

MINUTES: MANAGEMENT REVIEW BOARD MEETING OF COLORADO
JUNE 26, 2018

The attendees were as follows:

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

Dan Dorman, MRB Chair, OEDO
Marc Dapas, MRB Member, NMSS
Mary Spencer, MRB Member, OGC

Lance Rakovan, Team Leader, NMSS
Paul Michalak, NMSS

By videoconference:

Randy Erickson, Team Member, Region IV

Linda Howell, Region IV

By telephone:

Darrell Roberts, MRB Member, Region III
Gonzalo Perez, MRB Member, CA, OAS
Frank Tran, Team Member, Region III
Lizette Roldan-Otero, Team Member, NMSS
Jennifer Opila, CO
Matt Gift, CO
James Jarvis, CO
Tim Thorvaldson, CO
Peter Rottenborn, CO
Cheri Hall, CO

Gehan Flanders, Team Member, TX
Ron Parsons, Team Member, TN
Sherrie Flaherty, Team Member, MN
Joe O'Hara, NMSS
Shiya Wang, CO
Phil Peterson, CO
Kathryn Mote, CO
Ramon Li, CO
Derek Bailey, CO
Mark Dater, CO

1. Convention. Mr. Lance Rakovan 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. Colorado IMPEP Review. Mr. Lance Rakovan, Team Leader, led the presentation of the Colorado Integrated Materials Performance Evaluation Program (IMPEP) review results to the MRB. He summarized the review and the team's findings for the indicators reviewed. The on-site review was conducted by a team composed of technical staff members from the U.S. Nuclear Regulatory Commission (NRC) and the States of Minnesota, Tennessee, and Texas during the period of April 9-13, 2018. A draft report was issued to Colorado for factual comment on May 9, 2018. Mr. Rakovan reported that the team found Colorado's performance was satisfactory for all indicators reviewed.
3. Performance Indicators.
 - a) Mr. Rakovan reviewed and presented the common performance indicator, **Technical Staffing and Training**. His presentation corresponded to Section 3.1 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives briefly discussed the status of the staff hired during the review period and the impact of vacancies on the Agreement State Program.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- b) Ms. Sherrie Flaherty reviewed and presented the common performance indicator, **Status of Materials Inspection Program**. Her presentation corresponded to Section 3.2 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives briefly discussed the single late initial inspection completed during the review period.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- c) Ms. Flaherty reviewed and presented the common performance indicator, **Technical Quality of Inspections**. Her presentation corresponded to Section 3.3 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives discussed compliance based verses performance based inspections, conducting announced verses un-announced inspections, and geographic issues.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- d) Mr. Frank Tran reviewed and presented the common performance indicator, **Technical Quality of Licensing Actions**. His presentation corresponded to Section 3.4 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives discussed the program's peer review process for license renewals, its use of Web-Based Licensing, and implementation of Part 37.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- e) Mr. Randy Erickson reviewed and presented the common performance indicator, **Technical Quality of Incident and Allegation Activities**. His presentation corresponded to Section 3.5 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives discussed incidents of "high risk" and protecting allegeders' identities.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- f) Mr. Rakovan reviewed and presented the non-common performance indicator, **Compatibility Requirements**. His presentation corresponded to Section 4.1 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives discussed the State's regulation adoption process, including stakeholder involvement.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- g) Mr. Ron Parsons reviewed the non-common performance indicator, **Sealed Source and Device Evaluation Program**. His presentation corresponded to Section 4.2 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives discussed the training and qualification of staff, including the status of the single staffer who was qualified during the review period. Attendees also discussed the number of registrants in Colorado. Colorado representatives noted that they would get alternate technical assistance if the State were to receive a complex SS&D.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

- h) Ms. Gehan Flanders reviewed and presented the non-common performance indicator, **Uranium Recovery Program**. Her presentation corresponded to Section 4.4 of the proposed final IMPEP report. The MRB, the team, and Colorado representatives discussed staffer responsible for uranium-related activities and the language in the report involving the sharing of inspection results not being consistent with the radiation control act.

The team found Colorado's performance with respect to this indicator to be "satisfactory" and the MRB agreed.

4. MRB Consultation/Comments on Issuance of Report. The team recommended, and the MRB agreed, that the Colorado Agreement State Program be found adequate to protect public health and safety and compatible with the NRC's program. The team recommended that the next IMPEP review take place in approximately 4 years with a periodic meeting in approximately 2 years. Colorado representatives noted that only indicator found less than satisfactory during this and the previous review was "Compatibility Requirements" and requested that, given the circumstances for that rating were out of control of the Colorado Agreement State Program, the next IMPEP review be in 5 years with a periodic meeting in approximately 2.5 years.

The MRB directed staff to provide an analysis of situations where the 1-year extension was granted and to provide that information for the MRB to make a final decision on the timing of the next IMPEP review and periodic meeting. Subsequent to the MRB meeting, the MRB directed that the next IMPEP review be held in approximately 4 years and that a periodic meeting be held in approximately 1 year. The final report may be found in the ADAMS using the Accession Number ML18180A318.

5. Precedents/Lessons Learned. Mr. Rakovan noted that he would be reaching out to Colorado representatives to collect lessons learned involving conducting IMPEP reviews for "fully electronic" programs.

6. Comments from Members of the Public. None

7. Adjournment. The meeting was adjourned at approximately 2:25 p.m. (ET)