



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
789 ROOSEVELT ROAD  
GLEN ELLYN, ILLINOIS 60137

November 20, 1992

MEMORANDUM FOR: James M. Taylor, Executive Director for  
Operations

FROM: A. Bert Davis, Regional Administrator, RIII  
Carlton Kammerer, Director, Office of State  
Programs

SUBJECT: IOWA AGREEMENT PROGRAM PROGRESS REPORT

As stipulated in SECY-92-360, this is the first monthly progress report regarding the Iowa Agreement State program. Since the August 31-September 4, 1992, follow-up review, NRC staff has provided significant assistance to the Iowa Department of Public Health (IDPH). The goal of this assistance is to help Iowa return its radioactive materials program to an adequate and compatible condition. Another follow-up review is scheduled for February 1993 to assess the State's progress.

Overall, the Iowa program has made acceptable progress in the past month. Some of the progress can be attributed to the NRC assistance, but much has been self-initiated. The positive and negative indicators are described below:

POSITIVE INDICATORS

- \* NRC training in licensing and inspection is well received by IDPH management and staff. Noticeable improvements in staff licensing and inspection technique have been observed. Most of the training to date has been in the medical and nuclear gauge areas which constitute the bulk of State-licensed programs.
- \* The IDPH approved a contract for a consultant on November 2, 1992, to assist in the improvement of their radioactive materials regulatory program. The consultant is highly qualified in NRC materials program policies and practices. He has drafted program procedures, similar to NRC Manual Chapter 2800, for the IDPH program. Training in those procedures, and in communications and enforcement is scheduled for November and December 1992. The consultant has also scheduled inspection accompaniments in January 1993.
- \* The Region III Regional State Agreements Officer (RSAO), a qualified materials inspector, has been providing technical assistance and has been

accompanying IDPH inspectors in the field. Due to IDPH's procurement of competent consulting services and the RSAO's support, the need for DRSS inspector support will be limited to several IDPH staff accompaniments on scheduled NRC inspections in Iowa and in neighboring states. The first such accompaniment is scheduled for January 1993 in Iowa and Wisconsin.

- ♦ The licensing backlog has been significantly reduced due, in large part, to NRC assistance. Only nine license renewal requests and six amendment requests are currently awaiting action.
- ♦ One of the two IDPH inspector/reviewers continues to show significant improvement regarding knowledge of regulations and overall program issues.
- ♦ An inspection/licensing tracking system is being developed by State computer experts. The shell has been completed and looks promising. Full implementation of the system is expected by January 1993.
- ♦ All regulations which require compatibility have been adopted into the IDPH regulations.
- ♦ IDPH management has taken a more active role in the day-to-day operations of the radiation safety program. One example is the Bureau Chief's tracking of inspection reports which are due to be issued within 20 days of an inspection.
- ♦ Specific NRC Information Notices are now promptly sent to licensees after receipt.
- ♦ Another State organization has been contracted to calibrate the Bureau's radiation survey instruments.

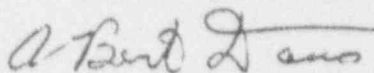
#### NEGATIVE INDICATORS

- ♦ There has been no success with respect to the hiring of staff to fill the two positions released by the Iowa Governor. One promising outside candidate turned down an offer.
- ♦ There has been no change in the previously proposed and then delayed restructuring of the Department to decrease other responsibilities of the Program Director. Region III sent a letter on November 19, 1992, to Jack Kelly, Director, Division of Health Protection addressing this concern (Enclosure 1).

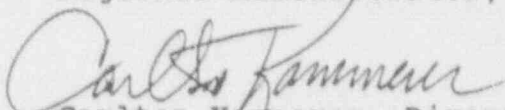
November 20, 1992

- \* The second full-time IDPH inspector/reviewer has not shown expected progress to date. He apparently is overwhelmed by the aggressive efforts being made to turn the program around. Additional one-to-one training will be provided by the RSAO. An assessment of his inspection abilities will be performed by the RSAO during an inspection trip on November 23-25, 1992.
- \* Inspection letters and Notices of Violation currently produced are not timely, are not of good quality and in some cases are not legally defensible. This issue was discussed with staff and management and the RSAO offered to review draft letters and Notices for a reasonable period prior to issuance. IDPH staff accepted this offer. This matter was also discussed with IDPH's consultant who will provide enforcement training (using NRC examples) in December 1992.

A project plan dated November 3, 1992, for assistance to the State of Iowa was developed with input from Region III DRSS (Enclosure 2). An updated training schedule, dated November 18, 1992, was submitted by the State including extensive training by their consultant (Enclosure 3). The State is currently in the process of preparing an action plan as requested by the NRC.



A. Bert Davis  
Regional Administrator, RIII



Carlton Kammerer, Director,  
Office of State Programs

Enclosures:

1. Letter to J. Kelly dated November 19, 1992
2. Project plan dated November 3, 1992
3. Training schedule dated November 18, 1992

cc w/enclosure:

H. Thompson, EDO  
V. Miller, OSP  
R. Cunningham, NMSS  
R. Bernero, NMSS  
K. Schneider, OSP  
C. Maupin, OSP  
W. Axelson, RIII