

MINUTES: SPECIAL MANAGEMENT REVIEW BOARD MEETING OF  
AUGUST 29, 2017

The attendees were as follows:

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

Fred Brown, MRB Chair, OEDO  
Marc Dapas, MRB Member, NMSS  
Kevin Williams, NMSS

Lance Rakovan, NMSS  
Paul Michalak, NMSS  
Lisa Dimmick, NMSS  
Karen Meyer, NMSS

By videoconference:

Jack Giessner, MRB Member, Region III  
Farrah Gaskins, Region I  
Mark Shaffer, Region IV  
Linda Howell, Region IV  
Kriss Kennedy, Region IV  
Binesh Tharakan, Region IV

Monica Ford, Region I  
James Trapp, Region I  
Donna Janda, Region I  
Joe Nick, Region I  
Randy Erickson, Region IV

By telephone:

Mary Spencer, MRB Member, OGC  
Lizette Roldan-Otero, NMSS  
Jennifer Goodman, NJ  
Irene Bennett, GA  
Barty Simonton, GA

Debra Shults, TN, MRB Member, OAS  
Kathy Modes, NMSS  
Karen Hayes, GA  
David Matos, GA  
David Crowley, NC

1. **Convention.** Mr. Paul Michalak convened the meeting at approximately 1:00 p.m. (ET). He noted that this Management Review Board (MRB) meeting was open to the public. Introductions of the attendees were conducted.
2. **Periodic Meeting Discussions:**

**Periodic Meeting with NRC Region IV**

Ms. Lisa Dimmick led the discussion of the results of the periodic meeting held with the NRC Region IV materials program (ADAMS Accession Number: ML17079A365). The meeting was held in Arlington, TX on January 24, 2017. Ms. Dimmick noted that the last Integrated Materials Performance Evaluation Program (IMPEP) review of the NRC Region IV was conducted on April 28 – May 2, 2014. The team found the Region's performance satisfactory for all applicable performance indicators. The review team did not open any recommendations regarding program performance and there were no recommendations from prior IMPEP reviews to close. Accordingly, the review team recommended, and the MRB agreed, that the Region IV program was adequate to protect public health and safety. In addition, Region IV was given a 1-year extension of its next IMPEP review for having two consecutive IMPEP reviews with all indicators found satisfactory. The MRB directed that the next IMPEP review be in 5 years (May 2019) with a periodic meeting held mid-cycle.

The Region has approximately 560 licensees. Ms. Dimmick noted that the Division of Nuclear Materials Safety (DNMS) plans to implement a reorganization during fiscal year (FY) 2017 that will combine oversight activities into two branches (rather than the current structure of three branches) resulting in a reduction of two full-time equivalents (FTE). In January 2017, DNMS had two vacancies in the decommissioning area and one vacancy in the nuclear materials user area. DNMS stated that interviews were being conducted and DNMS expected to fill the positions within 60-90 days (April/May 2017). Since the 2014 IMPEP review, Region IV reported that all but one routine Priority 1, 2, 3 and initial inspections were conducted timely. There were no overdue inspections at the time of the periodic meeting. During the 2014 IMPEP review period, Region IV did not meet the reciprocity inspection metric of 20% candidate licensees in any of the calendar years covered by the review period. As a result, Region IV revised its management process for reciprocity. Despite these initiatives to increase reciprocity awareness, Region IV did not meet the reciprocity metric in 2015 or 2016.

Ms. Dimmick stated that the staff recommended that the next IMPEP review of the NRC Region IV materials program be conducted as scheduled in FY 2019. The MRB agreed with the staff's recommendation.

#### **Periodic Meeting with the New Jersey Agreement State Program**

Ms. Donna Janda led the discussion of the results of the periodic meeting held with the New Jersey Department of Environmental Protection (ADAMS Accession Number: ML17171A061). The meeting was held in Trenton on May 3, 2017. Ms. Janda noted that during the 2015 IMPEP review of the New Jersey Agreement State Program (Program) conducted on April 20 – 24, 2015, the review team found the State's performance satisfactory for all indicators. The review team did not make any recommendations regarding program performance. On July 13, 2015, the MRB found the Program adequate to protect public health and safety and compatible with the NRC's program. The MRB directed that a periodic meeting be held tentatively in April 2017 and the next full IMPEP review be held in April 2019.

Since the 2015 IMPEP review, one technical staff position was filled for approximately 9 months and has now been vacant since January 2017. At the time of the MRB meeting it was expected that the position would be posted shortly. No Priority 1, 2, 3 or initial inspections were completed overdue since the 2015 review and no inspections were currently overdue. The Program had no regulation amendments overdue for adoption.

Ms. Janda noted that staff recommended that the next IMPEP review be conducted as currently scheduled in April 2019. The MRB agreed.

#### **Periodic Meeting with the Georgia Agreement State Program**

Ms. Monica Ford led the discussion of the results of the periodic meeting held with the Georgia Environmental Protection Division (the Division) (ADAMS Accession Number: ML17187A466). The meeting was held in Atlanta on May 22, 2017. Ms. Ford noted that during the May 2016 IMPEP review of the Georgia Agreement State Program, the review team evaluated the State's performance with respect to five common performance indicators and one non-common performance indicator. On August 4,

2016, the MRB met to consider the team's proposed final IMPEP report. The MRB found the State's performance satisfactory for five performance indicators and satisfactory, but needs improvement, for one performance indicator. Overall the MRB found the State adequate to protect public health and safety and compatible with the NRC's program. Upon its deliberations the MRB issued five recommendations. The MRB directed that the State be removed from Heightened Oversight and that a period of Monitoring be initiated. Additionally, calls between Georgia and the NRC staffs were to be conducted quarterly and two periodic meetings should take place. One periodic meeting was to be held approximately one year from the 2016 IMPEP review and a second periodic meeting was to be held approximately 18 months after the first periodic meeting.

Since the 2016 IMPEP review two people have left the Division. The program manager vacancy was filled in October 2016, the other position was vacant at the time of the periodic meeting. At the 2016 review, the MRB recommended that the Division management develop a strategy to address staff retention and implement corrective actions to mitigate the causes of the Division's turnover to ensure satisfactory program performance is sustained. The Division made progress with this recommendation. Since the last IMPEP review the Division has implemented a new inspection tracking database. The Division has completed 57 priority 1, 2, and 3 inspections since the last IMPEP review. Of those inspections, five were completed overdue. All of the inspections completed overdue occurred as a result of incorrect Priority codes listed in the database. No priority 1, 2, and 3 inspections were overdue at the time of the periodic meeting. Two initial inspections were completed overdue since the last IMPEP review and no initial were overdue at the time of the periodic meeting. The Division is making progress with the recommendation from the previous IMPEP involving reciprocity inspections. The Division is making progress in regards to the recommendation involving training for inspections on the examination of the written directives and NRC inspection procedure 87132, Brachytherapy Programs. The Division is making progress involving verify that all previously approved radiation safety officers (RSO) for medical licenses have an attestation by a preceptor RSO and pre-licensing requirements. The Division has one amendment overdue for adoption.

Staff recommends that: the State continue on Monitoring; quarterly calls continue with the NRC; the next Periodic Meeting be conducted as scheduled in November 2018; and the next IMPEP review be conducted as scheduled in May 2020. The MRB agreed.

3. **Comments from members of the public.** None
4. **Process Changes/Comments.** None applicable to these reviews.
5. **Precedents/Lessons Learned.** None applicable to these reviews.
6. **Adjournment.** The meeting was adjourned at 2:30 a.m. (ET).