

## MINUTES: SPECIAL MANAGEMENT REVIEW BOARD MEETING OF FEBRUARY 19, 2019

The attendees were as follows:

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

Steven West, MRB Chair, OEDO  
Mary Spencer, MRB Member, OGC  
John Tappert, MRB Member, NMSS  
Kimyata Morgan-Butler, OEDO  
Brian Harris, OGC

Andre Kock, NMSS  
Paul Michalak, NMSS  
Duncan White, NMSS  
Robert Johnson, NMSS

### By Skype or telephone:

Linda Howell MRB Member, Region IV  
Debra Shults, MRB Member, OAS  
Joseph Nick, Region I  
Monica Ford, Region I  
Lizette Roldan-Otero, NMSS  
Joseph O'Hara, NMSS

Karen Hayes, Georgia  
Irene Bennet, Georgia  
Davis Matos, Georgia  
Terry Derstine, OAS  
Stephen James, Ohio  
Ronald Parsons, Tennessee

**1. Convention:** Mr. Robert Johnson convened the meeting at approximately 1:00 p.m. (ET). He noted that this Special Management Review Board (MRB) meeting was open to the public. Introductions of the attendees were conducted.

### **2. Periodic Meeting Discussions:**

#### **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 Radioactive Materials Program (ADAMS Accession Number: ML19025A304 [DRAFT for Comment]/confirm final ML). The periodic meeting was held in Atlanta Georgia, on December 10, 2018.

The Georgia Agreement State Program (the Program) has been subject to increased oversight by the NRC since December 2008. The Program was placed on monitoring as a result of the 2008, Integrated Materials Performance Evaluation Program (IMPEP) review. Subsequently the Program was placed on probation as a result of the 2012 IMPEP review, heightened oversight as a result of the 2014 IMPEP review, and most recently monitoring as a result of the 2016 IMPEP review.

During the May 2016 IMPEP review of the Program, the review team found the State's performance satisfactory for the Technical Staffing and Training, Status of Materials Inspection Program, Technical Quality of Inspections, Technical Quality of Incident and Allegation Activities, and Compatibility Requirements performance indicators; and satisfactory, but needs improvement for the Technical Quality of Licensing Actions performance indicator. Five recommendations were made and overall the MRB found the program adequate to protect public health and safety and compatible with the NRC's program. The MRB directed that the Georgia Agreement State Program be removed from Heightened Oversight and that a period of monitoring be initiated until such time as the Georgia Agreement State Program had demonstrated a sustained period of satisfactory

performance. Additionally, the MRB directed that quarterly calls were to be conducted, two periodic meetings were to take place, with one periodic meeting to be held approximately one year from the 2016 IMPEP review and the second periodic meeting to be held approximately 18 months after the first periodic meeting, and the next IMPEP review was to be conducted in approximately four years. e

Ms. Ford noted that the Program had taken several actions to address the five recommendations resulting from 2016 IMPEP review and discussed the status of the Program performance improvement recommendations.

**Recommendation 1:** The MRB recommends that the Program management develop a strategy to address staff retention and implement corrective actions to mitigate the causes of the Program's turnover to ensure satisfactory program performance is sustained.

**Status:** The Program analyzed reasons for turnover and implemented measures to improve staff retention and improve the work environment.

**Recommendation 2:** The MRB recommends that Program management implement corrective actions and make necessary adjustments to ensure satisfactory program performance is sustained with regard to reciprocity inspections.

**Status:** The Program has implemented corrective actions to ensure it meets the goal of inspecting 20 percent of candidate licensees each calendar year. The Program has performed inspections on greater than 20 percent of candidate reciprocity licensees in each calendar year since the 2016 IMPEP review.

**Recommendation 3:** The review team recommends that the Program develop and implement training for inspectors on the examination of the written directives and NRC Inspection Procedure 87132, Brachytherapy Programs.

**Status:** After the 2016 IMPEP review, Program management and staff viewed online training and participated in an NRC webinar to increase knowledge of written directives used in brachytherapy procedures. Management stated that staff felt the training was beneficial and staff had not raised any additional concerns regarding these types of inspections.

**Recommendation 4:** The review team recommends that the Program verify that all previously approved radiation safety officers for medical licenses have an attestation by a preceptor RSO, including that the individual has completed training in the radiation safety, regulatory issues and emergency procedures for the appropriate license type.

**Status:** All documentation for medical RSOs that are currently on a specific license has been reviewed. Over 200 RSOs needed additional documentation. As of June 2018, all work on this recommendation was completed. Additionally, Program management stated that the licensing procedures have been revised and now direct staff to review this information when reviewing license actions.

**Recommendation 5:** The review team recommends that the Program management develop and implement training and guidance that provides the staff with the tools necessary to accurately complete the Program's pre-licensing requirements for each new license.

**Status:** The Program redesigned its pre-licensing guidance and the forms associated with the guidance and provided training to the staff before the 2016 IMPEP MRB meeting that was held in August 2016. Additionally, at the time of the periodic meeting, the Program noted that NRC had made additional changes to the guidance and was working to have the revisions in place by the due date of February 9, 2019. Furthermore, NRC revised the Risk Significant Radioactive Materials checklist in June 2017 with Agreement States required to adopt equivalent guidance by January 2018. The Program stated that the required changes were made to this checklist as well.

Ms. Ford concluded that the Program had taken steps to address the five recommendations made as a result of the 2016 IMPEP review and continues to make improvements to ensure compliance with IMPEP requirements. Ms. Ford also noted that no programmatic concerns have been identified at the time of the periodic meeting. The 2016 MRB recommended that the Program stay on monitoring until such time as the Program demonstrated a period of sustained performance. Ms. Ford indicated that based on the results of this periodic meeting the NRC staff determined that a period of sustained performance has been demonstrated and as a result, is recommending that the Georgia Agreement State Program be removed from monitoring. Additionally, the NRC staff is recommending that the quarterly calls be discontinued and that the next IMPEP review be held as scheduled in May 2020. The MRB unanimously agreed with the staff recommendation to remove the Program from monitoring and ending the quarterly calls, with the next IMPEP review to occur in early 2020.

**3. Comments from members of the public:**

Prior to the conclusion of the meeting several members of the public provided comments. Two individuals commented on the MRB's discussion on monitoring. Another individual articulated previously expressed concerns about the Program's performance and provided examples where they felt performance was unsatisfactory. The MRB Chair thanked the members of the public for their comments and closed the meeting.

**4. Process Changes/Comments:** None applicable to these meetings.

**5. Precedents/Lessons Learned:** None applicable to these meetings.

**6. Adjournment:** The meeting was adjourned at 2:17 p.m. (ET).