

April 16, 2007

Ms. Kathryn Perkins, Assistant Commissioner
Division of Regulatory Services
Texas Department of State Health Services
8404 Wall Street, Room S101
Austin, TX 78754

Dear Ms. Perkins:

Thank you for your March 30, 2007, letter responding to the final Integrated Materials Performance Evaluation Program (IMPEP) report and letter dated March 1, 2007. U.S. Nuclear Regulatory Commission (NRC) staff has reviewed your response to the open recommendation made in the final IMPEP report and believe that your proposed actions adequately address the recommendation.

As indicated in the final IMPEP report, the period of Heightened Oversight of the Texas Agreement State Program has been discontinued and a period of Monitoring has commenced. Monitoring is an informal process that allows the NRC to maintain an increased level of communication with an Agreement State program. As part of the Monitoring process, NRC will conduct quarterly calls with the appropriate representatives from the Texas Department of State Health Services. Linda McLean, NRC Region IV State Agreements Officer, will work with your staff to schedule the first quarterly call.

The next full IMPEP review is tentatively scheduled for October of 2010. A periodic meeting will be conducted with the Texas Agreement State Program in approximately 18 months from the November 2006 IMPEP review. During the periodic meeting and at the next IMPEP review in 2010, we will evaluate the effectiveness of your response to our recommendation, as well as the implementation of your overall program.

K. Perkins

-2-

I appreciate the positive actions that you and your staff are taking to address the recommendations. I also wish to acknowledge your continued support for the Radiation Control Program. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

/RA/

Janet R. Schlueter, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

cc: Richard Ratliff, RCPD
Roger Mulder, SLO
Michael Ford, Chair, TRAB

K. Perkins

-3-

I appreciate the positive actions that you and your staff are taking to address the recommendations. I also wish to acknowledge your continued support for the Radiation Control Program. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

/RA/

Janet R. Schlueter, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

cc: Richard Ratliff, RCPD
Roger Mulder, SLO
Michael Ford, Chair, TRAB

Distribution: DCD (SP05)
DMSSA r/f
KKarcagi, FSME/DMSSA
KSchneider, FSME/DMSSA
L McLean, RIV/RSOA

SUNSI Review Complete

- Publicly Available Non-Publicly Available
- Non-Sensitive Sensitive

Response to Incoming Document: ML070940261

ML071060164

ML071070574 (Package)

OFC	DMSSA/SAIS	DMSSA/SAIS	FSME/DMSSA	FSME/DMSSA
NAME	ATMcCraw	ADWhite	SWMoore	JRSchlueter
DATE	04 /16 /07	04 /16 /07	04/16 /07	04/16/07

OFFICIAL RECORD COPY