



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005**

November 30, 2004

MEMORANDUM TO: Stanley Marshall, Program Director

MEMORANDUM FROM: Linda McLean, Regional State Agreements Officer */RA/*

SUBJECT: NEVADA'S Monitoring Call - November 22, 2004

DISCUSSION

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

RECOMMENDATIONS:

1. The review team recommended that the State, in accordance with the Department of Administration audit report, increase the radioactive materials program staff to meet program needs.

Current Status: Since the last conference call in August 2004, one new staff member has been hired. (Karen Beckley, Radiation Physicist - October 2004). Other staff to be hired by the end of the year include Gerald Ewanick and Peter Stokich for the Las Vegas office and the Carson City office, respectively. They will be assigned to the X-ray program.

2. The review team recommended that the State provide training to current and future technical personnel, either by formal course work or equivalent, as prescribed by the Division's training policy.

Current Status: Formal course work for existing and new staff is under development, and implementation is being considered for the current fiscal year as the result of funding stabilization.

Funding stabilization has occurred as the result of the 2003 Nevada Legislature that removed all State general funds from the program budget and directed the Health Division to increase fee revenue to replace the State general fund. The increased fees will make up for an estimated revenue shortfall and pay for six new technical positions of which some will be assigned to the RAM program.

A work program to move new fee revenue into travel and training was recently submitted. This increase in travel and training expenditure categories is the beginning of enhanced program capabilities to attract and retain technical staff.

3. The review team recommended that the Section take appropriate measures to conduct core inspections (including initial inspections) in accordance with the NRC's inspection priority system.

Current Status: Assessment of core inspection activities status is under consideration by program management. They are maintaining the improvements of the past year and continue to make inspection backlog reductions of the core categories and Category 5 and 7 licensees.

2. **Status of the State Program, including:**

- a) Staffing and training:

Approximately 4.5 FTE distributed among 9 personnel
(CC= Carson City, LV = Las Vegas)

<u>RAM Program Staff</u>	<u>FTE (approx.)</u>
Stan Marshall, Supervisor	0.2
Karen Beckley, Radiation Physicist, CC	0.3
Bob Verellen, Radiation Physicist, LV	0.3
Larry Boschult, Radiological Staff Specialist, CC	1.0
Adrian Howe, Radiological Staff Specialist, CC	0.4
Paul Simpson, Radiological Staff Specialist, CC	0.4
Ed Sweeten, Radiological Staff Specialist, LV	0.1
Morgan Tyler, Radiation Control Specialist, CC	0.95
Wayne Yates, Radiation Control Specialist, CC	0.85
<u>Total RAM FTE:</u>	<u>4.5 (31%)</u>
<u>Total Technical FTE (including X-ray):</u>	<u>14.75</u>

- b) Program vacancies

Three vacancies exist from new positions created in 2004 and in-house promotions; one vacancy in the Carson City office, and two vacancies in Las Vegas office. Recruitment activities are continuing to fill the positions as soon as possible.

- c) Staff turnover: There has been no turnover since the last call in August.

- d) Adequacy of FTEs for the materials program.

Program management is in the process of assessing the FTE adequacy to determine whether additional staff beyond the three hired in the past year will need to be trained and assigned responsibilities in the RAM program.

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

The RAM inspection program is maintaining the level of due/overdue inspections and making progress to continue reduction of the number of overdue inspections. The Division anticipates that the status of overdue inspections will be improved by the time of the March 2005 IMPEP Review.

4. Regulations and Legislative changes:

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

Two NRC regulations are for adoption by the agency: New Dosimetry Technology-Parts 34, 36, 39, and Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material. Both have been submitted to NRC as proposed rules for review.

In addition 10 CFR 35 and the revision of the Skin Dose Limit-Part 20 rule are both under review by staff to develop a proposal package for consideration, public workshops and adoption by the Nevada State Board of Health after July 1, 2005. Proposal and adoption of the regulations prior to that date would require a second hearing for adoption as regulations adopted during the odd-numbered State fiscal year are considered to be "temporary" only.

5. Program reorganizations:

- a) Discuss any changes in program organization including program/staff relocations and new appointments.

Program reorganization has resulted in filling a new Radiation Physicist supervisory position in Carson City, filling two new Radiological Staff Specialists and adding three Radiation Control Specialists.

Karen Beckley was hired from the Nevada Division of Environmental Protection to become the new Radiation Physicist in Carson City. She has extensive state regulatory experience and experience with recruiting, hiring, and program management. Adrian Howe and Ed Sweeten were promoted to Radiological Staff Specialists in Carson City and Las Vegas, respectively. Adrian and Ed will continue with participation in the RAM program.

Gerald Ewanick and Peter Stokich will come on board in December 2004 and fill Radiation Control Specialist positions in the X-ray program in Las Vegas and Carson City, respectively.

The program management team of the Section Supervisor and the two Radiation Physicists from the Carson City and Las Vegas offices is expected to provide an enhanced, stable leadership team for future program activity progress.

- b. Changes in Program budget/funding.

Increased fees for the RAM program in February 2004, is a component of the overall increased program funding. Program funding stability has also been enhanced by the 2003 Nevada Legislature action to remove State general funding from the Division's programs and to direct agency actions toward program cost-recovery for the radioactive material, mammography and X-ray programs. Increased revenue and unspent revenue retention are the result.

bcc: (via e-mail distribution):

PLohaus, STP
JPiccone, STP
JZabko, STP
KSchneider, STP
AMcCraw, STP
MSatorius
CCain
VCampbell
DWhite, RI

ADAMS: ☐ Yes ☒ No Initials: __mlm__

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MLMcLean				
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