

MINUTES: MANAGEMENT REVIEW BOARD MEETING OF UTAH FOLLOW-UP
FEBRUARY 27, 2018

The attendees were as follows:

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

Dan Dorman, MRB Chair, OEDO
Scott Moore, MRB Member, NMSS
Mary Spencer, MRB Member, OGC
Laura Shrum, OGC

Lance Rakovan, Team Leader, NMSS
Paul Michalak, NMSS
Kevin Williams, NMSS
Chris Einberg, NMSS

By videoconference:

Darrell Roberts, MRB Member, Region III

Binesh Tharakan, Team Member, Region IV

By telephone:

Kristen Schwab, Team Member, WA
Jennifer Opila, MRB Member, CO, OAS
Kathy Modes, NMSS
Lizette Roldan-Otero, NMSS
Joe O'Hara, NMSS

Rusty Lundberg, UT
Phil Goble, UT
Ryan Johnson, UT
Scott Anderson, UT

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. Utah IMPEP Review. Mr. Lance Rakovan, Team Leader, led the presentation of the Utah Integrated Materials Performance Evaluation Program (IMPEP) follow-up 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 State of Washington during the period of December 12-13, 2018. A draft report was issued to Utah for factual comment on January 11, 2018. Utah responded by letter from Scott Anderson dated January 29, 2018. Mr. Rakovan reported that the team found Utah's performance was satisfactory for both indicators reviewed and a periodic meeting was held in conjunction with the follow-up review per IMPEP guidance.
3. Performance Indicators.
 - a) Mr. Binesh Tharakan 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 Utah representatives discussed incident and allegation training for staff, including refresher training, and the process the State uses to decide how to respond to an incident. The MRB directed that additional language involving training be included in the report.

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

- b) Mr. Rakovan and Ms. Schwab reviewed and presented the non-common performance indicator, **Compatibility Requirements**. Their presentation corresponded to Section 4.1 of the proposed final IMPEP report. The MRB, the team, and Utah representatives discussed steps the State has taken to bring the program back to being compatible with the NRC financial surety statutes for the LLRW disposal site, specifically statutes to ensure adequate financial surety and that do not conflict with federal requirements, and details of the State's implementation of the legislation passed.

The team found Utah's performance with respect to this indicator to be "satisfactory" and the MRB agreed. The MRB also agreed that the recommendation from the previous review should be closed.

4. Periodic Meeting Discussion. Mr. Tharakan led the discussion of the results of the periodic meeting held with Utah representatives as part of the follow-up review. State representatives noted that having a periodic meeting at one year and a follow-up review, including a periodic meeting discussion, at two years seemed unnecessarily intrusive. Attendees discussed the status of inspections.
5. MRB Consultation/Comments on Issuance of Report. The team recommended, and the MRB agreed, that the Utah Agreement State Program be found adequate to protect public health and safety and compatible with the NRC's program. The team recommended, and the MRB agreed, that the next IMPEP review take place in July 2019, as scheduled. The final report may be found in the ADAMS using the Accession Number ML18064A117.
6. Precedents/Lessons Learned. Mr. Rakovan noted that, given the State's comments, IMPEP management would be evaluating whether having a periodic meeting at 1 year when a follow-up review is scheduled at 2 years is necessary.
7. Comments from Members of the Public. None
8. Adjournment. The meeting was adjourned at approximately 2:17 p.m. (ET)