

October 28, 2002

Thomas W. Ortziger, Director  
Illinois Department of Nuclear Safety  
1035 Outer Park Drive  
Springfield, IL 62704

Dear Mr. Ortziger:

A periodic meeting with Illinois was held on September 19, 2002. The purpose of this meeting was to review and discuss the status of Illinois' Agreement State program. The NRC was represented by Marc Dapas and me.

I have completed and enclosed a general 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 (630) 829-9661, or e-mail to JLL2@NRC.GOV to discuss your concerns.

Sincerely,

*/RA/*  
James L. Lynch  
State Agreements Officer

Enclosure: As stated

cc w/encl.:  
P. Eastvold, IDNS  
J. Klinger, IDNS  
P. Lohaus, STP  
R. Blanton, STP  
M. Dapas, RIII

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## AGREEMENT STATE PERIODIC MEETING SUMMARY FOR ILLINOIS

DATE OF MEETING: SEPTEMBER 19, 2002

### ATTENDEES:

#### NRC

Marc Dapas  
Jim Lynch

#### STATE

Tom Ortziger  
Paul Eastvold  
Joe Klinger  
Steve Collins  
Rich Allen  
Kathy Allen  
Gary McCandless  
Gibb Vinson

### DISCUSSION:

The recommendation in Section 5.0 of the 2001 Illinois final IMPEP report is summarized below followed by a summary of actions in response to the finding.

1. **Recommendation:** The review team recommends that the State adopt the regulations, or other legally-binding requirements, which are overdue for adoption. (Section 4.1.2)

**Current Status:** The demands of security-related efforts in response to the terrorist attacks and the development of medical rules consistent with the new Part 35 have slowed progress on the development of these regulations. It is recommended that this comment remain open.

#### Radiation Control Program Staffing

A well-trained, experienced staff remains a strength of the Illinois Department of Nuclear Safety (IDNS) radiation control program. The licensing and inspection staffs are unchanged since the last IMPEP review. The regional inspection office was moved from Glen Ellyn to West Chicago and combined with the laboratory operations near the Kerr-McGee decontamination project.

#### Training

The radiation control program staff is experienced and well trained. A training matrix was developed for all employees to track their training history. Formalized training requirements were developed for license reviewers. Similar requirements will be generated for inspectors, if a new inspector is hired.

One of the program supervisors participated on the NRC Sealed Source and Device Program IMPEP team in 1999. IDNS management was encouraged to continue to support the IMPEP program to share Illinois expertise and to strengthen staff skills and perspectives.

IDNS licensing staff provided Sealed Source and Device training to members of the Ohio radiation control program in May 2001. Ohio management indicated that the training was of high quality and very beneficial to their program.

### Inspections

Illinois inspection frequencies are at least as frequent as NRC's. No inspections are overdue.

### Licensing

No significant licensing backlogs exist.

Since financial assurance regulations were modified in 2000, a total of 78 licensees have posted surety documents with the Agency. Financial assurance obligations are reevaluated every two years.

### Self Assessments

The value of programmatic self assessments was discussed during the meeting. Currently, IDNS managers perform substantial oversight of the program but have not yet embarked on a self assessment effort. NRC encourages States to perform self assessments, which may use the IMPEP tools available on the Office of State and Tribal Programs website.

### Regulations

The IDNS staff analyzed, in detail, the new NRC Part 35 regulations and are in the process of developing corresponding regulations in 32 Illinois Administrative Code, Part 335.

Virtually the entire radioactive materials staff, including program managers, attended the 10 CFR Part 35 training in August at the Region III Office. IDNS also provided detailed comments to NRC on the revised regulation and guidance.

Development of other compatibility-required regulations is behind schedule due to the demands of dealing with the security issues related to last year's terrorist attacks and the development of medical regulations. Efforts regarding the remaining rules needing promulgation will continue after the medical rule is sent out for comment.

During the last IMPEP review, IDNS provided NRC with information regarding their policy for licensees to authorize release of patients containing radioactive material, after treatment. NRC indicated that they would evaluate these "legally binding requirements" for compatibility with the NRC patient release rule. This has not yet been accomplished, due to other priorities. Jim Lynch indicated that this evaluation would be performed before the end of the year.

### Security

The current security advisories and Interim Compensatory Measures (ICMs) were discussed in detail. In particular, security issues at the Honeywell facility in Metropolis, Illinois, were discussed with IDNS management.

IDNS was invited to participate in a meeting with the NRC and pool irradiator manufacturers and operators. The meeting, in the NRC Region III office, was to discuss security measures at irradiator facilities.

### Incidents

IDNS staff communicates reportable incidents promptly to the NRC Operations Center and Region III. Since the last IMPEP review 71 incidents were reported, many of them scrap or landfill alarms. Joe Klinger inputs incident information directly into the Nuclear Materials Events Database (NMED) as incidents occur. A review of NMED identified timely and quality input of incidents. Ten of the files needed additional detail for proper closure of the incidents which Mr. Klinger indicated would be done promptly.

### Allegations

Four allegations were transferred to Illinois from NRC since the last IMPEP review. The allegations involved: improper control of moisture density gauges; discrimination at a medical center; unauthorized operation of a nuclear medicine facility; and damage to a moisture density gauge. IDNS staff investigated the allegations and took prompt, appropriate actions in all cases. Investigation results will be provided to the RSAO.

### Licensee Updates

Information on current NRC activities in Illinois was shared with IDNS staff. Updates were provided regarding Honeywell, Inc. and VA-Hines.

### Sealed Sources and Devices

In 2001, IDNS provided SS&D training for the Ohio Department of Health staff. The training was very beneficial and well done, according to feedback the RSAO received from Ohio.

The SS&D workload in Illinois has decreased significantly, as two major manufacturers moved operations to different States. Approximately 8 to 10 SS&D amendments are issued annually.

### CONCLUSIONS:

The Illinois Radiation Control Program appears to be a strong, stable Agreement State program. Staff has remained consistent for many years and the training level for staff members is good.

IDNS will consider the use of self assessments to evaluate and improve the radiation control program.

IDNS will update NMED incident files for proper closure.

NRC will evaluate "legally binding requirements" for compatibility with the NRC patient release rule.

IDNS will reinitiate efforts to adopt regulations required for compatibility.

During the 2001 MRB meeting, it was recommended that the next IMPEP review be scheduled in four years. Those present at this meeting agreed to schedule the review as planned, in FY 2005.