

Rhode Island Atomic Energy Commission Meeting of August 16, 2013 Minutes

Rhode Island Nuclear Science Center
16 Reactor Road
Narragansett, RI 02882

Dr. Mecca called the meeting to order at 10:00 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
Dr. Anthony Nunes, Commissioner
Jennifer Sternick, Commission Legal Counsel

Rhode Island Nuclear Science Center:

Mr. Jeffrey Davis, RINSC Staff
Mr. Stephen Guarino, RINSC Staff
Ms. Constance Hathaway, RINSC Staff
Mr. Zachary Richards, RINSC Staff

Observers:

Mr. Moran
Mr. Bruzzi
D. Hathaway

1. Call to Order:

Dr. Mecca called the meeting to order at 10 AM with a review of the agenda.

2. Minutes

Dr. Nassersharif made a motion to approve the minutes of the July 1, 2013 meeting – seconded by Dr. Kadak. Vote to approve 5 to 0.

Dr. Nassersharif made a motion to approve the minutes of the July 12, 2013 meeting – seconded by Dr. Gromet. Vote to approve 5 to 0.

Dr. Nunes requested that his suggested changes to the minutes of the April 5, 2013 be added to these minutes despite not being approved by the Commission on April 5, 2013. His suggested changes are attached.

3. Update on Executive Director Search

Dr. Mecca reported on interviews held by the Commission with three prospective candidates on June 25, 27 and July 1. On July 1st after the last interview, an executive session was held to discuss which of the candidates should be given an offer of employment. The choice of the Commission was Dr. Cameron Goodwin. The Commission also decided that should she not accept the position, the Commission will not to reopen search but go to the next level of candidates. Dr. Mecca submitted all the paperwork to affect the hire which was approved by the state. Dr. Goodwin will start September 3rd, 2013.

The Commission will prepare an appropriate press release announcing her as the new Executive Director of the Rhode Island Nuclear Science Center.

4. Issue of Non-Compliance with Regards to Technical Specification 6.2.2 with the Nuclear Regulatory Commission (NRC)

Dr. Mecca summarized that as a follow up to the information gathering meeting of the Commission on July 12th, the Commission needs to take action to come into compliance with the technical specifications as expected by the NRC. Dr. Mecca summarized the options available as:

1. Modify the technical specifications to relax the requirements for a master's degree in health physics or radiological health.
2. Extend time for the existing RSO to get the necessary credentials
3. Come into compliance by hiring a qualified person meeting the current technical specification requirements.

Discussion:

Dr. Nunes made a motion to modify Technical Specification 6.2.2 by adding the words "or any equivalent combination of education and experience" after the sentence that states a master's degree in health physics or radiological health..."Dr. Kadak seconded the motion. Dr. Nunes claimed that this change was not a de-grading or relaxation of the requirement but a change that would allow the Commission more flexibility in hiring an RSO. Dr. Kadak questioned the meaning of "equivalence" in the sense of what would be equivalent to a degree in health physics or radiological health. Dr. Nunes said many years of experience in the field. Dr. Kadak then questioned whether this motion essentially eliminated the Master's degree requirement since equivalence could be very subjective. Nunes replied that it does not but it does give the Commission a choice as to whether to apply it or not.

There was a general discussion of what would happen if the RSO was sick or on vacation. Apparently this was not a problem in the past since the former RSO was out for eight months with an illness and the reactor operated safely since there were qualified people on staff including the Executive Director and assistant director. Mr. Davis also offered that the Technical Specifications should be "bare bones" allowing for flexibility in operations. Dr. Kadak stated that in his opinion, the master's degree assures competency in the field and the technical specification standard should not be lowered. Dr. Kadak stated that the goal is to find the best technically qualified people to improve the level of support to the reactor and center. Commissioners expressed concern that the reactor had been operated in the absence of the RSO and in the lack procedures detailing operations when RSO was not present.

The question was called and a vote on the amendment was taken: 4 no to the motion and Nunes yes. The motion was defeated.

The Commission did agree that the issue of RSO vacation and illness needs to be addressed and committed to do so.

Option 2:

Dr. Kadak made a motion to bring the center into compliance by giving an opportunity for the existing RSO to acquire the requisite masters in HP or radiological science. The motion failed since there was no second.

Option 3:

Dr. Nassersharif made a motion to require occupant of the RSO position meet the present Technical Specification requirements. The motion was seconded by Dr. Gromet

Discussion:

Dr. Kadak supported the motion because center needs the current requirements in the RSO position. Dr. Nunes was concerned that since Mr. Guarino installed some instruments at the reactor as part of his thesis, no one would be able to operate and maintain them. Dr. Nassersharif replied that whoever is retained would need to learn the instruments and operation of the equipment should it be used in the future.

The vote was 4 to support the motion and Nunes opposed. The motion was passed.

As a result of this vote, Mr. Guarino must be offered an opportunity to be heard on this action which will take place at the next Commission meeting on August 26th at 9 AM. Legal counsel explained to the Commission members that Mr. Guarino is currently a temporary employee who serves at the pleasure of the Commission. His position will convert from temporary to provisional this fall, which will afford him additional employment protections. Mr. Guarino was asked about whether he is available on August 26th. He stated he did not know.

5. Adjournment

Motion was made by Nassersharif and seconded by Gromet to adjourn the meeting. The vote was 5 to 0. The meeting was adjourned at 11:03 AM.

Respectfully Submitted,

Andrew C. Kadak
Commissioner

Attachment