



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

*NRC Public
Doc. Room*

October 15, 1982

Ben N. Saltzman, M.D., Director
Arkansas Department of Health
4815 West Markham Street
Little Rock, Arkansas 72201

Dear Dr. Saltzman:

This is to confirm the discussion Mr. R. J. Doda held with you and Mr. E. F. Wilson of your staff following our review and evaluation of the Arkansas radiation control program. The review covered the principal administrative and technical aspects of the program. This included an examination of the program's legislation and regulations, organization, management and administration, personnel, and licensing and compliance activities. There was also a field accompaniment of State inspectors during this review.

Our review used as a reference the NRC policy statement, "Evaluation of Agreement State Radiation Control Programs," published in the Federal Register on December 4, 1981. This policy statement provides 30 indicators for evaluating Agreement State program areas. Guidance as to their relative importance to an Agreement State program is provided by dividing the indicators into two categories. Category I indicators address program functions that directly relate to the State's ability to protect public health and safety. Category II indicators address functions which provide essential technical and administrative support. If a significant problem exists in a Category I indicator, the deficiency may seriously affect the State's ability to protect the public health and safety and needs to be addressed on a priority basis. If significant problems exist in more than one Category I indicator, then improvements are critically needed. In such cases, we will need a timely response from the State and the NRC staff will not make recommendations for adequacy and compatibility until after the responses are received and evaluated. A followup review within 6 months may also be scheduled.

As a result of our review of the State's program and the routine exchange of information between the Nuclear Regulatory Commission (NRC) and the State of Arkansas, the staff believes that Arkansas's program for the regulation of agreement materials is adequate to protect the public health and safety and is compatible with the Commission's program for the regulation of similar materials.

October 15, 1982

Our review disclosed that most program indicators were within NRC guidelines. We were pleased to find that a number of positive trends exist in the program at the present time. For example, more unannounced inspections are being performed by State inspectors, the turnaround time for the results of laboratory samples is very timely, more flow rate measurements (through the use of a velometer) are being taken during State inspections, and a program for the analyses of ash samples from hospital incinerators has been recently initiated. In addition, we are pleased that the State's revised radiation control regulations are ready for final approval. We understand that these regulations will become effective by the end of the year.

Enclosed in this letter are comments regarding the technical aspects of the program. You may wish to have Mr. Wilson respond directly to these comments. I am also enclosing a copy of this letter for placement in the State Public Document Room or to otherwise be made available for public review.

I appreciate the courtesy and cooperation extended to R. J. Doda during the review meeting.

Sincerely,

Richard L. Bangart Jr.
John T. Collins
Regional Administrator

Enclos.
As st.

cc w/enclosure:
E. F. Wilson
G. W. Kerr
NRC Public Document Room
State Public Document Room

TECHNICAL COMMENTS AND RECOMMENDATIONS
FOR THE ARKANSAS RADIATION CONTROL PROGRAM

General Comments

During this review meeting, the State's regulatory activities associated with a major irradiator licensee, Process Technology, Inc., West Memphis, Arkansas, Lic. No. ARK-628-BP-6-83 were reviewed. The NRC reviewer performed an accompaniment inspection with State inspectors at the licensee's facility and reviewed State responses to NRC comments regarding the original license application. No recommendations were made at this time. We plan to follow the State's further actions with respect to this licensee at the next routine review meeting.

A. Licensing Procedures (Category II indicator)

1. Comment and Recommendation (Ouachita Baptist University, Lic. No. ARK-045-SNM-BP-2-86)

This licensee is authorized for possession of plutonium-239. The standard license condition banning the air transport of plutonium, except in an NRC approved package, is missing from the license. We recommend this standard condition be added to the license.

B. Inspection Procedures (Category II indicator)

1. Comment and Recommendation

During our review of the State's compliance files, we found that for several inspection reports there was no indication of any evaluation of the licensee's emergency procedures. We recommend all appropriate inspections include review of the licensee's emergency procedures and results be included in the inspection report.

2. Comment and Recommendation

During our review of the State's compliance files, we found that several inspection reports had no indication of supervisory review. In some, but not all, of these cases, documentation of supervisory review was found on the field notes (found in the Division's field files) taken during the inspection. We recommend that all inspection reports have supervisory review and that this review be documented and dated on each inspection report. (See comment No. B.3 below.)

3. Comment and Recommendation

During our review of the State's compliance files, we found that the following two inspection reports were missing from the office ("front") files: (1) Nuclear Pharmacy, Inc., inspection of July 23, 1982; and (2) University of Arkansas Medical Sciences Center, inspection of July 14-16, 1982. We recommend that the office files, which we understand are to be the Division's official files, be maintained in the most up-to-date manner of the two sets of files maintained by the Division.

C. Enforcement Procedures (Category I indicator)

1. Minor Comment and Recommendation (KAT Wireline Services, Inc., Lic. No. ARK-567-BP-5-80)

During our review of the compliance file for this licensee, we noted the Division's difficulty in scheduling and completing an inspection of this licensee's activities and in receiving a renewal application from the licensee. It further appears the Division did not followup on the necessary enforcement actions in a timely manner.

Even though we believe this situation to be of minor significance because no radioactive materials appeared to have been stored at the licensee's facility in Arkansas in recent months, we recommend that the Division be prepared to take prompt action when it becomes apparent that a licensee is significantly unresponsive.