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May 30, 2003

Paul H. Lohaus, Director  
Office of State Tribal Programs  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Re: State Response to Nevada IMPEP Draft Report Dated May 9, 2003

Dear Mr. Lohaus:

Please find attached the State Health Division response to the review of the Nevada Agreement State Program conducted on April 7, 2003, through April 10, 2003.

If you have any questions, please feel free to contact me at (775) 684-4200.

Sincerely,

Yvonne Sylva  
Administrator

Enclosure

cc: Alex Haartz, Deputy Administrator  
Amy Roukie, Chief, Bureau of Health Protection Services  
Stan Marshall, Supervisor, Radiological Health Section  
Bob Loux, Director, Nevada Agency for Nuclear Projects

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State agency responses to recommendations on draft report page 13:

Recommendation 1: The review team recommends that the state, in accordance with the Department of Administration audit report, increase the radioactive materials program staff to meet program needs.

Response: Additional staffing is being considered as part of the agency response to the Nevada Department of Administration audit findings and recent draft IMPEP report.

Funding for additional staffing and other necessary resources is also part of this review process. We anticipate that radioactive material license fee increases will be presented for adoption at the October 24, 2003 meeting of the Nevada State Board of Health.

Increased spending authority will then be obtained and steps will be taken through the Nevada Department of Personnel to begin the process of creating new technical positions for this program.

Recommendation 2: The review team recommends that the state provide training to current and future technical personnel, either by formal course or equivalent, as prescribed by the Division's training policy.

Response: The review to determine appropriate increases of staff and other resources will include funding for staff training on an ongoing basis.

Until such time that funding is obtained for staff training, we will take steps to consider less expensive, even no-cost training options that might be appropriate and available.

An example of low-cost alternatives to attending NRC courses is hosting or co-hosting an NRC training course in Nevada or somewhere on the west coast that is more convenient and less costly for Nevada staff participation than the traditional training sites in eastern states. Staff is collecting information about NRC course opportunities particularly those considered "mobile" by NRC program staff; that is, possibly conducted in non-traditional training sites such as an Agreement State with little/no funding to attend training at the traditional training locations.

An example of no-cost training that we are implementing is program management efforts to contact Novoste and GliaSite vendors to provide in-house technical orientations for these radiopharmaceutical products. Although Nevada licensees using these products are few or nonexistent, the vendors appear cooperative at this time to visit our office in the near future to conduct demonstrations and staff discussions about the products.

A short technical staff meeting or scheduling the vendors during another program activity, may also be considered if the vendors make an office visit in the near future. We anticipate completing such radiopharmaceutical orientations for current technical staff by September 30, 2003.

Alternatives to attendance at the traditional NRC training courses will continue to be explored and implemented. We will continue to negotiate fee increases to support attendance at traditional training courses in the future.

Recommendation 3: The review team recommends that the section take appropriate measures to conduct core inspections (including initial inspections) in accordance with the NRC's inspection priority system.

Response: Program management has had discussions with senior staff to discuss a plan to complete inspections of the two remaining overdue licensees.

Staff has provided an inspection schedule including individual assignments that will accomplish elimination of the overdue inspections by June 30, 2003.

Direct assignment of inspections will be made to specific personnel in an effort to better implement agency policy to minimize overdue inspections.