



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

January 3, 2017

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

Mary B. Spencer, Assistant General Counsel for  
Reactor and Materials Rulemaking  
Office of the General Counsel

Scott W. Moore, Deputy Director  
Office of Nuclear Material Safety  
and Safeguards

Scott A. Morris, Deputy Regional Administrator  
NRC Region IV

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: OCTOBER 25, 2016, SPECIAL MANAGEMENT  
REVIEW BOARD MEETING

Enclosed are the minutes of the Special Management Review Board (MRB) meeting held on October 25, 2016, to discuss the periodic meetings held with the Ohio Agreement State Program and the U.S. Nuclear Regulatory Commission (NRC) Region III Radioactive Materials Program. If you have comments or questions, please contact me at (301) 415-0694.

Enclosure:  
Meeting Minutes

cc: Julia A. Schmitt, NE  
Organization of Agreement States  
Liaison to the MRB

MINUTES: SPECIAL MANAGEMENT REVIEW BOARD MEETING OF  
OCTOBER 25, 2016

The attendees were as follows:

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

Glenn Tracy, MRB Chair, OEDO  
Mary Spencer, MRB Member, OGC  
Scott Moore, MRB Member, NMSS  
Pamela Henderson, NMSS

Paul Michalak, NMSS  
Lisa Dimmick, NMSS  
Karen Meyer, NMSS  
Vince Holahan, NMSS

By videoconference:

Scott Morris, MRB Member, Region IV  
Cynthia Pederson, RIII  
Christine Lipa, RIII  
Aaron McCraw, RIII

Jim Lynch, RSAO/RIII  
Jack Giessner, RIII  
Patricia Pelke, RIII

By telephone:

Julia Schmitt, MRB Member, NE  
Gene Phillips, Ohio  
Rebecca Fugitt, Ohio  
Stephen James, Ohio

Kathy Modes, NMSS  
Michael Snee, Ohio  
Stephen Helmer, Ohio

1. **Convention.** Ms. Lisa Dimmick convened the meeting at 1:05 p.m. (ET). She noted that this Management Review Board (MRB) meeting was open to the public. Ms. Dimmick 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 Ohio Agreement State Program**

Mr. Jim Lynch led the discussion of the results of the periodic meeting held with the Ohio Department of Health. The meeting summary may be found in the NRC's Agencywide Documents Access and Management System (ADAMS) using the Accession Number ML16190A366. The meeting was held in Columbus on June 7, 2016. Mr. Lynch noted that the last Integrated Materials Performance Evaluation Program (IMPEP) review of the Ohio Agreement State Program (Program) was conducted in December 2013 (ML14055A239). Ohio's performance was found satisfactory for all indicators. In addition, Ohio was found adequate to protect public health and safety and compatible with the U.S. Nuclear Regulatory Commission's (NRC) program. The IMPEP review period was extended by one year for having two consecutive IMPEP reviews with all indicators found satisfactory.

Mr. Lynch summarized for the MRB the status of the Program. The Program has approximately 600 licensees. At the time of the periodic meeting, there were no overdue inspections, no significant backlog of licensing actions, and no rules overdue for adoption. Response to incidents and allegations has been appropriate. Mr. Lynch noted

that Ohio was the second Agreement State to adopt 10 CFR Part 37 and the Program offered its guidance to the other Agreement States. Mr. Lynch noted that there has been turnover in management and technical positions in the Program. During the MRB, Ohio management commented that some vacancies have been filled and Ohio management anticipates vacancies will continue to be filled including the administrator position which has been vacant since February 2016. The MRB discussed with Ohio the out of state travel restrictions in place to better understand the impact this may have on Ohio's ability to attend training. Ohio management indicated that out of state travel has been approved for Ohio staff to attend training, but travel is not usually approved for Ohio staff to perform other activities outside of Ohio.

Ohio management briefed the MRB on the status of its non-military radium sites. The Program discussed its outreach which included contact with address owners, coordination with the local health departments and public affairs offices, its inspection process and outcomes. The MRB Chair requested that Ohio brief NRC staff on its actions. The Program briefed NRC staff on November 10, 2016.

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

### **Periodic Meeting with the NRC Region III Radioactive Materials Program**

Ms. Dimmick led the discussion of the results of the periodic meeting held with the NRC Region III Materials Program (ML16263A219). The meeting was held via a video teleconference on April 18, 2016. Ms. Dimmick noted that the last IMPEP review of the Region III Radioactive Materials Program was conducted in September 2012 (ML12361A041). Region III's performance was found satisfactory for all indicators. In addition, Region III was found adequate to protect public health and safety. The IMPEP review period was extended by one year for having two consecutive IMPEP reviews with all indicators found satisfactory.

Ms. Dimmick summarized for the MRB the status of the Region III materials program. Region III has approximately 1000 licensees. At the time of the periodic meeting, there were no overdue inspections, or significant backlog of licensing actions. Response to incidents and allegations has been appropriate. There were no staffing concerns. The Region III radioactive materials program is administered by the Division of Nuclear Materials Safety. Three Branches which have primary roles in inspection, licensing, decommissioning comprise the Division. The Division has not reorganized since the last IMPEP review. At the time of the periodic meeting, the Division reported that it is budgeted for 28 technical staff and there was one vacancy. The MRB discussed with Region III its insights on the Master Materials License program. In addition, the MRB discussed web-based licensing (WBL) with the Region. Region III discussed its challenges with WBL. The MRB chair requested a briefing on status of WBL and the implementation challenges of the license generation feature in WBL. The briefing will be coordinated through the Division of Material Safety, State, Tribal and Rulemaking Programs.

Ms. Dimmick stated that the staff recommends that the next IMPEP review of the Region Radioactive Materials Program be conducted as scheduled in July 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 2:24 p.m. (ET).