



Department of Health

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5 December 2007

Andrea R. Jones, Health Physicist  
Division of Intergovernmental Liaison  
and Rulemaking  
Office of Federal and State Materials  
and Environmental Management Programs

Dear Ms. Jones:

As discussed, I have completed a preliminary review of the "Draft" IMPEP report received by this office on 29 November 2007.

Although I am in agreement with the findings, there are few clarifying points and adjustments in the letter and report that I want to apprise you of. In addition to the following bulleted directions to specific pages, paragraphs etcetera, I have also included a printed "Track Changes" version of your letter and report, which identifies the strikethrough and corrected wording.

The following corrected wording is suggested:

- ◆ Cover Letter: -inside address-
  - Add - MPH after M.D.
- ◆ Report
  - Page 1 (Section 1.0) 3<sup>rd</sup> Paragraph –adjustment in wording to better reflect structure.
    - Insert -Office of Radiological Health after "the" –in first sentence
    - Insert- and Health Services Regulation in 2<sup>nd</sup> and 3<sup>rd</sup> sentence
    - Remove- of Health in 3<sup>rd</sup> sentence
    - Remove- the Office of Health Services Regulation and Environmental Health (the Office) in 3<sup>rd</sup> and 4<sup>th</sup> sentence
  - Page 1 (Section 1.0) 3<sup>rd</sup> Paragraph-1<sup>st</sup> sentence-at the time of your IMPEP the total number of licensees was 60.
    - Change 61 to 60 in 1<sup>st</sup> sentence
  - Page 2 (Section 2.0) 1<sup>st</sup> Paragraph- 1<sup>st</sup> sentence-I believe the date –year should be 2003.
    - Change 2004 to 2003
  - Page 3 (Section 3.1) 2<sup>nd</sup> Paragraph-9<sup>th</sup> sentence-total should be 60.
    - Change 61 to 60 in 9<sup>th</sup> sentence
  - Page 5 (Section 3.2) 1<sup>st</sup> Paragraph-4<sup>th</sup> sentence adjustment in wording to better reflect structure-it was the loss of the Chief during the period in question.
    - Change Supervisor to Program Chief in 4<sup>th</sup> sentence
  - Page 6 (Section 3.3) 3<sup>rd</sup> Paragraph-4<sup>th</sup> sentence adjustment in wording to better reflect how RI addresses escalated enforcement (PART I, Section I.3.7 of Regs).
    - Remove- limited to issuance of orders
    - Add-in the form of non-routine inspections which, according to Section I.3.7 of the regulations, would require an inspection fee of one-half the

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- annual licensing fee established in Appendix A to Part I of the regulations.
  - Page 6 (Section 3.3) 6<sup>th</sup> Paragraph-4<sup>th</sup> sentence adjustment in wording to better reflect practices during review period- (use of other appropriately licensed vendors for calibration services).
    - Insert –or other vendors appropriately licensed to provide calibration services
  - Page 9 (Section 4.1.1) 1st Paragraph-2<sup>nd</sup> sentence adjustment in wording for clarification.
    - Insert after “Island”-’s enabling statute Title 23, Chapter 1.2 (Radiation Control) of the Rhode Island General Laws, as amended [RIGL].
    - Remove –and
    - Insert-The current implementing regulations are titled Rules and Regulations for the Control of Radiation [R-23-1-1.3-RAD] and are dated September 2007.
    - Remove-Providence Plantations Department of Health Rules and Regulations for the Control of Radiation, Title 23, chapter 1.3.
  - Page 10 (Section 4.1.2) 2<sup>nd</sup> Paragraph-3<sup>rd</sup>-4<sup>th</sup> sentence adjustment in wording to better reflect actual process.
    - Insert after “to”-legal counsel concurrently with (or slightly before) submission to the NRC,
    - Remove after “public”, the NRC.
    - Insert after “comment”. There is a required formal hearing as part of the public comment process.
- ◆ APPENDIX C Page C.2-File No: 9-spelling correction
- Change to- Geisser.

Sincerely,



John L. Ferruolo  
Supervising Radiological Health Specialist  
Office of Radiological Health