

PDC



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

MAY 5 1980

Mr. David H. Pingree, Secretary
Department of Health
and Rehabilitative Service
1317 Winewood Boulevard
Tallahassee, Florida 32301

Dear Mr. Pingree:

This will confirm the discussions Mr. Joel Lubenau held on April 16 and 18, 1980, with Messrs. Tom Gardner, Oliver Boorde, Uray Clark, and Dr. John Howell concerning the results of our partial review and evaluation of the Florida radiation control program. The review covered organization, management and administration, personnel, regulations, licensing and portions of the compliance program. There has been a high turnover in the inspection staff, and therefore there are a large number of new inspectors. For this reason, we believe it is important that the review include as many field evaluations of the inspection staff as is possible. We plan to complete this part of the review later this year when many of the new inspectors have completed their training.

Since the review is not complete, we are not prepared to make recommendations for findings of adequacy and compatibility at this time. Several comments and recommendations were developed, however, that deserve your attention, and I would like to discuss them.

The State has made a commendable effort to reduce the inspection backlog from 583 overdue inspections in March 1979, to 229 in April 1980. Increased staff effort in the radioactive materials inspection program has been largely responsible for this improvement but the effort took place at the expense of the x-ray inspection program. In the 4th quarter of 1979, after reassignment of inspection effort to the materials program, only 144 x-ray inspections were performed against a normal effort of about 400 to 500 inspections per quarter. NRC does not have jurisdiction over x-ray sources of radiation. Nonetheless, we believe that a State effort to enact improvements in the materials program which results, because of staffing problems, in the long term deterioration of the regulatory effort over x-ray sources (which are responsible for the greater part of the public's exposure to artificial sources of radiation) is undesirable. Overall professional radiological health staffing must be strengthened to correct the situation.

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Each year, since 1973, our reviews have resulted in a comment on the need to improve the salary structure for the professional staff. The reclassification package, prepared by Florida staff in 1979, was only partly approved: many existing staff members received salary increases as a result of reclassification of their positions but the salary ranges were left unimproved. Since the last review meeting in March 1979, two more Florida staff members have resigned. Of five funded Public Health Physicist vacancies, only two have been filled. We were informed that the roster of eligible personnel for the PHP I is empty and there are no applicants for the PHP I positions in Miami.

The present starting salary of approximately \$11,985 for a PHP I (which requires a bachelor's degree and either one year experience or a master's degree) is not competitive. In the March 1980, issue of the Health Physics Society Newsletter, the editor took note of the increasingly large number of placement ads for health physicists by observing, "An acute shortage of trained HP's exists in the current job market. The Placement Center receives several calls per week requesting information regarding possible job candidates." It is unrealistic for Florida to expect to successfully compete in the present job market for health physicists unless the salary ranges are adjusted.

We believe that the current training and experience requirements for the PHP I are also hindering your efforts to hire additional professional staff. NRC and other Agreement States hire individuals with appropriate bachelor's degrees and no experience. Supplementary short term training and on-the-job training and experience serve to develop and enhance their skills in radiation protection. We recommend deleting the experience/graduate degree requirement for PHP I. Such a change does not affect our views concerning the need to upgrade the salary structure for professional health physicists employed by the Department. To do the one for PHP I positions without the other will only exacerbate the staff turnover problem.

We are also concerned over our finding that not all PHP and clerical positions in the radiological health program are funded. As a result, these positions cannot be filled. Further, we understand that some of these are now identified as "available for alternative use," including one PHP position in licensing. Increased, stabilized staffing is essential to ensure adequate operation of the materials program, and to permit resumption and operation of effective regulatory programs in other program areas. It is difficult to understand how this can be accomplished by creating positions but leaving them unfunded and liable to reassignment to other programs in the Department.

Action to stabilize the professional staff in the radiological health program is essential and should be given priority by Florida. The most important steps to meet this objective, in our opinion, are:

1. Fund and secure the existing vacancies;
2. Revise the salary structure so that the State can effectively compete for and retain qualified personnel; and
3. Delete the experience/graduate degree requirement for PHP I applicants to permit hiring of qualified college graduates directly from college.

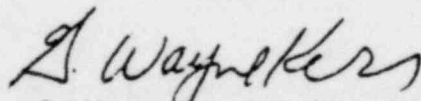
In our opinion, action on these points will be key factors in the development of NRC staff recommendations to the Commission on adequacy and compatibility of the Florida radiological health program.

I have enclosed other comments pertaining to the Florida radiological health program which deserve your attention. I would appreciate your comments on these and on our recommendations to stabilize the staff. Separate comments concerning the technical aspects of the program were discussed in a letter to Mr. Clark and a copy is enclosed. A second copy of each letter is enclosed for placement in the State Public Document Room or otherwise to be made available for public review.

The staff's discussions with Department representatives indicated that action or approval by other State agencies or offices is necessary to enable enactment of some of our recommendations including adjustment of salaries. I wish to offer the availability of NRC representatives to meet with any appropriate State officials, in testimony or informally, to discuss the Agreement States program and our recommendations for Florida. Do not hesitate to make your needs known to me.

I appreciate the courtesy and assistance extended to Mr. Lubenau, Dr. Walker, and Mr. Brown during the review meeting. If you have any questions, please feel free to contact me directly. We stand ready to assist you in achieving our common objective of protecting the public health and safety.

Sincerely,



G. Wayne Kerr, Acting Director
Office of State Programs

Enclosures:
As stated

cc: See attached

State Program - Florida file

Mr. David H. Pingree

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cc: (w/encls.)
A. Taylor
J. Howell, MD
T. Gardner
O. Boorde
U. Clark
NRC Public Document Room
State Public Document Room
H. S. Oven, Jr., State Liaison Officer

OTHER COMMENTS AND RECOMMENDATIONS
FOR THE FLORIDA PROGRAM

1. Comment and Recommendation

Over 40% of Florida's 800 licenses are for medical uses of radioactive material. In reviewing applications for medical licenses, Florida license reviewers have recently been confronted with questions concerning adequacy of physician's training and experience and proposals for non-routine applications of radioactive materials and radiation to humans. In such cases, formal advice and assistance from peers to the license reviewers is valuable. We believe the Florida licensing staff, because of the large number of medical licenses, would benefit, and the quality of licensing actions enhanced, by enabling the licensing staff to formally solicit advice from a State Medical Advisory Committee. Medical advisory committees are utilized by NRC and by some of the other Agreement States for this purpose. Such a committee normally has a membership encompassing a variety of specialties, including health physics, radiological physics, nuclear medicine, radiation therapy, etc.

2. Comment and Recommendation

During his March 17, 1980 meeting with Dr. Howell and other State officials, Mr. Kerr recommended consideration by management of an internal audit program of the radiological health program. Periodic audits by management would provide feedback to management on a regular, planned basis on the status of the radiological health program. Audits can provide information on workload trends, resources, changes in legislative and regulatory responsibilities, and this information can be used to forecast needs for staff, equipment, services and funding. Auditing should serve to help avoid the situation which was found in the materials program in 1979. We again recommend consideration of this management tool and will be pleased to assist you in designing an audit program that is specific to the materials program.

3. Comment and Recommendation

We have previously (1977) recommended obtaining automated data processing (ADP) support for the materials program. This still needs to be done. We found that inspection planning, licensing actions and statistical data for 800 licenses are accomplished by manual handling of file information. We believe ADP support is essential for efficient management of a program of Florida's size.