



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 23, 1999

MEMORANDUM TO: Management Review Board Members:

Carl J. Paperiello, EDO
Paul H. Lohaus, OSP
William F. Kane, NMSS
Joseph R. Gray, OGC

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

SUBJECT: FINAL MINUTES: IOWA NOVEMBER 9, 1999
MRB MEETING

Kathleen N. Schneider

Attached are the final minutes of the Management Review Board (MRB) meeting held on November 9, 1999. If you have any questions, please contact me at 415-2320.

Attachment:
As stated

cc: Donald Flater, IA
Steven Collins, IL

MINUTES: MANAGEMENT REVIEW BOARD MEETING OF NOVEMBER 9, 1999

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

Carl Paperiello, MRB Chair, DEDMRS
William Kane, MRB Member, NMSS
Linda McLean, Team Leader, RIV
Anthony Kirkwood, Team member, NMSS
Lance Rakovan, OSP
John Hickey, NMSS

Joseph Gray, MRB Member, OGC
Fred Combs MRB Member, OSP
Lee Cox, Team member, NC
Kathleen Schneider, OSP
Brenda Usilton, OSP

By video conference:

Donald Flater, IA
George Johns, IA

Dan McGhee, IA

By telephone:

Steven Collins, OAS Liaison, IL
James Lynch, Team member, RIII

Roy Caniano, RIII

1. **Convention.** Carl Paperiello, Chair of the Management Review Board (MRB), convened the meeting at 2.30 p.m. Introductions of the attendees were conducted.
2. **Status of Remaining Reviews.** Mrs. Schneider briefly reported on the status of the current and upcoming IMPEP reviews and reports. Mrs. Schneider and the MRB discussed the briefing sheet transmitted to the MRB on November 4, 1999 on the request from the State of North Dakota on the scheduled follow-up review for FY 2000. The MRB directed that the follow-up review on the North Dakota program be conducted through correspondence and teleconference/video conference as needed. Mr. Lynch, the team leader for the follow-up review, will contact North Dakota to inform them of the MRB decision.
3. **New Business. Iowa Review Introduction.** Ms. Linda McLean, RIV, led the Integrated Materials Performance Evaluation Program (IMPEP) team for the Iowa review.

Ms. McLean discussed how the review was conducted. Preliminary work included a review of Iowa's response to the IMPEP questionnaire. The onsite review was conducted August 17-20, 1999. 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 17, 1999; received Iowa's comment letter dated September 24, 1999 and November 9, 1999 fax; and submitted a proposed final report to the MRB on October 15, 1999.

Common Performance Indicators. Mr. Cox discussed 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 Iowa's performance with respect to this indicator "satisfactory," and no recommendations.

The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Cox 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 Iowa's performance on this indicator was "satisfactory," and made no recommendations. Ms. McLean discussed the performance of the inspectors during the accompaniments. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Ms. McLean presented the findings regarding the common performance indicator, Technical Staffing and Training. Her presentation corresponded to Section 3.3 of the IMPEP report. The team found that Iowa's performance with respect to this indicator was "satisfactory," and made one recommendation on providing training for staff in the areas of medical brachytherapy and teletherapy. Mr. Flater noted that the staff member has been scheduled for this course. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Kirkwood 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 Iowa's performance to be "satisfactory" for this indicator and made one recommendation on the need for broad scope licensees to submit a Statement of Intent containing cost estimates for decommissioning. The MRB discussed the November 9, 1999 fax from Mr. Flater which contained copies of an April 15, 1996 letter from the University of Iowa and a November 5, 1999 letter from Iowa State University containing information necessary to resolve this issue. The MRB found this correspondence adequate. The MRB directed that the review team revise the report to delete this recommendation and make the appropriate changes to the final report. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Mr. Lynch presented findings regarding the final common performance indicator, Response to Incidents and Allegations. As discussed in Section 3.5 of the report, the team found Iowa's performance relative to this indicator to be "satisfactory" and made no recommendations. The MRB agreed that Iowa's performance met the standard for a "satisfactory" rating for this indicator.

Non-Common Performance Indicators. Mr. Lynch led discussions 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 Iowa's performance relative to this indicator to be "satisfactory," and made one recommendation, that Iowa provide draft and final regulations to OSP for review in accordance with OSP procedures. The review team proposed deletion of the paragraph on the deliberate misconduct rule since the Iowa staff informed Mr. Lynch that the State is able to adopt the rule. The proposed final report stated that the Bureau staff previously believed that this authority was reserved to the State Attorney General. The MRB directed the team to revise the report to reflect this additional information. Mr. Flater, the review team and the MRB discussed the recommendation

on draft and final regulations submitted to NRC. The MRB directed the team to revise the report to remove the recommendation and to include language that NRC reviewed several final regulations and found them acceptable. The MRB agreed that Iowa's performance for this indicator met the standard for a "satisfactory" rating.

MRB Consultation/Comments on Issuance of Report. Ms. McLean concluded, based on the discussion and direction of the MRB, that Iowa's program was rated "satisfactory" for all common and applicable non-common performance indicators. The MRB found the Iowa program to be adequate to protect public health and safety and compatible. The IMPEP team and MRB agreed that the next IMPEP review for Iowa be conducted in four years.

Comments from the State of Iowa. Mr. Flater commented that he believed that the IMPEP program is a positive process that he supports.

4. **Approval of South Carolina MRB minutes.** The draft MRB minutes from the South Carolina Program were offered for the MRB approval. The draft minutes were approved as circulated with no changes pending approval by the South Carolina program.
5. **Adjournment.** The meeting was adjourned at approximately 3:45 p.m.