



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
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ARLINGTON, TEXAS 76011-4005

August 7, 2006

Jeffrey P. Meyers, Administrator
Emergency & Radiological Services Division
Office of Environmental Services
P.O. Box 4312
Baton Rouge, LA 70821-3041

Dear Mr. Meyers

A periodic meeting with Louisiana was held on July 18, 2006. The purpose of this meeting was to review and discuss the status of Louisiana's Agreement State Program. The NRC was represented by me from the Region IV office and Monica Orendi from the Office of State and Tribal Programs.

I have completed and enclosed a general meeting summary, including any specific actions resulting from the discussions.

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 (817) 860-8116 or email mlm1@nrc.gov to discuss your concerns.

Sincerely,

/RA/

Linda McLean
Regional State Agreements Officer

Enclosure:
As stated

cc w/enclosure:
Janet Schlueter, Director
Office of State and Tribal Programs

ENCLOSURE

Louisiana Periodic Meeting
Date of Meeting: July 18, 2006

ATTENDEES

STATE

Jeffrey Meyers, Program Manager
Ann Troxler, Manager
Richard Penrod, Manager
Dwayne Stepter, Supervisor
Joseph Noble, Supervisor

NRC

Linda McLean, Regional State Agreements Officer
Monica Orendi, Health Physicist

Discussion

The Louisiana Agreement State program is located in the Department of Environmental Quality. The Radiation Control Program is in the Emergency and Radiological Services Division (the Division). The Division is responsible for all emergency response activities (e.g., for chemical and other hazardous materials). The Division has six regional offices, including the Baton Rouge compliance field office.

The last IMPEP Review for Louisiana was conducted on October 27 - 31, 2003. The review team and the MRB found Louisiana's performance to be satisfactory for six performance indicators, and satisfactory with recommendations for improvement for the performance indicator, Status of Materials Inspection Program. Accordingly, the review team recommended and the MRB concurred in finding the Louisiana Agreement State program to be adequate to protect public health and safety and compatible with NRC's program. Based on the results of the IMPEP review, it was agreed that the next full review should be in approximately four years. The review team had five recommendations for the Division.

1. Status of State's actions to address all open previous IMPEP review findings and/or open recommendations.

RECOMMENDATION 1: The review team recommended that the Surveillance Division finalize their training and qualification program of radioactive materials inspectors, including the qualifications required to complete independent inspections of various license types.

Current Status: The Surveillance Division has developed an access program for tracking the training and qualifications for radioactive materials inspectors, and includes the qualifications required to complete independent inspections of various license types. It is recommended that this item be reviewed and closed at the next IMPEP review.

RECOMMENDATION 2: The review team recommended that the Department review their existing databases, identify all routine and initial inspections that need to be conducted and complete those inspections.

Current Status: The Division has implemented a databases that identifies all routine

and initial inspections. It is recommended that this item be reviewed and closed at the next IMPEP review.

RECOMMENDATION 3: The review team recommended that the Department develop and implement a process for ensuring that all new licensees receive a timely initial inspection.

Current Status: The Division developed and implemented a database for ensuring that all new licensees are inspected within the one year time frame. It is recommended that this item be reviewed and closed at the next IMPEP review.

RECOMMENDATION 4: The review team recommended that the Department inspect implementation of SS&D authorizations during routine inspections.

Current Status: The Division has completed inspections of the all SS&D authorizations during their routine inspections of the licensees. It is recommended that this item be reviewed and closed at the next IMPEP review.

RECOMMENDATION 5: The review team recommended that the Department develop and implement a process for conducting annual accompaniments of all radiation compliance inspectors by qualified individuals.

Current Status: All inspectors have been accompanied to date, and the Division has documented all the accompaniments. It is recommended that this item be reviewed and closed at the next IMPEP review.

2. Strengths and/or weaknesses of the State program as identified by the State or NRC including identification of actions that could diminish weaknesses.

3.

Strengths

- With the restructuring of the Emergency and Radiological Services Division, communications between inspection and licensing have improved.
- License reviewers accompany inspectors on some inspections.
- Communications with the regions has improved.
- The Division has staff that is well qualified and experienced.
- The Division has dedicated funds and is adequately funded.

Weaknesses

- Training for staff is always needed.
- The Division has limited out-of-state travel money.

3. Feedback on NRC's program as identified by the State and including identification of any action that should be considered by NRC

- The Division requested that more security training courses be made available so that all of their staff could attend the training.
- The Division commented on the large volume of e-mail messages received from STP and asked if they could be managed better (e.g., send only one message on same topic, put more information in the subject line [e.g., comments due date, etc]).

- The Division stated that the Increased Controls Tool Box is a very useful tool.

4. Status of State Program including:

Staffing and training:

Number of staff in the program and status of their training and qualifications; Program vacancies; Staff turnover; Adequacy of FTEs for the materials program

The Division is currently adequately staffed, although the full impact of the increased control inspections is yet not known. There is one vacancy in the materials program, the position has been posted and should be filled soon. During this period two staff retired and one left the program. The senior staff is well qualified and experienced.

Materials Inspection Program:

Discuss the status of the inspection program including if an inspection backlog exists and the steps being taken to work off backlog.

The Division has developed a good tracking system for ensuring that inspections are done on time. Currently there are no over due inspections.

Regulations and Legislative changes:

Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements.

The most recently submitted regulation package was discussed. NRC had three minor comments on the package. (After the meeting, a follow up phone call was made to request additional information on the State's Regulation Status (SRS) database. The Division is working on updating the SRS and providing any missing data.)

Program reorganizations:

Discuss any changes in program organization including program/staff relocations and new appointments. No changes are planned.

Changes in Program budget/funding: No changes are planned.

5. Event Reporting, including follow-up and closure information in NMED. A review of the NMED database showed that there were several events still opened. The Division said that they would close all of the events were possible.

6. Response to Incidents and Allegations:

Status of allegations and concerns referred by the NRC for action. One allegation was forwarded to the Division during this period and it was promptly reviewed and closed.

Significant events and generic implications. Several significant events have occurred during this period. The major event was the landfall of Hurricane Katrina. The Division did an excellent job ensuring that all radioactive materials sources were secure and accounted for under very difficult conditions. Recently, the Division staff assisted NRC on a visit to a radiography equipment supplier in order to review a potential generic problem with one of their products. The product may have resulted in several source

“misconnects.”

7. Information exchange and discussion:

Current State initiatives: The Department has an individual who is in charge of succession planning for the entire Department of Environmental Quality.

State’s mechanisms to evaluate performance (as applicable): Self audits; Computer tracking; Inspector accompaniments; Other management tools. The Division has several tools to evaluate performance which include: monthly executive status reports; annual field offices visits by the program director; bi-annual visits by the other managers; inspector accompaniments; in-house staff training.

NRC current initiatives: The NRC reorganization was discussed.

7. Other topics: A conference call was held with Region IV’s Regional Administrator to discuss the regions new hurricane procedure and the role the States will have. The current status of a licensee’s enforcement activities was discussed.

9. Schedule for the next IMPEP review: Late 2007