

RHODE ISLAND DEPARTMENT OF HEALTH
QUARTERLY MONITORING CONFERENCE CALL
October 18, 2016

Nuclear Regulatory Commission Attendees	Rhode Island Department of Health Attendees
Monica Ford, Region I	Seema Dixit, Director, Radiation Control Program
Jim Trapp, Region I	Charma Waring, Supervisor, Radiation Control Program
Lisa Dimmick, NMSS	Bill Dundulis, Risk Assessment Toxicologist
Paul Michalak, NMSS	

BACKGROUND

During the March 2016 Integrated Materials Performance Evaluation Program (IMPEP) review of the Rhode Island Agreement State Program (the Program), the review team found the State's performance satisfactory for four performance indicators, satisfactory, but needs improvement, for one performance indicator, and unsatisfactory for one performance indicator. One recommendation was left open from the 2011 IMPEP review and no new recommendations were made by the IMPEP team. On June 16, 2016, the Management Review Board (MRB) met to consider the proposed final IMPEP report. The MRB found the Program adequate to protect public health and safety, but needs improvement, and compatible with the U.S. Nuclear Regulatory Commission's (NRC) program. Upon its deliberations the MRB issued two recommendations to Rhode Island. Additionally, the MRB directed that Rhode Island continue on monitoring, that calls between the Rhode Island Department of Health (RDH) and NRC staffs be conducted quarterly, and that a periodic meeting take place approximately one year from the 2016 IMPEP review and a second periodic meeting be held approximately 18 months after the first periodic meeting.

This is the first quarterly call since the March 2016 IMPEP review.

DISCUSSION OF PROGRAM STATUS

Ms. Waring and Ms. Dixit led the discussion of the State's status for each of the IMPEP performance indicators.

Technical Staffing and Training (2016 IMPEP finding: Satisfactory but needs improvement)

The Program consists of four technical staff positions, a Supervising Radiological Health Specialist (supervisor) position, and a licensing assistant. These positions comprise approximately 4.3 full time equivalents. At the time of this call, the program is fully staffed, however the licensing assistant has been out on leave since July 2016. Two technical staffers are currently working through their licensing and inspection qualifications. Rhode Island has a procedure equivalent to the NRC's Inspection Manual Chapter 1248. Currently qualified staff are continuing to work on obtaining the required 24 hours of refresher training every two years.

The MRB for the 2016 IMPEP review generated one recommendation for this performance indicator.

Recommendation 1: The MRB recommends that the Program management take measures to ensure proper documentation of inspection tracking dates and ensure the Program's licensing and inspection files are complete.

Status: After the 2016 IMPEP review, the program's administrative support staff started to go through all of the program's files and color code them by inspection priority and place them in the correct order. Once the files are in order the Program will begin to review the files to ensure that each file contains the correct documents and is complete (i.e. no missing documents or parts of documents). Additionally, the program supervisor is using a white board along with a master file on a shared drive to track upcoming inspections. Both the white board and file are updated as inspections are completed. The Program reports to the director on a weekly basis regarding the status of upcoming inspections.

Status of the Materials Inspection Program (2016 IMPEP finding: Unsatisfactory) and Technical Quality of Inspections (2016 IMPEP finding: Satisfactory)

At the time of the IMPEP review 11 of 37 Priority 1, 2, and 3 inspections had been completed overdue and no initial inspections were completed overdue. Since then, the Program has had no overdue inspections (Priority 1, 2, 3, and initial). The Program's goal is to issue all inspection correspondence within 30 days. This is usually achieved with the use of a MAT6 which is similar to the NRC's form 591. The Program continues to be attentive to reciprocity inspections. No supervisory accompaniments have been completed for 2016. The Program has accompaniments for both qualified inspectors tentatively scheduled for December 2016.

The Program has performed some Part 37 inspections since implementing equivalent regulations in March 2016. The Program has not noted any major findings or licensee shortcomings since starting these inspections. The Program has incorporated NRC's pre-licensing guidance into its own specific Rhode Island "Enhanced Pre-Licensing Guidance." The Program performs pre-licensing visits and does not issue licenses in the field. The inspector comes back to the office and uses the data obtained during the site visit in conjunction with the data received in the office to determine whether the license should be issued. If the license is subsequently issued, the Program has a goal of performing an initial inspection within six months.

The 2011 IMPEP team generated one recommendation for the indicator Status of the Materials Inspection Program. This recommendation was kept open as a result of the 2016 IMPEP review.

Recommendation 2: The review team recommends that the State take appropriate measures to conduct Priority 1, 2, and 3 inspections and initial inspections in accordance with the inspection priority in IMC 2800.

Status: The Program has completed all Priority 1, 2, 3, and initial inspections in accordance with the inspection priority in Inspection Manual Chapter 2800 since the last IMPEP review. The Program has a master file spreadsheet on a shared drive which tracks all of the Program's inspections. Additionally, the program supervisor is tracking upcoming inspections with the use

of a white board in her office. The Program briefs upper management on the status of inspections on a weekly basis.

Technical Quality of Licensing (2016 IMPEP finding: Satisfactory)

The Program has approximately 45 specific licensees. The Program takes all received licensing actions and places them in a computer tracking system and assigns them a log number. This database is very generic and does not contain any security related information.

All licensing actions are reviewed by a senior staff member before being signed by the Program Director. The longest action has been in house approximately fourteen years and is a renewal. The licensee associated with this action made major changes to its program and the Program is currently waiting on additional information from the licensee before it can complete this renewal. All amendment actions have been in house for one year or less. The Program's licenses are on a 10 year renewal cycle.

The MRB for the 2016 IMPEP review generated one recommendation for this performance indicator.

Recommendation 3: The MRB recommends that Program management develop and implement an action plan to reduce the licensing renewal backlog.

Status: At the time of the 2016 IMPEP review the Program had 13 renewals needing to be completed that had been with the Program between 1 month and 14 years. Currently the Program has 15 renewals that need to be completed. While the Program has not yet developed and implemented a specific action plan the Program is actively working on all 15 renewals. Of those 15, 10 are waiting on additional information from the licensee before the Program can continue on with the work. The Program is aware of the need to complete the renewals in a timely manner and is working diligently to get rid of the backlog.

Technical Quality of Incidents and Allegations (2016 IMPEP finding: Satisfactory)

The Program is aware of the need to maintain an effective response to incidents and allegations. The Program uses a system called Aspen Complaints Tracking System (ACTS). Incidents are quickly reviewed for their effect on public health and safety and staff is dispatched to perform onsite investigations when necessary. The Program communicates reportable incidents to the NRC Operations Center and Region I. The Program has received no events or allegations since the 2016 IMPEP review.

Compatibility Requirements (2016 IMPEP finding: Satisfactory)

The Program is continuing to work on promulgating regulations. The Program has one regulation amendment overdue for adoption. Regulation amendment tracking sheet (RATS) ID 2013-2 was due for Agreement State adoption by August 27, 2016. The Program hopes to have final regulations equivalent to this RATS ID adopted by the end of the first calendar quarter of 2017. Additionally the Program found out that they must convert all of their regulations to a new numbering format. All regulations must be converted by August 2018 or they will be sunsetted. Lastly the Program's regulations are due for administrative refiling in 2017.

Conclusion

The Program is working on taking actions on the recommendations that were made during the 2016 IMPEP review. The Program is fully staffed and is working on qualifying the newly hired staff. The Program has made inspection timeliness a priority and continues to work on reducing the licensing renewal backlog. The Program has one regulation amendment overdue for adoption which it hopes to have adopted in final by the end of the first calendar quarter of 2017.

Next Quarterly Call: January 2017