

December 6, 2000

Donald A. Flater, Chief
Bureau of Radiological Health
Iowa Department of Public Health
401 SW 7th St., Suite D
Des Moines, IA 50309

Dear Mr. Flater:

A periodic meeting with Iowa was held on November 14, 2000. The purpose of this meeting was to review and discuss the status of Iowa's Agreement State program. The NRC was represented by Lloyd Bolling from the NRC's Office of State and Tribal Programs, Marc Dapas from the NRC Region III office, and me. Specific topics and issues of importance discussed at the meeting included: IDPH staff training, regulation development and issues raised during the 1999 Integrated Materials Performance Evaluation Program (IMPEP) review.

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 comments.

Sincerely,

James L. Lynch
State Agreements Officer

Enclosure: As stated

cc w/encl: D. McGhee, Iowa SLO
L. Bolling, STP
L. Rakovan, STP

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AGREEMENT STATE ANNUAL MEETING SUMMARY FOR IOWA

DATE OF MEETING: NOVEMBER 14, 2000

ATTENDEES:

NRC

James Lynch
Lloyd Bolling
Marc Dapas

STATE

Donald Flater
George Johns
Daniel McGhee
Mark Flickinger
Joyce Spencer

DISCUSSION:

The following is a summary of the meeting held in Des Moines on November 14, 2000, between representatives of the NRC and the State of Iowa.

Actions on Previous IMPEP Review Findings

The previous IMPEP review was conducted during the period August 17-20, 1999, with the findings discussed in a meeting between the State and the IMPEP Management Review Board (MRB) on November 9, 1999. The results were issued in a final report dated November 23, 1999. The MRB found that the Iowa radiation control program was adequate to protect public health and safety and compatible with NRC's program. The one recommendation made in the final report is listed below followed by a summary of the State's actions in response to the findings.

1. **Recommendation:** The review team recommends that staff who conduct independent inspections and/or license reviews of teletherapy and brachytherapy licenses complete a teletherapy and brachytherapy course.

Current Status: The one staff member performing independent brachytherapy license review and inspection, who had not taken a brachytherapy training course, completed the NRC-sponsored Teletherapy and Brachytherapy course in March 2000. The State had comments about the quality of the course, as addressed below.

Radiation Control Program Staffing and Training

Staffing has remained stable since the last program review. Joyce Spencer is now performing independent inspections of most license categories. With respect to the recommendation made during the last review, the staff member who took the Teletherapy and Brachytherapy course commented that the quality of the course instruction was weak. He and two other staff members who have taken the course in recent years, said that course content, presentation, and tours were not particularly helpful. Course critiques were submitted to the Office of State and Tribal Programs. Because of these concerns, and the fact that this staff member had worked in the medical field prior to his employment with the State, the training course was not very valuable.

Lloyd Bolling indicated that the course critiques from Iowa were reviewed by Technical Training Division and State and Tribal Programs staff and their comments are being considered as the medical training course contracts are being re-negotiated.

Don Flater raised the issue of succession planning in Agreement State programs. As staff members retire in the next 5 or 10 years, many radiation programs may find themselves with inadequate staffing. This may be a question that we would want to pose during IMPEP reviews, possibly on the questionnaire. Jim Lynch agreed to raise the issue with STP management.

Licensing Program

The licensing workload in the past year was at its peak due to the large number of renewals processed every five years. There is no backlog of licensing actions.

The two NRC American Ordnance licenses at the Iowa Army Ammunition Plant were successfully transferred to the authority of the State in March 2000. The transfer was the result of the Army's decision to retrocede exclusive legislative jurisdiction at the site.

Inspection Program

Similar to the licensing program, the past year was a peak year for the number of inspections performed in the State. Approximately 75 inspections were done, including general license inspections. Every three years, most of the State's medical licenses come due for inspection, leading to the peak. No inspections are overdue, including initials, at this time.

The Radon Program is no longer in the Bureau. Joyce Spencer, formerly responsible for that program, is now full-time in the radioactive materials program.

Inspector evaluation forms are completed for each staff accompaniment. Each inspector is accompanied by the Inspection Coordinator or other qualified inspector at least twice per year.

Scoping surveys at the Iowa Army Ammunition Plant identified minor uranium-238 contamination, historical in nature, in some of the buildings. IDPH requested that the Army perform a full site evaluation to determine the extent of contamination.

Fansteel/Wellman Dynamics Corporation is developing a decontamination plan for its buried thorium waste.

General Licenses

The General License device registration and inspection program is now in its third year. A total of 266 generally licensed devices are currently being tracked. Annual inventory forms are sent to general licensees with an annual fee of \$150 per type of device. Inspections are performed at three-year intervals.

IDPH identified a generally-licensed device distributed from the State of New York, which did not have a valid Sealed Source and Device registry certificate. The current manufacturer of the device is different than the one named on the certificate. Also, New York allows up to 900 microcuries of promethium-147 to be contained in the device, whereas the certificate limits the source strength to 50 microcuries. IDPH will pursue the issue with New York.

IDPH also had concerns regarding a Kentucky gauge manufacturer who markets fixed gauges with multiple exempt sources (not bundled). These concerns will be communicated to the State of Kentucky. A technical assistance request may be submitted to the NRC to pursue the generic aspect of the use of multiple, non-bundled, exempt sources in a gauge.

Working Groups

IDPH staff conveyed a concern about their ability to monitor or participate in various working groups and task forces. Iowa is not a member of the Organization of Agreement States and may not be aware of the formation of these different efforts. The State was encouraged to check the State and Tribal Programs website and RADRAP frequently, since all solicitations and notifications regarding working groups and task forces are announced through these mechanisms.

Future Periodic Meetings

IDPH expressed that two Periodic Meetings between IMPEP reviews are not particularly useful either to the NRC or Iowa. Rather, a 2-3 day mini-review, with some file evaluation and inspector accompaniments, midway between IMPEP reviews would be more informative and cost effective. Don Flater indicated that he would provide these comments in a letter to State and Tribal Programs.

Jim Lynch commented that the IMPEP program working group, scheduled to begin in the next couple of months, would be looking for such input as the program is evaluated for effectiveness.

Regulations

IDPH updates its regulations on an annual basis. Late in the calendar year, a package of proposed regulation changes is sent to the NRC and the public for comment. The NRC provided two comments on the proposed rule package submitted in December 1999. One of those comments, regarding the definition of "residual radioactivity," was resolved with the 2000 regulation update. The other comment, regarding industrial radiographer certification, will be included in the December 2000 proposed rule package.

All of the regulations identified in the 1999 IMPEP review report as coming due were addressed in the 2000 regulation update, with one exception. "Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction" has not yet been promulgated. It was due in February 2000. This regulation will also be added to the December 2000 proposed rule package.

Allegations

One allegation was transferred to Iowa from the NRC since the last review. In July 2000, an allegation concerning a "nuclear radioactive apparatus" was sent to the State. The allegation was promptly investigated by IDPH and appropriately closed. The State provided an investigation report to NRC in July 2000.

Allegation/incident procedures are presently being modified for Iowa use. The procedures will be in place by early 2001.

Waste Disposal

Iowa plans to charge fees for radioactive waste, both high and low-level, transport within the State.

Don Flater said that a municipality sewer department in the State recently raised questions about EPA and NRC rules regarding the disposal of radioactive material into the sewer system. If the municipality has specific questions about regulations, they may be directed to the respective agency. Currently, a sewage study is being performed by the Interagency Steering Committee on Radiation Standards (ISCORS). EPA and NRC are both members of ISCORS.

CONCLUSIONS:

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

IDPH has pursued several excellent initiatives outside the routine materials program including a General Licensed device registration and inspection program and DOE site decommissioning oversight.

During the 1999 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 2003.