

September 4, 2009

F. E. Thompson, M.D., MPH
State Health Officer
Mississippi State Department of Health
570 East Woodrow Wilson Drive
Jackson, MS 39216

Dear Dr. Thompson:

I am writing to bring your attention to staffing concerns identified during a recent evaluation of the Mississippi Division of Radiological Health (the Division) and to request your support in the Division's efforts to address the concerns.

On July 1, 1962, former Governor Ross Barnett entered the State of Mississippi into an Agreement with the U.S. Nuclear Regulatory Commission (NRC), pursuant to Section 274b. of the Atomic Energy Act. Under this Agreement, the State of Mississippi committed to establish a radiation control program that can adequately protect the health and safety of Mississippi's citizens from the potential hazards associated with the use of radioactive materials. Agreement States must possess the requisite supporting legislation authority, implementing organization structure and procedures, and financial and human resources to effectively administer a radiation control program that ensures adequate protection of public health and safety.

NRC maintains oversight of all Agreement State programs and conducts periodic reviews of Agreement States to ensure that public health and safety are adequately protected. During the 2005 evaluation of the Division's performance under the Agreement with NRC, a review team found the Mississippi Agreement State Program adequate to protect public health and safety; however, the team identified a concern with the recruiting and retaining of technical staff. This concern could potentially affect the Division's ability to continue to protect public health and safety if corrective actions are not taken to address the issue. The review team recommended that the State take additional actions to stabilize staffing and ensure continued successful program implementation.

During the 2009 evaluation, a review team again found the Mississippi Agreement State Program adequate to protect public health and safety, but noted that the staff recruitment and retention concerns persisted during this review period. The 2009 review team did not identify any performance weaknesses, which the team attributed to the commendable efforts of two of the Division's experienced staff members; however, this arrangement is not sustainable over the long term. Recruitment and retention of a sufficient number of technical staff is crucial to maintaining an adequate Agreement State Program. If performance declines below the established standards in the future, several options are available to ensure continued protection of public health and safety. This includes options such as placing the State on Heightened Oversight or Probation, or even temporarily suspending the Agreement until the State can adequately protect public health and safety again.

F. E. Thompson

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A qualified and stable staff is a cornerstone for a radiation control program. Difficulty with retaining staff is a leading indicator for decline in performance in other areas of the program. Other Agreement State programs have faced similar issues and have successfully reclassified the salary structure for their technical positions, established a career ladder, or enhanced their non-monetary incentives to eliminate or reduce staff turnover.

I request your support in any of the Division's efforts to address staffing issues related to the long-term health of the Mississippi Agreement State Program.

Please contact me for any additional information you may need.

Sincerely,

/RA/

Martin J. Virgilio
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

cc: Dr. Mary Carrier, State Epidemiologist
Mississippi State Department of Health

Jim Craig, Director
Mississippi Office of Health Protection

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Original Signed by:

Martin J. Virgilio
Deputy Executive Director for Materials, Waste,
Research, State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

cc: Dr. Mary Currier, State Epidemiologist
Mississippi State Department of Health

Jim Craig, Director
Mississippi Office of Health Protection

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