

MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH (DPH)
CONFERENCE CALL
December 6, 2016

NRC Participants	Massachusetts DPH Participants
Donna Janda, RSAO, Region I	Jana Ferguson, Deputy Director, Bureau of Environmental Health
Paul Michalak, Chief, Agreement States Program Branch, NMSS	Jack Priest, Director, Radiation Control Program
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SUMMARY

During the Integrated Materials Performance Evaluation Program (IMPEP) review of the Massachusetts Agreement State Program (Program) conducted on July 28 – August 1, 2014, the review team found the Commonwealth's performance satisfactory for four performance indicators and satisfactory, but needs improvement, for three performance indicators: Technical Quality of Inspections, Technical Quality of Licensing Actions, and Technical Quality of Incident and Allegation Activities. The review team made one recommendation to strengthen the Commonwealth's incident response program.

On October 28, 2014, the Management Review Board (MRB) found the Program adequate to protect public health and safety, but needs improvement, and compatible with the NRC's program. The MRB directed NRC staff to initiate a period of Monitoring, and requested that calls between the Massachusetts DPH and NRC staff be conducted on a quarterly basis, and that a Periodic Meeting take place in approximately July 2015.

The following is a status summary of the recommendation made during the 2014 IMPEP review:

Recommendation: The review team recommends that the Commonwealth strengthen its incident response program and take measures to ensure that the Program's evaluation of events is thorough, complete, properly documented to facilitate future follow-up, and undergoes appropriate management review prior to closeout.

Status: The Program implemented the use of a challenge board for their evaluation of event follow up actions. After implementation, the first few events were discussed during a team review with the Program Director as chair. Currently the inspector assigned to an event will work with the inspection supervisor and Unit Supervisor to ensure follow up actions are complete, thorough, and properly documented. Challenge boards are used when appropriate. The Program Director reviews the event documentation and event closeout quality checklist for each event to ensure completeness.

DISCUSSION OF PROGRAM STATUSTechnical Staffing and Training (2014 IMPEP: Satisfactory)

The Program currently has eight technical staff, including licensing and inspection supervisors, one Unit Supervisor, and one Program Director. In addition, the supervisor for non-ionizing radiation activities performs some secondary licensing reviews for the Program. The Program has one open position for which interviews are complete and the Program Director is waiting for State approval to hire an individual.

The Program reported that two staff members have completed their qualification training and two additional staff members are undergoing the qualification process which takes approximately 18 months to complete. The Program Director noted that the Program has received great support from NRC on qualification training for new staff.

Status of the Materials Inspection Program (2014 IMPEP: Satisfactory)

The Program has completed 15 Priority 1, 2, 3 and initial inspections since the August 2016 Monitoring call. All of these inspections were completed within the required timeframe. The Unit Supervisor reported that the Program currently has no overdue inspections. The Program continues to focus on completing and documenting inspections within the required timeframe. The Program maintains a list of inspections that have exceeded their due dates by 10 percent and reviews the list every two weeks to ensure inspections do not exceed their due dates by greater than 25 percent. In calendar year 2015, the Program completed 5 of 13 reciprocity inspections and in calendar year 2016 to date, the Program completed 6 of 13 reciprocity inspections of candidate licensees.

Technical Quality of Inspections (2014 IMPEP: Satisfactory, but Needs Improvement)

The Unit Supervisor continues to conduct supervisory accompaniments of technical staff on materials inspections with a goal of completing two accompaniments for each inspector annually. All inspection accompaniments have been completed for calendar year 2016. Senior inspectors continue to mentor less experienced inspectors as part of the Program's goal of having a sustained learning environment for inspectors. In addition, the Program continues to use the performance monitoring program and supervisory accompaniments to ensure high quality inspections which are focused on protecting public health and safety and security.

Technical Quality of Licensing Actions (2014 IMPEP: Satisfactory, but Needs Improvement)

Massachusetts maintains approximately 430 specific radioactive materials licenses. There has been no changes to licensing procedures or processes since the August 2016 Monitoring call. The Program performs pre-licensing site visits for all applicants whether or not the applicant is a known entity. The Program does not hand deliver licenses.

As discussed during previous calls and the during the Periodic Meeting, the Program has addressed the issues identified during the 2014 IMPEP review (e.g., changing the IC license condition back to the NRC approved version; marking sensitive, security-related information; and reviewing applicable licenses for maximum possession limits). The Program has implemented a 10-year license renewal period (increased from a 5-year period) and has a process to determine which licenses will receive a 10-year license renewal term. The license renewal period will change at the time of renewal.

Technical Quality of Incident and Allegation Activities (2014 IMPEP: Satisfactory, but Needs Improvement)

The Program reported six events to NRC since August 2016. One of these events was determined to be not reportable and will be retracted. As noted in the discussion above on the recommendation made by the 2014 IMPEP review team, the Program has implemented the use of a challenge board as part of the Program's evaluation of event follow up activities. The Program has developed and implemented a formal procedure which is used to determine when to send inspectors to scrap facilities when a radiation alarm is triggered. The Program maintains a list of State registered health physics consultants to assist with the response to scrap facility radiation alarms and with disposition of the radioactive material identified onsite. (e.g., issuance of DOT exemptions to transport material back to the originating facility). The Program issued an Information Notice (IN) to waste transfer stations regarding the facilities' obligation to contact the Program when radiation alarms are triggered. Use of the IN has resulted in increased compliance from waste transfer stations.

The Program previously noted that it had received one allegation since the July 2015 Periodic Meeting. The Program reported that it follows up on all allegations and provides allers with the results of the investigation.

Compatibility Requirements (2014 IMPEP: Satisfactory)

The Program submitted one final and three proposed regulation amendments to NRC for review since the August 2016 Monitoring call. The Program Director reported that the proposed amendments were on regulatory hold last year due to a bottleneck of regulations being processed after the Commonwealth ended the freeze on regulation changes. The Program is currently drafting one proposed regulation amendment which is due in 2018.

Sealed Source and Device (SS&D) Evaluation Program (2014 IMPEP: Satisfactory)

The Program has a total of five qualified SS&D reviewers. The Program has 11 active vendors with 54 active SS&D registrations. One new registration was approved and one amendment is pending approval. The Program reported that it does not have a backlog in SS&D actions and has not completed any recent reviews for other Agreement States.

Other Items of Interest

The Program Director noted that one staff member has been assigned to address the list of non-military radium sites which was provided by NRC in July 2016. The Program has reviewed the list of sites and determined that approximately 15 sites need additional follow up action. The schedule for this project will extend through 2017.

Conclusion

Massachusetts continues to make progress in addressing the recommendation on incident response and other issues identified during the 2014 IMPEP review. The Program has one current vacancy for a technical position. The Program reported that two staff members have completed their qualification training and two additional staff members are undergoing the qualification process. The Program has no overdue inspections and continues to address the backlog in licensing renewal actions.

A Periodic Meeting to discuss the status of the Massachusetts radioactive materials program will be scheduled for February or March 2017.