



UNITED STATES
ATOMIC ENERGY COMMISSION
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Eder R. Price, Director
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THRU: James P. Mason, Assistant Director

EVALUATION OF THE NEBRASKA RADIATION CONTROL PROGRAM

Attached is a report on the Nebraska regulatory program together with an evaluation, based on our fourth review meeting with the Nebraska Department of Health in Lincoln on September 11 and 12, 1968.

B. L. Harless
B. L. Harless, Chief
State Agreements Branch
Division of State and
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11/25/68

Attachment:
As stated

cc: R. H. Engelken, CO:HQ
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AEC STAFF EVALUATION OF THE
NEBRASKA RADIATION CONTROL PROGRAM
FOR THE PERIOD
MARCH 25, 1968 TO SEPTEMBER 12, 1968

The fourth review meeting with Nebraska officials was held on September 11 and 12, 1968, in Lincoln, Nebraska. Nebraska was represented by Heinz Wilms, Director, Division of Environmental Safety and Ellis Simmons. A summary discussion of the meeting was held with Dr. Lynn Thompson, Director of Health on September 12, 1968. The AEC was represented by Bernard H. Weiss, Division of State and Licensee Relations. The agenda for the meeting is attached as Appendix A.

Conclusions

Based on information developed during this meeting and the material received from the State under the exchange-of-information program, it is the staff's conclusion that the Nebraska program for the regulation of cement materials is adequate to protect health and safety and compatible with the Commission's program. This conclusion is supported primarily by the staff's examination of the State's licensing, compliance and enforcement activities including a review of selected Nebraska license and inspection files (Appendix C). An area of concern in the State's program involves the lack of adequate personnel resources due to budget limitations and the transfer of a U. S. Public Health Service assignee. Questions and answers concerning the details of Nebraska's licensing, compliance and enforcement activities and other phases of the State's program are included as Appendix D.

Changes in Nebraska Program Related to Staff Comments and Suggestions Made as a Result of the Previous Meetings

As a result of the previous review meeting with Nebraska on March 26 and 27, 1968, a letter was sent to Dr. Lynn Thompson commenting on the limited number of personnel available for the radiological health program and requesting the opportunity of commenting on proposed changes to Nebraska regulations when they have been drafted.

The radiation control program in Nebraska is at a critical juncture. The State Health Department is presently attempting to implement the agreement materials program. The program is currently in operation, but the agreement materials program is currently inoperative. However, the other aspects of the program, including the licensing, medical inspection, and surveillance, and special training activities, have all been either significantly curtailed or postponed. Present legislative limitations do not permit additional personnel to be assigned to the radiation control program. Considerable improvement in the program is expected if the independent budget requirements for the program (July, 1969 - June, 1970) are approved by the legislature. A delay in funding of this program at the current level for the next biennial would eventually have a detrimental effect on the agreement materials program.

Revision of the Nebraska regulations has not been initiated since funds for printing for general distribution will not be available until at least fiscal 1970. It is anticipated that work on the changes will begin in shortly after the beginning of calendar year 1969.

Organization and Personnel

The Nebraska Health Department is presently attempting to implement a substantial reorganization. The new organization (Appendix B), is currently "quasi-official", since it has been neither approved nor disapproved by the legislature, but it is used in most of the day-to-day functioning of the Health Department.

Dr. Frank Thompson is currently the Director of Health. There are now 100 bureaus which report directly to Dr. Thompson, rather than the over 20 divisions, which reported directly previously. The radiation control program is under the Bureau of Environmental Health Services which is headed by Ted Phillips. The Division of Environmental Safety is responsible for the radiation control functions. The Director of the Division is Heinz Wilms. Although this Division is also responsible for injury control and occupational health, activities in these areas are presently nonexistent.

Wilms's staff consists of Ellis Simmons, Radiological Health Specialist II. Dr. Orlen Johnson, PHS assignee in Nebraska for three years, has been reassigned and a replacement has not been made. Wilms performs most of the licensing functions with a small amount of assistance from Simmons. Simmons has been concentrating mostly on X-ray inspections and environmental surveillance work. With the completion of the initial X-ray inspections and the departure of Johnson, Simmons will now devote most of his time to agreement materials inspections.

Ellis Simons attended the AEC sponsored courses on "Medical Use of Isotopes" at Baylor University and "Radiography for State Regulatory Personnel" at Kansas State University. Simons plans to attend the P.E.S. sponsored course entitled "Occupational Radiation Protection" which will be given at Las Vegas.

The membership of the Radiation Advisory Council and the members of the Registration and Licensure Committee and the Budget Committee are shown in Appendix E. The Radiation Advisory Council has not met since the last review meeting.

Regulations

A list of AEC amendments not adopted by Nebraska, including appropriate wording, was given to Mr. Wilms. Nebraska has formally adopted all AEC amendments effective prior to May 2, 1966.

Nebraska attempts to administratively recognize AEC regulation changes by presenting them to the Registration and Licensure Committee of the Radiation Advisory Council and requesting approval. Wilms stated that the lawyers feel that this gives the rule changes some legal status until they can be formally adopted, since these changes are mainly relaxations in requirements rather than further restrictions.

The State plans to draft revisions to their regulations before the end of fiscal year 1969. Formal adoption of the regulations is anticipated just before or after the beginning of fiscal year 1970. Sufficient printing funds will not be available until at least July, 1969.

Licensing

Wilms evaluates all license applications with some staff assistance. Fred Simons. Wilms signs all licenses and the Director of Health cosigns only the medical licenses. Our headquarters review of Nebraska licenses indicated only minor variance from similar AEC licenses.

There are currently about 64 licenses in Nebraska and 58 registered radium users.

The Registration and Licensure Committee of the Radiation Advisory Council reviews all requests for non-routine human uses of radioisotopes. The Committee members are Maurice Frazer, M.D., Chairman (Radiology); Howard Hunt, M.D. (Radiology); Harlan Papenfuss, M.D. (Pathology); and Hubert Wegener, D.D.S. The Radiation Advisory Council reviews decisions of the Committee at its meeting and sooner if the committee has a difference of opinion.

During the meeting, several license files were reviewed for adequacy and completeness (Appendix B). In the cases reviewed, the licensing actions appeared to be adequately supported by the information contained in the files. Some minor discrepancies were discussed with [redacted].

The State has not had any requests for non-routine use of isotopes in humans since the last review meeting. In addition, there have been no new or unusual uses of radioactive materials requested and no unusual exemptions from the regulations have been granted.

Operation of the License System

Nebraska continues to follow the policy of inspecting licensees annually, with the exception of licensees who possess sources of low hazard potential, e.g. gas chromatography, which are inspected at a more limited frequency. Since the last review meeting 17 licenses have been inspected. According to the Nebraska system, there are currently no overdue inspections.

Wilms performed nearly all of the initial inspections and Johnson has performed nearly all the inspections of the past year. Simmons will now do the majority of the agreement not risk inspections.

Fifteen of the State's 50 registered radium users have been inspected. These inspections have been made mostly during the inspection of licensee's treatment materials. However, Wilms stated that it is not the policy to inspect the radium program whenever a licensee uses radium in addition to other isotopes. Wilms appears to be reluctant to inspect radium users until he can begin a comprehensive program. He hopes to institute such a radium program in October, 1968, but anticipates that it will probably not begin until the beginning of 1969 or later.

No incidents or overexposures have been reported to the Division of Radiological Health since the last review meeting.

Several inspection file reports were reviewed and the findings are summarized in Appendix C. The inspection reports in general were well prepared. Suggestions for further improvement of the reports were discussed with Wilms.

The initial inspection of essentially all X-ray machines registered in Nebraska was completed on July 5, 1968. The data obtained from these inspections is currently in preparation. Wilms does not anticipate initiation of a follow-up program of X-ray inspection until additional personnel can be obtained.

Enforcement action for agreement material licenses is accomplished by issuance of Form NRE-10 (similar to AEC-591) by the inspector for minor items of noncompliance. All other cases are handled by letter from Wilms requiring a reply in 30 days. There were no unusual enforcement actions since the last review meeting.

Emergency Capabilities

Nebraska has not formalized its radiological emergency plan which is presently implemented through an informal structure. The State intends to utilize the existing communications systems of the Highway Patrol and Civil Defense. In the event of an emergency, local police will notify the Highway Patrol which is instructed to contact the Civil Defense duty officer in Lincoln. The C.D. duty officer has the names of the Department of Health personnel to be contacted in a radiological emergency. All responses to incidents are made by Department of Health personnel in Lincoln. A State plane is available if needed. Wilms stated that he hopes to formalize the plan as soon as possible, but at the present time could not say when it would be done.

Miscellaneous

The State is currently operating a limited environmental surveillance program. At present, the Division operates the P.H.S. high volume sampler in Lincoln, performs gamma scans of milk from five locations once per month, counts precipitation for gross beta from four stations and does gross beta analyses on four low volume air stations once every two days. This work is divided between Wilms and Simmons.

The State's budget for the current biennium (July, 1967 to June, 1969) is \$64,155 with \$36,800 being received from the U. S. Public Health Service. Budget proposals for the next biennium have not yet been prepared. It is anticipated that a significant increase in the funding of the program will be requested. The 1969 legislative session will begin in January and will continue to about August. It is anticipated that budget hearing will begin in February or March.

LIST OF APPENDICES

- A. Agenda
- B. Organization Chart
- C. Staff Review of Selected Nebraska License and Inspection Files
- D. Questions for Review Meetings
- E. 1968 Radiation Advisory Council Officers

TOPICS FOR MEETINGS - AEC
REVIEW MEETING

1. Changes in organization, personnel, and personnel assignments since last review meeting including additional training, if any, received by State personnel
2. Regulations:

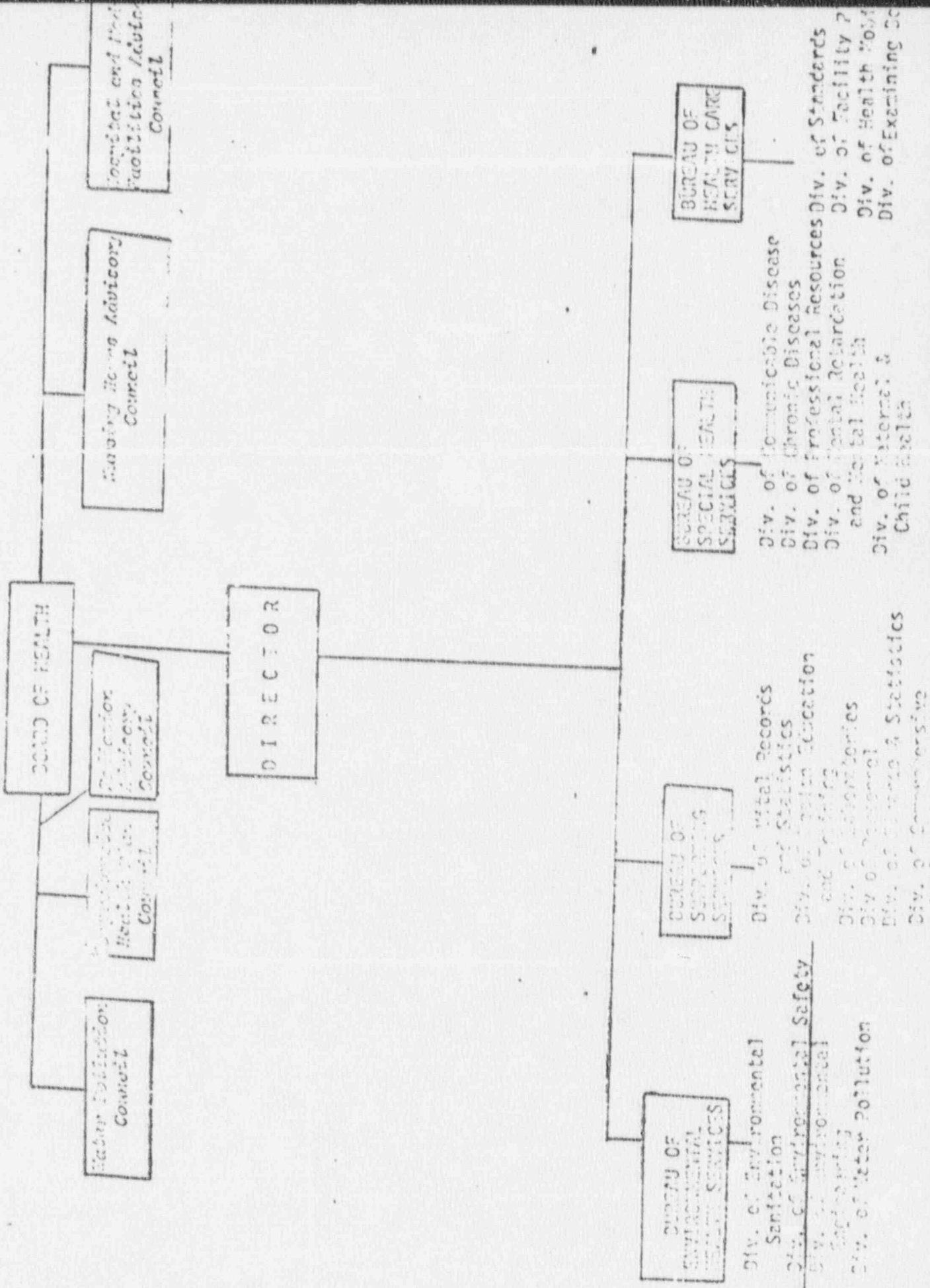
Discussion of changes to AEC regulations and petitions
Discussion of changes to State regulations
3. Current State licensing activities including:

Number of licensing actions (i.e., new licenses, amendments, renewals)
Unusual license conditions
Licenses of special interest including broad licenses
Evaluation of new devices and sealed sources
Unusual requests for medical uses
4. Current AEC licensing policies and practices:

Non-medical
Medical
5. Current State compliance and enforcement activities:

Inspection workload
Changes in priority system
Incidents and overexposures
Unusual enforcement actions
6. Current AEC compliance and enforcement activities
7. State experience in regulation of non-agreement materials and radiation-producing machines
8. Specific types of information or assistance needed from AEC
9. Review of several State license and inspection files
10. Summary of review meeting

Appendix A



BOARD OF HEALTH

Water Pollution Council

Communicable Disease Health Council

Director Advisory Council

Health Services Council

Mental and Physical Health Council

DIRECTOR

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Div. of Environmental Sanitation
 Div. of Environmental Safety
 Div. of Environmental Sanitation
 Div. of Water Pollution

BUREAU OF SPECIAL HEALTH SERVICES

Div. of Vital Records and Statistics
 Div. of Population Education and Training
 Div. of Laboratories
 Div. of Research
 Div. of Disease & Statistics
 Div. of Communicable Disease
 Div. of Chronic Diseases
 Div. of Professional Resources
 Div. of Mental Retardation and Mental Health
 Div. of Maternal & Child Health

BUREAU OF HEALTH CARE SERVICES

Div. of Standards
 Div. of Facility
 Div. of Health
 Div. of Examining

Bureau of Environmental Health Services

Purpose: The Bureau of Environmental Health Services will promote a healthful environment and ensure environmental factors reflecting health and safety of people at home, at work, and in play.

It will have regulatory control, inspection and standard setting responsibilities especially in environmental sanitation and safety.

It will play a strong role in providing consultative and technical assistance services to the programs of the Department of Health as well as other state and local agencies.

Bureau Activities

The function of each division outlined below serves to explain the specific activities of the division.

Divisional Functions

<u>Div. of Environmental Sanitation</u>	<u>Div. of Environmental Health Services</u>	<u>Div. of Environmental Engineering</u>	<u>Div. of Environmental Pollution Control</u>
Food Service Sanitation Inspection Permitting Survey	Radiation Protection Injury Control Accident Prevention Personal Safety Occupational Health Industrial Hygiene Noise Control	Water Supplies Public Private Industrial Plan Review & Approval Plumbing Surveillance Cert. of Operators Metropolitan Planning Municipalities	Waste Water Disposal State Water Plan Sewerage Wastewater Treatment Plan Review & Approval Cert. of Operators Surveillance Stream Pollution Control Private Wastewater Disposal Solid Wastes Disposal Surveillance Licenseure Air Pollution Control Surveillance
Wholesale Food Sanitation General Food Meat & Poultry Lodging Plant Food Service Milk Sanitation Inspection Survey			
Institutional Sanitation Interstate Carriers Nursing Homes Child Care Centers Schools Camps Hotels & Motels Recreation Areas Homeless Insect Control Vector Pest Control			

STAFF REVIEW OF SELECTED NEBRASKA
LICENSE AND INSPECTION FILES

Since the last review meeting, there had been few significant licensing actions and only 17 inspections. Essentially all the inspections were performed by Orin Johnson before leaving the program in July.

The licensing actions that were reviewed are discussed below. These actions appear to be well substantiated and adequate to support the license issuance. Minor differences from AEC procedures in the license evaluations were noted and discussed with the Nebraska staff.

The inspection reports were well prepared and, in general, covered the scope of the licensee's program, identified the persons contacted, contained supporting information for items of noncompliance, contained a summary of the discussion with licensee management, were usually sufficient to determine the adequacy of the licensee's operation to protect the health and safety, and indicated a review of the report by Mr. Wilms. During discussions with Wilms, it was pointed out that the reports could be enhanced by a statement regarding the scope of the inspection and an opinion of the inspector of the licensee's operation from a radiation safety standpoint.

The following files were perused:

Nebraska Methodist Hospital
Radiologic Center
Omaha, Nebraska
License No. 01-07-01

This license authorizes the use of two telotherapy sources 3,500 curies Co 60 and 6,000 curies Co 60 plus exchange sources.

An inspection was conducted on July 2, 1968, by Johnson and Simmons. The inspection was limited to one unit since the other had been inspected in March, 1968. A statement regarding the limited inspection was not included in the report. The report listed the persons contacted during the inspection and outlined the licensee's organization.

The inspectors' report also discussed the leak tests performed, film badge service and maximum doses received. Interlocks and low tested by inspector, records of required tests, checking of stops by inspector, levels of radiation outside teletherapy room. No items of noncompliance were found and a Form NRM-10 was issued to the licensee. A summary of the discussion with management was included.

In addition to the two page typewritten report, there was a completed check-off form prepared especially for teletherapy installations. The detailed "yes" or "no" questions were all answered. Where appropriate, additional comments were made. Another sheet, supplied by the USPES, contained a profile in three planes of the levels around the teletherapy head. There was no opinion regarding the facility by the inspector. The license was issued to the hospital, but no Committee has been formed. Wilms said that license will be changed to a private practice license since the physicians own the teletherapy equipment.

Harris Laboratories, Inc.
Lincoln, Nebraska
License No. 02-10-01

The license authorizes the use of a tritium foil in a chromatography unit. An inspection was made on June 4, 1968, by Orlen Johnson.

The inspection report discussed the persons contacted, the licensee's organization, the RSO's responsibility and the scope of the program. The inspector noted that the area where the foil was stored was not properly posted. This deficiency was corrected in the presence of the inspector. No other items of non-compliance were found. The report also included a statement concerning the inspectors discussion with management.

A letter regarding the inspection was sent to the licensee. The item of non-compliance was noted, but no answer was required.

Nebraska Wesleyan University
Lincoln, Nebraska
License No. 02-09-01

The University has a limited broad license, similar to the one possessed when they were an AEC licensee. The license authorizes

the use of any form of byproduct material between atomic number 3 and 83 of 5 milligrams each up to 100 milligrams total. Also, authorized are small quantities of Am, Cm 244, Cs 252, Cs 210, Pu, U235, an 80 gram Pu-238 neutron source and a 51 mCi Cs 137 source.

An inspection was conducted by Orlen Johnson on June 20, 1968. The file contained a two-page narrative inspection report. Discussion of the Isotope Committee was minimal. The report contained only a statement that the Committee meets on an informal basis. The scope of the licensee's activities were not stated. Leak test records for the Pu-238 source were satisfactory. It was noted that the Cs 137 had last been leak tested one year previously. The report stated that since the source had not been used, it was not necessary to leak test the source. (The license does not exempt leak testing of the source.) Johnson told the Chairman of the Isotope Committee that the source should not be used until it was leak tested in accordance with the conditions of the University license. Although the item of noncompliance was adequately substantiated, the licensee was not cited.

The inspector made several recommendations to the Chairman of the Isotope Committee regarding ways in which to improve the administration of the program. The scope of the inspection was not stated and there was no opinion of the inspector concerning the licensee's operation from a radiation safety standpoint.

No items of noncompliance were cited and the licensee was given a Form NRH-10.

Marion Papenfuss, M.D.
Lincoln, Nebraska
License No. 02-11-01

The licensee is authorized to use I 131 for various diagnostic tests, Cr 51 for red blood cell studies, Co 60 for Schilling tests and Fe 59 for iron metabolism studies. This license was inspected by Orlen Johnson on June 16, 1968.

The one page report stated the licensee representatives contacted, the previous item of noncompliance and its disposition, the scope of the licensee's program, film badge results, waste disposal and posting and labeling. Five items of noncompliance were noted and a form NRH-10 was issued.

Donald F. Monty, M. D.
Western Nebraska General Hospital
Scottsbluff, Nebraska

This licensee had recently established a radiology practice in Nebraska. The original application submitted on May 8, 1968, was for a large variety of radioisotopes for various diagnostic and therapeutic uses. The application contained a letter of approval from the administrators of the two hospitals where he proposed to use radioisotopes. There was also adequate information pertaining to the facilities, equipment available, survey program, personnel monitoring and waste disposal.

On May 15, 1968, Wilms sent a letter to Dr. Monty requesting further information with regard to instructions given to ward and nursing personnel, protocols for non-routine uses listed sealed source model numbers, etc. Dr. Monty satisfactorily answered Wilms' letter and enclosed the required information. The license was issued on May 28, 1968.

It was noted that the license required the licensee to follow the procedures for the use of the Tc 99m generator as contained in his application. The application did not contain any procedures regarding the assay or testing of the eluant. This was pointed out to Wilms, who indicated that he will now require applicants to submit a statement concerning the assay of Tc 99m and chemical tests.

Houston Gamma Ray Co.
Houston, Texas
License No. 99-11-01

An application for an industrial radiography license was submitted on June 27, 1968. The application contained adequate information regarding sources and equipment, survey instrumentation, personnel monitoring, organizational structure, leak testing procedures and operating and emergency procedures. The information concerning the training program was adequate except for a lack of information pertaining to the method of determining knowledge and competence. In addition, there was no information about the internal inspection or management control system. A license similar to the AEC and Texas licenses was issued on July 2, 1968.

Houston Gamma Ray requested an amendment to their license which was received on August 19, 1968, for the use of Technical Operations Model 616 devices using up to 100 Ci each. The amendment was issued on August 19, 1968.

QUESTIONS FOR REVIEW MEETINGS

A. Personnel and Training

1. Obtain a copy of the current organization chart. New organization chart is attached as Appendix B. See report for status of this new organization.
2. What persons are specifically assigned to licensing, compliance, laboratory, radiation machine inspections, etc., activities?

Wilms - licensing and overall administration.

Simmons - inspection of licensees and registrants and environmental surveillance.

3. Do you have any new personnel in the radiation control program? If so, obtain training and experience resumes for these persons. Do you have any vacancies in the Radiation Control Program?

No new personnel.

No vacancies. Orlen Johnson left Nebraska in July. The U.S.P.H.S. has not replaced him.

4. Have any of your personnel received additional training since the last meeting? If so, specify the individual, the nature of the course and the duration of the course.

Simmons - Medical Use of Radioisotopes - AEC - Baylor University
Radiography for State Regulatory Personnel - AEC - Kansas State
(planned) Occupational Radiation Protection-U.S.P.H.S.

5. Have there been any changes in assignment of personnel?

Simmons will do X-ray inspections on request basis only. Wilms taped two lectures for University of Nebraska Dental School rather than lecture as Johnson had done.

6. What are the salary ranges for personnel in the Radiation Control Program?

Anticipated salary increase did not materialize as noted in last report. Present salaries are:

Director	\$815 - 1050 per month
Rad. Health Specialist II	700 - 905
Rad. Health Specialist I	630 - 815
Rad. Health Technician	490 - 630

B. Licensing Activities

1. Who evaluates license applications and who approves the issuance of a license?

Wilms performs all licensing functions with some assistance from Simmons. Wilms signs all licenses. The Health Officer co-signs medical licenses.

2. Do you have a licensing backlog? If so, how many and why?

No.

3. Are all known radium users licensed (or registered)? How many are there? Are your licensing procedures for radium the same as for agreement materials?

Yes. 50 users are registered. About 50% are licensees also. No prior evaluation is done before registration certificate is issued.

4. Do you conduct prelicensing visits? If so, how do you determine which applicants are visited? Approximately how many prelicensing visits have you made since the last meeting?

Primarily on new applicants. None since last review meeting.

5. Have you instituted any new procedures for evaluating license applications?

No.

6. What unusual specific exemptions from your regulations have been granted since the last meeting?

None.

7. What new or unusual uses of radioactive materials have been licensed?

None.

8. What is your system for notifying licensees of the impending expiration of their licenses?

Notice sent 60 days prior to the expiration of the license. A tickler system is available for follow-up.

9. Have you developed any licensing guides? If so, we would like to have copies.

No. If guide is needed, use appropriate AEC licensing guide.

10. Are your license files, including license applications, available for public inspection? Licenses are in public file. Public can peruse non-proprietary application, upon request.

11. What is the total number of registrants? Do you feel all radiation-producing machines have been registered?

1657 facilities have been registered. Officials estimate this represents over 95% of all the registrable facilities.

C. Evaluation of Medical Uses

1. To what extent do you use your medical advisory committee in evaluating applications for medical uses of radioactive material? Obtain current list of members and their affiliations. The Registration and Licensure Committee evaluates all non-routine medical uses. Committee members are M. ...ler, M.D., Chairman (Radiologist), E. Hunt, M.D. (Radiologist), H. Papenfuss, M.D. (Pathologist), and H. Wegener, D.D.S.

2. Do you use your medical advisory committee as a committee or do you consult with members individually?

Whole committee.

3. Do you require a research protocol similar to that required by the AEC in evaluating new or unusual medical uses? Are protocols distributed to the Medical Advisory Committee for their review and evaluation? Do you require reports of results of nonroutine uses?

Yes. Protocol distributed to Committee and reports by licensees required.

4. To what extent have you issued broad medical licenses? Do you examine the qualifications of members of the factors committee and their procedures for approving new uses and users? Do you require such licensees to report new uses and results of these studies to you periodically?

Only broad medical licensee is University of Nebraska.

D. Compliance Activities

1. What is your inspection workload in terms of man-days per month or percentage of time spent on agreement material inspections?

Wilms - 4-5 working days per month.

Simons - 5 working days per month.

(This includes travel, inspection and report writing.)

2. Is your inspection workload current or are there overdue inspections?
If there are overdue inspections, how many are there and what type?

According to Nebraska system, they are current.

3. How do you determine inspection frequencies and need for re-inspections?
Annual inspections except for gas chromatography licensees and other very low hazard licensees.

4. What is your policy regarding announced vs. unannounced inspections?
Almost all will be announced.

5. Can you estimate the average length of time you spend inspecting a
typical radioisotope - 3-4 hours (inplant)
private practitioner - 1½ hours
medical institution - 3-4 hours
university - approximately 2 day.

6. What type of instruments do your inspectors normally carry on inspector
visits? What type of surveys do you make during an inspection?
Appropriate instruments to check X-ray therapy and teletherapy output and measure radiation levels. Take wipes, when indicated.

7. Do you write an internal report for all inspections? How are such
reports processed including supervisory reviews?
Wilms reviews reports written by Simmons. Reports written by Wilms are not reviewed by a superior.

8. With what level of management do you usually discuss inspection results?
Highest person that inspector feels necessary.

9. Does the inspector make specific suggestions for corrective action to be
taken by the licensee?
Yes. Will suggest several alternatives. Will not put suggestions in writing.

10. Are inspection reports utilized in future licensing actions?
Yes.

11. Have you noted any licensees who are in apparent non-compliance with AEC
regulations? If so, we would appreciate your notifying our Regional
Compliance office of such occasions.

No.

12. Do you inspect out-of-state firms licensed by you or working under reciprocity in your state?

Will inspect, but have not inspected any since last review meeting. Expect to inspect Houston Gamma Ray Co. shortly.

13. Have all radium users in the state been inspected? What percent of these users are in compliance?

No. Have inspected about 15 of 58 registrants. If items of non-compliance are found, will send recommendations.

14. What percentage of the registrants in the state have been inspected? What percent of the medical, dental and industrial users are in compliance?

100% of the registered X-ray facilities were inspected by July 5, 1968. The data from these inspections is in preparation. Follow-up inspections are not expected to be made in fiscal 1969.

1. Describe your compliance enforcement procedures. Do you follow a system similar to the AEC's 591, 592 formal report system?

Form NRI-10 (similar to AEC 59) is used for no items or minor items of non-compliance. All others receive a letter.

2. Who signs letters going to licensees notifying them of inspection results and how do you determine to whom letters of non-compliance should be assigned? Wilms signs all letters. Letter generally sent to person with whom results discussed.

3. How do you handle oral and written discussion of poor practices (safety items) which are not specifically violations of the regulations or a license condition? Examples are poor calibration procedures, poor ventilation systems and need for bioassays.

Discussed orally with management.

4. What has been the extent of enforcement actions taken against licensees?

None other than letters.

4. Do you require a written response to letters of noncompliance within a specified time period? Do you have any problem in obtaining adequate responses to letters of noncompliance? Who determines whether the response is adequate? If the licensee's response is inadequate, what course of action do you follow?

Yes, 30 day time period. No problems in obtaining adequate responses. Wilms and Simmons jointly determine adequacy. If pending file shows that answer not received on time, a telephone call is made to licensee.

6. Have you found it necessary to deny any license application or revoke or modify any license?

No.

7. What action is taken when a licensee fails to renew his license or requests termination of his license?

Obtain material status in writing.

3. Incidents and Investigations

1. Please describe any incidents and overtures which have occurred since the last meeting. What was the extent of the investigation conducted in these cases?

None.

2. How do your techniques for investigations differ from your inspection techniques?

Not asked.

3. Do you have a policy on requiring licensees to make a press release when an incident has occurred?

Would encourage licensee to make an announcement.

G. Laboratory Facilities and Services

1. Do you analyze smears, air samples, water samples, etc., which are collected during an inspection, in your Radiological Health organization or does some other division provide these services?

Division of Radiological Health does own samples. Considering have Division of Laboratories perform these services.

2. What is the time delay in obtaining results of analyses of such samples?

None.

3. Do you have any difficulty in obtaining "immediate results in emergency situations?"

No.

4. Do you, or the persons providing laboratory services for you, have the capability for analyzing most types of samples which you might submit?

Cannot do low energy gamma work or wet chemistry.

5. If not, how would you arrange to have unusual types of samples analyzed?

Could have analyses made by Veterans Administration Hospital in Omaha or

6. the U.S. Public Health Service Laboratory. All types of instruments which

you possess and use? Have small Co 60 source and alpha calibration source. Other calibrations done at University of Nebraska, V. A. Hospital.

H. Emergency Capabilities

1. Do you have a formal plan for responding to emergencies?

Not completed. Will formalize this year. Action plan has been formulated.

2. What arrangements have been made for a statewide communications network for use in conjunction with radiation emergencies?

Have informal working relations with C.D. who can supply communications, transportation and instruments. Have access to National Guard plane.

3. Do you have emergency teams established to respond to emergency situations?

Wilms and Simmons are emergency team.

I. Miscellaneous

1. What problems have you encountered in the reciprocal recognition of licenses?

None.

2. Have you evaluated any new tested sources or devices of which we are not aware? We would like to receive a copy of evaluation sheets prepared for such items.
No.
3. How do you use your technical advisory committee (other than medical) in your program?
Have not met since last review meeting. Committee is supposed to meet quarterly to discuss unusual uses, administration policy and regulations.
4. What is your budget for the current fiscal year?
\$64,555 for fiscal year 1969 and 1970.
5. Has there been an increase or decrease in budget allotted to the program?
Decrease of \$9,255 over last biennium.
6. Do you receive funds from DHS, Defense Dept. or other sources?
\$36,600 from Public Health Service.
7. Do you plan to incorporate recent changes in AEC regulations in your regulations?
Radiation Advisory Council administratively adopts changes. Work on formal regulation revisions is anticipated this fiscal year. Reproduction will be done in fiscal 1970, if money is available.

RADIATION ADVISORY COUNCIL

1968 RADIATION ADVISORY COUNCIL OFFICERS

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Hubert J. Wegener, D.D.S.

VICE-CHAIRMAN

Norman M. Knoche, Ph.D.

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