

Rhode Island Atomic Energy Commission
Meeting of April 24, 2013

16 Reactor Road
Narragansett, RI 02882
9:00 AM

Dr. Mecca called the meeting to order at 9:00 AM. The following individuals were present at the meeting:

Rhode Island Atomic Energy Commission:

Dr. Stephen Mecca, RIAEC Chairman
Dr. Andrew C. Kadak, Commissioner
Dr. Bahram Nassersharif, Commissioner
Dr. Peter L. Gromet, Commissioner

Rhode Island Nuclear Science Center:

Mr. Jeffrey Davis, RINSC Assistant Director of Operations
Mr. Stephen Guarino, Assistant Director for Radiation and Reactor Safety
Ms. Constance Hathaway, RINSC Staff
Mr. Zachary Richards, RINSC Staff
Ms. Margaret Damato, RINSC Staff

Visitors/Observers:

Mr. David Hathaway, Sr.
Mr. Joseph Moran
Mr. Robert Bruzzi
Ms. Kelley E. Noble

Introductions:

Dr. Mecca opened the meeting with a review of the agenda. Dr. Kadak passed out a signup sheet for the guests in attendance. Ms. Hathaway audio recorded the proceedings of the meeting as did Dr. Kadak.

1. Approval of April 17, 2013 Draft Meeting Minutes:

A motion was made by Dr. Gromet to approve the minutes seconded by Dr. Nassersharif. The draft minutes were approved as written by a 4 to 0 vote.

2. Radiation Safety Officer Qualifications

An action from the previous meeting was to review the qualifications of the RSO relative to Technical Specification 6.2.2 which states that the RSO must have a master's degree in the field of "health physics or radiological health and three years of applied physics experience in a program with radiation safety problems similar to those in the program to be managed."

Dr. Mecca reviewed the personnel file of Mr. Guarino and found that Mr. Guarino did not have the requisite degree in health physics or related disciplines and did not have the three years of experience in the field to be managed at the time he was hired as RSO. Dr. Mecca pointed out that Mr. Guarino's graduate transcript was not in the file; when asked if he would provide one to the Commission, he said he was unwilling to provide it until he talked with his lawyer. Mr. Guarino did attend an Oak Ridge Associated Universities training course for radiation safety officers but a detailed syllabus was also not available for review. In any case, this course does not replace the Master's degree requirement in the technical specifications.

Dr. Nassersharif asked Mr. Guarino to provide the Commission with copies of his official transcripts from URI and a detailed syllabus for the course he took at Oak Ridge National Laboratory as soon as possible. Dr. Nassersharif also noted that it was unusual for the employee file to not include copies of official transcripts since it is normal practice to ask for verifications of academic credentials before hiring.

Dr. Mecca also reviewed some of the history of the hiring process which identified weaknesses. The most significant problem was the hiring decision was apparently made by the then Executive Director without considering the Technical Specification requirements for the RSO position.

Thus, based on the evidence, the Commission found that the RSO (Mr. Guarino) does not meet the minimum educational qualifications required for his position and that it was in violation of Technical Specification 6.2.2. The violation of a technical specification requires notification of the Nuclear Regulatory Commission.

Mr. Davis reported that this violation in technical specifications prevents reactor operation since a qualified RSO is needed for the safety of the facility. Based on this information, the Commission voted 4 to 0 on the following motion made by Dr. Gromet and seconded by Dr. Kadak:

“Effective immediately reactor operation cease until such time that the RIAEC deems it safe for continued operation. In addition the RIAEC will report this violation as a self-identified non-compliance to the NRC and seek to return the facility to operation as soon as possible”.

It should be noticed that the reactor was not operating this day.

Dr. Mecca asked Dr. Kadak to make the “Licensee Event Report” to NRC after the meeting.

The RIAEC will notify users of this suspension in a formal email. Mr. Richards will notify by telephone all users who are scheduled to use the reactor in the near term. Dr. Mecca will notify the Governor's office and the Department of Administration encouraging their attention to all of the health physics issues at the facility and seek permission to hire a qualified RSO. Additionally the Nuclear Reactor Safety Committee will be notified by Mr. Davis.

Options to restore reactor operations were then discussed. Mr. Davis suggested that this specific technical specification change could be modified to reduce the educational requirements, however the Commission did not feel that was an appropriate response. The Commission discussed the hiring a consultant with RSO credentials to oversee operations in the short term. This activity will be pursued as an administrative matter by the Commission.

The meeting was adjourned at 10:10 AM.

Respectfully Submitted,

Andrew C. Kadak
Commissioner

DRAFT