

EDO Principal Correspondence Control

FROM: DUE: 08/05/03

EDO CONTROL: G20030427  
DOC DT: 07/16/03  
FINAL REPLY:

Larry Barrett  
Department of Health Services  
State of California - Health and  
Human Services Agency

TO:

Chairman Diaz

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 03-0478

Chairman Diaz

DESC:

ROUTING:

Import of Radioactive Devices Used from Out-of-  
State Manufacturers and Distributors in the  
State of California without Notice to the  
Department of Health Services

Travers  
Paperiello  
Kane  
Norry  
Dean  
Burns/Cyr  
Virgilio, NMSS  
Gwynn, RIV

DATE: 07/25/03

ASSIGNED TO:

CONTACT:

STP

Lohaus

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with NMSS.

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Jul 24, 2003 16:58

---

**PAPER NUMBER:** LTR-03-0478 **LOGGING DATE:** 07/24/2003  
**ACTION OFFICE:** EDO

**AUTHOR:** Larry Barrett  
**AFFILIATION:** CA  
**ADDRESSEE:** Nils Diaz  
**SUBJECT:** Concerns the import of radioactive devices used in the construction, well-logging, and weld inspection trades from out-of-state manufacturers and distributors to persons in the State of California without notice to the Dept of Health Services...

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, SECY to Ack

**LETTER DATE:** 07/16/2003  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:**

**NOTES:** Commission Correspondence  
**FILE LOCATION:** ADAMS

**DATE DUE:** 08/07/2003 **DATE SIGNED:**



DIANA M. BONTÁ, R.N., Dr. P.H.  
Director

State of California—Health and Human Services Agency  
Department of Health Services



GRAY DAVIS  
Governor

July 16, 2003

Nils Diaz, Ph.D., Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Dr. Diaz:

Since the events of September 11, 2001, the California Department of Health Services and other California regulatory agencies have worked diligently to examine issues related to security in the programs they regulate, and taken actions to increase security measures where necessary. At this time, the Department is significantly concerned about the import of radioactive devices used in the construction, well-logging, and weld inspection trades from out-of-state manufacturers and distributors to persons in the State of California without notice to the Department.

We would like to request that the U.S. Nuclear Regulatory Commission, and by copy of this letter, the Organization of Agreement States, join us in our efforts to appeal to the manufacturers and distributors of the subject devices to provide a report of transfer, for each transfer made, to the radiation control program responsible for licensing the recipient of the device. The Department believes that this simple enhancement to the control of radioactive materials will provide invaluable information for tracking these devices from "cradle to grave," and greatly reduce the risk of these devices being transferred to businesses that are unlicensed, or businesses with expired or rescinded licenses.

You may contact me at 916-324-3266, if you require additional information or clarification regarding this important security issue.

Sincerely,

Larry Barrett, DVM, MS, DACVPM, Chief  
Division of Food, Drug, and Radiation Safety

cc: See Next Page



Do your part to help California save energy. To learn more about saving energy, visit the following web site:  
[www.consumerenergycenter.org/flex/index.html](http://www.consumerenergycenter.org/flex/index.html)

601 North 7<sup>th</sup> Street, MS 419, P.O. Box 942732, Sacramento, CA, 94234-7320  
(916) 324-3266  
Internet Address: [www.dhs.ca.gov](http://www.dhs.ca.gov)

Dr. Nils Diaz  
July 16, 2003  
Page 2

cc: Mr. Pearce O'Kelley, Chair  
Organization of Agreement States  
Bureau of Radiological Health  
S.C. Department of Health and Environmental Control  
2600 Bull Street  
Columbia, SC 29201

Kevin Reilly, D.V.M., M.P.V.M.  
Deputy Director  
Prevention Services  
Department of Health Services  
1501 Capitol Avenue, Suite 6100, MS 7000  
Sacramento, CA 95814