

November 24, 1998

MEMORANDUM TO: Management Review Board Members:

Hugh L. Thompson, EDO
 Richard L. Bangart, OSP
 Malcolm R. Knapp, NMSS
 Joseph R. Gray, OGC
 Stuart D. Rubin, AEOD

FROM: Kathleen N. Schneider, Senior Project Manager
 Office of State Programs

SUBJECT: DRAFT MINUTES: RHODE ISLAND
 OCTOBER 19, 1998 MRB MEETING

Attached for your review and concurrence are the draft minutes of the Management Review Board (MRB) meeting held on October 19, 1998. If you have any questions, please contact me at 415-2320.

Attachment:
 As stated

cc: Marie Stoeckel, RI
 Robert Quillin, CO

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PDR STARG RI



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

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Robert Quillin, CO

MINUTES: MANAGEMENT REVIEW BOARD MEETING OF OCTOBER 19, 1998

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

Hugh Thompson, MRB Chair, DEDR
Stuart Rubin, MRB Member, AEOD
Malcolm Knapp, MRB Member, NMSS
James Myers, Team Leader, OSP
Paul Lohaus, OSP
Brenda Usilton, OSP

Richard Bangart, MRB Member, OSP
Joseph Gray, MRB Member, OGC
Marie Stoeckel, RI
Scott Moore, NMSS
Kathleen Schneider, OSP
John Thoma, OEDO

By video conference:
Duncan White, Team Member, Region I

By telephone:
Robert Quillin, Agreement State Liaison, CO Steven Gavitt, Team Member, NYSH

1. **Convention.** Hugh Thompson, Chair of the Management Review Board (MRB), convened the meeting at 2:00 p.m. Introductions of the attendees were conducted.
2. **New Business. Rhode Island Review Introduction.** Mr. James Myers, OSP, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Rhode Island review.

Mr. Myers discussed how the review was conducted. Preliminary work included a review of Rhode Island's response to the IMPEP questionnaire. The onsite review was conducted July 27-30, 1998. The onsite review included an entrance interview, detailed audits of a representative sample of completed licensing actions and inspections, and follow-up discussions with staff and management. Following the review, the team issued a draft report on September 4, 1998; received Rhode Island's comment letter dated September 29, 1998; and submitted a proposed final report to the MRB on October 6, 1998.

Common Performance Indicators. Mr. White discussed the findings for the common performance indicator, Status of the Materials Inspection Program. His presentation corresponded to Section 3.1 of the IMPEP report. The review team found Rhode Island's performance with respect to this indicator "satisfactory" and made one recommendation and one suggestion. The MRB discussed with the team and Ms. Stoeckel the difference between Rhode Island and NRC's frequency for gamma stereotactic radiosurgery facilities (three versus one year inspection) and whether this extension should be considered for the national materials program. The State commented that their rationale for the three-year inspection frequency is based on their experience with this specific licensee and the State's presence on site for other types of activities, such as x-ray inspections. The MRB directed the team to revise the text of the final report to reflect Rhode Island's rationale for the extension based on experience with the specific licensee. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Mr. White discussed the findings for the common performance indicator, Technical Quality of Inspections, which are summarized in Section 3.2 of the report. The team found that Rhode Island's performance on this indicator was "satisfactory," and made one suggestion as documented in the report. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Myers presented the findings regarding the common performance indicator, Technical Staffing and Training. His presentation corresponded to Section 3.3 of the IMPEP report. The team found that Rhode Island's performance with respect to this indicator was "satisfactory," and made one recommendation and one suggestion. The MRB, the team, and the State discussed the State's fee system, training, staff longevity and succession planning. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Gavitt presented the findings regarding the common performance indicator, Technical Quality of Licensing Actions. He summarized the findings in Section 3.4 of the report. The IMPEP team found Rhode Island's performance to be "satisfactory" for this indicator and made one suggestion. The MRB directed the review team to revise the second paragraph in this section to correct the number of licensing actions. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Mr. White presented the findings regarding the final common performance indicator, Response to Incidents and Allegations. As discussed in Section 3.5 of the report, the team found Rhode Island's performance relative to this indicator to be "satisfactory" and made one suggestion. The State and the MRB discussed the legal support from the Attorney General for the program. The MRB directed that the text be revised to expand the description of the Rhode Island's allegation process. The MRB agreed that Rhode Island's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Mr. Myers led the discussion of the non-common performance indicator, Legislation and Program Elements Required for Compatibility, which is summarized in Section 4.1 of the report. The team found Rhode Island's performance relative to this indicator to be "satisfactory," and made one suggestion. The MRB directed that the text on the timing for completion of the new regulations be revised to reflect that these regulations will be promulgated in the fall, 1998. The MRB agreed that Rhode Island's performance for this indicator met the standard for a "satisfactory" rating.

Mr. Myers led the discussion of the non-common performance indicator, Sealed Source and Device Evaluation Program (SS&D), which is summarized in Section 4.2 of the report. The team found Rhode Island's performance relative to this indicator to be "satisfactory," and had no recommendations or suggestions. The MRB noted the controversy with this indicator from previous MRB meetings of IMPEP reviews and that several smaller States had returned this portion of their agreement. The MRB cautioned Rhode Island to reevaluate this aspect of their program if the State loses their experienced staff. The MRB agreed that Rhode Island's performance for this indicator met the standard for a "satisfactory" rating.

MRB Consultation/Comments on Issuance of Report. Mr. Myers concluded, based on the discussion and direction of the MRB, that Rhode Island's program was rated "satisfactory" on all common performance indicators and non-common performance indicators. The MRB discussed the importance of State funding for training and travel and the Year 2000 (Y2K) issue. The MRB found the Rhode Island program to be adequate to protect public health and safety and compatible. The IMPEP team and MRB agreed that the next IMPEP review for Rhode Island be conducted in four years.

Comments from the State of Rhode Island. Ms. Stoeckel stated that the IMPEP evaluation has been her favorite of the evaluations experienced by the State. She felt that the communication prior to and during the review contributed to a comfortable and positive experience.

Comments from IMPEP Team Members. Mr. Gavitt stated that this was his first review. He thanked the Rhode Island staff and noted that New York's IMPEP review had occurred earlier this year and that it was a good experience to be on a review team. He believes that the IMPEP process is beneficial.

3. **Status of Remaining Reviews.** Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports.
4. **Adjournment.** The meeting was adjourned at approximately 3:15 p.m.