



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
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ARLINGTON, TEXAS 76011-8064**

December 12, 2000

David Snellings, Director
Division of Radiation Control and
Emergency Management
Department of Health
4815 West Markham Street, Slot 30
Little Rock, AR 72205-3867

Dear Mr. Snellings:

A periodic meeting with Arkansas was held on November 16, 2000. The purpose of this meeting was to review and discuss the status of Arkansas's Agreement State program. The NRC was represented by Dwight Chamberlain, Linda McLean, and myself from NRC's Region IV office, and Lloyd Bolling from the NRC's Office of State and Tribal Programs.

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 (817) 860-8143 or e-mail VHC@NRC.GOV to discuss your concerns.

Sincerely,

/RA/

Vivian H. Campbell
Regional State Agreements Officer

Enclosure:
As stated

cc w/encl

Paul Lohaus, Director, OSTP

David Snellings

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bcc (via ADAMS distribution):

DCD (SPO1)

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AGREEMENT STATE PERIODIC MEETING SUMMARY FOR ARKANSAS

DATE OF MEETING: November 16, 2000

ATTENDEES:

NRC

Dwight Chamberlain, Director, Division of Nuclear Materials Safety, Region IV
M. Linda McLean, Regional State Agreements Officer
Vivian Campbell, Regional State Agreements Officer
Lloyd Bolling, Agreement State Project Officer, Office of State and Tribal Programs

State of Arkansas

David Snellings, Director, Division of Radiation Control and Emergency Management
Jared Thompson, Supervisor, Radioactive Materials and Mammography Section
Bernard Bevill, Supervisor, Quality and Evaluation Section
Gary Bortz, Health Physicist
Cathy Bradley, Health Physicist
Lynn Davis, Health Physicist
Steve Mack, Health Physicist
Kim Wiebeck, Health Physicist

DISCUSSION:

The following is a summary of the meeting held in Little Rock, Arkansas on November 16, 2000, between representatives of the NRC and the State of Arkansas. During the meeting, the topics suggested in a letter dated September 12, 2000, from Ms. Campbell to Mr. Snellings were discussed. The discussion pertaining to each topic is summarized below.

1. Action on Previous IMPEP Review Findings

The previous Integrated Materials Performance Evaluation Program (IMPEP) review was conducted during the period March 23-27, 1998. The status of the recommendations and suggestions outlined in Section 5.0 of the final IMPEP report were discussed at the periodic meeting on May 25, 1999. (A copy of Section 5.0 of the IMPEP report is attached for reference.) Five recommendations were recommended for closure at the next IMPEP review during that meeting. The proposed status of the two recommendations remaining open are summarized below.

- a. **Recommendation:** The review team recommends that the Division proceed expeditiously with its review and updating of compliance program guidance.

Current Status: The Division has completed its review and update of the compliance program guidance for its materials program. Inspection procedures have been drafted and are awaiting final approval and sign-off.

It is recommended that this item be closed at the next IMPEP review.

- b. **Recommendation:** The review team recommends that the Division staff revise the license reviewer guidance, including checklists, to address comprehensive radiation protection program reviews, annual program audits, and the need for financial assurance.

Current Status: The Division has developed and approved generic licensing procedures that can be applied to all licensed activities. However, radioactive materials licensing guidance for specific activities, including checklists, are outdated and need to be revised to reflect current practices.

It is recommended that this item remain open.

2. Strengths and Weaknesses of the Program

The Division identified the following program strengths:

- a. High technical quality of licensing actions completed on a timely basis, particularly new licenses and license amendments,
- b. High quality, performance-based inspections with no backlog of inspections,
- c. Significant management oversight of licensing/inspection activities,
- d. Competent, hard working technical staff,
- e. Ability to hire experienced staff at above entry level salary,
- f. Ability to manage emergency response activities and incident investigations with limited number of experienced staff,
- g. Experienced staff that provides excellent customer service and consistently high quality products,
- h. Ability to send staff to several training courses in licensing and inspection topics in calendar year 2000,
- i. Ability to conduct management conferences with licensees exhibiting poor performance on an expedited basis, and
- j. Significant staff involvement in the regulation revision process.

The Division identified the following program weaknesses:

- a. Existing resources continue to be challenged by increasing responsibilities and requests,
- b. Regulation revision process is cumbersome and lengthy,

- c. Improved but limited training opportunities for technical staff because of reduced funding for training,
- d. Radioactive materials licensing guidance, applications, checklists are outdated and need to be revised to reflect current practices, and
- e. Systemic, process weakness causes a significant backlog in license renewals.

3. Recent or Pending State Program Changes

- a. **Changes in program staff:** One technical staff member has left the program since the last periodic review on May 25, 1999. This position has already been filled and the individual is progressing through the training and qualifications process (which takes about 12 months).
- b. **Program reorganizations:** The Arkansas Department of Health is undergoing reorganization. The Division has prepared a Transition Plan, to be evaluated in January 2001, recommending that the Division remain intact. The Division has also implemented a Radiologic Technology Licensure (RTL) Program which has impacted the organization by increased responsibilities. Inspection responsibilities were redistributed resulting in some staff having dual responsibility in licensing and inspection.
- c. **Legislative changes:** The only significant legislative change was the promulgation of the RTL Program.
- d. **Changes in program budget/funding:** The Division does not anticipate any significant changes in budget-related legislation in the January 2001 Session.

4. NRC Program or Policy Changes That Could Impact Agreement States

Mrs. McLean discussed the Region IV organization and the division of state assignments between the Regional State Agreements Officers. Mrs. McLean also discussed NRC rulemaking and guidance development, specifically Part 35, Part 71, control of solid materials, and the registration of generally licensed devices.

5. Internal Program Audits or Self Assessments

The Division performed a self assessment in conjunction with the Department reorganization. The Division performs routine quality assurance audits of inspection reports and licenses, and inspection accompaniments. The Division also conducts quality and evaluation audits in addition to the supervisory accompaniments.

6. Status of Allegations Referred by NRC to the State

No allegations were forwarded to the State since the last IMPEP review. However, the Region IV office referred an issue to the Division regarding the discovery of lead vials labeled RADIOACTIVE. The Division conducted an investigation and discovered a stockpile of scrap lead with several vials labeled 'Caution Radioactive Materials'. However, the vials were surveyed and determined not to be a radiation safety hazard.

7. Compatibility of Arkansas Rules and Regulations

On October 31, 2000, the Division forwarded a proposed revision of the Arkansas Rules and Regulations to NRC's Office of State and Tribal Programs. Comments from OSTP review of the proposed revision will be forwarded to Arkansas by late December 2000. This should meet the staff's schedule for promulgation of this rulemaking package.

8. Nuclear Material Events Database (NMED)

The Division has attempted to input data into NMED. However, the Division has experienced significant problems using the program. The staff complained that there were duplicate fields in NMED making data entry labor intensive. The Division plans to continue forwarding event data by hard copy to NRC's contractor (INEEL).

9. Schedule for next IMPEP Review

The Division requested that the next IMPEP review be tentatively scheduled after June 2002 because of an ingestion pathway exercise scheduled for May 15-16, 2002 with Arkansas Nuclear One.