



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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May 7, 2015

MEMORANDUM TO: Michael F. Weber
Deputy Executive Director for Materials, Waste, Research,
State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

Mary B. Spencer, Assistant General Counsel
for Reactor and Materials Rulemaking
Office of the General Counsel

Scott W. Moore, Deputy Director,
Office of Nuclear Material Safety and Safeguards

Kriss M. Kennedy, Deputy Regional Administrator
Region IV

FROM: Lisa C. Dimmick, Senior Health Physicist */RA/*
Agreement State Programs Branch
Division of Material Safety, State, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety and Safeguards

SUBJECT: MINUTES: MARCH 5, 2015, U.S. NUCLEAR REGULATORY
COMMISSION'S (NRC) SEALED SOURCE AND DEVICE (SS&D)
EVALUATION PROGRAM MANAGEMENT REVIEW BOARD
(MRB) MEETING

Enclosed are the minutes of the MRB meeting held on March 5, 2015, for the NRC
SS&D Evaluation Program. If you have comments or questions, please contact me at
(301) 415-0694.

Enclosure:
Meeting Minutes

cc w/encl.: Raymond Manley
Organization of Agreement States
Liaison to the MRB

Management Review Board Members

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MINUTES: MANAGEMENT REVIEW BOARD MEETING OF MARCH 5, 2015

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

By Teleconference:

Michael Weber, DEDMRT, MRB Member	Laura Dudes, NMSS
Mary Spencer, OGC, MRB Member	Pamela Henderson, NMSS
Scott Moore, NMSS, MRB Member	Duncan White, NMSS
Kriss Kennedy, Region IV, MRB Member	Lisa Dimmick, NMSS
Raymond Manley, OAS, MD, MRB Member	Chris Einberg, NMSS
Karl Von Ahn, OH, Team Member	Tomas Herrera, NMSS
Ron Parsons, TN, Team Member	Monica Ford, Region I
Joe O'Hara, NMSS, Team Member	Jack Foster, OEDO
Mike Welling, OAS, VA	

- 1. Convention.** Ms. Lisa Dimmick convened the meeting at 2:00 p.m. (EST). She noted that this Management Review Board (MRB) meeting was open to the public. She took roll call for the Integrated Materials Performance Evaluation Program (IMPEP) team, MRB members, and the Sealed Source and Device (SS&D) Evaluation Program managers. She polled for members of the public and other U.S. Nuclear Regulatory Commission (NRC) staff. Meeting attendees are noted above. She then transferred the lead to Mr. Michael Weber, Chair of the MRB. An introduction of the MRB, IMPEP team and SS&D program participants was conducted.
- 2. NRC SS&D Evaluation Program Review.** Mr. Karl Von Ahn, Team Leader, led the presentation of the results of the NRC SS&D Evaluation Program IMPEP Review to the MRB. He summarized the review of the three subelements for the SS&D Evaluation Program non-common performance indicator, and the team's overall findings. The on-site review was conducted by a review team composed of technical staff members from the States of Ohio and Tennessee, and the NRC during the period of December 8–11, 2014. A draft report was issued to the Office of Nuclear Material Safety and Safeguards (NMSS) for factual comment on January 9, 2015. The NMSS responded to the review team's findings via e-mail dated January 27, 2015.
- 3. SS&D Subelements.** Mr. Joe O'Hara presented the findings regarding the subelement, Technical Staffing and Training. His presentation corresponded to Section 3.1 of the proposed final IMPEP report. The review team found the NRC's performance with respect to this subelement to be "satisfactory" and made no recommendations. The MRB agreed that the NRC's performance met the standard for a "satisfactory" rating for this subelement. The MRB discussed the turnover in the Materials Licensing Safety Branch (the Branch) and the impact of Georgia turning back to NRC its SS&D program. Discussion points included whether (1) the turnover experienced during the review period was exceptional, (2) within expected attrition, and (3) if the time to train and qualify new staff was on track. The team found no adverse impact of the turnover on the NRC's SS&D program. The time to train the staff who were qualified during the review period and who are currently progressing through qualifications has been as expected.

Concerning the Georgia turn back of its SS&D program, the NRC staff completed the transfer of the Georgia SS&D registries ahead of the projected schedule. The Georgia SS&D registries have been incorporated into the Branch's routine workload. NMSS management commented that the Branch has sufficient FTE to support the additional SS&D work.

Mr. Ron Parsons presented the findings regarding the subelement, Technical Quality of the Product Evaluation Program. His presentation corresponded to Section 3.2 of the proposed final IMPEP report. The review team found the NRC's performance with respect to this subelement to be "satisfactory" and made one recommendation. The review team also verified action taken to close the recommendation from the 2009 review. The MRB questioned the team on several points that were mentioned by the team in the report under this subelement

- The MRB notes, there are several comments to the casework in Appendix C. The team responded that while the issues are not deficiencies imminent to health and safety, they are discrepancies that should be corrected in the SS&D registration certificates. The Branch responded to the MRB, that it is currently resolving the discrepancies.
- The report noted an action the Branch committed to take from the last review in 2009 concerning a reviewer note for the disposal of Yttrium -90 Theraspheres. At the start of the current review the action had not been taken but the Branch issued the correction since the onsite review in December 2014. The IMPEP team felt it was important to show closure because the issue addressed a source disposal issue specified in a 2007 Information Notice.
- The MRB commented on a statement in the report, "the review team did not evaluate the NRC's practice of evaluating implementation of applicant QA/QC programs as it is handled by the NRC's Regional offices and, therefore, was out of the scope of this review." The MRB questioned if there is a gap in the NRC's program. The NRC staff responded that Inspection Procedure 87125 includes an inspection of licensees' QA/QC program. The NMSS will analyze IMPEP procedures to determine if the process is sufficient to fully assess inspection outcome of QA/QC programs of SS&D manufacturers and distributors.
- In 2009, the review team recommended that the NRC evaluate the implementation and effectiveness of the Branch's Policy and Guidance Directives and ensure that all of the required documents needed to enforce the provisions of the registration certificate are made part of the NRC's official records in the NRC's Agencywide Documents Access and Management System (ADAMS), including those cases closed during this review period. At the time of the current IMPEP, the Branch developed and implemented a Policy and Guidance Directive to ensure that the required documents were included in ADAMS. The review team found that documents from the Branch's casework were appropriately entered in ADAMS. The review team recommended that this recommendation be closed.
- During the review period, the State of Georgia returned its SS&D program to the NRC. The Georgia program transferred 58 active registration certificates. The IMPEP team observed, on four occasions, that the State of Georgia registration

certificates were amended and converted to NRC registration certificates, but the case files in ADAMS did not contain all the historical documents listed in the “references” section of the registration certificates. The review team recommended and the MRB agreed that the Branch develop and implement a mechanism to obtain missing historical documents referenced in the SS&D registration certificates transferred from the State of Georgia.

The MRB agreed that NRC’s performance met the standard for a “satisfactory” rating for this subelement and agreed with the review team performance recommendation.

Mr. O’Hara and Mr. Von Ahn presented the findings regarding the subelement, Evaluation of Defects and Incidents Regarding SS&Ds. Their presentation corresponded to Section 3.3 of the proposed final IMPEP report. The review team found the NRC’s performance with respect to this subelement to be “satisfactory” and made no recommendations. The MRB agreed that NRC’s performance met the standard for a “satisfactory” rating for this subelement.

4. **MRB Consultation/Comments on Issuance of Report.** Mr. Von Ahn concluded that the NRC SS&D Evaluation Program was found “satisfactory” for the three subelements and accordingly, found the indicator, satisfactory. Overall, the review team recommended, and the MRB agreed, that the NRC SS&D Evaluation Program was “adequate to protect public health and safety.” Based on the results of the IMPEP review, the review team recommended, and the MRB agreed, that the next IMPEP review take place in approximately 5 years.

Mr. Mike Welling (OAS) offered comments for consideration: (1) He noted that the copy quality of some of the SS&D registrations in the data base is poor and believes the readability of the registration certificates in the online registry should be improved; and (2) He suggested that a mechanism should be in place to identify when registration certificates in the online registry have been revised. The Branch took an action to evaluate and implement as plausible these suggestions.

- 5 **Precedents/Lessons Learned.** The MRB established no new precedents to be applied to the IMPEP process during this meeting.
- 6 **Adjournment.** The meeting was adjourned at approximately 2:48 p.m. (EST).