



STATE OF TENNESSEE  
DEPARTMENT OF PUBLIC HEALTH  
NASHVILLE 37219

EUGENE W. FOWINKLE, M.D., M.P.H.  
COMMISSIONER

*111 ✓*  
*PDR*  
*File*  
*Post*  
*1 - [unclear]*  
*2 - State file*  
*3 - [unclear]*

December 19, 1980



Mr. G. Wayne Kerr, Director  
Office of State Programs  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Mr. Kerr:

Thank you for your letter of November 7, 1980, concerning your recent review of the Tennessee Agreement Program. Since Mr. Bill Graham, Director of the Division of Radiological Health, also received a letter from you, I asked him to respond specifically to your recommendations. His comments are attached.

We consider these reviews very helpful to our Radiation Program. Thank you and your staff for your efforts in this regard.

Sincerely yours,

EUGENE W. FOWINKLE, M.D.  
Commissioner

EWf/BG/mw 3-6

Attachments

8108120 291

- Reference: (1) G. Wayne Kerr's Letter to Commissioner Fowinkle dated November 7, 1980
- (2) Joel O. Lubeau's Letter to Bill Graham, dated November 7, 1980

Comments on Recommendations to  
Commissioner Fowinkle

1. It is agreed that turnover in the radiological technical staff has been unusually excessive during the past year. Most of the 5 staff members lost during this period went to more attractive positions in the Nuclear Industry. 4 of the 5 vacancies have been filled, but with untrained people. The State of Tennessee is not presently in a position to compete effectively with the high salaries offered by Industry.
2. Regulations are in the process of being drafted to provide the necessary authority for the Division of Radiological Health to inspect licensees for packaging and transportation relative to the U. S. Department of Transportation requirements. However, these inspections, when authorized, can only be made during routine visits at licensee facilities. The possibility of additional resources for this purpose is negligible at this time.

Comment on Additional Recommendations  
to Mr. Graham

1. Work is progressing on written escalated enforcement procedures. When these are finished a copy will be forwarded to NRC.
2. In the future, when licenses are renewed in their entirety, our licensing staff has been directed to request from the licensee an entirely new application with updated materials supportative of that application. Previously referenced materials will be accepted to the extent that the licensee specifically refers to these and certifies that they are current.
3. Uniformity in compliance activities and in Division policy will continue to be stressed at Division staff meetings and during supervisory oversight.
4. We expect that the number of overdue inspections will shortly be reduced. This will be accomplished in part by two changes which are being made.
  - (a) The assignment of a staff member to fill the vacancy that exists in the Knoxville area office. This staff member is currently working in the x-ray program.
  - (b) By readjusting our inspection frequency schedules to more conform with NRC's schedule. This should reduce the number of required inspections per year by approximately 2%.