



Texas Department of Health

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Commissioner

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Deputy Commissioner

August 20, 1980

Mr. Frank Young
Office of State Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Young:

Enclosed you will find three copies of the Program Technical Performance Report for the Development of State Regulatory Programs In Accordance With The Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA). One copy of this report is also being sent to the Grant Officer.

Thank you very much.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edgar D. Bailey".

Edgar D. Bailey, P.E., Administrator
Radiation Control Branch
Division of Occupational Health
and Radiation Control

Enclosures

cc: Ms. Mary Jo Mettia

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SARAH PHILLIPS DENTON
Attorney at Law

PERSONAL:

Born: August 8, 1942, Washington, D.C.
Married, One Child

EDUCATION:

University of Texas School of Law (J.D.) 1969
Baylor University (B.A. - Political Science, Math) 1965
Harlingen High School 1960

ADMITTED TO PRACTICE:

Supreme Court of Texas 1968
U.S. Supreme Court
U.S. Court of Appeals, Fifth Circuit
U.S. District Courts
Western, Eastern and Northern Districts of Texas

PROFESSIONAL EXPERIENCE:

Hearings Examiner, Texas Department of Health, Radiation
Control Branch, Uranium Mill Tailings Project May 1980 - Present
Hearings Officer, Texas Health Facilities Commission Nov 1979 - Apr 1980
General Private Law Practice - Austin, Texas Mar 1978 - Nov 1979
Presiding Municipal Judge, City of Austin, Texas Aug 1976 - Mar 1978
Associate Municipal Judge, City of Austin, Texas Jan 1974 - Aug 1976
Relief Municipal Judge, City of Austin, Texas Oct 1973 - Jan 1974
Associate, Phillips & Norris, Inc., Austin, Texas Oct 1972 - Jan 1974
Enforcement Division (Federal habeas corpus and civil
rights litigation throughout state and including
appearance before the U.S. Fifth Circuit) 1970 - 1972
Water Division (represented Water Quality Board, Water
Development Board, Water Rights Commission, Water
Well Drillers Board, and Air Control Board; attended
meetings of Water Quality Board and Water Well Drillers
Board; participated in review of codification
of water law) 1969 - 1970

PROFESSIONAL ASSOCIATIONS:

Travis County Bar Association
American Bar Association
State Bar of Texas, Health Law Section
State Bar of Texas, Municipal Judges Section, Board of Directors, 1976 - 1978
Texas Municipal Courts Foundation, Board of Directors, 1977 - 1978
Austin-Travis Alcohol Counseling Services, Board of Directors
Vice-Chairman, Board of Directors, 1977 - 1978
Project Amicus, Board of Directors, 1978

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DATE INFORMATION COMPILED:

August 1980

PROGRAM TECHNICAL PERFORMANCE REPORT

Development of State Regulatory
Programs In Accordance With The
Uranium Mill Tailings Radiation
Control Act of 1978 (UMTRCA)

(USNRC Grant No. NRC-06-80-307)

February 6, 1980 to June 30, 1980

PREPARED BY

Edgar D. Bailey

Radiation Control Branch
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756

Development of State Regulatory
Programs in Accordance With The
Uranium Mill Tailings Radiation
Control Act of 1978 (UMTRCA)

The basic grant was made February 7, 1980, to provide funding for the hiring of an attorney to prepare draft legislation and regulations and to provide funding for training in uranium mill licensing and inspection for state personnel. The grant was modified on June 30, 1980; this provided additional funding for the training of state personnel and for the procurement of equipment.

Preparation of Legislation and Regulations

Hiring of an attorney was delayed until May 1, 1980, due to a Texas Department of Health "freeze" on hiring. On May 1, 1980, the "freeze" was lifted for the Radiation Control Branch, and an attorney was hired. A copy of her resume is shown in Attachment I. The period from May 1, 1980, to June 30, 1980, was spent reviewing and researching current State and Federal laws and regulations related to radioactive materials with particular emphasis on those related to uranium mills and mines. During this period, she also attended a "basic radiological health" course presented by the Branch in order to familiarize her with nuclear terminology and principles.

Proposed legislation and regulations will be drafted during the next reporting period (July 1 to December 31, 1980).

Training of State Employees

During the period February 7, 1980, and June 30, 1980, two employees, the Chief of Environmental Surveillance and the Chief of Licensing and Registration, attended the two-week USNRC sponsored and presented course entitled "Uranium Mill Licensing and Inspection" in Bethesda, Maryland, on April 21 to May 2, 1980, and June 16-27, 1980, respectively. Although the Radiation Control Branch had requested that four persons be allowed to attend the course during this period, only two slots were allocated to the Texas Radiation Control Branch by the USNRC. It is hoped that more slots will be allocated to the Texas Radiation Control Branch at future USNRC courses.

The possibility of sending personnel to the course entitled "Radiation Protection and Environmental Surveillance for Uranium Resource Organizations" presented by Eberline Instruments Corporation was investigated; this course had been recommended by the staff of the USNRC. Attendance at the course was blocked by the company's insistence that tuition be prepaid. Purchasing procedures of the State of Texas preclude prepayment of such fees. This problem was resolved after June 30, 1980.

During the next six months, six additional people will be sent to the USNRC course if allocations are granted to the Texas Radiation Control Branch by the USNRC. At least two persons will be sent to the course presented by Eberline Instruments Corporation.

Equipment

No procurement of equipment was made during the reporting period because the grant modification providing the funding for equipment was not made until the last day of the reporting period, June 30, 1980.

Equipment will be purchased during the next six months.