



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

June 26, 2020

Mr. Mikel Elsen, Director
Office of Radiation Protection
Washington Department of Health
243 Israel Road, SE
P.O. Box 47827
Olympia, Washington 98504-7827

Dear Mr. Elsen:

A periodic meeting with Washington was held on December 11, 2019. The purpose of this meeting was to review and discuss the implementation of Washington's Agreement State program. The Nuclear Regulatory Commission (NRC) was represented by Patricia Silva, Chief, Materials Inspection Branch, Division of Nuclear Materials Safety, NRC Region IV and me.

I have enclosed a general meeting summary. If you feel that our comments, conclusions, or actions to be taken do not accurately summarize the meeting discussion, or have any additional remarks about the meeting in general, please contact me at (817) 200-1143 or via email at Randy.Erickson@nrc.gov to discuss your concerns.

Sincerely,

/RA/

Randy Erickson
Regional State Agreements Officer

Enclosure:
Periodic Meeting Summary for Washington

DISTRIBUTION:

Mary Muessle, DNMS, RIV
 Linda Howell, DNMS, RIV
 Patricia Silva, DNMS, RIV
 Jackie Cook, DNMS, RIV
 Lizette Roldan-Otero, NMSS
 Robert Johnson, NMSS
 Duncan White, NMSS

OneDrive\U.S. NRC\Documents\Periodic Meetings\2019 Washington\2019 Washington Periodic Meeting
 Summary.docx

ADAMS ACCESSION NUMBER:

SUNSI Review: ADAMS: Non-Publicly Available Non-Sensitive Keyword:
 By: Yes No Publicly Available Sensitive

OFFICE	RIV: SAO	RIV: BC	RIV: DD			
NAME	RErickson	PSilva	LHowell			
SIGNATURE	/RA/	/RA/	by email			
DATE	6/10/2020	6/17/2020	6/26/2020			

OFFICIAL RECORD COPY



INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

PERIODIC MEETING WITH THE STATE OF WASHINGTON

TYPE OF OVERSIGHT: NONE

December 11, 2019

Enclosure

PERIODIC MEETING PARTICIPANTS

NRC

- Patricia Silva: Chief, Materials Inspection Branch, Division of Nuclear Materials Safety, NRC Region IV
- Randy Erickson: State Agreements Officer, NRC Region IV

State of Washington

- Mikel Elsen, Director, Office of Radiation Protection
- Earl Fordham, Deputy Director, Office of Radiation Protection
- Chris Williams, Deputy Director, Office of Radiation Protection
- Billie Harvey, Manager, Radioactive Materials Section
- Steve Matthews, Materials Section – Health Physicist
- Tristan Hay, Materials Section – Health Physicist
- Jonathan Napier, Materials Section – Health Physicist
- Morgan Bullock, Materials Section – Health Physicist
- Raj Maharjan, Materials Section – Health Physicist
- James Killingbeck, Materials Section – Health Physicist
- Tanner Depert, Materials Section- Database Coordinator
- Kristen Schwab, Manager, Waste Section
- Kevin Siebert, Waste Section Health Physicist
- Cheryl Rogers, Waste Section Health Physicist
- Bryony Stasney, Waste Section – Hydrologist
- Sheila Pachernegg, Waste Section - Engineer
- Gregorio Rosado, Waste Section – Health Physicist

1.0 INTRODUCTION

This report presents the results of the periodic meeting held between the U.S. Nuclear Regulatory Commission (NRC) and the State of Washington. The meeting was held on December 11, 2019 and was conducted in accordance with Nuclear Materials Safety and Safeguards (NMSS) Procedure SA-116, "Periodic Meetings between IMPEP Reviews," dated June 3, 2009.

The Washington Agreement State Program (the Program) is administered by the Radioactive Materials (Materials Section) and Waste Management Sections (Waste Section) which are in the Office of Radiation Protection (the Office). The Office is located within the Environmental Public Health Division (the Division), which is in the Washington State Department of Health (the Department). At the time of the meeting, the Washington Agreement State Program regulated approximately 334 specific radioactive materials, radioactive waste processing, low-level radioactive waste, and uranium recovery licenses authorizing possession and use of radioactive materials. The review focused on the Washington Agreement State Program as it is carried out under the Section 274b. (of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the State of Washington.

The Program is fee funded with a dedicated fund. Their last fee increase was in 2016 and is only increased when needed to cover increased program costs. The Department can redirect Program funds when necessary if they determine it's needed to support other needs within the Department.

The Program last underwent an Integrated Materials Performance Evaluation Program (IMPEP) review from April 30 to May 4, 2018. The report can be found in NRC's Agencywide Documents Access and Management System (ADAMS) under Accession Number (ML18208A461). A Management Review Board (MRB) meeting to discuss the outcome of the IMPEP review was held on July 24, 2018.

During the MRB meeting, the Washington Agreement State Program's performance was found to be satisfactory for seven indicators: Technical Staffing and Training, Status of Materials Inspection Program, Technical Quality of Inspections, Technical Quality of Incident and Allegation Activities, Sealed Source and Device Evaluation Program, Low-Level Radioactive Waste Disposal Program, and Uranium Recovery Program. Two indicators were found satisfactory but needs improvement: Technical Quality of Licensing Actions and Compatibility Requirements. The team made two new recommendations and determined that the one recommendation from the 2013 IMPEP review should be closed.

The NRC's Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)," states "if the Management Review Board (MRB) finds a State's program is satisfactory but needs improvement for one or two performance indicators and is satisfactory for all remaining performance indicators, the MRB should consider whether the State's overall program is adequate or adequate but needs improvement to protect public health and safety." The 2018 IMPEP team discussed whether a finding of adequate to protect public health and safety, but needs improvement, was warranted based on the less than satisfactory finding for the indicator Technical Quality of Licensing Actions (the less than satisfactory rating for the indicator Compatibility Requirements is considered when determining whether a program is compatible or not compatible). The team determined that the weaknesses identified in the Technical Quality of Licensing Actions

Washington Periodic Meeting Summary

indicator did not warrant an overall finding of adequate to protect public health and safety but needs improvement. Instead, the team recommended a shortened timeframe for the next periodic meeting. Therefore, the team recommended that the Washington Agreement State Program be found adequate to protect public health and safety and compatible with the NRC's program and the MRB agreed. The team also recommended, and the MRB agreed, that the next IMPEP review should take place in approximately four years with a periodic meeting in approximately one year.

2.0 COMMON PERFORMANCE INDICATORS

Five common performance indicators are used to review the NRC's Regional Office and Agreement State radioactive materials programs during an IMPEP review. These indicators are (1) Technical Staffing and Training, (2) Status of Materials Inspection Program, (3) Technical Quality of Inspections, (4) Technical Quality of Licensing Actions, and (5) Technical Quality of Incident and Allegation Activities.

2.1 Technical Staffing and Training (2018 IMPEP Rating: Satisfactory)

The Materials Section, when fully staffed, is comprised of eight full time equivalents (FTE) which includes one manager and seven technical staff. The technical staff perform both licensing and inspection related activities. In addition to the manager and technical staff, the Materials Section also has a database coordinator and one administrative staff member. At the time of the meeting, the Materials Section had no vacancies.

The Waste Section (which includes uranium recovery) when fully staffed is comprised of an additional seven FTE including one manager, one administrative staff member and five technical staff. Four of the technical staff were fully qualified at the time of the meeting and one was in the process of qualifying. At the time of the meeting, the Waste Section had no vacancies.

The 2018 IMPEP team found that over the review period, as discussed in Section 3.1 of this summary, Washington did not have a training and qualification program that was equivalent to NRC's Inspection Manual Chapter (IMC) 1248, "Qualification Programs for Federal and State Materials and Environmental Management Programs."

The Program reported that they have corrected the recommendation described in Section 3.1 of this summary and that both the Materials and Waste Sections now have documented training and qualification plans consistent with NRC's IMC 1248. Program management also tracks continuing education requirements of 24 hours every two years and provides ample opportunities for staff to fulfill this requirement.

2.2 Status of the Materials Inspection Program (2018 IMPEP Rating: Satisfactory)

The Program's inspection frequencies are the same as the NRC's inspection frequencies listed in IMC 2800. At the time of the periodic meeting, no inspections were currently overdue, and none had been performed overdue since the 2018 IMPEP review. The Program conducted six initial inspections from the time of the 2018 IMPEP through the end of 2019. The Program reported that all initial inspections of new licenses were performed within the 12-month requirement.

The Program also reported that between the 2018 IMPEP review and the time of the periodic meeting, 18 candidate licensees entered the state under reciprocity. The Program performed four inspections or 22 percent of all candidate licensees entering the state. A discussion was held with the Program informing them that the 20 percent annual goal for performing reciprocity inspections under Inspection Manual Chapter (IMC) 1220 will be eliminated when IMC 2800, Revision 2 is adopted in early 2020. IMC 1220 will be retired and there will no longer be a numerical goal for states, but rather the Program will need to develop a procedure in accordance with IMC 2800 for how the Program will handle reciprocity inspections.

2.3 Technical Quality of Inspections
(2018 IMPEP Rating: Satisfactory)

The Program uses inspection procedures that are consistent with the inspection guidance outlined in the NRC's Inspection Manual Chapter 2800. At the conclusion of each inspection, the inspectors have the option to send inspection findings from the office or to use a form like the NRC's Form 591 that can be left with the licensee at the conclusion of the inspection. The Materials Section uses this form to document both clear inspections and inspections identifying infractions, deficiencies, or recommendations. The inspector can require a written response from the licensee describing corrective actions to address any infractions, deficiencies, or recommendations. Inspectors can also use this form to document investigations, field site surveys, and close-out surveys. Violations are considered the most severe type of finding and can only be dispatched from the office after management review and approval. Inspection findings are routinely sent to licensees within 30 days of the inspection exit.

The 2018 IMPEP team identified that the Materials Section had a quality assurance policy for inspection reports that states that management will review 10 percent of the reports generated. This differed from the NRC's policy as stated in IMC 0610 which states that all inspection reports will be reviewed by management prior to issuance. Inspection Manual Chapter 0610 has a Compatibility Category C designation meaning the Materials Section's policy can be more restrictive but cannot be less restrictive than NRC. The 2018 IMPEP team did not identify any performance issues as a result of this less restrictive policy and during the July 24, 2018 MRB meeting, senior managers committed to revising their policy to ensure that all inspection reports are reviewed by management prior to being issued. During the 2019 periodic meeting, the Materials Section manager stated that all inspection reports are now being reviewed prior to issuance.

For several months prior to the 2018 IMPEP review through November 2019, when a permanent Materials Section manager was hired, the Materials Section had been without a permanent section manager. During that time a few supervisor accompaniments of staff were performed by interim managers. A new Materials Section manager was hired in November 2019 and is now performing all annual supervisor accompaniments of the inspection staff. The Waste Section had been performing annual inspector accompaniments without interruption through this time.

2.4 Technical Quality of Licensing Actions
(2018 IMPEP Rating: Satisfactory but needs Improvement)

The Materials Section had approximately 334 specific licensees at the time of the meeting. The inspection staff also performs all licensing actions which, after completion, are signed

out by the Materials Section manager. Since the 2018 IMPEP review, the Materials Section completed 424 licensing actions comprised of 90 laboratory actions, 105 industrial actions, 134 medical actions, 11 nuclear pharmacy actions, 37 general license actions and 47 reciprocity actions. The Materials Section reported they currently have two complex licensing actions in house for a licensee proposing to use thorium-229 to make thorium generators for use in medical therapy and a request to use yttrium-90 in a gel that hardens in place to enable treatment of solid tumors located near the surface of the skin of animals. The Materials Section uses NRC guidance documents (e.g. NUREG-1556 Series guidance, Pre-licensing Guidance, and Risk Significant Radioactive Materials (RSRM) Checklists) when completing licensing actions.

During the 2018 IMPEP review, the team found that approximately 72 percent of the randomly selected licensing actions were thorough, complete, consistent, and of high quality with health, safety, and security issues properly addressed. However, in the remaining 28 percent of the licensing actions selected, the team noted inconsistencies in the licensing actions. These included the processing of amendments that did not have appropriate licensee management signatures, portable gauges authorized that were not requested by the licensee, missing pre-licensing checklist documentation in files, partially filled out pre-licensing checklists and in some cases, no documentation that the pre-licensing checklist had been used. The team noted that for two new portable gauge licenses, radiation safety officers had been placed on the respective licenses without proper documentation of required hands-on training. The team also noted that the Materials Section issued two licenses under Title 10 of the Code of Federal Regulations (10 CFR) Part 36 for irradiators that met Part 36 requirements without the state having had equivalent regulations in place prior to issuing the license. During the 2019 periodic meeting, managers in the material section stated that these licensing issues had all been corrected through procedural changes and additional staff training.

The 2018 IMPEP team also noted that over the review period, the Materials Section had a policy to hand deliver the license during the pre-licensing site visit. The team found that most of the new licenses issued by the Materials Section were delivered during the pre-licensing site visits with a few exceptions, including one instance when the staff found that the address for the location of use was incorrect on the license application. The team informed the Materials Section that this practice was strongly discouraged as an outcome of the 2015 Government Accountability Office Audit and discussed in Radiation Control Program Director (RCPD) letters RCPD-17-001 dated January 18, 2017, and RCPD-17-005 dated June 6, 2017; and, would be prohibited when NRC's revised pre-licensing guidance would be issued after the IMPEP review in late 2018. The Materials Section committed to stopping the practice of hand delivering licenses during pre-licensing site visits; and, during the 2019 periodic meeting, confirmed that this hand delivery of licenses during pre-licensing visits no longer occurs.

The Materials Section requires registration of all generally licensed devices that meet the NRC criteria for registration as found in 10 CFR Part 31, and do not register other generally licensed devices that do not meet that criteria (e.g. tritium exit signs). The Materials Section requires holders of any registered generally licensed device to update their inventory through a self-certification on an annual basis. When generally licensed devices are reported by registrants to be damaged, lost or stolen, and if they meet the thresholds for reporting to NRC's Headquarters' Operations Officer (HOO), they are reported to the HOO accordingly. Regardless of requirements for HOO reporting, all

events involving generally licensed devices are reported to the Nuclear Materials Events Database (NMED).

2.5 Technical Quality of Incident and Allegation Activities
(2018 IMPEP Rating: Satisfactory)

The Materials Section has procedures and processes in place to maintain effective responses to incidents and allegations that are received. Events are reported to Washington via a state-wide emergency response number. Initial information is recorded by the emergency response duty officer who then routes the initial event details to the administrative assistant in the Materials Section. The administrative assistant routes the event details to an inspector who is qualified for the modality involved in the event. That inspector makes initial contact with the reporting party to ensure the Materials Section has the full details on the event. The event is then discussed collectively by management and staff and the appropriate response is agreed upon.

Since the 2018 IMPEP review, a total of 14 events had been reported to the NMED database by the Materials Section. At the time of the periodic meeting, 12 were still open and two had been reviewed and closed.

During the periodic meeting, the Program provided an update on a large contamination event that occurred on May 2, 2019. The event involved a U.S. Department of Energy (DOE) contractor (an NRC licensee) working under reciprocity in Washington who was removing an approximate 2900 curie cesium-137 source from a self-shielded irradiator at the Harborview Campus (Harborview) of the University of Washington. During the removal process the source was breached and contamination became widespread throughout the building having been transported via the various ventilation systems within the building. Contamination was also found in lesser amounts in a nearby building, in void spaces throughout the walls of the Harborview building, on the Harborview building rooftop and outside in the nearby environment.

The U.S. DOE hired remediation contractors to begin cleaning up shortly after the event occurred and the cleanup was ongoing through the date of the periodic meeting. Members of the Materials Section and members of the Air Emissions Section have been on site since the event occurred providing oversight for the cleanup, issuing license amendments to facilitate the cleanup, monitoring air emissions and ensuring that work is completed in a safe manner.

Additionally, on December 10, 2019, a day prior to the periodic meeting, NRC Region IV personnel were on site, toured the facility to observe the cleanup operations and view the physical work on the building, discuss cleanup progress with Program and contractor staff, and observe the location where the actual event occurred.

Also, since the 2018 IMPEP review, a total of three allegations had been received directly by the Program with none being referred by NRC. When allegations are received, they are reviewed and investigated by the Program, concerned individuals are notified of the actions taken, and allegeders' identities are protected whenever possible in accordance with state law.

3.0 NON-COMMON PERFORMANCE INDICATORS

Four non-common performance indicators are used to review Agreement State programs: (1) Compatibility Requirements, (2) Sealed Source and Device (SS&D) Evaluation Program, (3) Low-Level Radioactive Waste Disposal (LLRW) Program, and (4) Uranium Recovery (UR) Program. The NRC's Agreement with Washington relinquishes regulatory authority for all four, so all non-common performance indicators were discussed.

3.1 Legislation, Regulations and Other Program Elements (2018 IMPEP Rating: Satisfactory but needs Improvement)

The Program reported that there have been no legislative changes impacting the Program since the 2018 IMPEP review. At the time of the periodic meeting there were no amendments overdue for adoption. A review of the Washington Regulation Amendment Tracking Sheet (RATS) items showed that five amendments will come due in calendar years 2021 and 2022. Regulations applicable to the Washington Agreement State Program are not subject to sunset requirements.

The 2018 IMPEP team reviewed guidance documents that Washington used to meet the requirements (e.g., Pre-Licensing Guidance, Inspection Manual Chapters (IMC), Inspection Procedures (IPs), etc.) that the NRC has designated as necessary for the maintenance of an adequate and compatible program.

The 2018 IMPEP team found that Washington had a training and qualification program, but that it was not compatible with the NRC's IMC 1248. The last revision to the Program's training and qualification manual occurred in 2003. The Program was working on revising the training program but had not completed it during the review period. The 2018 IMPEP team had informed the Program that during the previous IMPEP review period, the NRC's IMC 1248 was revised and issued to the states via State and Tribal Communication Letter FSME-13-043, "Publication of Inspection Manual Chapter 1248, Qualification Programs for Federal and State Materials and Environmental Management Programs." The Program did not adopt a training program compatible with IMC 1248 within the required 6 months of the date of the letter. Because of this, a recommendation was issued to the Program.

Recommendation: The team recommended that Washington review, revise, and update the training and qualification requirements for all aspects of its Agreement State Program to ensure the essential objectives of NRC's IMC 1248 appendices A, B, D, E, H and I are adopted.

2019 Periodic Meeting Status: The Program reported they have changed their procedures and the qualification tracking method for the Materials and Waste Sections to become compatible with IMC 1248 requirements. At the time of the periodic meeting, the changes had been implemented and final approval of the forms and procedures was almost complete.

3.2 Sealed Source and Device Evaluation Program (2018 IMPEP Rating: Satisfactory)

The Materials Section has a total of four staff who are qualified to perform safety and product evaluations of SS&D applications in addition to their other responsibilities of

Washington Periodic Meeting Summary

licensing and inspection for the Program. One of the individuals completed NRC's onsite SS&D training course, and three completed the SS&D on-line training course.

While Washington's agreement with the NRC does authorize an SS&D program, Washington does not have a highly active program. At the time of the periodic meeting the Program had 12 SS&D licensees and performed no actions between the date of the 2018 IMPEP review and the date of the periodic meeting. Over the 2018 IMPEP review period, the Program only processed three actions which included two amendments and one inactivation of a device.

The 2018 IMPEP team found, as discussed in Section 3.1 of this summary, that for the Sealed Source and Device Evaluation indicator, Washington did not have a training and qualification program for SS&D reviewers equivalent to NRC's IMC 1248, Appendix D during the 2018 IMPEP review period. The Program reported that they have corrected the recommendation described in Section 3.1 of this summary and that the Program now has documented training and qualification plans consistent with NRC's IMC 1248, Appendix D.

3.3 Uranium Recovery Program (2018 IMPEP Rating: Satisfactory)

At the time of the 2018 IMPEP review, the Waste Section licensed the Dawn Mining Company (Dawn), a former conventional mill site covering approximately 800 acres in Ford, Washington, currently undergoing decommissioning and reclamation. There are no other operating uranium mills in the state. Activities performed since the 2018 IMPEP review included continued soil cleanup, continuing the process water evaporation and completion of the fourth and final radon barrier. The Waste Section continues to perform environmental monitoring at the site.

Currently the Waste Section staff involved with uranium recovery activities includes one Section Manager, three technical staff, and an engineer who serves as the Waste Section's subject matter expert in geotechnical engineering. This totals approximately two FTE for uranium recovery licensing, inspections, and technical reviews. At the time of the meeting, two of the three technical staff were qualified license reviewers/inspectors and one staff was in training.

The Waste Section continues to perform inspections at Dawn including both annual radiation safety and field inspections. The field inspections were performed whenever there were key decommissioning, reclamation, or construction activities being conducted by the licensee, or there was a need to evaluate the site condition. There were no overdue inspections at the time of the periodic meeting and inspection findings are communicated to the licensee within 30 days of the exit. The Waste Section supervisor reviews and approves all letters and inspection reports.

The Program reported that no allegations were received directly by the Program or referred by the NRC. They experienced no significant events.

The 2018 IMPEP team found, as discussed in Section 3.1 of this summary, that for the uranium recovery program indicator, Washington did not have a training and qualification program for uranium recovery staff that was equivalent to NRC's IMC 1248, Appendices H and I. The Program reported they have corrected the recommendation described in

Section 3.1 of this summary and now has documented training and qualification plans consistent with NRC's IMC 1248, Appendices H and I.

3.4 Low-Level Radioactive Waste Disposal Program
(2018 IMPEP Rating: Satisfactory)

At the time of the periodic meeting, the Waste Section licensed two sites, the U.S. Ecology site for low level radioactive waste disposal (LLRW) and the Perma-Fix Northwest, Inc., (Perma-Fix) site as a waste processing facility. The U.S. Ecology site is located northwest of the city of Richland, Washington on approximately 100 acres of land which is entirely within the U.S. Department of Energy (DOE) Hanford site and has been in operation since 1965. The Waste Section licenses U.S. Ecology to receive, handle, process, store, and dispose of LLRW at this facility, and is authorized to dispose of the Class A, B, and C LLRW from the Northwest and Rocky Mountain Compact regions. Perma-Fix, operating since the early 1990's, is located on 35 acres adjacent to the DOE Hanford site and is a commercial waste processing facility, licensed by the Waste Section for storing and treating both LLRW (thermal and non-thermal methods) and mixed waste (non-thermal method only).

Currently the Waste Section staff involved with LLRW activities includes one section manager, five license reviewers/inspectors, and one administrative assistant. This totals approximately three FTE for LLRW licensing, inspections, and technical reviews. The technical staff and manager have diversified backgrounds in health physics, engineering, and earth sciences which meets or exceeds the educational levels necessary to perform licensing and inspection activities. There is also no longer a resident inspector position at the U.S. Ecology site.

The Waste Section continues to perform annual inspections at both the U.S. Ecology and Perma-Fix sites. In addition to the annual inspections, they also conduct limited monthly inspections based on the licensee's operations. The Waste Section completes LLRW inspections in accordance with the frequency established in the NRC's IMC 2401, "Near-Surface Low-Level Radioactive Waste Disposal Facility Inspection Program." There were no overdue inspections at the time of the periodic meeting and inspection findings are communicated to the licensee within 30 days of the exit. The Waste Section supervisor reviews and approves all letters and inspection reports.

The Program reported that no allegations were received directly by the Program or referred by the NRC in the LLRW or Uranium Recovery program areas. The Waste Section also experienced no significant events.

The 2018 IMPEP team noted that the foundation of the Waste Section's training program is a performance-based "learn, do, and be reviewed" approach and that a qualification form is used to track training progress and qualification status. The form lists basic training applicable to any position type and NRC courses that are recommended for staff performing inspections or licensing, as well as specialized courses. The form did not identify required training but did distinguish between basic and specialized training and did identify the training category (e.g. waste processor, uranium mills or LLRW disposal) and whether the individual was approved, by whom, and the date of the approval for both licensing and inspections. For documentation of qualification, a memo was issued to the training file to indicate that the individual completed the requirements and the basis for the qualification determination. The training procedure did not require staff to have training in

risk or performance assessment and the associated reading list for staff did not include NUREG-1573, "A Performance Assessment Methodology for Low-Level Radioactive Waste Disposal Facilities: Recommendations of NRC's Performance Assessment Working Group," as stated in Qualification 4 to IMC 1248 Appendix E.

The 2018 IMPEP team found, as discussed in Section 3.1 of this summary, that for the LLRW Program indicator, Washington did not have a training and qualification program for newly hired staff in the LLRW program that was equivalent to NRC's IMC 1248, Appendix E during the 2018 IMPEP review period. The Program reported that they have corrected the recommendation described in Section 3.1 of this summary and the Program now has documented training and qualification plans consistent with NRC's IMC 1248, Appendix E.

The 2018 IMPEP team also found that while performing licensing actions, the Waste Section did not generate a technical evaluation report to document what was reviewed, how it was reviewed, and the basis for the licensing decisions. Checklists used by the Waste Section provided limited detail towards documenting the specifics of an action and did not capture why the information provided by the licensee was found to be acceptable. The team found that staff did not routinely compare requested license changes against the documented safety analysis for the licensee. Because of this the 2018 IMPEP review team made the following recommendation.

Recommendation: Washington should produce a technical evaluation report that provides the basis for the regulatory decision each time a significant licensing action for the LLRW disposal facility is processed.

2019 Periodic Meeting Status: The Program reported that since the 2018 IMPEP review, they have taken steps to produce technical evaluation reports for significant licensing actions that are requested by the LLRW disposal facility. The program manager is now responsible for reviewing the licensing action and generates a detailed Technical Memo (TM) which is the Waste Section's version of an NRC Technical Evaluation Report (TER). The TM details the history of the request, pertinent regulations including environmental impact statements, and the basis for approval or denial of the request. The TM is then reviewed and undergoes a quality assurance evaluation by another technical expert in the Waste Section, and finally the Waste Section supervisor reviews and approves the TM.

4.0 SUMMARY

The Washington Program continues to be an effective and well managed Agreement State program. At the time of the periodic meeting there were no vacancies in the program, no overdue inspections, and no inspections had been performed overdue since the 2018 IMPEP review. The various issues identified by the 2018 IMPEP team across the Program have been addressed and corrected. The Program's training and qualification program has been updated and is now compatible with IMC 1248. Other guidance documents used by the Program have been updated or developed and staff have received training in the applicability of those documents. The 2018 IMPEP team did not identify any performance issues associated with the deficiencies noted during the review. The Waste Section continues with decommissioning and reclamation activities associated with a former conventional mill site and is now also producing their equivalent of TER documents for significant licensing actions. The Program was also challenged in 2019 when they unexpectedly had to oversee a widespread contamination event that occurred in early May 2019 and was continuing through the time of the periodic meeting. Based on information

Washington Periodic Meeting Summary

provided by the Program during the meeting, it appeared that the Program responded in an effective and appropriate manner.

The NRC staff recommends that the next IMPEP review for the Washington Program be conducted as scheduled in 2022. The Program did not request a Special MRB.