

November 30, 2005

MEMORANDUM TO: Management Review Board Members:

Martin J. Virgilio, OEDO  
Janet R. Schlueter, STP  
Karen D. Cyr, OGC  
Margaret V. Federline, NMSS

FROM: Aaron T. McCraw, Health Physicist **/RA/**  
Office of State and Tribal Programs

SUBJECT: OCTOBER 17, 2005, SPECIAL MRB MEETING MINUTES

Attached are the minutes of the Management Review Board (MRB) meeting held on October 17, 2005. If you have comments or questions, please contact me at 301-415-1277.

Attachment:  
As stated

cc: Thomas Conley, Organization of Agreement States Liaison, KS  
Aubrey Godwin, State Liaison Officer, AZ  
Dan McGhee, State Liaison Officer, IA  
Thomas Snyder, State Liaison Officer, MD  
Dane Finerfrock, State Liaison Officer, UT

Management Review Board Members

November 30, 2005

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HFelsher, OEDO

JZabko, STP

RStruckmeyer, NMSS/IMNS

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## MINUTES: MANAGEMENT REVIEW BOARD MEETING OF OCTOBER 17, 2005

These minutes are presented in the same general order as the items were discussed in the meeting. The attendees were as follows:

Martin J. Virgilio, MRB Chair, OEDO  
Janet R. Schlueter, MRB Member, STP  
John Zabko, STP  
Dennis Rathbun, STP  
Jennifer C. Tobin, STP  
Harry Felsher, OEDO

Karen D. Cyr, MRB Member, OGC  
Margaret V. Federline, MRB Member, NMSS  
Aaron McCraw, STP  
Lloyd Bolling, STP  
Steve Salomon, STP

### **By teleconference:**

Thomas Conley, OAS Liaison, KS  
Bill Wright, AZ  
Dan McGhee, IA  
Randy Dahlin, IA  
Ray Manley, MD  
Barbara Park, MD  
Craig Jones, UT  
Loren Morten, UT

Aubrey Godwin, AZ  
Don Flater, IA  
Nancy Farrington, IA  
Ramona Ubaldo, IA  
Alan Jacobson, MD  
Dane Finerfrock, UT  
John Hultquist, UT

### **By Videoconference:**

Linda McLean, NRC-RIV  
Stephen Reynolds, NRC-RIII

James Lynch, NRC-RIII

1. **Convention.** Mr. John Zabko convened the meeting at 2:05 p.m. He noted that this Management Review Board (MRB) meeting was open to the public. However, no members of the public attended this meeting. He then transferred the lead to Mr. Martin J. Virgilio, Chair of the MRB. Introductions of the attendees were conducted.
2. **New Business.**
  - A. Periodic Meetings Discussion.

**Periodic Meeting with the State of Arizona.** Mr. Zabko led the discussion of the results of the periodic meeting with the State of Arizona (ADAMS Accession Number: ML050670131). The meeting was held on February 10, 2005. Mr. Zabko presented the summary of this periodic meeting in Ms. Vivian Campbell's absence. There were no major performance issues identified during the periodic meeting. Mr. Aubrey Godwin gave an update on staffing and regulations status since some time had elapsed since the actual meeting. Mr. Zabko discussed a request from the State for reinstatement of the NRC providing hard copies of the Federal Register to the Agreement States. Mr. Godwin indicated that the hard copies were of great benefit to his State's development of compatible regulations. Mr. Zabko committed to following up with Mr. Godwin on this topic. Mr. Thomas Conley, Organization of Agreement States (OAS)

Liaison, asked Mr. Zabko to share the NRC's decision with all Agreement States. The MRB recognized the State's additional requirements for the security of portable gauges.

**Periodic Meeting with the State of Maryland.** Ms. Sheri Minnick led the discussion of the results of the periodic meeting with the State of Maryland (ADAMS Accession Number: ML052710353). The meeting was held on August 31, 2005. Ms. Minnick reported that there were no backlogs at the time of the meeting. She reported that the State is keeping the Nuclear Material Events Database up to date and that the State has completed all 247i inspections. At the meeting, the State asked if initial inspections could be conducted within 18 months of license issuance as opposed to the 12-month frequency prescribed in NRC Manual Chapter 2800 since the State performs pre-licensing visits for all applicants. During the MRB meeting, the State provided additional information on this request. The State discussed their evaluation of resource impacts versus health and safety impacts. The State has seen a decline in the number of violations since the implementation of pre-licensing visits. The State will submit a formal request to the NRC. The MRB noted the State's e-mail system for reciprocity requests. The State commented that it has cut down on the amount of paper used and produces an easily accessible electronic record. The MRB also recognized the State for their participation in and completion of the 274i inspections.

**Periodic Meeting with the State of Iowa.** Mr. James Lynch led the discussion of the results of the periodic meeting with the State of Iowa (ADAMS Accession Number: #ML052140427). The meeting was held on July 13, 2005. Mr. Lynch commented that although this is a small program, it is a strong and stable program. At the time of the meeting, there were no backlogs. No performance issues were identified. Mr. Don Flater attributed the strengths of the program to the attitude and commitment of individuals in the program, legislative support, and stream-lined rulemaking process. Ms. Janet R. Schlueter inquired about the return rate on the annual inventory forms for generally licensed devices. Mr. Flater indicated that the return rate has been approximately 100% because the registration fee is associated with the inventory form. In instances when a registrant does not respond, appropriate action is taken to locate the individual.

**Periodic Meeting with the State of Utah.** Ms. Linda McLean led the discussion of the results of the periodic meeting with the State of Utah (ADAMS accession #ML052520168). The meeting was held on August 10, 2005. This is the first meeting held with the State since the amendment of Utah's Agreement to incorporate uranium recovery authority into their program. Ms. McLean discussed the addition of another branch in the program to handle these responsibilities. She noted that there were no licensing or inspection backlogs or overdue regulations at the time of the meeting. The State attributes this to having an experienced staff, most with 10 or more years experience. Ms. McLean indicated that no supervisor accompaniments of low-level waste and uranium recovery inspectors had been performed; however, the State commented that they are working to complete all accompaniments by the end of the calendar year. The MRB had no questions in regard to this periodic meeting.

3. **Status of Current and Upcoming Reviews.** No information on the status of current and upcoming reviews was provided during this meeting.

4. **Precedents/Lessons Learned.** No precedents that will be applied to the Integrated Materials Performance Evaluation Program process in the future were established by the MRB during this meeting.
5. **Good Practices.** No good practices were identified during this meeting.
6. **Adjournment.** The meeting was adjourned at approximately 3:00 p.m.