



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 2, 2017

Mr. Gonzalo Perez, Branch Chief
Radiologic Health Branch
Division of Food, Drug and Radiation Safety
California Department of Health Services
PO Box 997414, MS-7610
Sacramento, CA 95899-7414

Dear Mr. Perez:

This is in reference to our earlier discussion regarding the Nuclear Regulatory Commission's (NRC's) expectations for the qualification of the State of California's radioactive materials inspectors and license reviewers under its Atomic Energy Act, Section 274b Agreement with the NRC (Agreement).

As part of your Agreement with the NRC, the California Department of Health Services is required to maintain a compatible qualification program for its radioactive materials inspectors and license reviewers in accordance with Appendix A to the NRC's Office of Nuclear Material Safety and Safeguards Procedure SA-200, "*Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements.*" The program elements in Appendix A are applicable to the regulation of radioactive materials under your Agreement and are based on the analysis of the categorization criteria and processes set out in NRC's Management Directive 5.9, "*Adequacy and Compatibility of Agreement State Programs.*"

As you know, the NRC periodically reviews Agreement State programs through the Integrated Materials Performance Evaluation Program (IMPEP) to ensure they are adequate and compatible with the NRC's program. The last IMPEP review for the State of California was conducted in October 2015. As part of that review, your staff's ability to conduct effective licensing and inspection activities, which is largely dependent on having a sufficient number of experienced, knowledgeable, and well-trained technical personnel, was evaluated and your program was found to be adequate to protect public health and safety. Also as part of that review, it was determined that the State of California's qualification program for radioactive materials license reviewers and inspectors as documented in California's, "Training Program for Radioactive Materials Licensing Health Physicists" and "Inspector Qualification Program," respectively, was equivalent with NRC Training requirements.

To maintain a compatible qualification program, the NRC expects the State of California to implement its documented program. In particular, we note that your qualification plan requires that each individual undergoing qualification attend formal training courses either offered by the NRC or an equivalent alternative. We are currently not aware of any commercially available training courses that have a compatible curriculum to those offered by the NRC. As indicated in

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NRC guidance SA-200, the State of California does have the option of developing its own formal qualification training program. This program must meet the essential elements of the NRC's program; however, the manner in which the essential elements are met need not be the same as the NRC's. The NRC will continue to provide the travel, lodging, and tuition costs for Agreement State staff, including staff from the State of California, selected to attend NRC courses as funding is available.

If you have any additional questions regarding this matter, please feel free to contact me at (301) 415-5804 or Paul.Michalak@nrc.gov.

Sincerely,

/RA/

Paul Michalak, Chief
Agreement State Programs Branch
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

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SUBJECT: LETTER TO GONZALO PEREZ, BRANCH CHIEF, CALIFORNIA OF HEALTH SERVICES-NEED FOR QUALIFICATION PROGRAM AND TRAINING (March 2, 2017)

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