



April 9, 2018

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Agreement State Programs Branch
Division of Materials Safety, Security, State and Tribal Programs
Office of Nuclear Material Safety and Safeguards
Washington, DC 20555-0001

Subject: NRC IMPEP Draft 2018 - Recommended Changes by Texas DSHS

Dear Mr. Michalak,

Thank you for the opportunity to review and comment on the subject draft IMPEP report. This letter presents the Texas Department of State Health Services (DSHS) review comments and recommended changes to NRC's Texas draft IMPEP report for 2018. We offer the following for your consideration.

1. On page 1 of the Texas Draft IMPEP Report, 1.0 Introduction, paragraph 3, the first and second sentences refer to the "the Consumer Products Division". The word "Products" is incorrect and should be "Protection". Both of these sentences should be corrected to include the phrase: "... the Consumer Protection Division..."
2. On page 8 of the Texas Draft IMPEP Report in the fourth paragraph, we suggest several changes for consistency with the most recent DSHS organizational changes within the Policy, Standards, and Quality Assurance Section (PSQA).
 - 2.1 We suggest that the order of the first and second sentences be reversed (i.e., the second sentence should be first).

The prior use of the term "Radiation Group" was renamed the "Radiation Unit" beginning in November 2017. The terms "Radiation Group" and "X-Ray Group" now refers to the combined capabilities of the radioactive materials and the x-ray operations within the PSQA Radiation Unit. Accordingly, we now use the term "Radiation Group" to refer to the PSQA staff that specialize in radioactive materials and the term "X-Ray Group" to those that specialize in x-ray operations.

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We suggest that these current concepts for “Radiation Unit” and “Radiation Group” be clarified and updated in the draft IMPEP report.

- 2.2 We propose the use of “manager” vs. “unit manager” in the first sentence in our suggested version in 2.5 below. The proposed strikeout of the word “~~unit~~” before the word “manager” is shown in the first sentence below in 2.5.
- 2.3 We suggest the word “enforcement” be removed from the second sentence. Please note our proposed strikeout of the word “~~enforcement~~” in the second sentence of our proposed revised version of this paragraph shown below in 2.5. While our Radiation Group is indeed engaged with the implementation of the enforcement process, we collaborate with the DSHS Compliance Section in support of their enforcement actions.
- 2.4 We suggest removal of the word “group” in the fifth sentence below that starts with “The group manager position ...” Please note the proposed strikeout of the word “~~group~~” in 2.5 below. By the DSHS organizational changes in 2017, this position is now formally referred to as the Unit Manager position rather than the Group Manager position. We propose “manager” here to avoid confusion with the prior and current meaning of Radiation Group.
- 2.5 Our proposed changes for this paragraph, with proposed strikeouts, would then read:

“The Radiation Unit consists of 12 technical staff, two administrative staff, and the ~~unit~~-manager. The Radiation Group within the Policy, Standards and Quality Assurance Unit is comprised of approximately 5.0 FTE to manage the radioactive materials ~~enforcement~~ program, develop rules, and coordinate staff training including NRC-provided training.” During the review period, four staff members and the manager left the Radiation Group. Two staff members and the manager retired and two other technical staff members resigned for personal reasons. The ~~group~~ manager position and two technical



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specialist positions were filled during the review period. Another technical specialist position was reassigned internally and is now the lead reviewer for inspection reports with the Radiation Group. All three technical specialists have been trained and qualified to implement the radioactive materials enforcement process. The fourth vacant technical position job duties were reassigned and moved out of the Agreement State Program area. Currently, there are no vacancies in the Radiation Group."

3. On page 14, the last sentence on the third paragraph shows the effective date of the new standard conditions as being effective as of January 31, 2018. The effective date for these changes should be corrected to January 1, 2018.

I hope that you find these comments and recommendations to be reasonable. If we can be of any assistance, please contact Chuck Flynn, PSQA Radiation Unit Manager, at 512-751-3996.

Thank you,

Charlotte Sullivan

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