strain on the licensing and inspections activities, the Program is managing the situation. The MRB acknowledged the good communication between the NRC and Illinois and encouraged continued dialogue on any further attrition.

Mr. Lynch stated that the staff recommends that the next IMPEP review of the Illinois Agreement State Program be conducted as scheduled in 2018. The MRB agreed with the staff's recommendation.

Periodic Meeting with the Arkansas Agreement State Program

Mr. Randy Erickson led the discussion of the results of the Periodic meeting held with the Arkansas Department of Health (ADAMS Accession Number: ML15303A507). The meeting was held in Little Rock on October 15, 2015. Mr. Erickson noted that the last IMPEP review of the Arkansas Agreement State Program (Program) was conducted in October 2013. Arkansas' performance was found satisfactory for five of six indicators. In addition, Arkansas was found adequate to protect public health and safety and compatible with the NRC program.

Mr. Erickson summarized the status of the Program since the 2013 IMPEP review. The Program has 197 licensees, one staff level vacancy, and no overdue inspection or licensing backlogs. Arkansas is responding to incidents and allegations as appropriate and has no overdue regulation amendments. Funding for the Program has become increasingly more restricted. The State is hoping to request another fee increase for FY2017.

The MRB discussed the vacancy and impact on the Program. The Program indicated that it was managing the vacancy and currently there are no licensing backlogs or overdue inspections. However, by 2018, the Program anticipates a challenge with keeping renewals in backlog to a minimum. The MRB noted that the turnover of inspectors since the 2013 review and asked about the Program's practice for knowledge

transfer. The Program performs peer inspection accompaniments and meets regularly to discuss inspection issues and cases. The MRB acknowledged the good communication between the NRC and Arkansas and encouraged continued dialogue on status Arkansas fee increases, and ability to hire the vacant position.

Mr. Erickson stated that the staff recommends that the next IMPEP review of the Arkansas Agreement State Program be conducted as scheduled in 2017. The MRB agreed with the staff's recommendation.

3. **Process Changes/Comments.** None applicable to these reviews.
4. **Precedents/Lessons Learned.** None applicable to these reviews.
5. **Adjournment.** The meeting was adjourned at 1:58 p.m. (ET).