



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

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June 27, 2008

James L. Lynch, State Agreements Officer  
United States Nuclear Regulatory Commission  
2443 Warrenville Road, Suite 210  
Lisle, Illinois 60532-4352

Dear Mr. Lynch:

It was a pleasure to meet you and your team during the recent Integrated Materials Performance Evaluation Program review of our Office of Radiation Protection. These reviews provide valuable feedback on our program efforts by highlighting where improvements can be made, while at the same time validating the exemplary practices that are occurring. As you may imagine, I am very pleased with the positive feedback your team provided on our program efforts.

I appreciate the opportunity to comment on the draft report of your review. My staff has provided a few technical comments, which are enclosed.

Again, thank you for your team's thoroughness in helping Washington maintain not just an "adequate and compatible" program, but one that is a national leader. Protecting our residents from the potential harmful effects of radiation is one of the key program areas in our Environmental Health Division, and we will work with the results of your review to continue to make improvements in our efforts.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary C. Selecky".

Mary C. Selecky  
Secretary

Enclosure

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The Department of Health Office of Radiation Protection's technical comments on  
Draft Report – *Integrated Materials Performance Evaluation Program Review  
of Washington Agreement State Program* – May 5-9, 2008

Page 3 – 3rd paragraph – the last sentence states “Staff members are required to have a Bachelor’s degree or equivalent experience ... “This is incorrect since a degree in a physical or biological science or engineering is required; there is no substitute. Furthermore, “two years experience in the use of radiation” is required in addition to the degree. If your focus is the basic educational requirement, this sentence can be corrected by deleting “or equivalent experience.”

Page 3 – 4th paragraph – second line – verb tense correction as follows “...Office managers encourage and support training ...”

Page 3 – 6th paragraph – 4th line – “Approval of the rulemaking will allow the Office to add 2.5 full-time equivalents...” (not 5.7 as stated)

Page 6 – 3rd paragraph – Needs to be re-written as follows: “The Materials Section performs staff accompaniments annually. The Materials Section Supervisor accompanied each Health Physicist yearly. He accompanied each Program Manager every other year. In the interim years, Program Managers performed accompaniments of each other. The Materials Section uses this system so that the Managers have the benefit of being accompanied by other senior staff members and not just the Materials Section Supervisor.”

Page 6 – 6th paragraph – 2nd line – delete “downtown”; the state laboratory is north of Seattle.

Page 7 – 4th paragraph – 8th line – the last two sentences are redundant. We suggest combining the two sentences to read as follows: “As another QA measure, the materials Section supervisor reviews approximately ten percent of all licensing actions that the Materials Section issues.”

Page 8 – 4th paragraph – 6th line – should read “...local office of the Department of Revenue.”

Page 9 – 4th paragraph – 9th line – we do not use NMED software. The sentence should read “...NMED is appropriately updated, using the established template.”

Page 11 – 2nd paragraph – 3rd line – change “State” to “Health” – the final rule adoption is by the Secretary of Health prior to filing with the Code Reviser.

Page 11 – 2nd paragraph – 5th line – change last full sentence to read: “An Exception rule is allowed when the program adopts a federal rule without material change. This shortened process relies on the federal rulemaking work which provides equivalent documentation to the State’s required initial Reasoning for the Rulemaking, Economic Impact Analysis, Small Business Economic Impact Statement, and legislatively Significant Analysis (cost benefit analysis).”

Page 14 – 3rd paragraph – 3rd line – insert “Environmental” to correctly identify “the Environmental Monitoring and Assessment Section.”

Page 14 – 5th paragraph – add concluding sentence “The Section Supervisor reported that the updated training records were placed in the files within 30 days of the close of this review.” (We can provide documentation if needed by the Team)

Page 15 - 1st paragraph – delete blank line in the 3rd line of the paragraph.

Page 17 – last paragraph – add concluding sentence “The Section Supervisor reported that the updated training records, including summaries of education and experience, were placed in the files within 30 days of the close of this review.”

Page 18 – 6th paragraph – 2nd line – “supervisors” should be “supervisor”.

Appendix C, page C.5 – File # 36 should be noted as an Unannounced inspection, and add SM and KS as inspectors.

Appendix C, page C.5 – File # 37 should be noted as an Unannounced inspection, and add SM and ME as inspectors.

Appendix C, page C.5 – File # 38 – add SM as an inspector.