



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

February 19, 2002

Mr. Mike Broderick  
Environmental Program Manager  
Radiation Management Section  
Department of Environmental Quality  
P.O. Box 1677  
Oklahoma City, OK 73101-1677

Dear Mr. Broderick :

On July 18, 2001, NRC staff conducted a meeting with you and members of your staff to exchange information and discuss potential difficulties experienced during the initial implementation of Oklahoma's Agreement State Program. A follow-up meeting was held on February 6, 2002. The purpose of this meeting was to review and discuss the status of your program. We also discussed planning for your first full Integrated Materials Performance Evaluation Program (IMPEP) review. The NRC was represented by Dwight Chamberlain and myself from NRC's Region IV office, and Patricia Larkins from NRC's Office of State and Tribal Programs.

I have completed and enclosed a meeting summary, including any specific actions that will be taken as a result of the meeting.

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 (817) 860-8116 or e-mail [mlm1@nrc.gov](mailto:mlm1@nrc.gov) to discuss your concerns.

Sincerely,

*/RA/*

Linda McLean  
State Agreements Officer  
Region IV

cc:  
Paul Lohaus, Director,  
Office of State and Tribal Programs

Enclosure: as stated  
Attachment: Status Report

Mr. Mike Broderick  
Environmental Program Manager

cc:  
SPO1  
e-mail DCD  
D. Chamberlain  
L.McLean  
V.Campbell  
P. Larkins, STP  
K. Schneider, STP  
L. Rakovan, STP  
W. Maier  
R. Woodruff, RII

DOCUMENT NAME: S:\DNMS\SAO\Feb 6 Mtg Summary

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| OFFICE | RIV:SAO  |  | D:DNMS        |  |  |  |
| NAME   | MLMcLean |  | DDChamberlain |  |  |  |
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| DATE   | 02/19/02 |  | 02/19 /02     |  |  |  |

OFFICIAL RECORD COPY

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AGREEMENT STATE PERIODIC MEETING SUMMARY FOR OKLAHOMA  
DATE OF MEETING: FEBRUARY 6, 2002

ATTENDEES:

State of Oklahoma, Radiation Management Section

Mike Broderick, Environmental Program Manager  
Pamela Bishop, Environmental Program Specialist III  
Dale McHard, Environmental Health Consultant

NRC

Dwight Chamberlain, Director, Division of Nuclear Materials Safety, RIV  
Linda McLean, Regional State Agreements Officer, Region IV  
Patricia Larkins, Agreement State Project Officer, STP

The following is a summary of the meeting held in Oklahoma City, Oklahoma, on February 6, 2002, between representatives of the NRC and the State of Oklahoma. During the meeting, the topics suggested in a letter dated January 14, 2002, from Mrs. McLean to Mr. Broderick were discussed. The discussion pertaining to each topic is summarized below.

1. Strengths and/or weaknesses of the State program, as identified by the State or NRC, including the identification of actions that could diminish weaknesses.

Strengths: The State has an adequate number of funded positions, and capable staff. The Section is financially strong and has dedicated fees. The Section currently has eight full time positions filled, which includes the Program Manager, one part-time clerical position. One funded position is unfilled; however, they are in the process of filling the position.

Weaknesses: The loss of two qualified inspectors early in the start up of the program is still challenging the Section. Currently only two staff members are fully qualified with one of them being the Program Manager. Other staff have been interim qualified for certain program activities.

Another stated weakness is the State's salary structure. The loss of two trained staff to States offering more money impacted the program. The Program Manager is concerned that it will continue to be an issue until the pay structure can be improved.

2. Status of State program or policy changes under development or recently completed including:

- a. Changes in program staff - The Section has nine fully funded positions and has eight full time positions filled. The Section has authorization to fill the vacant position and is currently in the process of filling the position. A part time clerical position was recently filled.

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- b. Program reorganizations - No program reorganizations have occurred or expected to occur.
  - b. Legislative changes - No changes in legislation are expected.
  - c. Redistribution of responsibilities - Due to training course schedules and the canceled classes after September 11, the Section has not been able to follow their training plan as expected. Consequently, two staff members have been interim qualified to perform certain types of inspections.
  - d. Changes in program budget/funding - The Section is almost entirely fee based. No changes are expected.
  - e. Training - The Section has on going in-house training for their staff. One recent training topic was how to conduct an inspection entrance.
3. Status of NRC program changes (similar to those in 2.) that could impact Agreement States. It was noted by the Program Manager that the inability to access some sections of the NRC web site may affect productivity.
4. Results of any internal program audits/self-assessments conducted by the State. The Program Manager is planning on performing an IMPEP type review prior to the first IMPEP scheduled this year.
5. Status of all allegations and concerns previously referred by NRC to the Agreement State Radiation Control Program for action and methods used to resolve allegations and concerns that have been closed. The Section has followed up on a number of allegations and responded to several events. Although a case file review was not conducted, it appears that they have responded to the events and allegations in a timely and thorough manner.
6. Changes to NRC regulations since the Agreement became effective and status of Oklahoma's regulations. The Section has adopted-by-reference several proposed rules since the Agreement was signed. These have been submitted to NRC for review.
7. Nuclear Material Event Database (NMED) reporting, including event follow-up and closure information. The staff discussed problems they were encountering with the local NMED program, (i.e., they were unable to print out just one record at a time, but would print every record in the database). It was recommended that they get in touch with INEEL for assistance.
8. Status of materials inspection activities, including reciprocity inspections, and status of licensing actions. In preparation of this meeting the Section reviewed the status of the program, and provided the NRC with database statistics on the program activities (see attachment). The Program Manager stated that the inspectors appear to be scheduling their inspections for efficiency (i.e., location of licensees) rather than by priorities. He stated that he would discuss this issue with them. Also, he stated that the issuance of inspection reports have not always been timely; however, he is working on this with his

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inspectors to improve the timeliness. Additionally, he noted that every violation issued must be reviewed by an attorney which can delay the reports up to three weeks.

9. Schedule for the first IMPEP review. The first IMPEP for the State is scheduled for July 15-19, 2002.

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Attachment

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Inspection Status  
October 2000 to present

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New Licenses

- Number - 6
- Number inspected within 6 months - 1
- Number not inspected within 6 months - 4
- Number not inspected - 1

Core licenses:

- Number inspected - 36
- Number due inspection - 19
- Number inspected at interval >25% - 10
- Number overdue, not inspected - 1

Non core licenses

- Number inspected - 17
- Number due inspection - 3
- Number inspected at interval >25% - 0
- Number overdue, not inspected - 0

| Reciprocity | # Received | # Inspected |      |
|-------------|------------|-------------|------|
| Priority 1  | 1          | 1           | 100% |
| Priority 2  | 1          | 1           | 100% |
| Priority 3  | 9          | 4           | 44%  |

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Licensing Status  
September 29, 2000 to present

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|   | <u>New</u> | <u>Renewal</u> | <u>Amendment</u> | <u>Termination</u> |
|---|------------|----------------|------------------|--------------------|
| Number of licensing actions received          | 19         | 34             | 222              | 14                 |
| Number of licensing actions                   | 15         | 5              | 172              | 11                 |
| Date of oldest licensing action not completed | 12/05/01   | 09/29/00       | 03/26/01         | 11/05/01           |

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