

## **Preliminary Version- Pending Commission Approval**

**Minutes of the Rhode Island Atomic Energy Commission Meeting, 24 August, 2007.**

**Dr. Mecca called the meeting of the Rhode Island Atomic Energy Commission to order. Present were Commissioners: Dr. Mecca, Dr. Kadak, Dr. Allen, and Dr. Nassersharif and staff Dr. Terry Tehan, Jeff Davis, Sophia Lenihan and Mike Middleton. Dr. Gromet arrived shortly after the meeting started.**

### **1. Minutes of the 5 April, 2007 RIAEC Meeting.**

**Dr. Kadak made a motion to accept the amended minutes (copy attached). Dr. Nassersharif seconded the motion. The minutes of the meeting were reviewed. A Motion to accept minutes passed unanimously. See Enclosure 1.**

**2. Operating Budget/ Capital Budget/grants. Dr. Tehan presented a discussion and written report on the budget----See enclosures 2 and 3.**

**3. NRC Inspection/ NRSC Meeting Minutes. Mike Middleton presented a written report and discussion. See enclose 4.**

**4. Updated Major Staff projects List-Mike Middleton presented an overview of major projects. The Stack welding and parking lot will be added to the list. (Enclosure 6)**

**6.NRSC Composition-A discussion was held on NRSC issues. Dr. Mecca asked for a motion concerning the NRSC quorum: “ A quorum shall consist of four members three of whom must have voting privileges.” The motion was Moved by Dr. Kadak and seconded by Dr. Nassersharif. A Motion to accept passed unanimously. A discussion regarding the sub committee role of the NRSC was held. The NRSC should consider eliminating the sub committee and schedule sufficient full committee meetings to meet the requirements of both licenses.**

**7. Emergency call list: A discussion was held regarding the emergency call list. The Commission empowered the Chairman to draft a letter to the Radiation Safety Office requiring him provide an emergency call list that meets the NRSC requirements and reprimand him for not complying with prior directives from his superiors. Dr. Gromet moved the motion for the Chairman to draft the letter and Dr. Nassersharif seconded the motion. The Motion passed unanimously-see enclosure 5.**

**8. Dr. Mecca asked for a motion to go into executive session. Dr. Gromet moved the motion to go into executive session and Dr. Nassersharif seconded the motion. The motion passed unanimously. Dr. Gromet moved the motion to end the executive session and Dr. Nassersharif seconded the motion. The motion passed unanimously. The Commission requested the staff to explore the possibility of more**

**classroom space in the center**

**9. Old Business**

**a. The next meeting of the RIAEC will be at 8 am on Friday, 12 October 2007 at the R. I. Nuclear Science Center.**

**10. Dr. Gromet Motion to adjourn. Dr. Allen seconded the motion. The motion passed unanimously.**

## **Enclosure 1- approved minutes**

### **Preliminary Version- Pending Commission Approval**

#### **Minutes of the Rhode Island Atomic Energy Commission Meeting, 5 April 2007**

**Dr. Mecca called the meeting of the Rhode Island Atomic Energy Commission to order. Present were Commissioners: Dr. Mecca, Dr. Kadak, Dr. Allen, and Dr. Nassersharif and staff Dr. Terry Tehan, Hank Bicehouse, Jeff Davis, and Mike Middleton. Dr. Gromet arrived shortly after the meeting was called to order.**

##### **1. Minutes of the 30 January, 2007 RIAEC Meeting.**

**Dr. Nassersharif made a motion to accept the amended minutes (copy attached). Dr. Allen seconded the motion. The minutes of the meeting were reviewed. A Motion to accept minutes passed unanimously. See Enclosure 1**

**2. Reactor Operator Qualification Progress Report. Mike Middleton made a report on qualification status. Both exams are scheduled for April 2007. See Enclosure 2**

**3. Operating Budget/ Capital Budget/grants. Dr. Tehan presented a written report on the budget. A discussion was held on use of funds. Dr. Nassersharif moved to require a list of major staff projects with milestones and completion dates be developed and updated regularly. Dr. Gromet seconded. Motion passed unanimously. See**

## **enclosure 3**

**4. NRC Inspection/ NRSC Meeting Minutes- inspection date is April 23, 2007 See Enclosure 2**

**5. Emergency Plan Update. A marked up copy is ready for the NRC inspection in April.**

**6. Facility Utilization initiatives. Dr. Mecca recommended that the staff research the possibilities of providing emergency radiological services. Jeff Davis discussed his marketing initiatives.**

**7. personnel.-executive session**

**8. Old Business**

**a. The next meeting of the RIAEC will be at 8:00, Tuesday 24 July, 2007 at the R.I. Nuclear Science Center.**

### **Enclosure 2 Budget**

**To all- I have been trying to get an accurate picture of the FY2008 budget but the data is not in RIFANS yet and we are working on red balances. I talked to Tom Mullaney who is acting Assistant Budget Officer. He said that the information for building this years revised budget and the 2009 budget will be out in a few weeks. This is the**

**data that we need because retirement and medical costs are the big factors in budget increases and they change every year. Also, we will get budget targets and those numbers will determine the shortfall and required turnover numbers that we submit to the Governor. Needless to say, we need to increase our operating budget and we have made that case to the House Finance Committee. On the other hand, there is a big hole in this year's budget because of faulty assumptions so there will be pressure to cut as was the case last year. We can also assume that the Governor will go after the state work force again. Rather than provide poor budget data at the meeting, I will wait until I get the real data. The first two quarters of the year (July-Dec) have never had funding problems. It is the end of the third quarter where the money goes away. My recommendation is to send in a supplemental appropriation request with the budget submission when we know the real financial situation-Terry**

**Capital budget-to all-After 12 rifans approval steps, the capital budget project has gone to Purchasing for the bidding process. The budget is \$50,000 and it will include the high security gate and rear door.**

### **Enclosure 3-Grant Status**

**To all- I just spoke to John Guteridge at DOE regarding our two grant submissions. He is reviewing the GNEP proposals and he stated that we will get one. Hopefully, it will be at the \$100,000.00 level. The large grant with MIT and others is out for review and we should get the results in August.He is uncertain regarding the return of our old grant**

programs such as INIE and reactor sharing. Fortunately, we have \$77,132 in this FY from INIE carryover that we deposited this fiscal year. There is \$141,760 in FY07 INIE that has not been moved forward and \$106,040 in Reactor Sharing from FY07 that has not been moved forward. Accounts and Controls will not move the money into FY08 until they close out the FY07 books-Terry

Enclosure 4- NRC inspections-----Most recent NRC Inspection had a Level IV Violation, the attached was the response to this violation. No other deficiencies noted on the inspection

report!-response was accepted by the NRC and the item was closed

**U.S. Nuclear Regulatory Commission**

**ATTN: Document Control Desk**

**Washington, DC 20555-0001**

**6/7/2007**

**Subject: Reply to Notice of Violation Dated 5/22/2007**

**Reference: NRC Routine Inspection Report No. 50-193/2007-201**

The Assistant Director of Nuclear Operations has reviewed the referenced Inspection Report and the Notice of Violation. The past history of performing experiments under our general authorization (1008) was review from 1999- present. The method used to develop an experiment from first principle to an authorized user was also evaluated. The following is a result of this evaluation:

**The reason for the violation: The RINSC staff was performing an experiment under a Nuclear and Radiation Safety Committee approved authorization #1008 received a verbal approval from the SRO in the control room. The NSC-7a, Neutron Irradiation Request Form, Rev 9/94 requires an SRO to approve the irradiations. This sample irradiation was being performed under the 1008 authorization which was reauthorized 12/14/2006 by the Nuclear and Radiation Safety Committee. Therefore, the Nuclear and Radiation Safety Committee approved the experiment, but only a verbal approval was received from the SRO who was operating the reactor. The intent was to complete the paperwork (NSC-7a, Neutron Irradiation Request Form) after the completion of the 12-second proof of principle sample irradiation. The Reactor Logbook properly identified the irradiation of the samples, but a NSC-7a, Neutron Irradiation Request Form was never completed. This project was discussed with the Assistant Director, Reactor Supervisor and Health Physics well in advance of this experiment taking place.**

**There is a conflict between the procedure #12, 'Use of Pneumatic Irradiation Facilities' and the NSC-7A Rev. 9/94. Procedure #12, 'Use of Pneumatic Irradiation Facilities', requires that the Assistant Director approve each Irradiation Request Form, but the NSC-7A Rev 9/94 requires only an SRO to approve the Irradiation Request Form.**

**Corrective Steps that have been taken and the results achieved:**

**Procedure #12, Use of Pneumatic Irradiation Facilities', will be revised to bring it current with our present mode of operation. In addition to the Neutron Irradiation Request Form approval change, the requirement to have the Reactor Utilization Committee authorize experiments will also be changed to have the Nuclear and Radiation Safety Committee authorize experiments. The Reactor Utilization Committee and the Radiation Safety Committee were combined in 1996 to form the Nuclear and Radiation Safety Committee. The revised procedure will also clarify sample irradiations done under the general authorization for proof of principle type of work.**

**Subsequent sample irradiations for this experiment were performed under the Nuclear and Radiation Safety Committee approved authorization #1008. The NSC-7a, Neutron Irradiation Request Form was completed. Sample irradiation for this experiment will continue under authorization #1008 until proof of principle has been completed and a NSC-73 Rev 11/04, 'RINSC Facility Use Request Form' is completed and approved by the Nuclear and Radiation Safety Committee. Subsequent sample irradiations will than be done under the new authorization number.**

**Corrective Steps to avoid further violations: The RINSC staff was reminded of the need to have the proper paperwork approved in advance. Even the simplest task requires the paperwork to be completed before proceeding.**

**Procedure #12, Use of Pneumatic Irradiation Facilities', will be revised and submitted for approval at next Nuclear and Radiation Safety Committee meeting.**

**Date of Full compliance: RINSC will be in full compliance to both issues after the next Nuclear and Radiation Safety Committee meeting. In advance of the approval from the Nuclear and Radiation Safety Committee of the revised procedure #12, Use of Pneumatic Irradiation Facilities', a Memo and a marked up procedure #12, Use of Pneumatic Irradiation Facilities', will be presented to RINSC staff. The Memo will remind everyone to follow the marked up procedure and complete all required paperwork before proceeding.**

**The Inspection Report, Notice of Violation and this response will be reviewed at the next NRSC meeting as required by Tech Specs. If you have any questions or concerns, please contact me at 401-789-9391.**

**Michael Middleton**

**Assistant Director of Nuclear Operations**

**Rhode Island Nuclear Science Center**

**cc:**

**Governor Donald Carcieri**

**Kevin Witt, USNRC**

**Dr. Stephen Mecca, RIAEC**

**Dr. Andrew Kadak, RIAEC**

**Dr. Bahram Nassersharif, RIAEC**

**Dr. Peter Gromet, RIAEC**

**Dr. Alfred L. Allen, RIAEC**

**Dr. Harry Knickle, NRSC**

## **Enclosure 5 Emergency Call List**

### **Emergency call list issue**

**The NRSC meeting minutes show that the NRSC has taken action on the H.P. Emergency Call list on two occasions. (the minutes are copied below) The required action was being met until the RSO went on vacation in May. Instead of the required call list, he sent the email listed below. He cited the NRC inspector, Kevin Witt , comments as his reason for non-compliance. The NRC inspector states that he is incorrect ( at that time the NRC only reviewed R-95 license compliance not by-product license issues).**

**Dr. Knickle points out that the NRSC is an advisory committee without enforcement authority. He also told me that to meet the 24 hour coverage, responsible individuals need to leave a phone number where they can be reached when they are out of the area. The RSO**

has not trained any other individuals for byproduct license emergencies. Only he and David Johnson are adequately trained and available. I have told the RSO to leave a phone number when he is out of area and the RSO has not complied. Dr. Knickle and I believe that the Commission should act on this matter.

## **NUCLEAR AND RADIATION SAFETY SUB-COMMITTEE MINUTES**

**Meeting October 30, 2006**

**Meeting opened at 1:35 PM. Present: H. Knickle, M. Middleton, H. Bicehouse, and T. Tehan, Also present was J. Davis.**

**T. Tehan stated the need for a HP Emergency Call List. He also stated that last year during the holidays, there was a lack of coverage. The By-product license requires 24 hours per day coverage in the event of an accident or other abnormal occurrence. H. Bicehouse stated the Emergency (Staff) Call List for the facility is adequate to meet the requirements. T. Tehan stated the Emergency (Staff) Call List is for**

**Facility Security Issues and is not adequate as a HP Emergency Call List. The Chairman stated that 2 people are not enough to support an emergency call list and that the RSO needs to have a list and qualify more people. The Chairman indicated that the RSO needs to have a program to qualify these people. The Chairman indicated actions need to be taken by RSO. No action was taken on this item.**

**NUCLEAR AND RADIATION SAFETY FULL-COMMITTEE  
MINUTES**

**Meeting December 14, 2006**

**Meeting opened at 2:35 PM. Present: H. Knickle, B. Moulton, J. Leith, M. Middleton, H. Bicehouse, and T. Tehan, Also present was J. Davis.**

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**T. Tehan restated the need for a HP Emergency Call List. He also stated that last year during the holidays, there was a lack of coverage.**

**The By-product license requires 24 hours per day coverage in the event of an accident or other abnormal occurrences. J. Davis stated the Emergency (Staff) Call List for the facility is adequate to meet the requirements. H. Knickle explained the NRSC's role as Policy Makers**

only. The supporting documents were reviewed by J. Leith and B. Moulton to help them understand the situation. J. Leith made a Motion to make two separate call lists, seconded by B. Moulton. Motion failed 2 to 1. The NRSC agreed one call list should be adequate with the possibility of additional information being added.

M. Middleton and T. Tehan stated they did not feel adequately training to respond to all possible abnormal radiological occurrences. M. Middleton gave the example of past problems associated with RI consultants work at RINSC, (low energy beta and tritium contamination). M. Middleton stated last years issue could have been prevented if cell phone numbers were known. J. Davis stated that M. Damato was revising the Call List to update numbers and include cell phone numbers. B. Moulton stated cell phone numbers should not be required unless the person wants it to be listed.

The Chairman stated that Hank's responsibility as RSO is to maintain the call list and maintaining the list means to have telephone numbers available even when personnel go on vacation, attend meeting, etc.

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**-----Original Message-----**

**From: Kevin Witt [mailto:KMW@nrc.gov]**

**Sent: Friday, May 04, 2007 11:12 AM**

**To: erry Tehan**

**Cc: Johnny Eads**

**Subject: Re: FW: Temporary Emergency Call List**

**Hi Terry, thank you for your message. Mr. Bicehouse's statement that**

**I**

**have endorsed the emergency call list for conformance with the requirements of the broadscope license is incorrect. The NRC has previously concluded that the emergency preparedness program for license**

**R-95 is being properly implemented at the RINSC. You are responsible for**

**ensuring that all applicable requirements for the materials license are being met. If you have any further questions, please call me at 301-415-4075.**

**-Kevin**

**-----Original Message-----**

**From: Henry J. Bicehouse [mailto:bicehous@gso.uri.edu]**

**Sent: Thursday, May 03, 2007 2:58 PM**

**To: Jeannine P. Craik; Michael J. Davis; Margaret Damato; David G. Johnson; Bruce MacGregor; Robin Wheeler**

**Cc: Alfred Allen; Andrew Kadak; Bahram Nassersharif; Peter L.**

**Gromet; Stephen Mecca; Brian Moulton; Harry Knickle; John Leith;  
Linus Kelly; Mike Middleton; Professor John J. Breen; Terry Tehan  
Subject: Temporary Emergency Call List**

**Ladies and Gentlemen:**

**In the past, I have reluctantly provided a temporary emergency call list for radiological emergencies during my absences from the facility. I have never agreed with the idea that separate call lists for the reactor and the broad scope license were necessary. Following discussions with Mr. Kevin Witt, NRC, I have concluded that providing a separate temporary emergency call list for the broad scope license is indeed unnecessary. Since the RINSC Emergency Plan provides the necessary provisions for coping with a radiological emergency at the facility, you should note my planned vacation from May 5, 2007 through May 13, 2007 but otherwise use the emergency call list provided under the RINSC Emergency Plan during that period.**

**/S/**

**Henry J. Bicehouse**

**Assistant Director for Radiation and Reactor Safety and Radiation  
Safety Officer**

**ENCLOSURE 6**