



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
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ARLINGTON, TEXAS 76011-4005**

March 21, 2006

Karen Beckley
Radiological Health Section
Bureau of Health Protection Services
Nevada State Health Division
1179 Fairview Drive, Suite 102
Carson City, Nevada 87901-5405

Dear Ms. Beckley:

A periodic meeting with Nevada was held on March 2, 2006. The purpose of this meeting was to review and discuss the status of Nevada's Agreement State Program. The NRC was represented by me from NRC's Region IV office, and Mr. John Zabko from the Office of State and Tribal Programs.

I have completed and enclosed a general meeting summary, including any specific actions that will be taken as a result of the meeting.

If you feel that our conclusions do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me at (817) 860-8116 or e-mail MLM1@NRC.GOV to discuss your concerns.

Sincerely,

/RA/

Linda McLean
State Agreements Officer
Region IV

cc:
Janet Schlueter, Director
Office of State and Tribal Programs

bcc: (via ADAMS e-mail distribution):
DRathbun, STP
LWert
CCain
VCampbell
JZabko, STP
AMcCraw, STP

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Nevada Periodic Meeting Summary
Date of Meeting: March 2, 2006

Attendees:

State of Nevada
Karen Beckley, Manager
Larry Boschult
Adrian Howell

NRC
Linda McLean, RIV
John Zabko, STP

The Nevada Agreement State program is administered by the Radiological Health Section (the Section). The Section is located within the Bureau of Health Protection Services, which is part of the State Health Division. The State Health Division reports to the Department of Human Resources. Within the Section, there are two offices (Carson City and Las Vegas). Both offices have the responsibility for the inspection of radioactive materials licenses and response to radioactive materials incidents. In addition, both offices are responsible for machine produced radiation and mammography. Program management and radioactive material licensing is based in the Carson City office.

The last Integrated Materials Performance Evaluation Program (IMPEP) Review was conducted during the week of March 15-18, 2005. At the conclusion of the review, the team recommended that Nevada's performance be found satisfactory for all eight performance indicators reviewed. Accordingly, the review team recommended that the Nevada Agreement State program be found adequate to protect public health and safety and compatible with NRC's program, and that the next full review take place in approximately four years. The review team also recommended that the period of monitoring of the State be discontinued.

Status of State's actions to address all open previous IMPEP review findings and/or open recommendations. Below are the IMPEP recommendations:

1. *The review team recommended that the State develop and implement a staffing plan to fill current vacancies, meet growing program needs and maintain long-term program stability.*

Status: Two radiation control specialists' positions have been filled. Both are scheduled for training. One is scheduled for an inspection procedures course, and one is scheduled for the 5-week health physics course. These two positions will provide 1.5 FTE to the materials program. There are 17 staff positions in the program, including one temporary clerical position. Three vacancies still exist in the materials and x-ray programs. The postings for these openings are out. It is recommended that this item remain open.

2. *The review team recommends that the Section revise their inspection procedures and provide training to implement a policy for timely and orderly license termination of licensed materials not in use.*

Status: Currently there are four licensees that are either missing or do not have a current license due to non-payment of fees. The section is continuing their investigation on these licensees. Procedures have been revised to identify delinquent licensees to

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find and to timely terminate delinquent licenses. It is recommended that this item remain open.

3. *The review team recommends that the Section develop, implement and maintain a reliable and comprehensive licensing and inspection database that serves as an effective and efficient planning, tracking and management tool.*

Status: The same database is being used as during the IMPEP; however, the Section has evaluated other States (MA and KS) databases as an option to improve theirs. Money is being set aside to develop new programs. An IT person has been hired in the Health Department and administrative support is being requested to help develop the database.

While the new database is being developed, the Section has developed alternative solutions for the problems with its present database to make it a workable tool. The current database is functioning well enough so that inspections are conducted on time, and the Section is confident of the status of its inspections. It is recommended that this item remain open.

Other topics discussed:

Strengths and/or weaknesses of the State program as identified by the State or NRC including identification of actions that could diminish weaknesses.

Strengths: The Section has experienced personnel and enthusiastic new hires. Necessary overtime has been supported by the Bureau (overtime was approved to prevent inspections from becoming overdue). The Section is fully fee funded; therefore there is money available for training, new equipment, etc.

Weaknesses: Filling vacancies is the most significant weakness for the Section. It has been hard to compete with local businesses due to the State's salary structure.

Status of State Program including:

- a. Staffing and training: This item is discussed under the IMPEP recommendations.

- b. Materials Inspection Program:

Discuss the status of the inspection program including if an inspection backlog exists and the steps being taken to work off backlog. Currently there is no backlog of inspections. However, overtime has been necessary to ensure that inspections are completed on time.

- c. Regulations and Legislative changes:

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Discuss status of State's regulations and actions to keep regulations up to date, including the use of legally binding requirements. The State Regulation Status (SRS) Data Sheet report was discussed. The Section has kept up with the regulation changes. There are two regulations that are behind schedule.

d. Program reorganizations:

Discuss any changes in program organization including program/staff relocations and new appointments. The Section promoted one individual to a new supervisory position in the Carson City office.

e. Changes in Program budget/funding. No changes are expected.

Event Reporting, including follow-up and closure information in NMED. Six events were entered into NMED during this period. No problems were identified.

Response to Incidents and Allegations:

a. Status of allegations and concerns referred by the NRC for action. No allegations were referred to the Section during this period.

b. Significant events and generic implications. Nothing to report.

Information exchange and discussion:

a. Current State initiatives: The Section has purchased and is using tablet computers for inspection activities. They are establishing protocols with other State and Federal organizations to share security issues and for information exchange, and is also developing procedures to integrate radioactive material response/information exchange with them.

b. Emerging technologies: Nothing to report.

c. Large, complicated or unusual authorizations for use of radioactive materials, including, (e.g., major decommissioning and license termination actions). Nothing to report

d. State's mechanisms to evaluate performance (as applicable):

i) *Self audits:* The Section has no formal written self audit program; however, the Section tracks key Program elements to ensure progress in all areas of the Agreement.

ii) *Computer tracking:* This was previously discussed.

iii) *Inspector accompaniments:* The inspector accompaniments for 2005 were completed. The accompaniments for 2006 have been started.

iv) *Other management tools:* The Section Chief conducts monthly Carson City and Las Vegas offices section meetings. Also the Section Chief travels to Las Vegas every other

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month for face to face meetings. The Section Chief is encouraging continuing education training and team building for the staff. In addition, the Bureau is promoting technology use in the Section with new computers, cell phones etc.

- e. NRC current initiatives. Increased controls inspections were discussed. The Section sent two new inspectors to the security training instead of qualified inspectors because of a misunderstanding of what was needed. The Section may need to send their qualified inspectors this year once the Section determines the prioritization of inspections. Thirteen increased controls inspections are due over the next three years.

Other topics discussed:

NRC's method of verifying the proper handling of safeguards at the SLO level.

The integration of security clearances amongst the federal government.

The handling of safeguards information.

The Section's status of returning the SS&D program (no decision had been made yet).

Schedule for the next Periodic Meeting: FY 2007

Schedule for the next IMPEP review: FY 2009