

December 21, 2006

Robert Owen, Chief
Bureau of Radiation Protection
Ohio Department of Health
246 N. High Street
P.O. Box 118
Columbus, OH 43215

Dear Mr. Owen:

A periodic meeting with Ohio was held on November 29, 2006. The purpose of this meeting was to review and discuss the status of Ohio's Agreement State program. The NRC was represented by Dennis Sollenberger from the NRC's Office of Federal and State Materials and Environmental Programs, Randy Erickson from the NRC Region IV Office, and me.

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 (630) 829-9661, or e-mail to JLL2@NRC.GOV to discuss your comments.

Sincerely,

/RA/

James L. Lynch
State Agreements Officer

Enclosure:
As stated

cc w/encl: C. O'Claire, Ohio State Liaison Officer

Distribution w/encl:

J. Schlueter, FSME
D. Sollenberger, FSME
A. McCraw, FSME
S. Reynolds, RIII
R. Erickson, RIV

DOCUMENT NAME: C:\FileNet\ML063550157.wpd

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RIII-DNMS	E		
NAME	Lynch:jc			
DATE	12/21/06			

OFFICIAL RECORD COPY

AGREEMENT STATE PERIODIC MEETING SUMMARY FOR OHIO

DATE OF MEETING: NOVEMBER 29, 2006

ATTENDEES:	<u>NRC</u>	<u>STATE</u>
	Jim Lynch Dennis Sollenberger Randy Erickson	Deborah Arms Bob Owen Mike Snee Marcia Howard Steve James Mark Light Steve Helmer Chuck McCracken

DISCUSSION:

Previous Review

The last IMPEP review, performed in 2004, did not identify any recommendations for the State.

Radiation Control Program Organization and Staffing

A well-trained, experienced staff remains a strength of the Ohio Department of Health (ODH) radiation control program. A recent reorganization has the radiation control program organization divided into three sections, Nuclear Material Safety, Technical Support and X-Ray. The Technical Support Section is responsible for regulations, training, self-assessments, RSO functions and emergency response. The Nuclear Material Safety Section is divided into three units, Medical, Non-Medical and Decommissioning. Increased Controls inspections and the sealed source and device program were moved to the Decommissioning unit. Bureau management stated that technical staff members are cross-trained in other disciplines so that groups can support each other if faced with a loss of personnel or significant workload increase. The Agreement program has two vacancies, both in the Technical Support Section.

A Bureau employee is now located in the Northeast District office, and is primarily responsible for emergency response duties.

NRC Changes

Organizational changes in the NRC, such as the creation of the Office of Federal and State Materials and Environmental Programs and the Office of New Reactors, were discussed.

Training

The radiation control program staff is experienced and well trained. Bureau management stated that they are still faced with a severe limitation on out-of-state travel (12 days per person annually). This statewide position requires the program to look more at in-state and in-house

Enclosure

training. ODH has hosted several of the NRC-sponsored training courses in Columbus. Bringing those courses to Ohio allows extensive staff participation and saves a considerable amount of travel funds.

The out-of-state travel limitation, coupled with overtime pay restrictions, resulted in Ohio giving up two course slots to the October 2006 NRC Security training course in Albuquerque, NM. The loss of these slots left the program with only two inspectors trained to perform Increased Controls security inspections. Two supervisors also took the course, but do not routinely perform inspections. Considering the upcoming Increased Controls inspection workload, the program will be challenged to complete the required security inspections in a timely manner. Ohio offered to host a security training course, however, NRC does not currently have any courses scheduled for 2007.

One of the program supervisors, Mark Light, participated on the Oregon IMPEP team in 2006. Karl Von Ahn is scheduled to participate on the South Carolina IMPEP review in 2007. ODH management was encouraged to continue to support the IMPEP program to share Ohio expertise and to strengthen staff skills and perspectives.

Energy Policy Act of 2005

Governor Taft sent a letter to Chairman Klein on December 1, 2006, confirming that Ohio wishes to retain jurisdiction over NARM.

Inspections

Ohio inspection frequencies are at least as frequent as NRC's. No inspections are overdue.

As stated in the Training section, having only two inspectors trained to perform Increased Controls inspections makes for sometimes difficult scheduling issues. Thus far, all Increased Controls inspections have been performed in a timely manner.

To make the security inspections as efficient as possible, program managers were encouraged to review the field office inspection guidance in NRC's Inspection Manual Chapter 2800.

Licensing

No licensing backlogs exist. Licensing actions are responded to within 30 days of receipt.

The Program used orders and license conditions to require that medical facilities in the State distribute Patient Release Cards to released patients with radioactive material doses.

Self-Assessments

The value of programmatic self-assessments was discussed during the meeting. The Technical Support Section is actively performing self-assessments of the Agreement Program functions.

Regulations

Rulemaking in the State generally takes from nine months to a year from initial regulation development to the final rule. Program managers indicated that the rules are up-to-date, with more recent rules in process.

Security

Ohio entered into a 274i agreement with the NRC to inspect materials licensee compliance with NRC-ordered additional security measures. A new 274i agreement was recently reached regarding inspection of the RAMQC orders. Bureau managers informed the NRC representatives that they have implemented adequate controls over Safeguards information.

Incidents

ODH staff communicates reportable incidents promptly to the NRC Operations Center and to Region III. Eighteen incidents were reported since the last IMPEP review. The program supervisors input incident information directly into the Nuclear Materials Events Database (NMED). A review of NMED identified timely input of incidents.

A recent significant contamination event at sealed source manufacturing licensee facility was well communicated to the NRC. As that facility is decontaminated, updates are being provided to the Region III office.

Allegations

Eight allegations were transferred to Ohio from the NRC since the last IMPEP review. ODH staff investigated the allegations and took prompt, appropriate actions in all cases. Investigation results were provided earlier to the Regional State Agreements Officer.

Licensee Updates

Information on current decommissioning activities in Ohio was shared. Updates were provided regarding:

- The RMI decommissioning project, expected to be completed in early 2007.
- The BP Chemical possession only license.
- The Battelle Memorial Institute-West Jefferson decommissioning project, nearing license termination.
- Plum Brook research reactor and offsite contamination issues.
- Advanced Medical Systems, Inc. which is now actively decommissioning its manufacturing facilities. The financial surety instrument, which NRC had held since before Ohio became an Agreement State, is now canceled.

Sealed Sources and Devices

Three staff members are fully qualified SS&D reviewers. The review process includes a peer review and a management review of each action. ODH developed an SS&D qualification journal based on the NRC SS&D qualification journal and it is being used for reviewers. The journals are currently up-to-date for all staff performing SS&D reviews. There is no backlog of SS&D actions.

CONCLUSIONS:

The Ohio Radiation Control Program appears to be a strong, stable Agreement State program. The program has a strong cadre of cross-trained staff and the training level for staff members is good.

Timely completion of Increased Controls security inspections will be a challenge for the Program, considering that only two inspectors are currently qualified to perform these inspections, at this time. ODH management indicated that training obstacles could be overcome when the training course is next offered.

During the 2004 MRB meeting, it was recommended that the next IMPEP review be scheduled in four years. Those present at this meeting agreed to schedule the review as planned, in late 2008.