



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005

January 18, 2008

NRC Attendees	California Attendees
Randy Erickson, RSAO	Gary Butner
Linda McLean, RSAO	John Fassell
Duncan White, FSME	Phillip Scott
Kim Lukes, FSME	Gonzalo Perez
Dennis Sollenberger, FSME	Barbara Hamrick
Joseph DeCicco, FSME	
William Rautzen, FSME	
Jason Razo, Region IV	

The meeting was held to discuss the status the Performance Improvement Plan submitted to the NRC on January 9, 2008. The status of two remaining recommendations are discussed below.

Recommendation 1 - The review team recommended that the State ensure that adequate resources, both funding and staffing, be devoted to the radiation control program.

Status: RHB management confirmed that following the July 1, 2007, reorganization, the department has experienced a few problems with staffing and personnel classifications, but not to where they affected the program. A few staff members have left the program for positions in other agencies; however, the program does not anticipate that these staff losses will present a problem as they expect to fill them soon. The Program Director's position remains vacant.

Currently the State of California is experiencing a multi-billion dollar budget deficit. However, the program is fee funded and to date has not experienced any issues associated with the State's budget shortfall.

Recommendation 2 - The review team recommended that the Branch develop and implement an action plan to adopt NRC regulations in accordance with the current NRC policy on adequacy and compatibility.

Status: The Department continues to progress with processing regulations. Several amendments continue to remain open and are slowly working their way through to completion. The anticipated completion dates of some regulation packages were extended.

/RA/

Randy Erickson
State Agreements Officer
Region IV

Attachment: California Performance Improvement Plan - Dated January 2008
cc: Gary Butner, Acting Program Director

California Heightened Oversight Summary

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bcc: (via ADAMS e-mail distribution):

Leonard Wert
Chuck Cain
Robert Lewis, FSME
Terry Reis, FSME
Duncan White, FSME
Linda McLean
Randy Erickson
Aaron McCraw, FSME
Kim Lukes, FSME
Dennis Sollenberger, FSME
William Rautzen, FSME

ML

SUNSI Review Completed: Yes ADAMS: X Yes Initials: RRE
X Publicly Available X Non-Sensitive

Draft: S:\dnms\SAO\Heightened Oversight\2008\California\01-16 CA Heightened Oversight Summary

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PERFORMANCE IMPROVEMENT PLAN PROGRESS REPORT

January 2008

Radiologic Health Branch

California Department of Health Services

Recommendation	Task	Milestone	Assigned To	Anticipated Completion Date	Status	Actual Completion Date
<p>The review team recommends that the State ensure that adequate resources, both funding and staffing, be devoted to the radiation control program.</p>	<p>Increase funding to adequately support program activities.</p>	<p>Develop emergency regulations to increase funding to adequately support program activities.</p>	<p>Reilly/ Johnson</p>	<p>May 2005</p>	<p>Regulations became final for fees. This Task is completed.</p>	<p>October 2005</p>
	<p>Identify staff shortages and obtain adequate staff</p>	<p>(1) Develop proposal to establish nine additional staff in Governor's 2005-06 Budget. (2) Conduct hiring exams for all RHB classifications by April 2005. (3) Conduct hiring interviews and complete hiring for 95% of vacant positions.</p>	<p>Butner</p>	<p>July 2005</p>	<p>RML – One senior vacancy due to redirection. ICE - All vacant positions are filled.</p>	<p>February 2007</p>
<p>4. The review team recommends that the Branch develop and implement an action plan to adopt NRC regulations in accordance with the current NRC policy on adequacy and compatibility.</p>	<p>See Attached for Update and Status</p>					

RHB – NRC Regulation Status Report
January 8, 2008

Item	Title	Synopsis	NRC Due Date	Anticipated submittal to RHB	Anticipated Completion Date	Status	Completion Date
1	Industrial Radiography Certification (R-25-03)	Establishes certification for industrial use of RAM and X-ray.	06/30/2002	NA	April 2008	Conducting 2 nd 15-Day comment period January 16 – 31, 2008	
2	General License Requirements (DPH-07-002) (former title: NRC Updates)	Addresses NRC changes for GLD's and registration.	Various dates in past	July 2005	No Estimate.	Office of Regulations Reviewing.	
3	Medical Use of RAM (DPH-05-018)	Addresses NRC changes to Part 35	4/24/2005 & dates in past	December 2005	January 2009	Final Draft in review by RHB-RML section. Developing fiscal and economic estimates.	
4	Financial Assurance (DPH-06-018)	Addresses financial surety dollar amounts.	12/3/2006	Feb. 1, 2008	No Estimate.	Office of Regulations reviewing.	
5	Transportation (DPH-07-008)	Addresses part 71 and 49 CFR.	10/1/2007	January 2006	No Estimate.	Office of Regulations reviewing.	
6	Medical Use - Specialty Boards	Addressed in item 8.	4/29/2008			See item 3.	
7	Minor NRC amendments	Addresses 71 FR 15005	3/27/2009				
8	National source tracking system	Addresses 71 FR 65685	Immediate			NRC Approved LBR on 2-15-07.	Feb. 15, 2007