UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30323

December 12, 1990

MEMORANDUM FOR: Vandy L. Miller, Assistant Director for State Agreements Program, State Programs, Office of Governmental and Public Affairs

12/26/90

FROM: Richard L. Woodruff, State Agreements Officer

SUBJECT: MISSISSIPPI MID-REVIEW VISIT

A mid review meeting was held with personnel responsible for the Mississippi Radiation Control Program during the period September 19-20, 1990. The following persons were contacted during the meeting:

Eddie S. Fuente, Director, Radiological Health
Robert W. Goff, Health Physicist Administrator, Radioactive Materials
Charles Hilton, Health Physicist Administrator, X-Ray
Robert Bell, Health Physicist Administrator, Environmental
Diantha Stewart, Chief Chemist, Environmental
Jonathan Barlow, Health Physicist Senior, Materials
B. J. Smith, Health Physicist, Materials
Jerry Thomas, Health Physicist Trainee, Materials

The visit consisted of a follow-up on the status of NRC comments dated September 28, 1989, to the State following our 26th program review; and significant changes in the Mississippi program since the last review. These topics are detailed in the following paragraphs.

Status of Comments To Dr. Alton B. Cobb dated September 28, 1989

I. Management and Administration

Administrative procedures is a Category II Indicator. The following comment with our recommendation is made.

Comment

Files should be maintained in a fashion to allow for fast, accurate retrieval of information. The State uses a filing system where backup information from the licensing process, licensee correspondence, and inspection reports are filed together on one side of the file folder. This practice results in less efficient retrieval of information from the files. Alternative methods for organization of file folders were discussed with program staff.

Recommendation

We recommend that the file folders be organized to allow for more efficient retrieval of information.

State Response

It has been our practice to file all correspondence, including inspection reports, in chronological order. However, the staff agrees that some of the larger licensing files such as the four (4) broad medical and educational licenses may be somewhat awkward to review due to the large quantity of correspondence. For these licenses, a classification folder will be utilized to separate licensing documents, inspection reports, and general correspondence.

Present Status

The State is in the process of reorganizing their license folders. This is done as the license is amended in "its" entirety.

II. Licensing

Licensing Procedures is a Category II Indicator. The following comment with our recommendation is made.

Comment

The State has a policy of amending licenses in their "entirety" every five years which is consistent with NRC practice. However, three of the licenses sampled had not been amended in their entirety since 1980, 1981, and 1982, respectively. Program staff related that staff turnovers and training of personnel contributed to the backlog.

Recommendation

We recommend that the State identify all licenses that are in need of "entirety" amendments and establish a schedule for these amendments based upon license category and priority.

State Response

Since January 1989, the staff has issued 29 license amendments in their entirety. Another 23 license amendments in their entirety have been scheduled through June 1990. I feel the staff has made significant improvement in this area.

Present Status

The State continues to make progress in amending licenses in their "entirety." This is accomplished as the licenses are processed during routine amendment actions. Since the previous review, the State has amended 50 licenses in their entirety and 20 additional licenses will be processed during this calendar year.

III. Compliance

A. Inspection Procedures is a Category II Indicator. The following comment with our recommendation is made.

Comment

Based upon file reviews and discussions with program staff, posting of "Notices to Employees" is a common citation found during "initial" inspections. Options available to the Program for compliance in this area were discussed. One option that has been effective in other States is the hand delivery of all new licenses. This allows the Program Representative to discuss with the licensee all license conditions, regulatory requirements, (posting, training, etc.) and to evaluate the licensee's facility, engineering controls, and safety procedures prior to the initial use of licensed materials.

Recommendations

We recommend that an inspection policy be adopted that would require the hand delivery of all new licenses issued by the State.

State Response

We agree that hand delivery of all new licenses would be beneficial both to the licensee and our staff. However, implementation relies heavily upon the availability of travel funds and staff. To initiate such a practice, it is our intention to perform either a prelicensing visit or hand deliver all priority I and II licenses.

Present Status

The State has implemented their hand delivery policy for priority I and II licenses.

B. Inspection Reports is a Category II Indicator. The following comment with our recommendation is made.

Comment

Inspection reports should document specific results of inspections and items of noncompliance in terms of answers to questions (who, when, why, where, and what). Several reports needed additional information to fully document the findings such as, who performed the instrument calibration or when a source was received and due for leak testing.

Recommendations

It has been our practice and certainly our intentions to fully document the specific results of inspections and items of

noncompliance. The staff reviewed the comments provided by Mr. Richard Woodruff on the selected license files. Every effort will be made to alleviate the recurrence of these comments in future inspections.

Current Status

Three license files were reviewed as documented in Attachments B and C. The State improved the documentation of specific results of inspections and items of noncompliance.

Significant Program Changes

The following program changes are provided as an update to the State Profile tabulation.

- Status and Compatibility of Regulations. The State's regulations are compatible with NRC regulations through the 02-88 NVLAP provisions. The State is planning on revisions to their regulations during this next fiscal year to include all updated changes in accordance with the 1990 version of the SSR and also amendments for the provisions on decommissioning and emergency preparedness.

- Organization. There have been no changes in the location of the Radiation Control Program; however, some personnel changes will be discussed below. A revised organization chart is provided as Enclosure 1.

- Personnel. There have been no changes in the Materials Program except for the addition of one new inspector, Jerry Thomas. The resume and educational background for Mr. Thomas was reviewed and found to meet all of the requirements of the position.

- Salaries. There have been no changes in the salary structure; however, all State employees will receive a five percent or a minimum of $125 increase per pay period beginning October 1, 1990.

- Budget. A revised budget for FY 91 (July 1, 1990 to June 30, 1991) was received and provided as follows:

Salaries & Fringe Benefits	$521,765.00
Travel	19,590.00
Contractual Services	195,290.00
Total	$807,975.00

An equipment item is to be added which will increase the total budget by approximately $25,000.00.

The sources of the revenue are as follows:

State Funds	$223,500.00
Radiological Health Fees	325,000.00
EPA/Radon Grant	115,800.00
Water Quality Fees	143,675.00
Total	$807,975.00

- Licensing. The State had 325 specific licenses on the date of this review visit. Standard licensing procedures are being followed. The "major license" listing has not changed since the last review. The State appears to be current on their licensing workload.

- Compliance. The status of the inspection program appears to be on target. The State is in the process of revising their inspection frequency schedule to be compatible with the latest (April 6, 1990) NRC inspection schedule.

- Incidents. Copies of all incidents since last review were obtained, reviewed, and transmitted to HQ and the AEOD's Office.

Conclusion

Based upon this program visit and the previous review, I recommend that the next full review be scheduled for September of 1991.

Richard L. Woodruff

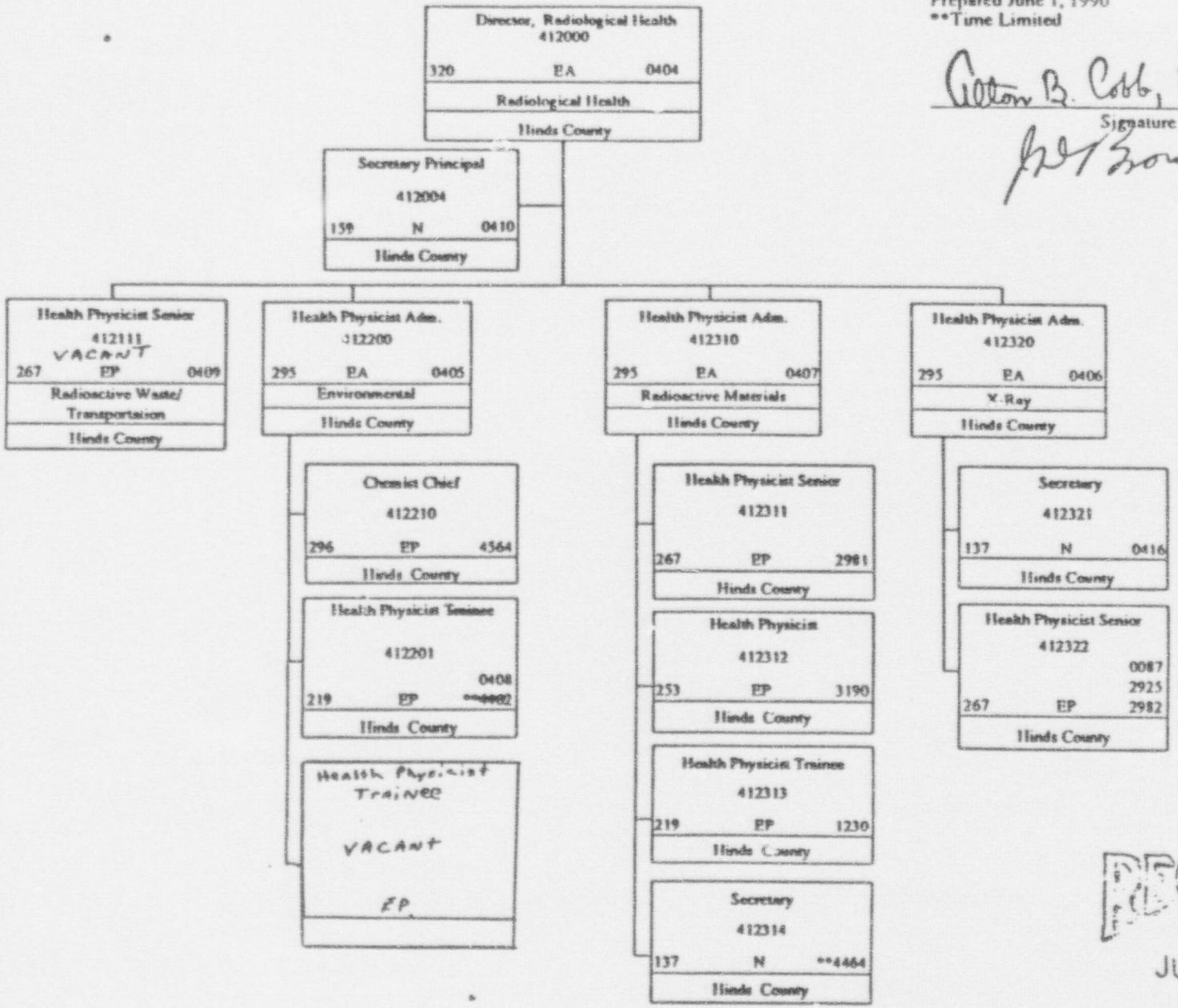
Enclosures:
1. Organizational Chart
2. License File Review
3. Compliance File Review

cc w/encls:
Stewart D. Ebneter, Regional
Administrator, Region II

ENCLOSURE 1

ORGANIZATION CHARTS

Clifton B. Cobb, M.D.
Signature



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JUN 20 1990
RADIOLOGICAL HEALTH

9-19-90

ENCLOSURE 2

REVIEW OF SELECTED LICENSE FILES

One license file was selected for review. No comments were developed on this license file.

License:	Southern Inspection Services
Location:	Vancleave, MS
License No:	MS-697-01
Issued:	03-16-90
Expires:	03-01-91
License Type:	Industrial Radiography

ENCLOSURE 3

REVIEW OF SELECTED COMPLIANCE FILES

Two license files were selected for review. No comments were developed from these casework reviews.

1.	Licensee:	South Central Regional Medical Center
	Location:	Laurel, MS
	License No:	MS-277-02
	License Type:	Teletherapy
	Inspection Date:	07-24-90
	Type of Report:	Form
	Type of Inspection:	Routine, announced
	Inspectors:	Robert W. Goff
	Enforcement Letter, Date:	Pending
	Signed By:	
	Licensee Response Date:	
	State Acknowledgement Date:	
2.	Licensee:	Interstate Nuclear Services, (INS)
	Location:	Vicksburg, MS
	License No:	MS-495-01
	License Type:	Nuclear Laundry
	Inspection Date:	08-03-90
	Type of Report:	Narrative
	Type of Inspection:	Routine, Announced
	Inspectors:	Robert W. Goff and J. Barlow
	Enforcement Letter, Date:	08-27-90
	Signed By:	Eddie S. Fuente
	Licensee Response Date:	Pending
	State Acknowledgement Date:	N/A

M. J. Smith	9/77-7/88	Branch Director	Resigned	Bob Goff
Dot Rogers	11/88-3/89	Secretary	Deceased	Ivy Saxton
Johnnie Jones	11/87-5/89	Sec. Principal	Transfer	Vacant
William Bryan	5/89-6/89	Chemist II	Resigned	George Powell

2. List the RCP salary schedule:

Position Title	Annual Salary Range
Division Director	$31,224 - $46,752
Health Physicist Administrative	$27,550 - $41,284
Health Physicist, SR.	$23,960 - $35,899
Health Physicist	$22,353 - $33,478
Health Physicist Trainee	$18,868 - $28,260
Chemist Chief	$26,736 - $40,052
Chemist II	$21,372 - $32,016
Secretary Principal	$13,379 - $20,036
Secretary	$11,980 - $17,949

3. Compare your salary schedule with similar employment alternatives in the same geographical area, such as industrial, medical, academic employers or other State agencies.

Based on salaries paid to individuals leaving for similar positions in industry, it appears that the salary schedule is far behind. However, recent adjustments to salary schedules and realignment of positions have brought some positions in alignment with salaries of similar positions of other regional Agreement States.

4. Explain whether your salary schedule is adequate to recruit and retain staff.

The salary schedule for Health Physicist Trainee position appears to be adequate for recruitment. The salary schedules for the recruitment of trained Health Physicists is not sufficient to attract individuals from industry or other government Agencies. Whether salaries are adequate to maintain present personnel is yet to be resolved due to short period for which salary increases and realignment of positions have been in effect.

5. What opportunities are there for promotion within the RCP organizational structure without a staff vacancy occurring?

After satisfactorily completing one year employment as a Health Physicist Trainee, he or she is promoted to a Health Physicist. Health Physicist are promoted to Health Physicist Senior when he or she meets the minimum requirements and the Health Physicist Administrative and Program Director have determined that this individual has satisfactory performed his job duties as a Health

Official

July 10, 1991

Mr. Eddie S. Fuente, Director
Division of Radiological Health
3150 Lawson Street
Jackson, MS 39215-1700

Dear Mr. Fuente:

This will confirm my recent discussion with you concerning the review of your Radiation Control Program scheduled for September 9-13, 1991.

I am enclosing a list of questions entitled, "Appendix A, Evaluation of Agreement State Radiation Control Programs, State Review Guidelines and Questionnaire." These questions and your response to the questions will become Appendix A to our final report.

To facilitate the review process, please return to me a completed copy of the document including the guidelines, questionnaires, and your answers prior to September 5, 1991.

Sincerely,

Richard L. Woodruff
Regional State Agreements Officer

Enclosure:
Evaluation of Agreement State
Radiation Control Program
State Review Guidelines,
and Questionnaire

bcc w/encl:
R. L. Woodruff
Document Control Desk (SP01)

RII:SAO
RLWoodruff:er
07/8/91

RII:RA
SDEbneter
07/9/91

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APPENDIX A

STATE REVIEW GUIDELINES AND

STATE RESPONSES TO QUESTIONNAIRE

Ver. 2/1/90

APPENDIX A
EVALUATION OF AGREEMENT STATE RADIATION CONTROL PROGRAM
STATE REVIEW GUIDELINES AND QUESTIONNAIRE

Name of State Program Mississippi
Date of NRC Review September 1991

I. LEGISLATION AND REGULATIONS

A. Legal Authority (Category I)

NRC Guidelines: Clear statutory authority should exist, designating a State radiation control agency and providing for promulgation of regulations, licensing, inspection and enforcement. States regulating uranium or thorium recovery and associated wastes pursuant to the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA) must have statutes enacted to establish clear authority for the State to carry out the requirements of UMTRCA.

Questions:

1. Please list all currently effective legislation that affects the radiation control program (RCP).

2. What changes have been made to the state's statutory authority to regulate agreement materials, including LLW operations, since the last review? Please attach copies of the changes.

3. Please cite legislation if the State has the authority to:

   a. apply civil penalties,
   b. collect fees,
   c. require performance bonds or sureties for decommissioning licensed facilities,
   d. require performance bonds or sureties for clean-up of licensed facilities after a contamination accident,
   e. require long term care funds for uranium mill or low-level waste facilities.

4. If any responses to the above question are negative, explain any plans the State may have regarding those issues.

B. Status and Compatibility of Regulations (Category I)

NRC Guidelines: The State must have regulations essentially identical to 10 CFR Part 19, Part 20 (radiation dose standards, effluent limits, waste manifest rule and certain other parts), Part 61 (technical definitions and requirements, performance objectives, financial assurances) and those required by UMTRCA, as implemented by Part 40. The State should adopt other regulations to maintain a high

degree of uniformity with NRC regulations. For those regulations deemed a matter of compatibility by NRC, State regulations should be amended as soon as practicable but no later than 3 years. The RCP has established procedures for effecting appropriate amendments to State regulations in a timely manner, normally within 3 years of adoption by NRC. Opportunity should be provided for the public to comment on proposed regulation changes. (Required by UMTRCA for uranium mill regulation.) Pursuant to the terms of the Agreement, opportunity should be provided for the NRC to comment on draft changes in State regulations.

Questions:

1. What is the effective date of the last amendment of the state's regulations that was made to maintain compatibility?

2. Referring to the NRC chronology of amendments attached to this questionnaire identify those that have not been adopted by the State and expl in the reason why they were not adopted and/or actions being taken to adopt them.

3. Briefly describe yo r State's procedures for revising and adopting changes to regulations.

4. How is the public involved in the process?

5. At what stage does the NRC have the opportunity to comment on draft changes to State regulations?

II. ORGANIZATION

A. Location of the Radiation Control Program Within the State Organization (Category 11)

NRC Guidelines: The RCP should be located in a State organization parallel with comparable health and safety programs. The Program Director should have access to appropriate levels of State management. Where regulatory responsibilities are divided between State agencies, clear understandings should exist as to division of responsibilities and requirements for coordination.

1. Please attach a current dated organization chart(s) showing the position of the RCP within the State organization and its relationship to the Governor.

2. Is the RCP on a comparable level within the State organization with other health and safety programs so as to compete effectively for funds and staff?

3. Has the RCP program director experienced difficulty in obtaining access to appropriate levels of State management? If so, explain.

B. Internal Organization of the RCP (Category II)

NRC Guidelines: The RCP should be organized with the view toward achieving an acceptable degree of staff efficiency, place appropriate emphasis on major program functions, and provide specific lines of supervision from program management for the execution of program policy. Where regional offices or other government agencies are utilized, the lines of communication and administrative control between these offices and the central office (Program Director) should be clearly drawn to provide uniformity in licensing and inspection policies, procedures and supervision.

Questions:

1. Please attach current, dated copies of the RCP organization charts. Include titles for all positions and names for incumbents. If applicable, include regional offices and contract agencies.

2. If regional offices or contract agencies are used:

   a. To whom do regional or contract agencies personnel report administratively?

   b. To whom do regional or contract agencies personnel report technically?

3. If the RCP shares the program with or contracts with other agencies to administer the program:

   a. Identify the agencies and indicate their responsibilities.

   b. How are their responsibilities set out (e.g. statutes, MOU, contract)?

   c. To whom do their personnel report to administratively?

   d. To whom do their personnel report to technically?

C. Legal Assistance (Category II)

NRC Guidelines: Legal staff should be assigned to assist the RCP or procedures should exist to obtain legal assistance expeditiously. Legal staff should be knowledgeable regarding the RCP program, statutes, and regulations.

Questions:

1. Are legal staff members assigned to assist the RCP or do procedures exist to obtain legal assistance expeditiously?

2. Is the legal staff knowledgeable regarding radioactive materials, the RCP, statutes, and regulations?

3. If legal assistance was utilized since last review, provide a brief summary of the circumstances.

D. Technical Advisory Committees (Category II)

NRC Guidelines: Technical Committees, Federal Agencies, and other resource organizations should be used to extend staff capabilities for unique or technically complex problems. A State Medical Advisory Committee should be used to provide broad guidance on the uses of radioactive drugs in or on humans. The Committee should represent a wide spectrum of medical disciplines. The Committee should advise the RCP on policy matters and regulations related to use of radioisotopes in or on humans. Procedures should be developed to avoid conflict of interest, even though Committees are advisory. This does not mean that representatives of the regulated community should not serve on advisory committees or not be used as consultants.

Questions:

1. What technical advisory committees have been established to assist the RCP?

2. Are regular meetings scheduled? If so, what is the frequency?

3. Please provide a list of the names and affiliations of the technical committee(s) members.

4. What procedures exist to avoid areas of conflict of interest by members of the committees?

5. If any advisory committee was utilized during the review period, please provide a brief summary of the circumstances.

III. MANAGEMENT AND ADMINISTRATION

A. Quality of Emergency Planning (Category I)

NRC Guidelines: The State RCP should have a written plan for response to such incidents as spills, overexposures, transportation accidents, fire or explosion, theft, etc. The Plan should define the responsibilities and actions to be taken by State Agencies. The Plan should be specific as to persons responsible for initiating response actions, conducting operations and cleanup. Emergency communication procedures should be adequately established with appropriate local, county and State agencies. Plans should be distributed to appropriate persons and agencies. NRC should be provided the opportunity to comment on the Plan while in draft form. The plan

should be reviewed annually by Program staff for adequacy and to determine that content is current. Periodic drills should be performed to test the plan.

Questions:

1. What written plan does the RCP use for response to incidents involving radioactive materials (other than plans for fixed nuclear facilities)?

2. According to the Plan, which State agency is responsible for:

   a. initiating response actions?

   b. conducting operations?

   c. supervising cleanup?

3. Describe your emergency communications procedures.

4. Who is responsible for distributing the plan to the appropriate persons and agencies?

5. When was the emergency communication list last reviewed and/or revised? (Please attach a copy of the current list.)

6. Other than the communication list, when was the plan last updated?

7. At what stage is the NRC provided the opportunity to comment on the plan or the revision while it was in draft form?

8. When was the plan last reviewed to assure its content is up-to-date?

9. When was a drill last performed to test the plan?

B. Budget (Category II)

NRC Guidelines: Operating funds should be sufficient to support program needs such as staff travel necessary to conduct an effective compliance program, including routine inspections, follow-up or special inspections (including pre-licensing visits) and responses to incidents and other emergencies, instrumentation and other equipment to support the RCP, administrative costs in operating the program including rental charges, printing costs, laboratory services, computer and/or word processing support, preparation of correspondence, office equipment, hearing costs, etc. as appropriate. Principal operating funds should be from sources which provide continuity and reliability, i.e., general tax, license fees, etc. Supplemental funds may be obtained through contracts, cash grants, etc.

Questions:

1. Show the amount for funds for the RCP for the current fiscal year obtained from:

   a. State general fund

   b. Fees

   c. Federal grants and contracts (identify)

   d. Other

   e. Total:

2. Show the total amounts in the current RCP budget allocated for:

   a. Administration

   b. Radioactive materials

   c. X-ray

   d. Environmental surveillance

   e. Emergency planning

   f. LLW regulation

   g. Other (radon, non-ionizing, operator credentialing, etc. Please identify).

   h. Total:

3. What is the change in budget from the previous year and what is the reason for the change (new programs, change in emphasis, statewide reduction, etc.)?

4. Describe your fee system, if you have one, and give the percentage of cost recovery for the radioactive materials program. Please attach a copy of the fee schedule.

5. Overall, is the funding sufficient to support all of the program needs? If not, specify the problem areas.

C. Laboratory Support (Category, II)

NRC Guidelines: The RCP should have the laboratory support capability in-house, or readily available through established procedures, to conduct bioassays, analyze environmental samples, analyze samples collected by inspectors, etc., on a priority established by the RCP.

Questions:

1. Are laboratory services readily available in-house or through other departments within the State organization?

2. If services are provided by other departments, discuss the arrangements, supervision, charges and interdepartmental communications.

3. Have there been any changes in the status of the laboratory support since the last review? If so, please explain.

4. If laboratory services are provided by a non-State agency:

   a. Discuss the contractual arrangements.

   b. Is the party providing the service a State licensee?

   c. If a State licensee provides the service or equipment, what are the costs?

5. Describe the capability of the laboratory as follows:

   a. Can it qualitatively and quantitatively analyze low-energy beta emitters?

   b. Can it qualitatively and quantitatively analyze alpha emitters?

   c. Can it selectively determine the presence and quantity of gamma emitters?

   d. Can it handle samples in any physical form - wipes, liquids, solids, gaseous?

   e. Does the lab participate in a periodic quality control program? If so, please identify the program.

6. How much time does it take to obtain the results from sample analyses on both a routine basis and on an emergency basis?

7. Please list the types and numbers of laboratory instrumentation and services available.

D. Administrative Procedures (Category II)

NRC Guidelines: The RCP should establish written internal procedures to assure that the staff performs its duties as required and to provide a high degree of uniformity and continuity in regulatory practices. These procedures should address internal processing of license applications, inspection policies, decommissioning and license termination, fee collection, contacts with communication

media, conflict of interest policies for employees, exchange of information and other functions required of the program. Administrative procedures are in addition to the technical procedures utilized in licensing, and inspection and enforcement.

Questions:

1. Have administrative procedures and polices been established, documented and made available to RCP staff regarding:

   a. Office administration,

   b. Receipt, assignment and tracking of license applications,

   c. Inspections (e.g., assignments, announcements of inspections),

   d. Terminating licenses and decommissioning licensed facilities,

   e. Collecting fees,

   f. Responding to press inquiries,

   g. Conflict of interest for RCP employees,

   h. Exchange-of-Information with NRC and Agreement States.

   i. Distribution (as appropriate) to staff and licensees of All Agreement State Letters and Information Notices?

   (Please have copies of these procedures available for review).

2. What other written administrative procedures have been developed?

3. Have copies of these procedures been distributed to regional offices and to other appropriate agencies?

4. How are personnel and regional offices (if applicable) kept informed of changes in regulatory policies and practices?

E. Management (Category II)

NRC Guidelines: Program management should receive periodic reports from the staff on the status of regulatory actions (backlogs, problem cases, inquiries, regulation revisions). RCP management should periodically assess workload trends, resources and changes in legislative and regulatory responsibilities to forecast needs for increased staff, equipment, services and fundings. Program management should perform periodic reviews of selected license cases handled by each reviewer and document the results. Complex licenses

(major manufacturers, large scope - Type A Broad, or ones with the potential for significant releases to environment) should receive second party review (supervisory, committee, or consultant). Supervisory review of inspections, reports and enforcement actions should also be performed. When regional offices or other government agencies are utilized, program management should conduct periodic audits of these offices.

Questions:

1. How does management track the status of the licensing and inspection programs -- workloads, backlogs, problem cases, etc.?

2. How often are meetings held between program management and staff?

3. How often is a statistical tabulation of licensos, licensees, licensing actions, inspections due, performed and overdue, etc., prepared?

4. How does program management keep abreast of changes in legislative and regulatory responsibility?

5. What license review practices are followed for unusual or complex license applications?

6. How many management reviews of license cases were performed since the last review?

7. Were all license reviewers included in the cases selected for management review?

8. How many field accompaniments of inspectors were conducted by program management?

9. Were all inspectors (including supervisors acting as inspectors or LLW inspectors, if applicable) accompanied by management during the review period?

10. Do all inspection reports receive supervisory review?

11. Does all enforcement correspondence receive supervisory review prior to dispatch?

12. If applicable, how many management audits were made of regional offices or other government agencies involved in the regulation of agreement materials?

    (Please have reports of audits performed on regional offices or contract agencies available for review.)

F. Office Equipment and Support Services (Category II)

NRC Guidelines: The RCP should have adequate secretarial and clerical support. Automatic typing and Automatic Data Processing and retrieval capability should be available to larger (300-400 licenses) programs. Similar services should be available to regional offices, if utilized. Professional staff should not be used for fee collection and other clerical duties.

1a. Describe the secretarial and clerical support for the radioactive materials program, including if appropriate, any problem areas.

b. If your program has regional offices, discuss the clerical support for those offices.

c. In cases of unusual workloads or vacancies, can supplementary secretarial/clerical support be obtained?

2. Describe the computer equipment available to the RCP.

3. What operating system do you use (i.e., MSDOS, UNIX, APPLE, etc.)?

4. What data base or spreadsheet programs do you use?

5. What word processing program(s) do you use?

6. Does your word processing program have the capability to process documents that may be transferred to and from and from the IBM 5520 system? (With the exception of WordStar, most popular programs have this capability. This information can be found in your user manual index under "DCA" or "revisable format" files.)

7. What licensing functions are on your computer system?

8. What compliance functions are on your system?

9. Do you have a modem? If so, please describe how a connection can be made.

10. Are computers or terminals available to the professional staff, and if so, what use is made of them?

11. Do you have access to a facsimile transmission unit? If so, please identify it by name and type and provide the receive and verification (information) telephone numbers.

12. Describe the fee collection system and identify the staff resources assigned to it.

G. Public Information (Category II)

NRC Guidelines: Inspection and licensing files should be available to the public consistent with State administrative procedures. It is desirable, however, that there be provisions for protecting from public disclosure proprietary information and information of a clearly personal nature. Opportunity for public hearings should be provided in accordance with UMTRCA and applicable State administrative procedure laws.

Questions:

1. Are licensing and inspection files available for inspection by the public?

2. If so, what information may be withheld?

3. What written procedures and laws govern this? Please provide reference citations.

IV. PERSONNEL

A. Qualifications of Technical Staff (Category II)

NRC Guidelines: Professional staff should have a bachelor's degree or equivalent training in the physical and/or life sciences. Additional training and experience in radiation protection for senior personnel including the director of the radiation protection program should be commensurate with the type of licenses issued and inspected by the State. Written job descriptions should be prepared so that professional qualifications needed to fill vacancies can be readily identified.

Questions:

1. Do all professional personnel hold a bachelor's degree or have equivalent training in the physical or life sciences?

2. What additional training and experience does the RCP director have in radiation protection?

3. What additional training and experience are required of the senior personnel?

4. Do written position descriptions describe the duties, responsibilities and functions of each professional position in the RCP and the qualifications needed by applicants for them? Please provide copies for review.

B. Staffing Level (Category II)

NRC Guidelines: Professional staffing level should be approximately 1-1.5 person-year per 100 licenses in effect. RCP must not have less than two professionals available with training and experience to operate RCP in a way which provides continuous coverage and continuity. For States regulating uranium mills and mill tailings current indications are that 2-2.75 professional person-years' of effort, including consultants, are needed to process a new mill license (including in situ mills) or major renewal, to meet requirements of Uranium Mill Tailings Radiation Control Act of 1978. This effort must include expertise in radiological matters, hydrology, geology, and structural engineering.

Questions:

1. Complete a table listing the professional (technical) person-years of effort applied to the agreement or radioactive material program by individual. Include the name, position, fraction of time spent and include the following areas: administrative/supervisor, inspection,, laboratory, regulation development, other). The table heading should be:

   NAME POSITION AREA OF EFFORT FTE%

2. Compute the professional/technical person-year effort of person-years per 100 licenses (excluding mills and burial site licenses). Show calculation.

3. Is the staffing level adequate to meet normal and special needs and backup? If not, explain.

C. Staff Supervision (Category II)

NRC Guidelines: Supervisory personnel should be adequate to provide guidance and review the work of senior and junior personnel. Senior personnel should review applications and inspect licenses independently, monitor work of junior personnel, and participate in the establishment of policy. Junior personnel should be initially limited to reviewing license applications and inspecting small programs under close supervision.

Questions:

1. Identify the junior personnel and senior personnel.

2a. What duties are assigned to junior personnel?

b. How is their work monitored?

3. Is there adequate supervisory or senior guidance and direction for junior personnel?

4. How do senior personnel participate in the development of program policy?

D. Training (Category II)

NRC Guidelines: Senior personnel should have attended NRC core courses in licensing orientation, inspection procedures, medical practices and industrial radiography practices. (For mill States, mill training should also be included.) The RCP should have a program to utilize specific short courses and workshops to maintain appropriate level of staff technical competence in are of changing technology.

Questions:

1. Prepare a table listing all of the training courses, workshops, seminars, symposia, etc. that your materials personnel have attended since the last review, and the source of the funding for the training (i,e., travel, per diem, tuition, etc.). The table heading should be:

Student	Course	Course Sponsor	Dates	Source of Funding

2. Explain how new employees are trained.

3. If any of your RCP staff currently need NRC training, please identify the employees and the courses needed.

E. Staff Continuity (Category II)

NRC Guidelines: Staff turnover should be minimized by combinations of opportunities for training, promotions, and competitive salaries. Salary levels should be adequate to recruit and retain persons of appropriate professional qualifications. Salaries should be comparable to similar employment in the geographical area. The RCP organization structure should be such that staff turnover is minimized and program continuity maintained through opportunities for promotion. Promotion opportunities should exist from junior level to senior level or supervisory positions. There also should be opportunity for periodic salary increases compatible with experience and responsibility.

Questions:

1. Identify the RCP employees who have left the Agreement materials program since the last review and give the reasons for the turnovers. Also state whether the positions are presently vacant, filled (name replacement), abolished or other status.

2. List the RCP salary schedule as follows:

Position Title	Annual Salary Range

3. Compare your salary schedule with similar employment alternatives in the same geographical area, such as industrial, medical, academic employers or other State agencies.

4. Is your salary schedule is adequate to recruit and retain staff?

5. What opportunities are there for promotion within the RCP organizational structure without a staff vacancy occurring?

V. LICENSING

A. Technical Quality of Licensing Actions (Category I)

NRC Guidelines: The RCP should assure that essential elements of applications have been submitted to the agency, and which meet current regulatory guidance for describing the isotopes and quantities to be used, qualifications of persons who will use material, facilities and equipment, and operating and emergency procedures sufficient to establish the basis for licensing actions. Prelicensing visits should be made for complex and major licensing actions. Licenses should be clear, complete, and accurate as to isotopes, forms, quantities, authorized uses, and permissive or restrictive conditions. The RCP should have procedures for reviewing licenses prior to renewal to assure that supporting information in the file reflects the current scope of the licensed program.

Questions:

1a. How many specific licenses are currently in effect?

b. Please give the numerical totals of the licenses in each category.

2a. How many new licenses (not amendments in entirety) have been issued since the last review?

b. How many were major licenses? (See question 11 for criteria.)

3. List the specific licenses (name and license number) that were terminated since the last review.

4. How many amendments were issued during the review period?

5. Identify unusual or complex licenses issued since the last review, including name and license number.

6. Note any variances in licensing policies and procedures or exemptions from the regulations granted since the last review.

7a. Do you require licensees to submit contingency plans? (Reference: All Agreement and Non-Agreement State letter dated May 21, 1987, or NUREG 0767).

b. List the licensees (name and license number) who are subject to contingency plans requirements and the status of their plans (approved, under review, etc.).

8a. What criterion does the State use to determine the need for a prelicensing visit?

b. How many prelicensing visits were made during this review period?

9. How do you ensure up-to-date information has been submitted prior to a license renewal?

10. Has the State taken any special licensing action with respect to licensees operating under multiple jurisdiction?

11. Prepare a table as below showing the State's major licensees with name, number and type.

INCLUDE:

- Broad (Type A) Licenses
- LLW Disposal Licenses
- LLW Processing and Brokers
- Major Manufacturers and Distributors
- Uranium Mills
- Large Irradiators (Pool Type or Other)
- Radiopharmacies
- Other Licenses With a Potential Significance for Environmental Impact
- Other Licensees You Consider to be "Major" Licensees

The table heading should be:

Licensee Name	License Number	License Type

B. Adequacy of Product Evaluations (Category I)

NRC Guidelines: RCP evaluations of manufacturer's or distributor's data on sealed sources and devices outlined in NRC, State, or appropriate ANSI Guides, should be sufficient to assure integrity and safety for users. The RCP should review manufacturer's information on labels and brochures relating to radiation health and safety, assay, and calibration procedures for adequacy. Approval documents for sealed source or device designs should be clear, complete and accurate as to isotopes, forms, quantities, uses, drawing identifications, and permissive or restrictive conditions.

Questions:

1. Prepare a table listing new and revised SS&D registrations of sealed sources and devices issued during the review period. The table heading should be:

SS&D Registry Number	Name of Manufacturer, Distributor or User (Custom Evaluation)	Type of Device or Source

2. How many SS&D evaluations have been made for which registry documents have not yet been issued?

3. What guides and procedures are used to evaluate registry applications?

4. Please describe the procedures for supervisory review of SS&D registrations.

5a. Do you have any pressing concerns about any sources, devices or products currently authorized for distribution to persons either generally licensed or exempt from licensing?

b. If so, identify the items by manufacturer's name and model number and describe your concerns.

C. Licensing Procedures (Category II)

NRC Guidelines: The RCP should have internal licensing guides, checklists, and policy memoranda consistent with current NRC practice. License applicants (including applicants for renewals) should be furnished copies of applicable guides and regulatory positions. The present compliance status of licensees should be considered in licensing actions. Under the NRC Exchange-of-Information program, evaluation sheets, service licenses, and

licenses authorizing distribution to general licensees and persons exempt from licensing should be submitted to NRC on a timely basis. Standard license conditions comparable with current NRC standard license conditions should be used to expedite and provide uniformity in the licensing process. Files should be maintained in an orderly fashion to allow fast, accurate retrieval of information and documentation of discussions and visits.

Questions:

1. Are current NRC Regulatory Guides furnished to reviewers?

2. Do your reviewers use the standard review plans, model licenses, etc., that are furnished in the NRC Fuel Cycle Policy and Guidance Directives FC xx-xx?

3. Are checklists used by the reviewers maintained in the files?

4. What internal licensing guides and procedures has the State developed?

5. What licensing guides and regulatory positions are furnished to new and renewal license applicants?

6. How do reviewers determine the present compliance status of licensees when considering licensing actions?

7. For what length of time are licenses issued?

8. Explain how soon-to-expire licenses are tracked to assure either timely applications are received or procedures initiated to terminate the license.

9. What mechanism exists to assure that SS&D registrations and service licenses issued by the State are distributed to the NRC?

10. Have you developed your own standard license conditions, and if so, when were they reviewed and updated? Please provide copies for review.

11. How do you verify that your standard conditions are comparable to the current NRC conditions?

12. How is your SS&D registry kept current?

13. Describe the system used to advise licensees of pertinent changes in regulations and regulatory procedures.

14. Describe your procedures for maintaining the license files (How are files and folders arranged? Are telephone contacts and visits documented? Who is responsible for filing materials in folders?).

15. Are there opportunities for license reviewers to accompany inspectors?

VI. COMPLIANCE

A. Status of Inspection Program (Category I)

NRC Guidelines: The State RCP should maintain an inspection program adequate to assess licensee compliance with State regulations and license conditions. The RCP should maintain statistics which are adequate to permit Program Management to assess the status of the inspection program on a periodic basis. Information showing the number of inspections conducted, the number overdue, the length of time overdue and the priority categories should be readily available. There should be at least semiannual inspection planning for the number of inspections to be performed, assignments to senior versus. junior staff, assignments to regions, identification of special needs and periodic status reports. When backlogs occur the program should develop and implement a plan to reduce the backlog. The plan should identify priorities for inspections and establish target dates and milestones for assessing progress.

Questions:

1. How is statistical information maintained about the inspection program to permit periodic assessment of its status by RCP management?

2. Prepare a table indicating the Inspection Priority, the total number of licenses in each priority, the scheduled reinspection frequency, and the number of inspections made in each priority for the review period. The table heading should be:

Inspection Priority	Number of Licenses	Scheduled Frequency	Number of Inspections

3. Prepare a table identifying the State Inspection Priority 1, 2, and 3 licenses with overdue inspections. Include the inspection priority, the due date, and the number of months the inspection is overdue. (If list is extensive, a comparable computer printout is acceptable.) The list should include initial inspections that are overdue. The table heading should be:

Licensee Name	Priority	Due Date	Months O/D

4. Prepare a table indicating the total number of overdue license inspections for all lower priorities.

Inspection Priority	Number Overdue

5. If there are overdue inspections, describe or attach a copy of your plan for eliminating it. Identify priorities, target dates and procedures for measuring progress. Include, as appropriate, copies of memoranda to the RCP staff regarding the plan.

6. Project the number of inspections needed to be done annually to meet your inspection priorities and to eliminate your overdues, if any.

7. How are inspection schedules planned and how are the dates and personnel assignments made?

8. How are initial inspections identified when they become overdue?

9a. Describe your inspection priorities for inspecting terminated licenses.

b. How many of these inspections are pending at this time?

c. How many were inspected since the last review?

10a. How many reciprocity notices were received in the review period?

b. How many reciprocity inspections were conducted in the review period?

11. How many field inspections of radiographers were performed in the review period?

B. Inspection Frequency (Category I)

NRC Guidelines: The RCP should establish an inspection priority system. The specific frequency of inspections should be based upon the potential hazards of licensed operations, e.g., major processors, broad licensees, and industrial radiographers should be inspected approximately annually -- smaller or less hazardous operations may be inspected less frequently. The minimum inspection frequency including for initial inspections should be no less than the NRC system.

Questions:

1. Please attach a copy of the State's priority system.

2. How are inspection priorities assigned to licenses?

3. Is the priority noted in the license file?

4. Discuss any variances in the State's priorities from the NRC priority system and the reasons for the variances.

5. Describe the State's policy for unannounced inspections and exceptions to the policy.

6 Describe the State's policy for conducting follow-up inspections.

7. Identify any individual licensees or groups of licenses for which the State is inspecting more frequently due to compliance problems. Please discuss the nature of those problems.

C. Inspector's Performance and Capability (Category I)

NRC Guidelines: Inspectors should be competent to evaluate health and safety problems and to determine compliance with State regulations. Inspectors must demonstrate to supervision an understanding of regulations, inspection guides, and policies prior to independently conducting inspections. The compliance supervisor (may be RCP manager) should conduct annual field evaluations of each inspector to assess performance and assure application of appropriate and consistent policies and guides.

Questions:

1. How do new inspectors become qualified to conduct independent inspections?

2. Prepare a table showing the number and types of supervisory accompaniments made during the review period. Include:

   Supervisor Inspector License Category Date

3. Did all inspectors receive at least one accompaniment by the compliance supervisor during the review period? If not, explain.

D. Responses to Incidents and Alleged Incidents (Category I)

NRC Guidelines: Inquiries should be promptly made to evaluate the need for onsite investigations. Onsite investigations should be promptly made of incidents requiring reporting to the Agency in less than 30 days (10 CFR 20.403 types). For those incidents not requiring reporting to the Agency in less than 30 days,

investigations should be made during the next scheduled inspection. Onsite investigations should be promptly made of non-reportable incidents which may be of significant public interest and concern, e.g. transportation accidents. Investigations should include in-depth reviews of circumstances and should be completed on a high priority basis. When appropriate, investigations should include reenactments and time-study measurements (normally within a few days). Investigation (or inspection) results should be documented and enforcement action taken when appropriate. State licensees and the NRC should be notified of pertinent information about any incident which could be relevant to other licensed operations (e.g., equipment failure, improper operating procedures). Information on incidents involving failure of equipment should be provided to the agency responsible for evaluation of the device for an assessment of possible generic design deficiency. The RCP should have access to medical consultants when needed to diagnose or treat radiation injuries. The RCP should use other technical consultants for special problems when needed.

Special Note: The criteria for reporting radioactive materials events are set out in All Agreement States letter from D. Nussbaumer dated July 22, 1986:

- Abnormal Occurrences: These are the most significant events. In addition to an early telephone notification to the regional office, a written report from the State is needed for inclusion in the Quarterly Report submitted by NRC to Congress (AOR). Criteria for reporting and guidance on content of reports can be found in any AOR.

- Telephone Reports: These are events for which NRC would like to receive early telephone notification. Typically, these include incidents requiring prompt or 24 hour notification by licensees to States or events that receive significant media attention.

- Other Reportable Incidents: These are events for which reports are required of the licensees to the State.

Questions:

1. What criteria is used to determine the need and response time for onsite inspections of reported incidents?

2. How many reports of incidents and alleged incidents were received during the review period?

3. How many onsite inspections of incidents were conducted during the period?

4. How many inspections of incidents revealed an incident occurred which required NRC notification, either by telephone or by written report? (Refer to July 22, 1986 All Agreement State Letter for definition.)

5. Please have summaries available of the events identified in questions 2 and 4 above. The incident summary forms provided with this document may be used for this purpose.

6. If not included in the response to question 5 above please attach a summary of reports of leaking sealed sources. Please identify the source by manufacturer, model number, age of source (if available), date of leak test and leak test result.

7. Did any incidents involve equipment or source failure or operating procedures that were deficient but were approved? If so, how and when were State licensees and the NRC notified of pertinent information relevant to other licensed operations?

8. Was information on incidents involving failure of equipment or sources provided to the agency responsible for evaluation of the device for an assessment of possible generic design deficiency? Please provide details.

9. If the RCP utilized medical or technical consultants for an emergency during the review period, please describe the circumstances.

10. Describe the procedures for looking into allegations or other reports of possible wrong doing by licensees, for example,

    a. Protecting the identity of allegers or persons requesting that their identities not be made available for public disclosure.

    b. Obtaining documentation (e.g., signed statements, copies of records).

    c. Obtaining the services of persons with specialized training and experience such as conducting and documenting formal interviews.

    d. Obtaining necessary legal counsel for inquires into wrong doing.

    e. Guidance for staff when allegations or inspections disclose the possibility of willful violations of regulatory requirements or other evidence of criminal wrong doing.

Please provide copies of these procedures.

11. In the review period, are there any cases involving possible criminal wrong doing that were looked into or are presently undergoing review?

E. Enforcement Procedures (Category I)

NRC Guidelines: Enforcement Procedures should be sufficient to provide a substantial deterrent to licensee noncompliance with regulatory requirements. Provisions for the levying of monetary penalties are recommended. Enforcement letters should be issued within 30 days following inspections and should employ appropriate regulatory language clearly specifying all items of noncompliance and health and safety matters identified during the inspection and referencing the appropriate regulation or license condition being violated. Enforcement letters should specify the time period for the licensee to respond indicating corrective actions and actions taken to prevent recurrence (normally 20-30 days). The inspector and compliance supervisor should review licensee responses.

Licensee responses to enforcement letters should be promptly acknowledged as to adequacy and resolution of previously unresolved items. Written procedures should exist for handling escalated enforcement cases of varying degrees. Impounding of material should be in accordance with State administrative procedures. Opportunity for hearings should be provided to assure impartial administration of the radiation control program.

Questions:

1. What enforcement measures are available to the State to provide a deterrent to licensee noncompliance with regulations or license provisions?

2. Are there written procedures establishing severity levels for violators? Please provide a copy.

3. Are there written procedures for escalated enforcement? Please provide a copy.

4. If the RCP can apply civil penalties, have procedures been established to determine when they apply and the amounts? Please provide a copy.

5. Describe the State's provisions for criminal penalties.

6. Are enforcement letters issued within 30 days following inspections?

7. Do you have a standard format for enforcement letters?

8. How are recommendations differentiated from items of non-compliance in the letters?

9. Do the letters reference the appropriate regulation or license condition being violated?

10. What time period is specified in the enforcement letters for the licensee to respond with corrective actions taken?

11. Do inspectors write enforcement letters? If so, do the letters undergo supervisory review before they are sent to the licensee?

12. Who reviews licensee responses?

13. What is the time limit for the State's acknowledgement of licensee responses and what tracking system exists for assuring resolution of the items of non-compliance and unresolved items?

14. Does the State have the authority to impound radioactive material?

15. Can the State issue Orders, including Emergency Orders?

16. Do State administrative procedures permit the opportunity for hearings in major enforcement cases?

17. Describe the State's policy for conducting follow-up inspections.

18. If during the review period the State has issued orders, applied civil penalties, sought criminal penalties, impounded sources, or held formal enforcement hearings, identify these cases and attach a summary of the circumstances and results.

19. Have any compliance problems occurred involving licensees operating under multiple jurisdiction or under reciprocity? If so, please identify the licenses and explain if other Agreement States and NRC were advised.

F. Inspection Procedures (Category II)

NRC Guidelines: Inspection guides, consistent with current NRC guidance, should be used by inspectors to assure uniform and complete inspection practices and provide technical guidance in the inspection of licensed programs. NRC Guides may be used if properly supplemented by policy memoranda, agency interpretations, etc. Written inspection policies should be issued to establish a policy for conducting unannounced inspections, obtaining corrective action, following up and closing out previous violations,

interviewing workers and observing operations, assuring exit interviews with management, and issuing appropriate notification of violations of health and safety problems. Procedures should be established for maintaining licensees compliance histories. Oral briefing of supervision or the senior inspector should be performed upon return from nonroutine inspections. For States with separate licensing and inspection staffs, procedures should be established for feedback of information to license reviewers.

Questions:

1. Do you use inspection guides that are specific to categories of licensees?

2. Has the RCP developed its own inspection guides or does it use NRC guides?

3. Discuss the use of inspection policy memoranda, interpretations, etc., to supplement inspection guides.

4. Are there written policies and procedures for:

   a. unannounced inspections?

   b. obtaining corrective action?

   c. following-up and closing out previous citations of violations?

   d. interviewing workers?

   e. observing operations?

   f. exit interviews with management?

   g. issuing notices of violations and findings of health and safety problems?

   Please have copies of these procedures available for the reviewer.

5. Describe the procedures for maintaining licensee's compliance histories.

6. Explain your policy for supervisors debriefing inspectors upon return from inspections.

7. What procedures are there for providing feedback of compliance information to licensing?

G. Inspection Reports (Category II)

NRC Guidelines: Findings of inspections should be documented in a report describing the scope of inspections, substantiating all items of noncompliance and health and safety matters, describing the scope of licensees' programs, and indicating the substance of discussions with licensee management and licensee's response. Reports should uniformly and adequately document the results of inspections and identify areas of the licensee's program which should receive special attention at the next inspection. Reports should show the status of previous noncompliance and the independent physical measurements made by the inspector.

Questions:

1. Describe the format(s) used by the RCP for documenting inspections.

2. Do the reports document:

   a. the entrance and exit discussions held with license management?

   b. follow-up of previous citations of violations?

   c. results of interviews of workers?

   d. results of observations of operations?

   e. confirmatory measurements conducted by the inspector?

   f. areas of the licensee's program needing special attention at the next inspection?

   g. the items of non-compliance found in the inspection?

H. Confirmatory Measurements (Category II)

NRC Guidelines: Confirmatory measurements should be sufficient in number and type to ensure the licensee's control of materials and to validate the licensees measurements. RCP instrumentation should be adequate for surveying license operations (e.g., survey meters, air samplers, lab counting equipment for smears, identification of isotopes, etc.). RCP instrumentation should include the following types:

GM Survey Meter: 0-50 mr/hr
Ion Chamber Survey Meter: up to several R/hr
Neutron Survey Meter: Fast & Thermal
Alpha Survey Meter: 0-100,000 c/m

Air Samplers: Hi and Low Volume
Lab Counters: Detect 0.001 µc/wipe
Velometers
Smoke tubes
Lapel Air Samplers

Instrument calibration services or facilities should be readily available and appropriate for instrumentation used. Licensee equipment and facilities should not be used unless under a service contract. Exceptions for other State Agencies, e.g., a State University, may be made. Agency instruments should be calibrated at intervals not greater than that required to licensees being inspected.

Questions:

1. Discuss the State's policy for conducting confirmatory measurements as a part of each inspection (e.g., air samples, wipe samples, air flows, dose rates).

2. List the equipment that is readily available to the RCP for surveying licensed operations and conducting appropriate confirmatory measurements.

3. Describe the method used for calibrating survey instruments and the frequency of calibration.

VII. OTHER ASPECTS OF THE STATE'S RADIATION CONTROL PROGRAM

A. Non-Agreement Sources of Radiation

Questions:

1. Are the licensing and inspection procedures for NARM the same as for agreement materials?

B. Environmental Monitoring Program

Questions:

1. To indicate the scope of the environmental monitoring programs undertaken specifically to evaluate the environmental radiological impacts of State licensed facilities describe:

   a. the licensee (name, license number and type of operation)
   b. types of media sampled
   c. the number and locations of stations sampled
   d. the frequency of sample collection
   e. the analyses run on each type of sample

2. How i such data used in your licensing and inspection programs for these State licenses?

   Please attach copies of any summaries or periodic reports relating to this aspect of your environmental surveillance program.

C. Other Areas

This section of the review is for the use of either the reviewer or the RCP to address issues pertaining only to the individual State, to new areas of concern, or to generic or State-specific issues raised by NRC staff.

Questions:

1. Have there been any applications or approvals for incineration, compacting or for methods of LLW disposal not provided for in the regulations (i e , 10 CFR 20.302 requests)? If so, please list the applicant and nature of application and status.

2. Is the State making any effort during inspections of nuclear pharmacies to observe the licensee conducting the required molybdenum breakthrough tests, i.e., what is the State doing in addition to record reviews to establish compliance or noncompliance with the requirement?

3a. Is the State mounting any special effort to look at the possibility of reconcentration of radionuclides in sanitary sewers and sewerage treatment plants as part of the regular inspection program? If so, please describe.

b. If reconcentration of radionuclides in sanitary sewers or sewerage treatment plants has been found, please identify the site and licensee.

4. How does the RCP handle inspection findings concerning industrial safety hazards? (Reference A/S letter dated January 18, 1989.)

INCIDENT REPORTING CHECK LIST

1. Type of Incident or Alleged Incident: _____

_____

2. Was an investigation conducted by your staff? _____
   Date Initiated: _____
3. Did the investigation reveal: (check all appropriate blocks)
   - [ ] Loss of package effectiveness or contamination?
   - [ ] Theft or loss of licensed material?
   - [ ] Overexposure of individual to radiation or radioactive material?
   - [ ] Excessive levels of radiation or concentrations of RAM?
   - [ ] Safety failure of GL devices?
   - [ ] Equipment failure that could occur on similar licensed devices?
   - [ ] Leaking source?
   - [ ] Misadministration?
   - [ ] Transportation incident?
   - [ ] Uranium mill occurrence?
   - [ ] Possible criminal violations?

If any boxes are checked or if the event is newsworthy, review the criteria for telephone reporting Agreement State Materials Events to the NRC Regional Office (see All Agreement State letter dated July 22, 1986 and December 23, 1988). A description of the incident should he summarized as follows for the next NRC review. (Use extra sheets if necessary.)

SUMMARY OF EVENT

Licensee: _____ License No.: _____
Location of event: _____
Description of event: _____
_____
_____
_____
Isotope: _____ Amount: _____
Date: _____ Date of Report to RCP: _____ Identify any other licensees involved:
Licensee: _____ License No.: _____
Jurisdiction: _____
Reciprocity Licensee: Y / N

Describe clean-up actions taken the RCP? _____
What radiation measurements were taken by the RCP? _____
What other action was required of the RCP? _____
What action was taken to notify the NRC, other Agreement States or licensees?
_____
Is the case closed? _____
Is record of incident in RAM files? _____
What enforcement action was taken? _____

_____ _____
NAME OF PERSON PREPARING THIS SUMMARY DATE

CHRONOLOGY

Amendments to be Considered
by Agreement States
(from September 1971)

Effective Date	10 CFR Part	Regulations	Summary
Sept. 24, 1971	20 30	Part C, Sch. B Part D, App. B	*Addition of an exempt quantity for Ba-133.
March 26, 1971	20 30 40 70 71	A.3 C.40 C.100 D.207	*Addition and modification of transport and packaging procedures.
Nov. 2, 1972	20	Part D, App. A	*Changes in values of radionuclides of all concentrations in air and water.
Sept. 17, 1973	19	Part J	*Requirements for notices, instructions and reports by licensees to workers, and options available to workers with regard to inspections.
Oct. 24, 1973	20 30 32	A.2(i) Part B, Sch. A Part D, App. A and App. B	*Change to abbreviations for "curie" and "micro-curie," and curie," and addition of definition for "milli-curie."

*Compatibility Item.

[1] Refers to the Suggested State Regulations for Control of Radiation prepared by the Conference of Radiation Control Program Directors, Inc.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
Jan. 10, 1974	31 32	C.22(i) C.28(h)	Authorization to use C-14 in in vitro clinical or laboratory tests.
March 11, 1974	30 31 40 70 150	C.40	*Requirement that suppliers must verify that customers are authorized to receive the material shipped.
July 29, 1974	30	A.2(i) Part D, App. A	*Special curie definitions and concentration values for U and Th.
Aug. 16, 1974	31 32 35	C.22(h) C.26(c) C.28(h) C.28(j)	Addition of H-3 and Fe-59 to in vitro tests and extension of Medical Group licensing.
Jan. 15, 1975	31 32	C.22(d) C.28(d)	*Modification of requirements for distribution of 31.5 GL devices.
Jan. 19, 1975 --		A.3(c)	*Clarification of AEC contractors exemption pursuant to Energy Reorganization Act.
June 25, 1975	20	D.206	*Requirements for control of licensed material in unrestricted areas and not in storage.

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
June 25, 1975	35	Part C, Sch. C	Addition of I-125 seeds for interstitial treatment of cancer to Group VI.
Jan. 19, 1976	20	D.1(a)	*Incorporation of "As Low AS Is Reasonably Achievable (ALARA)" wording.
Jan 29, 1976	20	Part D, App. A	*Modification of occupational exposure limit for Rn-222.
Feb. 23, 1976	35	Part C, Sch. C	Addition of Sn-113/In-113m generators to Group III.
April 19, 1976	35	Part C, Sch. C	Addition of Yb-169 DTPA for cisternography
June 2, 1976	20 31 32 35 40 70 150	Parts C, D and E	Requirements for preservations of certain records required by the regulations
Aug. 4, 1976	34	E.203	Personnel monitoring requirements for industrial radiographers.
Aug. 16, 1976	35	Part C, Sch. C	Addition of I-125 fibrinogen for detection of deep vein thrombosis to Group II.

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
Dec. 29, 1976	20	D.103	*Authorizes use of respirators. Bases internal exposure limits on intake into the body.
Jan. 5, 1977	40	C.21(d)	Establishes GL for depleted uranium products.
March 7, 1977	40	C.3(c)	*Exemption for personnel neutron dosimeters containing thorium.
May 31, 1977	31 32	C.22(i) C.28(h)	Addition of Se-75 to invitro GL.
June 27, 1977	31 32	C.22(i) C.28(h)	Addition of Mock Iodine-125 calibration sources to in vitro GL.
Aug. 15, 1977	35	C.26(b)	Modification of requirements for individual physician use of radioactive material for human use.
Jan. 6, 1978	40	C.21(a)	Extends small quantity source material GL to Federal, State and local governments for operational purposes.
Jan 16, 1978	35	Part C, Sch. C	Addition of Tc-99m human serum albumin serum albumin for heart blood pool imaging to Group III.

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
Feb. 7, 1978	35	Part C, Sch. C	Addition of Tc-99m medronate sodium for bone imaging to group III.
Feb. 16, 1978	30	C.4(c)	*Exemption for spark gap irraditors containing Co-60.
March 14, 1978	20	D.203(c)	*Additional requirements for controlling areas in which radiation levels in excess of 500 rems/ hr exist.
June 16, 1978	35	Part C, Sch. C	Addition of Tc-99m gluceptate sodium for brain and renal perfusion imaging to Group III.
June 23, 1978	20	D.203(f)	*Removal or defacing of radioactive material labels on empty containers.
Sept. 7, 1978	35	Part C, Sch. C	Addition of Tc-99m human serum albumin microspheres for venography to Group III.
Dec. 28, 1978	35	G.2(c)	Requirement to perform survey of patients to confirm that implants have been removed
March 22, 1979	35	Part C, Sch. C	Deletion of diagnostic procedures from medical groups.

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
June 5, 1979	30 40 70	C.31(d)	Notice of discontinued licensed operations.
July 9, 1979	35	G.3(d), (e), (f),(g),(h)	Teletherapy calibrations (f),(g),(h)
Aug. 20, 1979	19 20	D.1, D.101, D.102 J.13	*Control of radiation to transient workers.
Sept. 27, 1979	71	C.100	*Modification of transportation requirements.
March 3, 1980	34	Part E C.26(e)	Amendments to industrial radiography requirements.
March 28, 1980	71	A.3(b) C.101	*Correction to reference to Postal Service regulations.
Sept. 2, 1980	35	C.26(c)	Testing of radioisotope generators.
Sept. 19, 1980	40	C.21(a)	Deletion of GL for source material medicinals.
Nov. 10, 1980	35	D.409	Medical misadministration reporting.
Nov. 17, 1980	40	A.2 C.25(e),(f) (g), (h) C.29 Part C, Sch. E	*Requirements to implement the Uranium Mill Tailings Act.

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
Dec. 1, 1980	20	D.106(g)	*Reference to 40 CFR 190 for uranium fuel cycle operations.
Jan. 28, 1981	20	D.304	*Deletion of waste burial authorization.
March 6, 1981	35	Part C, Sch. C	Addition of Tc-99m oxidronate sodium to Group III.
March 13, 1981	34	E.203(b)	Disposal of dosimeter records.
March 31, 1981	20	D.306	Biomedical waste rule.
May 13, 1981	30	C.4(c)	*Exemption for survey instrument calibration sources.
Sept. 23, 1981	30	C.4(c)	*Addition of Am-241 to exemption for survey instrument calibration sources.
Nov. 30, 1981	20	D.201	*Radiation protection survey requirement.
Dec. 24, 1981	40	C.3(c)(6)	*Clarification of exemption for uranium shielding in shipping containers.
March 26, 1982	35	Part C, Sch. C	Addition of Tc-99m labeled disofenin to Group III.

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
April 15, 1982	20	D.103	Placement of provisions of Reg. Guide 8.15 in regulations.
June 29, 1982	35	Part C, Sch. C	Addition of Tc-99m labeled succimer to Group III.
July 6, 1982	71	C.104	*Advance notification of transport of waste.
Sept. 13, 1982	35	C.26(a)	Change medical isotope committee to radiation safety committee.
Jan. 26, 1983	61	Part M D.307 D.308 D.309	*Licensing requirements for land disposal of radioactive waste, and waste classification.
Dec. 27, 1983**	20	D.311	*Transfer for disposal and manifests.
March 4, 1983	35	G.4(h),(i)	Teletherapy room monitors and servicing of source exposure mechanisms.
March 7, 1983	35	C.26(c)	Exemption from requirements for use of approved radiopharmaceuticals for unapproved procedures.
June 28, 1983	35	Part C, Sch. C	Addition of I-125 sealed source in portable device to Group VI.

*Compatibility Item.
**Published in conjunction with Part 61.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
Aug. 15, 1983	30 40 70	C.32	Expiration and termination of licenses.
Sept. 6, 1983	71	Part T (proposed)	Transportation regs compatibility with IAEA.
Sept. 28, 1983	30 70 150	W.50i	Irretrievable well logging source.
Sept. 11, 2984			*Elimination of exemption for glass enamel and glass enamel frit.
Sept. 10, 1985	35	C.26(c)	Additional radiopharmaceuticals for unapproved procedures
Nov. 15, 1985	40 Appendix A 150	Part U (proposed)	*Uranium Mill Tailings EPA Standards
July 16, 1986	34	Part E	*Industrial Radiography storage surveys and quarterly audits
Feb. 11, 1987	30 40 61 70	Part C,M,U	*Bankruptcy notification
March 24, 1987	35	Part G, (proposed) Part C	Exemptions for use of aerosols.
April 1, 1987	35	Part G, (proposed) Part C	Revision for medical use. *Medical misadministration reporting

*Compatibility Item.

Effective Date (cont'd)	10 CFR Part	Regulations	Summary
July 14, 1987	39	Part W	*Requirements for well logging
Feb. 12, 1988	20	Part D	*NVLAP certifications of dosimetry processors.
July 27, 1988	30, 40 70	Part C	*Decommissioning
June 26, 1989	61	Part D	Greater than Class C
July 17, 1989	39	Part W	Exemption - Authorized to use sealed sources in well logging.
October 12, 1989	35	Part G	Addition of Palladium-103 for interstitial Treatment of cancer.
April 7, 1990	30, 40, 70	Part C	*Emergency Plan.
August 23, 1990 - August 23, 1991	35,	Part G	Use of Radiopharmaceuticals for therapy.
January 10, 1991	34	Part E	*Safety Requirements for radiographic equipment.
April 18, 1991	34	Part E	ASNT Certification of Radiographers

*Compatibility Item.

Official Copy

August 12, 1991

~~[illegible]~~

CMS file

Alton B. Cobb, M.D.
State Health Officer
State Board of Health
Felix J. Underwood Building
2423 North State Street
P. O. Box 1700
Jackson, Mississippi 39205

Dear Dr. Cobb:

This will confirm a recent conversation between Mr. Fuente of your staff and Mr. R. L. Woodruff of my staff relating to NRC's review of the Mississippi Radiation Control Program for Agreement Materials. As discussed, the review is scheduled for September 9-13, 1991.

Mr. Woodruff, my Region II State Agreements Officer, will be the NRC's representative for the review. If your schedule permits, Mr. Woodruff would like to discuss the results of the review with you or your representative on Friday, September 13, 1991.

If you have any questions or desire to discuss this matter with me, please do not hesitate to call.

Sincerely,

Stewart D. Ebneter
Regional Administrator

cc: Eddie S. Fuente, Director
Division of Radiological Health
3150 Lawson Street
Jackson, Mississippi 39215-1700

bcc: V. L. Miller, Assistant Director
for State Agreements Program, GPA
J. P. Stohr, Director, DRSS, RII
R. E. Trojanowski, RSLO, RII
R. L. Woodruff, RSAO, RII
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Mississippi Aug 4, 1989 - Sept. 13, 1991

GEORGIA MID-REVIEW VISIT

DECEMBER 12-15, 1990

BACK STATE DOC

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

November 22, 1991

Alton B. Cobb, M.D.
State Health Officer
State Board of Health
Felix J. Underwood Building
2423 North State Street
P. O. Box 1700
Jackson, MS 39205

Dear Dr. Cobb:

This is to confirm the discussion Mr. Richard L. Woodruff, Region II State Agreements Officer, held on September 13, 1991, with Ms. Therese L. Hanna and Messrs. Bobby Redding, Eddie S. Fuente, and Robert W. Goff following our review and evaluation of the State's Radiation Control Program.

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 Mississippi, the staff determined that overall the Mississippi program for regulation of agreement materials is adequate to protect the public health and safety and is compatible with the Commission's program. However, this finding of compatibility is contingent upon the State adopting the "dosimetry processor" requirements of 10 CFR 20.202(c), and "financial assurance" requirements of 10 CFR 30.35 as soon as possible.

Status and Compatibility of Regulations is a Category I indicator. For those regulations deemed a matter of compatibility by NRC, State regulations should be amended as soon as practicable but no later than three years. On February 12, 1988, the NRC regulations on "dosimetry processors" were adopted and on July 27, 1988 the "financial assurance" regulations were adopted. These amendments to our regulations are matters of compatibility. Based upon discussions with your staff and our compliance file reviews, it appears that the "dosimetry processor" rule is being regulated administratively through your licensing and compliance program until the Mississippi regulations can be amended. Mississippi has a "Financial Surety Arrangements for Site Reclamation" rule, 801.C.25(f); however, this rule needs to be revised to remain compatible with the NRC regulations. Also, from our exit meeting, we understand that the State's regulations are in the process of being revised in their entirety, and will be offered to the State Board of Health for consideration during their January 1992 meeting. We would appreciate receiving your comments and plans on the adoption of these rules.

An explanation of our policies and practices for reviewing Agreement State programs is attached as Enclosure 1.

Enclosure 2 contains our summary regarding the technical aspects of our review of the program. There were no major comments developed during the review and the review was summarized with Mr. Fuente and his staff during our exit meeting with him.

9111270048

We appreciate your continued support of the Radiation Control Program and your regulatory efforts to protect public health and safety. The Radiation Control Program facility that you have established is one of the best, and contributes to the high quality work being performed by the Radiation Control Program staff. We also appreciate your cooperation with this office and the courtesy and cooperation extended by your staff to Mr. Woodruff during the review.

A copy of this letter and the enclosures are provided for placement in the State Public Document Room or otherwise be made available for public examination.

Sincerely,

original signed by Carlton Kammerer

Carlton Kammerer, Director
Office of State Programs

Enclosures:
1. Application of NRC Guidelines
2. Summary of Assessment and Comments

cc w/encls:
J. Taylor, Executive Director for Operations, NRC
S. Ebneter, Regional Administrator, Region II, NRC
E. Fuente, Director, Division of Radiological Health MS Department of Health
State Liaison Officer
NRC Public Document Room
State Public Document Room

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bcc w/encls:
The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick

*See previous concurrence.

OFC	RII:SAO	RII:RA	SP:SA:AD	SP:D	GPA:DD	
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DTE	11/15/91	11/20/91	11/20/91	11/20/91		

G:MSREVIEW

APPLICATION OF "GUIDELINES FOR NRC REVIEW OF
AGREEMENT STATE RADIATION CONTROL PROGRAMS"

The "Guidelines for NRC Review o Agreement State Radiation Control Programs," were published in the Federal Register on June 4, 1987, as an NRC Policy Statement. The Guide provides 29 indicators for evaluating Agreement State program areas. Guidance as to their relative importance to an Agreement State program is provided by categorizing the indicators into two categories.

Category I indicators address program functions which directly relate to the State's ability to protect the public health and safety. If significant problems exist in one or more Category I indicator areas, then the need for improvements may be critical.

Category II indicators address program functions which provide essential technical and administrative support for the primary program functions. Good performance in meeting the guidelines for these indicators is essential in order to avoid the development of problems in one or more of the principal program areas, i.e., those that fall under Category I indicators. Category II indicators frequently can be used to identify underlying problems that are causing, or contributing to, difficulties in Category I indicators.

It is the NRC's intention to use these categories in the following manner. In reporting findings to State management, the NRC will indicate the category of each comment made. If no significant Category I comments are provided, this will indicate that the program is adequate to protect the public health and safety and is compatible with the NRC's program. If one or more significant Category I comments are provided, the State will be notified that the program deficiencies may seriously affect the State's ability to protect the public health and safety and that the need of improvement in particular program areas is critical. If, following receipt and evaluation, the State's response appears satisfactory in addressing the significant Category I comments, the staff may offer findings of adequacy and compatibility as appropriate or defer such offering until the State's actions are examined and their effectiveness confirmed in a subsequent review. If additional information is needed to evaluate the State's actions, the staff may request the information through follow-up correspondence or perform a special limited review. NRC staff may hold a special meeting with appropriate State representatives. No significant items will be left unresolved over a prolonged period. The Commission will be informed of the results of the reviews of the individual Agreement State programs and copies of the review correspondence to the States will be placed in the NRC Public Document Room. If the State program does not improve or if additional significant Category I deficiencies have developed, a staff finding that the program is not adequate will be considered and the NRC may institute proceedings to suspend or revoke all or part of the Agreement in accordance with Section 274j of the Atomic Energy Act of 1954 as amended.

ENCLOSURE 1

SUMMARY OF ASSESSMENTS AND COMMENTS
MISSISSIPPI RADIATION CONTROL PROGRAM
FOR THE PERIOD
AUGUST 4, 1989 TO SEPTEMBER 13, 1991

SCOPE OF REVIEW

This program review was conducted in accordance with the Commission's Policy Statement for reviewing Agreement State Programs published in the Federal Register on June 4, 1987, and the internal procedures established by the Office of Governmental and Public Affairs, State Programs. The State's program review was reviewed against the 29 program indicators provided in the Guidelines. The review included inspector accompaniments, discussions with program management and staff, technical evaluation of selected license and compliance files and the evaluation of the State's responses to an NRC questionnaire that was sent to the State in preparation for the review.

The 27th regulatory program review meeting with Mississippi representatives was held during the period of September 9-13, 1991, in Jackson, Mississippi. The State was represented by Eddie S. Fuente, Director, Division of Radiological Health, and Robert W. Goff, Health Physics Administrator.

Selected license and compliance files were reviewed by Richard L. Woodruff, Region II State Agreements Officer. Field accompaniments of two inspectors were made by Mr. Woodruff on September 4 and 5, 1991. A summary meeting regarding the results of the review was held with Ms. Therese L. Hanna, Director, Policy and Planning, State Health Department, and Messrs. Bobby Redding, Assistant Director, Bureau of Environmental Health, Eddie S. Fuente, Director, Division of Radiological Health, and Robert W. Goff, Health Physics Administrator.

CONCLUSION

The Mississippi program for control of agreement materials is adequate to protect public health and safety, and compatible with the NRC's program for similar materials. However, this finding is contingent upon the State's adoption of the dosimeter processor provisions of 10 CFR 20.202(c) and the amendment of the State's regulations on financial surety in accordance with 10 CFR 30 and 40 requirements. The State's revised regulations are scheduled to be offered to the State Board of Health for consideration during the Board's January 1992 meeting.

STATUS OF PROGRAM RELATED TO PREVIOUS NRC FINDINGS

The results of the previous review were reported to the State in a letter to Dr. Cobb dated September 28, 1989. All comments made at that time were satisfactorily resolved and closed out during our visit held in September of 1990.

ENCLOSURE 2

CURRENT REVIEW COMMENTS AND RECOMMENDATIONS

All 29 indicators were reviewed and the State fully satisfies 28 of these indicators. Specific comments on the remaining indicator were made in the cover letter to this report. No other comments were developed during the review.

SUMMARY DISCUSSION WITH STATE REPRESENTATIVES

A summary meeting to present the results of the regulatory program review meeting was held on Friday, September 13, 1991, with Ms. Therese L. Hanna, Messrs. Bobby Redding, Eddie S. Fuente, and Robert W. Goff. In general, the reviewer discussed the scope of the review, and expressed the staff view that the program was adequate and compatible, contingent upon the adoption of the 10 CFR 20.202(c) provisions and the financial assurance requirements of 10 CFR 30 and 40. In addition, the Representatives were informed that we were pleased with the State's support of the Radiation Control Program and we appreciated the State's cooperation and support to NRC. Ms. Hanna and Mr. Redding were also informed that the details of the review were discussed with the Radiation Control Program staff and a letter from NRC would be sent to Dr. Cobb with the results of the review. In response, Mr. Redding and Ms. Hanna related that they were pleased to receive a good report on the Radiation Control Program, and that the rules needed for compatibility would be submitted to the State Board of Health for their consideration at the January 1992 meeting.

PEVIEW REFERENCES

FOR

LETTER REPORT OF THE EVALUATION OF AGREEMENT STATE PROGRAM

State Mississippi

Period Covered by Review 8/89 - 9/91
Month/Year - Month/ Year

Prepared by Richard Woodruff Date
Reviewer/Team Leader 1/92

LIST OF APPENDICES

APPENDIX A

EVALUATION OF AGREEMENT STATE RADIATION CONTROL PROGRAMS

STATE QUESTIONNAIRE UPDATE

APPENDIX A

EVALUATION OF AGREEMENT STATE RADIATION CONTROL PROGRAM

STATE QUESTIONNAIRE UPDATE

Name of State Program: Mississippi

Reporting Period from: August 4, 1989 to September 15, 1991

I. LEGISLATION AND REGULATIONS

A. Legal Authority (Category I)

1. What changes were made to the State's statutory authority to regulate agreement materials, low level waste disposal, or uranium mill operations in the reporting period?

None

B. Status and Compatibility of Regulations (Category I)

1. What is the effective date of the last compatibility-related amendment to the State's regulations?

May 6, 1990

2. Referring to the latest NRC chronology of amendments, identify those that have not been adopted by the State, explain why they were not adopted, and discuss any actions being taken to adopt them.

The Division of Radiological Health staff is currently revising the Mississippi Regulations in their entirety. The Eight Edition of the SSRCR is being used to revise our regulations. A rough draft is available for review and a final draft will be sent to NRC for review and comments. The current revision will include all of NRC's chronology amendments provided with the state questionnaire and is expected to be approved by the MS State Board of Health in January 1992.

3. Identify the person responsible for developing new or amended regulations affecting agreement materials.

Mr. Eddie Fuente, Director and staff.

II. ORGANIZATION

Under the Appendix B title sheet provide at the end of this document, please enclose copies of your organization charts as follows:

a) organization chart(s) showing the position of the radiation control program (RCP) within the State organization and its relationship to the Governor and comparable health and safety programs.

The State Health Officer reports to the State Board of Health and the Governor.

(See Appendix B)

b) RCP internal organization charts. If applicable, include regional offices and contract agencies.

(See Appendix B)

All charts should be current, dated, and include names and titles for all positions.

A. Location of the Radiation Control Program Within the State Organization (Category II)

1. During the reporting period, did the management, program name, or location of the RCP within the State organization change?

No

B. Internal Organization of the RCP (Category II)

1. What changes occurred in the organization of the RCP during the reporting period?

No changes

2. If changes occurred, how have they affected the RCP and its effectiveness?

Not applicable

C. Legal Assistance (Category II)

1. If legal assistance was utilized during the reporting period, briefly describe the circumstances.

Consultation

a. Fees
b. Street and Case Properties (norm)
c. Open Records

2. Was the legal assistance satisfactory during this period?

If membership should be changed:

Yes

I. Technical Advisory Committees (Category II)

1. Please list the names, affiliations, and terms of the technical committee(s) members.

Steven E. Zachow, M.D. MS Medical Association	August 1991/August 1994
David L. Sneed, DDS MS Dental Association	August 1988/August 1991
Ottis G. Bell, M.D. MS Radiological Society	August 1988/August 1992
John L. Peters, Ph.D., P.E. Institutions of Higher Learning	August 1990/August 1993
Robert Armstrong, D.C. MS Chiropractic Association	Sept. 1990/Sept. 1994
Don Eastham Private Industry	August 1988/August 1992

2. If an advisory committee or consultant was used during the reporting period, briefly describe each circumstance (i.e., the subject, the need, the result, and the manner obtained - by meeting, phone call, or letter).

A physician request to increase the standard 3-5 millicuries dose for GA-67 scans to 8-10 millicuries for the imaging of oncology patients. Documentation of the physicians' request was provided to the medical members of the Advisory Council. A written response was provided by each member. Also, during the review period each member of the Advisory Council was provided a copy of the proposed increase in fees, which was supported by all members.

III. MANAGEMENT AND ADMINISTRATION

A. Quality of Emergency Planning (Category I)

1. Other than the communications list, when was the emergency plan last revised?

The Mississippi Radiological Emergency Preparedness Plan was revised in its entirety May 1991.

A.4

The Division of Radiological Health's Guidance for Transportation Emergencies was last revised in 1981.

2. If the plan was revised since the last review, what changes were made?

Revised in its entirety.

3. If the plan was substantially revised during the reporting period, was the NRC provided the opportunity to comment on the revision while it was in draft form?

Through RAC

4. When was the emergency communication list last reviewed or revised?

1981

5. When and how was the plan last tested?

An off hours drill was conducted on August 28-29, 1981 in response to Grand Gulf Nuclear Station.

B. Budget (Category II)

1. Show the amount for funds for the RCP for the current fiscal year obtained from: (FY 92) Thousands

a.	State general fund		248.6
b.	Fees		313.8
c.	Federal grants and contracts (identify)	NRC 018.3 FDA 017.2 EPA 095.1 DOE 097.6	
d.	Other State Water Analysis		105.5
e.	Total:		897.8

2. Show the total amounts in the current RCP budget allocated for:

a.	Administration	86.0
b.	Radioactive materials	173.8
c.	X-ray	174.3
d.	Environmental surveillance	364.5
e.	Emergency planning	7.0

f. LLW regulation 7.0

g. U-mill regulation 0

h. Other (radon) 98.1

i. Total 697.6

6. What percentage of your radioactive materials program is supported by fees?

100%

4. Discuss any changes in program funding that occurred during the reporting period, the reasons for the changes (new programs, change in emphasis, statewide reduction, fee cost recovery percentage, etc.), and how the changes affected the program.

Two additional grants/contracts awarded: one by EPA to conduct radon studies and one by DOE for oversight activities at the Tuba City/Red Mesa Open Pit. Radiological Health fees increased effective July 1, 1991.

5. Overall, is funding sufficient to support all of the program needs? If not, what are the problem areas?

Yes, except some expansion (additional staff) during this fiscal year.

C. Laboratory Support (Category II)

1. Were there changes in the laboratory support, such as new instruments, etc., in this period? If so, please explain.

1 - HP-9000 Quantum Technology with Gamma Data Reduction Software.

2. Have there been problems in obtaining timely and accurate lab results? If yes, discuss the circumstances and how the problem might be corrected.

No

D. Administrative Procedures (Category II)

1. Briefly list the changes, such as new procedures, updates, policy memoranda, etc., made in your written administrative procedures during the reporting period. Include internal processing of license applications, inspection policies, decommissioning and license termination, fee collection, contacts with media, conflicts of interest policies for employees, and exchange of information procedures.

A.6

No changes have been made since the last review. Division of Radiological Health Internal Procedures and Mississippi State Department of Health Manual of Personnel Policies and Procedures are available for review.

E. Management (Category II)

1. How many management reviews of license cases were performed in this period?

All inspection reports are reviewed by the Branch Director, with the exception of the inspections conducted by the Branch Director. Those inspections are reviewed by the Director. Notices of Inspection Findings and licenses, which are reviewed by the Branch Director and Director, are signed by the Director.

2. Were all license reviewers included in the cases selected for management review? If not, explain.

Yes

3. What audits were made of regional and contract offices?

N/A

F. Office Equipment and Support Services (Category II)

1. Has the secretarial and clerical support been adequate during this period? If not, explain.

No, during the period of December 1990 to May 1991, the Division of Radiological Health had two secretarial vacancies that could not be filled due to state-wide hiring freeze. Special permission was granted to hire a secretary for the Radioactive Materials Branch. The hiring freeze remains in effect for the second secretarial position.

2. What word processing, data base, and spread sheet programs are you using?

Word-Perfect 5.1
Data-Base III and IV, and Lotus 1,2,3.

G. Public Information (Category II)

1. Have changes occurred in the manner in which you handle public information?

No

IV. PERSONNEL

A.7

A. Qualifications of Technical Staff (Category II)

1. Please list any new professional personnel and indicate the degree they received, if applicable, and additional training and years of experience in health physics.

Name	Position	Degree
Melissa White	H. P Trainee	BA - Biology-Chemistry

Work experience - Radiation Safety Technician at UMMO in the RSO Office for approximately 6 months.

B. Staffing Levels (Category II)

1. Complete a table listing the professional (technical) person-years of effort applied to the agreement or radioactive material program by individual. Include the name, position, and fraction of time spent in the following areas: administration, materials licensing & compliance, emergency response, UMA, U-mills. If these regulatory responsibilities are divided between offices, the table should be consolidated to include all personnel contributing to the radioactive materials program. If consultants were used to carry out the program's RAM responsibilities, include their efforts. The table heading should be:

NAME	POSITION	AREA OF EFFORT	FTE%
Eddie L. Fuente	Director	Administration	70%
		licensing & compliance	20%
		Emergency response	5%
		Low-level waste	5%
Bob Goff	H.P. Adm.	Administration/ licensing & compliance	97%
		Emergency resp.	1.5%
		Low-level waste	1.5%
Jonathan Barlow	H.P.Senior	Licensing & compliance	98.5%
		Emergency resp.	1.5%
B. J. Smith	H.P.Senior	Licensing & compliance	98.5%
		Emergency resp.	1.5%
Melissa White	H.P.Trainee	Licensing & compliance	98.5%
		Emergency resp.	1.5%

2. Compute the professional/technical person-year effort of person-years per 100 licenses (excluding management above the direct RAM supervisor, vacancies, and personnel assigned to mills and burial site licenses). Count only time dedicated to radioactive materials.

NAME	POSITION	PERSON/YEARS
Bob Goff	H.P.Administrative	.80
Jonathan Barlow	H.P.Senior	.80
B. J. Smith	H.P.Senior	.80
Melissa White	H.P.Trainee	.80
	Person-years =	3.60

3.60 person-years = 1.13 person-years/100 licenses.
320 licenses

3. Is the staffing level adequate to meet normal and special needs and backup? If not, explain.

Yes, but considering anticipated growth, the director has assigned another position to Branch. May be hired during this fiscal year.

4. Do you currently have vacancies? If so, when do you expect to fill them?

Yes. H.P. Senior - Environmental Branch - currently recruiting.

Secretary - X-Ray Branch - hiring freeze in effect; however, justification for this position has been submitted to the State Personnel Board.

C. Staff Supervision (Category II)

1. Identify your senior personnel assigned to monitor the work of junior personnel.

Bob Goff - Health Physicist Administrative
Jonathan Barlow - Senior Health Physicist
B. J. Smith - Senior Health Physicist

D. Training (Category II)

1. Prepare a table listing the year each of your technical personnel attended the following NRC training courses:

NAME	LICENSING	INSPECTION	MEDICAL	RADIOGRAPHY

Bob Goff	1986	1986	1986	1986
Jonathan Barlow	1987	1986	1986	1987
E. J. Smith	1990	1989	1989	1990
Melissa White	-	-	-	-

2. Prepare a similar table listing the year each of your technical personnel attended the following NRC training courses:

NAME	8 WK HP	WELL LOGGING	ENGINEERING	TRANS.
Bob Goff	1986	1986	1987	1987
J.Barlow	1988	1987	1986	1988
E.J.Smith	1991	1988	1991	1990

3. If any of your materials staff currently need NRC training, please identify the employees and the courses needed.

Melissa White has not attended any courses.

B. Staff Continuity (Category II)

1. Identify the technical staff who left the Agreement program during this period and, if possible, give the reasons for the turnovers.

NAME	POSITION	REASON FOR LEAVING
David Remley	Health Physicist	Medical School
George Powell	Chemist	Higher Salary
Melvin Peterson	H.P. Trainee	Higher Salary
David Tatum	H.P. Senior	Higher Salary
Jerry Thomas	H.P. Trainee	Higher Salary

Jerry Thomas was the only individual who worked in the Radioactive Materials Branch.

2. List the RCP salary schedule as follows:

Position Title	Annual Salary Range
Director	$31,223.64 - $46,752.00
H.P. Adm.	27,550.32 - 41,283.72
H.P. Sr.	23,960.40 - 35,898.84
H.P.	22.353.36 - 33,477.72
H.P.Trainee	18,867.72 - 28,259.88
Chief Chemist	27,696.36 - 41,492.40
Sec. Prin.	13,983.84 - 20,954.88
Sec.	12,522.84 - 18,763.44

V. LICENSING

A. Technical Viability of Licensing Actions (Category I)

1. Please give the total number of licenses in each category.

Categories of Specific Licenses	No. of Licenses
Academic, Broad Medical	1
Academic, Broad Non-Medical	3
Academic, Other	10
Decontamination Services	0
Fixed Gauge	69
Gas Chromatographs and other Measuring Systems	10
Industrial, Broad	0
Industrial, other	6
Industrial Radiography	18
Irradiators, Pool	1
Irradiators, Self-Contained, others	4
Leak Test & Calibration Services	7
LLW Broker (processing, including incineration)	0
LLW Broker (no processing)	0
LLW Disposal	0
Manufacturing and Distribution, Broad	0
Manufacturing and Distribution, other	6
Medical, Broad	0
Medical, Other Institutional (Hospitals & Clinics)	77
Medical, Private Practice	15
Mobile Nuclear Services	2
Nuclear Laundry	1
Nuclear Pharmacies	1
Portable Gauge and Industrial Use of Lixiscopes	81
R & D, Broad	0
R & D, other	0
Source Material Processing	0
Teletherapy (Human Use)	7
Teletherapy Services	0
U-Mill Tailings, Rare Earth, Source Material	0
Veterinary Medicine	0
Well Logging (including Field Flooding)	11
Other	1
TOTAL NUMBER OF SPECIFIC LICENSES:	320

2. Update the list of the State's major licensees. In addition to the name, license number and type, please indicate if the license is new or was terminated (action). Include:

- Broad Licenses

A.11

LLW Disposal
LLW Brokers (All Types)
Manufacturers and Distributors
Uranium Mills
Irradiators (Other than Self-Contained)
Nuclear Pharmacies
Other Licenses With a Potential Significance for Environmental Impact

The table heading should be:

Licensee Name	License Number	License Type Action
Univ. of MS Med. Ctr.	MS-MBL-01	Medical Broad
Univ. of [illegible]	MS-EBL-01	Educational Broad
MS State Univ.	MS-EBL-02	Educational Broad
Univ. of Southern MS	MS-EBL-03	Educational Broad
Syncor	MS-493-01	Radiopharmacy
IBA	MS-495-01	Nuclear Laundry
Gamma Dest. Anc.	MS-061-01	Large Medical IRA.

3. How many new licenses (not amendments in entirety) were issued in this reporting period?

46

4. How many renewals were issued?

144

5. How many specific licenses were terminated?

52

6. How many other amendments were issued?

507

7. Identify any major, unusual, or complex licenses issued or renewed in this period.

No major, unusual, or complex licenses have been issued.

8. Have any new or amended licenses affected the list of licensees requiring contingency plans?

No

9. Discuss any variances in licensing policies and procedures or exemptions from the regulations granted during the period.

None

10. How many prelicensing visits were made during this period?

5

B. Adequacy of Product Evaluation (Category I)

1. Prepare a table listing new and revised SS&D registrations of sealed sources and devices issued during the reporting period. The table heading should be:

SS&D Registry Number	Manufacturer, Distributor or Custom User	Type of Device or Source	Indicate if NRC	Indicate if Agreement Material

N/A

2. List the applications for SS&D registrations for which registry documents have not yet been issued.

None

C. Licensing Procedures (Category II)

1. Were changes made in your written licensing procedures (new procedures, updates, policy memoranda, etc.) during the reporting period?

No changes

VI. COMPLIANCE

A. Status of Inspection Program (Category I)

1. Prepare a table indicating the Inspection Priority and the number of inspections made in each priority for the reporting period. The table heading should be:

Inspection Priority	Number of Licensees	Number of Inspections
1	28	36
2	39	35
3	67	49
4	220	75

2. Prepare a table showing the number of Priority 1, 2, and 3 licenses with inspections that are overdue by more than 50% of their scheduled frequency. Include the licensee name, inspection priority, the due date, and the number of months the

inspection is overdue. The list should include initial inspections that are overdue. The table heading should be:

Licensee Name	Priority	Due Date	Months O/D

None

3. Prepare a table indicating the total number of inspections for all lower priorities that are overdue by more than 100% of their scheduled frequency.

Inspection Priority	Number Overdue

None

4. Describe your plan for inspecting overdue inspections. If there is a backlog of overdue inspections please return your action plan for eliminating the backlog with the questionnaire. The written action plan should contain inspection priorities, numerical and time frame goals for reducing the backlog, provide a method to measure the program's progress, and provide for management review of the program's success in meeting the goals.

N/A

5. How many close-out inspections prior to license termination were made during the reporting period?

8

6. How many close-out inspections are pending at this time?

None

7. How many reciprocity notices were received in the reporting period?

1002 from approximately 45 different companies

8. How many reciprocity inspections were conducted?

15

9. Other than reciprocity licensees, how many field inspections of radiographers were performed?

18

10. What percentage is this of your total number of radiographer licensees?

100%

B. Inspection Frequency (Category I)

1. Prepare a table showing the State's inspection priority schedule as follows:

(See Attachment)

License Type	Inspection Frequency
Academic, Broad Medical	1
Industrial, Broad	1
Industrial Radiography	1
Irradiators, Pool	1
LLW Broker (Processing, including incineration)	N/A
LLW Disposal	N/A
Manufacturing and Distribution, Broad	N/A
Medical, Broad	1
Nuclear Pharmacies	1
Source Material Processing	N/A
Teletherapy (Human Use)	1*
Academic, Broad Non-Medical	2
Academic, Other	3
Decontamination Services	N/A
LLW Broker (no processing)	N/A
Nuclear Laundry	1
Mobile Nuclear Services	2
R & D, Broad	N/A
Industrial, other	3-4
Irradiators, Self-Contained and Other	3
Leak Test and Calibration Services	4
Manufacturing and Distribution, Non-Broad	N/A
Medical, Institutional (Hospitals & Clinics)	2-3
R&D, Non-Broad	3
U-Mill Tailings (Rare Earth, Source Material)	N/A
Well Logging (including Field Flooding)	2
Medical, Private Practice	3
Portable Gauge and Industrial Use of Lixiscopes	4
Teletherapy Services	N/A
Fixed Gauge	4
Veterinary Medicine	N/A

Gas Chromatographs and other Measuring Systems	4
Other	4

*The inspection frequency for teletherapy inspections has been reluctantly changed to one year. NRC justification for the increased inspection frequency was not provided as requested in our letter dated 2/5/91 to the NRC.

2. Identify individual licensees or groups of licensees the State is inspecting more frequently than called for in the State's inspection priority system and discuss the reason for the change.

None

C. Inspector's Performance and Capability (Category I)

1. Prepare a table showing the number and types of supervisor accompaniments made during the reporting period. Include:

Supervisor	Inspector	License Category	Date
Bob Goff	J. Barlow	Nuclear Medicine	3-1-90
Bob Goff	J. Barlow	Nuclear Medicine	3-26-91
Bob Goff	J. Barlow	Broad Academic	6-30-91
Bob Goff	B.J.Smith	Industrial Rad.	1-9-90
Bob Goff	B.J.Smith	Nuclear Medicine	2-7-90
Bob Goff	B.J.Smith	Nuclear Medicine	3-13-90
Bob Goff	B.J.Smith	Nuclear Medicine	3-14-90
Bob Goff	B.J.Smith	Nuclear Medicine	6-6-90
Bob Goff	B.J.Smith	Nuclear Medicine	2-28-91

2. Were all inspectors accompanied at least annually by the compliance supervisor during the reporting period? If not, explain.

Yes

D. Responses to Incidents and Alleged Incidents (Category I)

1. How many reports of incidents and alleged incidents were received during the reporting period?

19

2. How many on-site inspections of incidents were conducted during the period?

10

A.16

3. How many inspections or incidents revealed an incident occurred which required NRC notification, either by telephone or by written report?

3

4. Did any incidents involve equipment or source failure or operating procedures that were deficient but were approved? If so,

   a. How and when were other State licensees who might be affected notified?

      (1) The Global X-Ray & Testing incident (3-26-81) - A source failed to retract to the safe position in a SPEC-2T exposure device. On 4-1-81 the Louisiana Radiation Protection Division was informed of the incident, and that SPEC would be performing an evaluation of the exposure device. The Louisiana Radiation Protection Division sent a representative to observe the evaluation.

      (2) At International Paper Company a General Radioisotope Products Model 860236 sealed source was found to be leaking. A copy of the letter dated August 6, 1981, was sent to state of Illinois by Kay-Ray/Sensall, Inc. was provided to us by International Paper Company on August 18, 1981.

   b. Was the NRC notified?

      (1) Global X-Ray & Testing Incident - NRC was notified by telephone 4/1/81.

      (2) International Paper Company Incident - NRC has not been notified by the state of Mississippi.

5. For incidents involving failure of equipment or sources, was information on the incident provided to the agency responsible for evaluation of the device for an assessment of possible generic design deficiency? Please provide details for each case.

   See 4.A. and incident reports.

6. If the RCP utilized medical or technical consultants for an emergency during the reporting period, please describe the circumstances for each case.

   N/A

7. In the reporting period, were there any cases involving possible criminal wrongdoing that were looked into or are

presently undergoing review? If so, please describe the circumstances for each case.

None

E. Enforcement Procedures (Category I)

1. If during the reporting period the State issued orders, applied civil penalties, sought criminal penalties, impounded sources, or held formal enforcement hearings, identify these cases and give a brief summary of the circumstances and results for each case.

A. Representative from Global X-Ray & Testing were called for an enforcement meeting to determine if reciprocal recognition of Louisiana Radioactive Material License No. LA-[illegible]-L01 would continue. The requirements set forth in that meeting are outlined in our letter dated 5/23/91 which is available for review.

B. Mid-[illegible] County Hospital was ordered to stop all nuclear medicine studies until the Gamma Camera was repaired or replaced.

2. Discuss changes made in the enforcement procedures during the reporting period.

None

F. Inspection Procedures (Category II)

1. Were changes made to your written inspection procedures during the reporting period?

None

G. Inspection Reports (Category II)

1. Were changes made in the formats of your reports or inspection forms during this period?

A teletherapy inspection report was revised.

H. Confirmatory Measurements (Category II)

1. Describe any changes in your instrumentation or methods of calibration in this reporting period.

A Keithly Model 36100 survey instrument was purchased. Instruments are calibrated by the manufacturer.

VII. STATUS OF PREVIOUS NRC COMMENTS AND RECOMMENDATIONS

A. Please prepare a summary of the status of the State's actions taken in response to NRC's comments and recommendations following the last review.

In regard to the status of the comments and recommendations addressed in NRC dated September 25, 1989, are as follows:

1. Management and Administration

The staff is currently using classification folders as recommended for the broad licenses and complex licenses. Classification folders for these licensees are prepared when a renewal in its entirety has been completed.

2. Licensing

In regard to the number of licenses, which had not been renewed in its entirety within five years, the staff has completed 103 renewals in their entirety since the last review.

3. Compliance

A number of pre-licensing and/or hand delivery of licenses for priority I and II licensees has been performed. However, as stated in our response, the availability of travel funds and staff is limited. With regard to more documentation on inspection reports, additional questions have been added to inspection form such as who performed the instrument calibration. Inspectors are also periodically reminded to be as specific as possible in documenting inspection results.

VIII. SPECIAL TOPICS OF CURRENT INTEREST

A. If you like, describe your program's success, problems or difficulties that occurred during this reporting period.

APPENDIX B

ORGANIZATION CHARTS

APPENDIX B

ORGANIZATIONAL CHARTS

ssissippi State Department of Health
ganization Chart
gency: 90301
epared June 2, 1989

Clifton B. Cobb, M.D.

vised 7-13-89 Signature

APPENDIX B

State Health Officer

District Offices (9)

County Health Departments (81)

Special Staff
- Policy, Planning, Analysis
- Staff Development
- Field Support
- Nursing Assistant
- Public Relations
- Internal Audit
- Legal Counsel
- Health Promotion and Disease Prevention

Bureau of Health Services
- Pharmacy
- Social Services
- Nutrition Services
- Fiscal Services
- Primary Care

Bureau of Preventive Health Services
- Epidemiology
- Medical Consultant
- Nursing Consultant

Bureau of Environmental Health

Sanitation Division
- Milk Sanitation
- Food Sanitation
- General Sanitation

Water Supply Division
- Surveillance & Technical Assistance
- Plan Review
- Compliance Training

Children's Medical Services Division
- Evaluation and Treatment
- Genetics
- Blaxe Clinic
- Infant/Toddler Program

Reproductive Health Division
- Teen Education
- Sterilization
- Family Planning Clinical Services

Perinatal Services Division
- Maternity Services
- High Risk Maternity
- Perinatal Development

Children's Health Division
- Well Child Services
- Adolescent Services
- Dental Health Services
- Neurological Services
- SIDS

Women, Infant and Children Division
- Nutrition
- Warehouse/Food Distribution
- ADP

Chronic Illness Division
- Hypertension
- Cardiovascular
- Diabetes
- Cancer

Home Health Division
- Continuing Education
- Professional Services
- Operational Services

Communicable Disease Control Division
- STD
- AIDS
- Immunization
- TB

Safety and Health Division
- Occupational Safety and Health
- Boiler and Pressure Vessel Safety

Radiological Health Division
- Environmental & Emergency Response
- X-Ray Safety
- Radioactive Materials
- Radioactive Waste Transportation

Bureau of Administrative Services
- Facilities Maintenance
- Print Shop

Finance and Accounts Division
- Accounting Services
- Budgeting
- Purchasing
- Third Party Payments
- Facilities/Property Management

Personnel Division
- Classification/Compensation
- Compliance & Special Projects
- Employee Relations
- Processing

Bureau of Information Resources

Public Health Statistics Division
- Health Statistics
- Information Systems
- Vital Records
- Vital Statistics

Data Administration & Development Division
- Tele-communications
- Records Management
- Systems Development

Data Processing Division
- Operations
- Systems Maintenance
- Information Processing
- Network

Bureau of Health Resources and Laboratories

Public Health Laboratory Division
- Clinical Chemistry/Hematology
- TB/Media
- STD/Mycology
- Bacteriology/Immunology
- Environmental Microbiology
- Environmental Chemistry

Planning and Resource Development Division
- Health Planning
- Certificate of Need

Licensure and Certification Division
- South District
- North District
- Central District (Inspection of Care)
- Safety Construction

Child Care and Special Licensure
- Child Care Licensure
- Special Licensure

Emergency Medical Services
- Planning, Grants, Records and Evaluation
- Licensure Certification and Compliance
- Training and Testing

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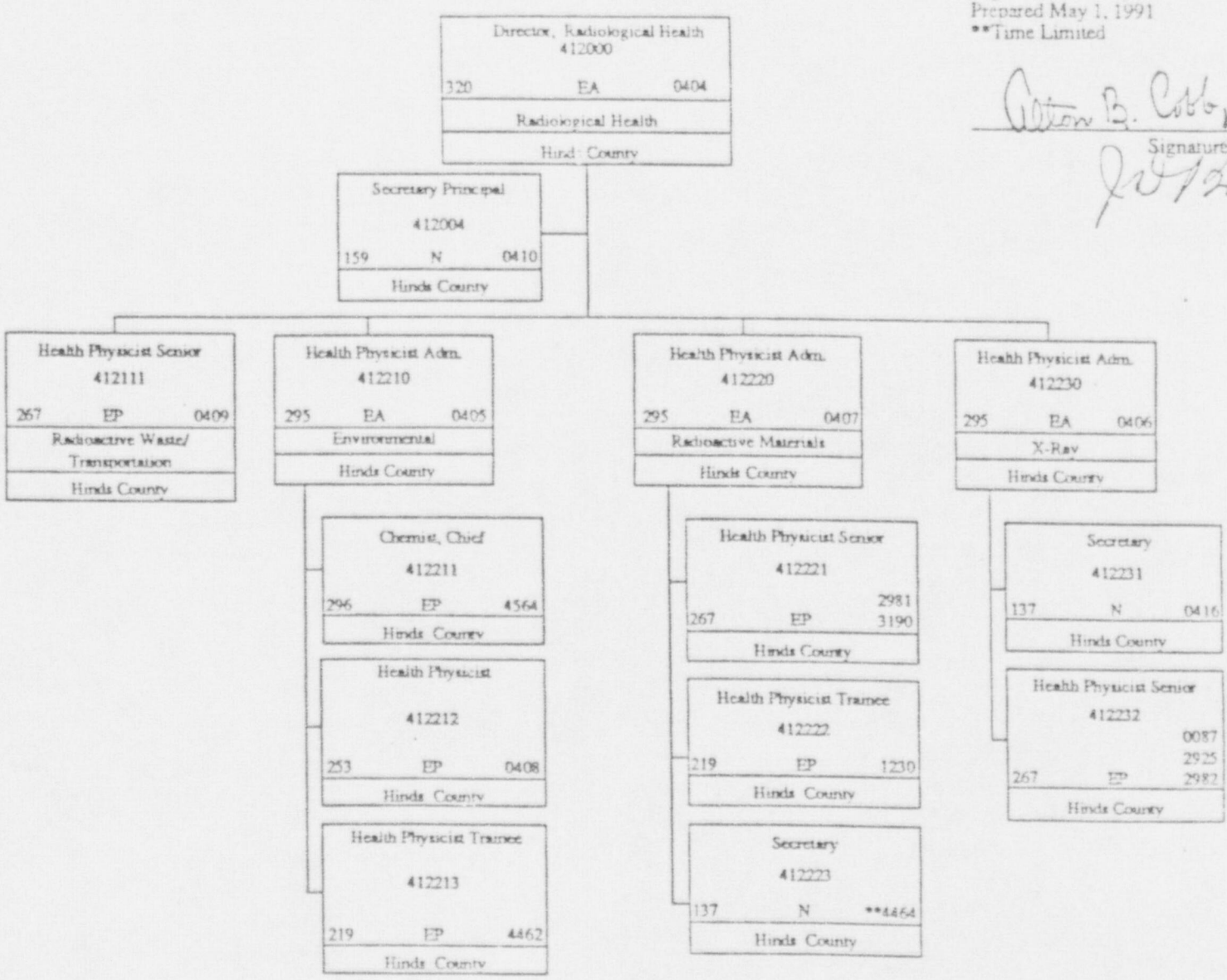
Agency: 90301
FY-92
Page 17 of 118 Pages
Prepared May 1, 1991
**Time Limited

Clifton B. Cobb, M.D.
Signature
J. W. Brown



APPENDIX C

REVIEWS, EXPLANATORY COMMENTS AND OBSERVATIONS

APPENDIX C

REVIEWER'S EXPLANATORY COMMENTS AND OBSERVATIONS

The following comments and observations were developed during the review and they are numbered to correspond with the respective guideline provided in Appendix A.

I. LEGISLATION AND REGULATIONS

Legal Authority

The Regular Session of the 1991 Mississippi Legislature ammended Section 41-14-31, Mississippi Code of 1972, to prescribe a new schedule of fees for radiological health licenses. This new fee schedule includes a reciprocity fee in the amount of the normal annual fee charged for that category of license, and allows the licensee to conduct licensed activities within the State for the succeeding twelve calendar months. The new schedule is included as Appendix F.

Status of Compatibility Requirements

The State's regulations are compatible with the NRC regulations under the February 15, 1990 revision of 10 CFR 20.202(c) requirements for certification of dosimetry processors.

The Program Director is Chairman of the CRCPD Regulation Overview Committee, and is in the process of revising the States's regulations in their entirety. This revision will also include an ammendment to the State's "Financial Surety Arrangements for site reclamation (pol.0.26(1) rule, and other rules on "emergency planning," and "industrial radiography equipment" that are needed for compatibility. The State s plans on submitting the revised rules to the State Board of health prior to the board s January 1992 meeting. Rules normally become effective thirty days after approval by the "Board," and filed with the Secretary of State's Office.

II. ORGANIZATION

Technical Advisory Committee

The Mississippi Radiation Advisory Council meets at least annually. The minutes from the last two meetings dated 06-06-90 and 05-08-91 were provided for review.

III. MANAGEMENT AND ADMINISTRATION

Public Information

The State operates under an "open records" law whereby "proprietary" information can be withheld as appropriate. The State does not operate under "sunset" provisions.

V. LICENSING

Technical Quality of Licensing Actions

Eighteen license files were selected for casework review. This sample also included file reviews on all of the major licenses. The quality of the licensing actions was found to be excellent and very few comments were developed on the casework. It was noted that license reviewers are also inspectors and that the quality of work is enhanced by two levels of management review prior to the documents dispatch to the licensee. The casework is listed under Appendix D.

VI. COMPLIANCE

Inspectors Performance and Capability

Inspector accompaniments were performed during the review as follows:

1. Robert W. Goff

Licensee:	Syncor International Corporation
Location:	Jackson, MS
License Number:	MS-498-01, Amendment 38
License Type:	Nuclear Pharmacy
Date:	09-04-91

2. B. J. Smith

Licensee:	Neal Inspection Service, Inc.
Location:	Pascagoula, MS
License Number:	MS-721-01
Date:	09-04-91

Licensee:	Teledyne Irby Steel, Inc.
Location:	Gulfport, MS
License Number:	MS-170-01, Amendment 55
Date:	09-05-91

Each inspector was well preparded and conducted the inspection in accordance with State procedures.

Responses to Incidents and Alleged Incidents

All of the incident files for the years 1990 and 1991 (to date) were reviewed and selected files were obtained from the State for distribution to State Programs and the AEOD. The new incident reporting system being implemented by State Programs was discussed with the Materials Branch Health Physics Administrator.

Appendix C

Inspection Procedures

Sixteen inspection casework files were reviewed during the review. A listing of these files and a summary table of the results are provided as Appendix D to this report. Each casework file was discussed with the technical staff during the review and summarized with Mr. Fuente on Friday, September 13, 1991.

ATTACHMENT 2

REVIEW OF SELECTED LICENSE FILES

Eighteen license files were selected for full review. The casework was reviewed in general for: (1) significant errors; (2) omissions; (3) deficiencies in the licensing actions; (4) properly completed applications; (5) appropriate signatures; (6) to determine if the license reviews were adequate and properly supported by information in the file; and (7) in accordance with a "Health Physics" approach.

The following licensees were reviewed and for purposes of this report, a numerical casework number was assigned to each license as follows:

No. 1
Licensee: Syncor International Corporation
Location: Jackson, MS
License Number: MS-438-01, Amendment 5
Issued: 07-30-91
Expires: 11-01-92
License Type: Nuclear Pharmacy

No. 2
Licensee: Real Inspection Service, Inc.
Location: Pascagoula, MS
License Number: MS-721-01
Issued: 05-23-91
Expires: 05-01-92
License Type: Industrial Radiography

No. 3
Licensee: Teledyne Irby Steel, Inc.
Location: Gulfport, MS
License Number: MS-170-01, Amendment 58
Issued: 08-02-91
Expires: 02-01-93
License Type: Industrial Radiography, Fixed

No. 4
Licensee: Field Memorial Community Hospital
Location: Centreville, MS
License Number: MS-384-01, Amendment 12
Issued: 05-14-91
Expires: 05-01-94
License Type: Institutional Medical

No. 5
Licensee: Yalobusha General Hospital
Location: Water Valley, MS
License Number: MS-424-01, Amendment 8
Issued: 06-05-90
Expires: 04-01-93
License Type: Medical, Groups I, II, and III

No. 6	Licensee:	Baptist Memorial Hospital
	Location:	Oxford, MS
	License Number:	MS-282-01, Amendment 22
	Issued:	06-05-90
	Expires:	05-01-92
	License Type:	Teletherapy
No. 7	Licensee:	University of Mississippi
	Location:	University, MS
	License Number:	MS-E5L-01, Amendment 45
	Issued:	10-08-80
	Expires:	04-01-92
	License Type:	Academic, Broad
No. 8	Licensee:	Halliburton Logging Services, Inc.
	Location:	Houston, TX
	License Number:	MS-415-01, Amendment 16
	Issued:	07-30-91
	Expires:	04-01-93
	License Type:	Wireline
No. 9	Licensee:	Thomas R. Dabbs, P.E.
	Location:	Tupelo, MS
	License Number:	MS-726-01
	Issued:	06-03-91 (hand delivered)
	Expires:	08-01-92
	License Type:	Portable Gauge
No. 10	Licensee:	Construction Quality Consultants, Inc.
	Location:	Memphis, TN
	License Number:	MS-725-01
	Issued:	07-29-91
	Expires:	08-01-92
	License Type:	Portable Gauge
No. 11	Licensee:	Soil Testing Engineers, Inc.
	Location:	Baton Rouge, LA
	License Number:	MS-690-01, Amendment 2
	Issued:	05-17-91
	Expires:	Terminated
	License Type:	Portable Gauge

No. 12	Licensee:	MEGO Builder's, Inc.
	Location:	West Point, MS
	License Number:	MS-694-01, Amendment 2
	Issued:	06-19-91
	Expires:	Terminated
	License Type:	Portable Gauge
No. 13	Licensee:	Radiology Associates of Oxford, P.A.
	Location:	Oxford, MS
	License Number:	MS-479-01, Amendment 10
	Issued:	06-26-91
	Expires:	Terminated
	License Type:	Medical, Groups I,II, and III
No. 14	Licensee:	Mississippi State University
	Location:	Mississippi State, MS
	License Number:	MS-EBL-02, Amendment 35
	Issued:	05-31-91
	Expires:	(under timely renewal)
	License Type:	Broad Academic
No. 15	Licensee:	University of Mississippi Medical Center
	Location:	Jackson, MS
	License Number:	MS-MBL-01, Amendment 13
	Issued:	08-06-91
	Expires:	07-01-93
	License Type:	Broad Medical
No. 16	Licensee:	Interstate Nuclear Services
	Location:	Vicksburg, MS
	License Number:	MS-495-01, Amendment 13
	Issued:	10-24-90
	Expires:	(Under timely renewal)
	License Type:	Nuclear Laundry
No. 17	Licensee:	GammaMed, Inc.
	Location:	Columbus, MS
	License Number:	MS-661-01, Amendment 5
	Issued:	09-05-91
	Expires:	10-01-92
	License Type:	Pool Irradiator

No. 16 Licensee: University of Southern Mississippi
Location: Hattiesburg, MS
License Number: MS-EBL-03
Issued: 03-04-81
Expires: 03-01-92
License Type: Broad Academic

Summary Table

The following table lists the specific comments developed during the review of the numbered casework files above.

	Specific Comments	Casework Number
a.	Additional information is needed in the application to describe the preperation of shipping papers, the transporation QA program, and the use of certificates of compliance.	2.8.
b.	More information is needed to determine if all shipping requirements have been met by the shipper, as the material is received via common carrier.	4.
c.	The standard license condition on molybdenum-99 breakthrough test limits needs to by updated.	5.
d.	Documentation is needed to verify that out-of-state applicants have a valid RAM license in the "home address" Agency jurisdiction.	10.

APPENDIX F

REVIEW OF SELECTED COMPLIANCE FILES

Summary and Conclusion

The State uses a field inspection form to document information obtained during the inspection. In general, the files were reviewed to determine if the inspections were complete and substantiated all items of noncompliance and recommendations. The files were reviewed to determine: (1) if appropriate enforcement actions were taken; (2) written in appropriate regulatory language; (3) timeliness of letters; (4) if adequate responses were received from the licensee to close out the enforcement actions; and (5) if the reports were sufficiently detailed to document that the licensee's program was sufficient to comply with the rules and regulations, and to protect public health and safety.

Sixteen license compliance files were selected for review. For purposes of this report, a numerical casework code (1 through 16) was assigned to the following compliance files.

Case No. 01

Licensee:	Syncor International Corporation
Location:	Jackson, MS
License No:	MS-486-01
License Type:	Nuclear Pharmacy
Inspection Date:	07-26-89
Type of Inspection:	Routine, unannounced
Inspectors:	C. Barlow and B. Goff
Type of Report:	Form
Enforcement Letter/Date:	NOV dated 08-17-89
Licensee Response Date:	09-11-89
State Acknowledgement Date:	08-21-89

Case No. 02

Licensee:	Teledyne Irby Steel, Inc.
Location:	Gulfport, MS
License No.:	MS-170-01
License Type:	Industrial Radiography
Inspection Date:	03-27-90
Type of Inspection:	Routine, unannounced
Inspectors:	B. J. Smith
Type of Report:	Form
Enforcement Letter/Date:	NOV dated 05-03-90
Licensee Response Date:	05-09-90
State Acknowledgement Date:	06-04-90

Case No. 03

Licensee:	Real Inspection Services, Inc.
Location:	Pascagoula, MS
License No.:	MS-171-01

Case No. 3 (continued)

License Type:	Industrial Radiography
Inspection Date:	09-04-91
Type of Inspection:	Initial, unannounced
Inspectors:	B. J. Smith
Type of Report:	Form
Enforcement Letter/ Date:	Pending
Licensee Response Date:	Pending
State Acknowledgement Date:	Pending

Case No. 04

Licensee:	Field Memorial Community Hospital
Location:	Centreville, MS
License No.:	MS-304-01
License Type:	Medical, Groups I and II
Inspection Date:	08-12-90
Type of Inspection:	Routine, announced
Inspectors:	B. J. Smith
Type of Report:	Form
Enforcement Letter/Date:	NOV dated 08-29-90
Licensee Response Date:	10-10-90
State Acknowledgement Date:	10-20-90

Case No. 05

Licensee:	Yalobusha General Hospital
Location:	Water Valley, MS
License No.:	MS-424-01
License Type:	Medical, Groups I, II, and III
Inspection Date:	07-19-90
Type of Inspection:	Routine, announced
Inspectors:	Jonathan F. Barlow
Type of Report:	Form
Enforcement Letter/ Date:	07-26-90
Licensee Response Date:	08-01-90 and 11-09-90 (1st response inadequate)
State Acknowledgement Date:	09-06-90 (acknowledgement to 1st letter)

Case No. 06

Licensee:	Baptist Memorial Hospital
Location:	Oxford, MS
License No.:	MS-232-01
License Type:	Teletherapy
Inspection Date:	11-06-90
Type of Inspection:	Routine, announced
Inspectors:	Jonathan F. Barlow
Type of Report:	Form
Enforcement Letter/ Date:	NOV dated 12-03-90
Licensee Response Date:	12-10-90
State Acknowledgement Date:	12-14-90

Case No.07

Licensee:	University of Mississippi
Location:	University, MS
License No.:	MS-EBL-01, Amendment 43
License Type:	Broad Academic
Inspection Date:	08/06-07/91
Type of Inspection:	Routine, announced
Inspectors:	Bob Goff and Melissa White
Type of Report:	Narrative
Enforcement Letter/ Date:	Pending
Licensee Response Date:	Pending
State Acknowledgement Date:	Pending

Case No. 08

Licensee:	Halliburton Logging Services, Inc.
Location:	Houston, TX (Laurel, MS temporary site)
License No.:	MS415-01
License Type:	Wireline
Inspection Date:	07-10-90
Type of Inspection:	Routine, announced
Inspectors:	Jonathan F. Barlow
Type of Report:	Form
Enforcement Letter/ Date:	NOV dated 07-26-90
Licensee Response Date:	08-09-90
State Acknowledgement Date:	08-10-90

Case No. 09

Licensee:	Mississippi State University
Location:	Mississippi State, MS
License No.:	MS-EBL-02
License Type:	Broad Academic
Inspection Date:	04/16-18/91
Type of Inspection:	Routine, announced
Inspectors:	Bob Goff
Type of Report:	Narrative
Enforcement Letter/Date:	NOV dated 05-21-91
Licensee Response Date:	06-03-91
State Acknowledgement Date:	06-10-91

Case No. 10

Licensee:	University of Mississippi Medical Center
Location:	Jackson, MS
License No.:	MS-MBL-01, MS-683-01, and MS-683-02
License Type:	Broad Medical
Inspection Date:	01-10-91 and 01-14 through 16-91
Type of Report:	Narrative
Type of Inspection:	Routine, announced

Case No. 10 (Continued)

Inspectors:	Bob Goff
Enforcement Letter Date:	NOV dated 02-06-81
Licensee Response Date:	02-20-81
State Acknowledgement Date:	03-12-81

Case No.11

Licensee:	Interstate Nuclear Services
Location:	Vicksburg, MS
License No.:	MS-485-01
License Type:	Nuclear Laundry
Inspection Date:	06/02-03/90
Type of Inspection:	Routine, announced
Inspectors:	Bob Goff and Jonathan Barlow
Type of Report:	Narrative
Enforcement Letter Date:	NOV dated 08-27-90
Licensee Response Date:	09-26-90
State Acknowledgement Date:	10-04-90

Case No. 12

Licensee:	Gammabed, Inc.
Location:	Columbus, MS
License No.:	MS-661-01
License Type:	Pool Irradiator
Inspection Date:	04-19-91
Type of Inspection:	Routine, announced
Inspectors:	Bob Goff
Type of Report:	Form
Enforcement Letter/Date:	Clear, dated 05-01-91
Licensee Response Date:	NA
State Acknowledgement Date:	NA

Case No.13

Licensee:	University of Southern Mississippi
Location:	Hattiesburg, MS
License No.:	MS-EBL-03 and MS-233-01
License Type:	Broad Academic and Irradiator
Inspection Date:	06-28-89
Type of Inspection:	Routine, announced
Inspectors:	Bob Goff
Type of Report:	Narrative
Enforcement Letter Date:	NOV dated 07-31-89
Licensee Response Date:	08-15-89
State Acknowledgement Date:	08-28-89

Case No. 14

Licensee:	Medlab of Mississippi
Location:	Columbus, MS
License Number:	MS-261-01
License Type:	Pathology Laboratory
Inspection Date:	02-13-91
Type of Inspection:	Close out survey
Inspectors:	B. J. Smith
Type of Report:	Narrative
Enforcement Letter/Date:	N/A. (license terminated)
Licensee Response Date:	N/A
State Acknowledgement Date:	N/A

Case No. 15

Licensee:	Syncor International Corporation
Location:	Jackson, MS (Galaxie Drive facility)
License Number:	MS-[illegible]-01
License Type:	Nuclear Pharmacy
Inspection Date:	12-[illegible]-90
Type of Inspection:	Close out
Inspectors:	Bob Goff and B. J. Smith
Type of Report:	Narrative
Enforcement Letter/Date:	Clear dated 01-03-91
Licensee Response Date:	NA
State Acknowledgement Date:	NA

Case No. 16

Licensee:	Global X-Ray and Testing Corporation
Location:	Gulfport, MS (temporary location)
License Number:	LA-0877-L01 (under reciprocity)
License Type:	Industrial Radiography
Inspection Date:	03-30-91
Type of Inspection	Incident Investigation (over exposure)
Inspectors:	Bob Goff
Type of Report:	Narrative
Enforcement letter/Date:	NOV dated 04-26-91
Licensee Response Date:	05-30-91
State Acknowledgement Date:	06-11-91

Appendix F

Summary Table

The following table lists the specific comments developed during the review of the numbered casework files above.

Specific Comments	Case No.
a. More information is needed to determine if all QA tests were performed and documented as required by license condition.	4.
b. An acknowledgement letter to licensee's second response letter is needed.	6.
c. More information is needed to document if surveys were made with the uncalibrated survey meter.	8.

APPENDIX F

FEE SCHEDULE

MISSISSIPPI LEGISLATURE REGULAR SESSION 1991

By: Representative Buelow (By Request) To: Public Health and Welfare

APPROVED
BY GOVERNOR

HOUSE BILL NO. 1357
(As Sent to Governor)

AN ACT TO AMEND SECTION 41-3-18, MISSISSIPPI CODE OF 1972, TO PRESCRIBE FEES FOR FOOD HANDLING ESTABLISHMENT PERMITS; TO AMEND SECTION 41-25-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE FEES FOR MOBILE HOME AND RECREATIONAL VEHICLE PARK PERMITS; TO AMEND SECTIONS 41-59-11, 41-59-17, 41-59-23, 41-59-33 AND 41-59-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FEES FOR AMBULANCE SERVICE LICENSES, AMBULANCE PERMITS AND EMERGENCY MEDICAL TECHNICIAN CERTIFICATES SHALL BE FIXED BY THE STATE BOARD OF HEALTH; TO AMEND SECTIONS 43-20-11 AND 43-20-13, MISSISSIPPI CODE OF 1972, TO PRESCRIBE FEES FOR CHILD CARE FACILITY LICENSES; TO AMEND SECTION 45-14-31, MISSISSIPPI CODE OF 1972, TO PRESCRIBE A SCHEDULE OF FEES FOR RADIOLOGICAL HEALTH LICENSES AND PERMITS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 10. Section 45-14-31, Mississippi Code of 1972, is amended as follows:

45-14-31. All initial application and registration fee and annual fees due under this section shall be paid directly to the agency for deposit into the Radiological Health Operations Fund in the State Treasury. The Mississippi State Board of Health shall submit its separate budget for carrying out the provisions of this chapter. Said budget shall be subject to and shall comply with the requirements of the state budget law. In order to supplement state radiological health budget allocations authorized to carry out and enforce the provisions of this chapter, the agency is hereby authorized to charge and collect fees in accordance with the following schedules:

SCHEDULE OF FEES FOR RADIOACTIVE MATERIAL LICENSES

Category	Application Fee	Annual Fee
I. Waste Disposal		
(a) Licenses specifically authorizing the receipt of low-level waste	$250,000.00	$250,000.00

	radioactive material from other persons for the purpose of commercial disposal by land burial by the waste disposal licensee.		
	(b) Licenses specifically authorizing the receipt of waste radioactive material from other persons for the purpose of packaging the material. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.	$ 1,500.00	$ 1,500.00
	(c) Licenses specifically authorizing the receipt of prepackaged waste radioactive material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.	$ 500.00	$ 500.00
	(d) Licenses specifically authorizing the receipt of waste radioactive material from other persons for the purpose of super-compaction (compaction of sevenfold or greater). The licensee will dispose of the material by	$ 1,500.00	$ 1,500.00

transfer to another person		
authorized to receive or		
dispose of the material.		
(e) Licenses specifically	$ 2,500.00	$ 2,500.00
authorizing the receipt of		
waste radioactive material		
from other persons for the		
purpose of incineration. The		
licensee will dispose of		
radioactive ash by transfer to		
another person authorized to		
receive or dispose of this		
material.		
II. Nuclear Laundries		
Licenses for commercial	$ 2,000.00	$ 2,000.00
collection in laundries		
of items contaminated with		
radioactive material.		
III. Distributors of		
Generally Licensed		
Devices	$ 2,000.00	$ 2,000.00
Licenses issued to distribute		
items containing radioactive		
material to persons generally		
licensed.		
IV. Human Use		
(a) Licenses issued for human	$ 350.00	$ 350.00
use of radioactive material		
in sealed sources contained		
in teletherapy devices.		
(b) Licenses issued to	$ 500.00	$ 500.00
physicians or medical		

	institutions for human use		
	of radioactive material		
	except licenses in category		
	IV(a).		
	(c) Licenses issued to	$ 200.00	$ 200.00
	physicians or medical		
	institutions for human use		
	of radioactive material		
	provided by a mobile nuclear		
	medicine service.		
	(d) Licenses specifically	$ 600.00	$ 600.00
	authorizing mobile nuclear		
	medicine services to licensees		
	in category IV(c).		
	(e) Licenses specifically	$ 200.00	$ 200.00
	authorizing the use of		
	radioactive material contained		
	in eye applicators or bone		
	mineral analyzers.		
	V. Radiopharmacies		
	(a) Licenses specifically	$ 2,000.00	$ 2,000.00
	authorizing the processing or		
	manufacturing and distribution		
	or redistribution of radio-		
	pharmaceuticals, generators,		
	reagent kits and/or sources		
	and devices containing		
	radioactive material.		
	(b) Licenses specifically	$ 900.00	$ 900.00
	authorizing distribution or		
	redistribution of radio-		
	pharmaceuticals, generators,		

	reagent kits and/or services		
	and devices containing		
	radioactive material but not		
	involving processing of		
	radioactive material.		
	VI. Industrial Radiography		
	Licenses issued for industrial	$ 1,500.00	$ 1,500.00
	radiography operations.		
	VII. Well Logging Operations		
	(a) Licenses for possession	$ 1,500.00	$ 1,500.00
	and use of radioactive material		
	for well logging and subsurface		
	tracer studies.		
	(b) Licenses for possession	$ 400.00	$ 400.00
	and use of radioactive		
	material in markers		
	including radioactive collars		
	and radioactive iron nails.		
	VIII. Irradiators		
	(a) Licenses for possession and	$ 400.00	$ 400.00
	use of radioactive material in		
	sealed sources for irradiation		
	of materials where the source		
	is not removed from its shield		
	(self-shielded units).		
	(b) Licenses for possession and	$ 2,000.00	$ 2,000.00
	use of radioactive material in		
	sealed sources for irradiation		
	of materials where the source		
	is exposed for irradiation		
	purposes.		

IX. Civil Defense			
Licenses for possession and use of radioactive material for Civil Defense activities.	$ 250.00	$ 250.00	
X. Broad Scope Licenses			
(a) Licenses of broad scope for possession and use of radioactive material issued for educational research and development and instructional purposes.	$ 650.00	$ 650.00	
(b) Licenses of broad scope for possession and use of radioactive materials issued for human use, medical research and development and instructional purposes.	$ 750.00	$ 750.00	
XI. Research and Development			
(a) Licenses for possession and use of radioactive material for educational research and development and instructional purposes.	$ 200.00	$ 200.00	
(b) Licenses for possession and use of radioactive material for industrial research and development.	$ 500.00	$ 500.00	
XII. Industrial Gauges			
(a) Licenses for possession and use of fixed in-plant gauge(s) containing radioactive material.	$ 400.00	$ 400.00	

(b) Licenses for possession and use of pipe wall thickness gauge(s) containing radioactive material.	$ 400.00	$ 400.00
(c) Licenses for possession and use of portable densitometer(s) containing radioactive material.	$ 400.00	$ 400.00
(d) Licenses for possession and use of portable industrial gauge(s) containing radioactive material except categories XII(b) and (c).	$ 200.00	$ 200.00
XIII. Licenses for possession and use of radioactive material for the performance of environmental tracer studies.	$ 500.00	$ 500.00
XIV. Licenses authorizing the installation, removal, repair and maintenance of gauge(s) containing radioactive material.	$ 400.00	$ 400.00
XV. Licenses authorizing the use of radioactive material contained in gas chromatographs.	$ 150.00	$ 150.00
XVI. Licenses specifically authorizing decommissioning, decontamination, reclamation, or site restoration activities.	$ 2,500.00	$ 2,500.00

XVII. Licenses specifically authorizing the removal of radioactive material from oil and/or gas tubing and equipment.	$ 450.00	$ 450.00
XVIII. All other specific licenses other than those specified above.	$ 200.00	$ 200.00
XIX. Additional permanent sites where radioactive material is stored or used under same license.	25% of applicable fee	25% of applicable fee

SCHEDULE OF FEES FOR GENERAL LICENSE DEVICES

Initial registration and annual fees for the receipt, possession or use of radioactive material under a general license shall be per registration as follows:

(a) Certain measuring, gauging and controlling device(s).	$ 150.00	$ 150.00
(b) Generally licensed gas chromatographs.	$ 100.00	$ 100.00
(c) Static elimination device(s) and ion generating tube(s).	$ 100.00	$ 100.00
(d) Source material.	$ 100.00	$ 100.00
(e) Depleted Uranium.	$ 100.00	$ 100.00
(f) In Vitro testing and clinical labs.	$ 75.00	$ 75.00
(g) All other general license registrations other than those specified above.	$ 75.00	$ 75.00

SCHEDULE OF FEES FOR X-RAY TUBE

Fees for the initial registration and annual fees of each X-ray tube shall be as follows:

X-RAY TUBES

I. Healing Arts and Veterinary Medicine	$ 35.00
II. Nonhealing Arts	
(a) Industrial Radiography	$ 75.00
(b) All other nonhealing arts X-ray tube(s) not otherwise specified.	$ 50.00

SERVICES

Each person who assembles, installs or services radiation machines within the State of Mississippi shall pay an annual registration fee of One Hundred Fifty Dollars ($150.00).

SCHEDULE OF FEES FOR ACCELERATORS

Fees for the initial registration and annual fees of each accelerator shall be Three Hundred Fifty Dollars ($350.00).

SCHEDULE OF FEES FOR NEUTRON GENERATOR

Fees for initial registration and annual fees for each neutron generator shall be Fifty Dollars ($50.00).

SCHEDULE OF FEES FOR NUCLEAR REACTORS

A person possessing a Nuclear Regulatory Commission license or permit authorizing a nuclear reactor in the State of Mississippi for commercial production of electrical energy utilizing special nuclear material sufficient to form a critical mass, shall pay an annual fee of Fifteen Dollars ($15.00) per megawatt (thermal) rating for each such reactor so licensed or permitted. When more than one (1) reactor is on the same site, the fee or sum of each additional reactor after the first shall be Three Dollars ($3.00) per megawatt (thermal).

SCHEDULE OF FEES FOR OUT-OF-STATE LICENSEES,

REGISTRANTS AND PERMITTEES

An out-of-state person possessing:

(a) A license from the U.S. Nuclear Regulatory Commission;

(b) A license or registration from an Agreement State or Licensing State; or

(c) A registration or permit from a state radiological health program; and who enters the State of Mississippi to conduct the activities authorized in such license, registration or permit shall pay an annual fee in accordance with the above fee schedules.

SCHEDULE OF FEES FOR TANNING EQUIPMENT

Fees for the initial registration and annual renewal of each unit of tanning equipment shall be Twenty Dollars ($20.00).

SECTION 11. This act shall take effect and be in force from and after July 1, 1991.

ST: Prescribe fees assessed by State Department of Health.

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30323

December 12, 1990

MEMORANDUM FOR: Vandy L. Miller, Assistant Director for State Agreements Program, State Programs, Office of Intergovernmental and Public Affairs

12/26/90

FROM: Richard L. Woodruff, State Agreements Officer

SUBJECT: MISSISSIPPI MID-REVIEW VISIT

A mid review meeting was held with personnel responsible for the Mississippi Radiation Control Program during the period September 19-20, 1990. The following persons were contacted during the meeting:

Eddie S. Fuente, Director, Radiological Health
Robert W. Goff, Health Physicist Administrator, Radioactive Materials
Charles Hilton, Health Physicist Administrator, X-Ray
Robert Bell, Health Physicist Administrator, Environmental
Diantha Stewart, Chief Chemist, Environmental
Jonathan Barlow, Health Physicist Senior, Materials
B. J. Smith, Health Physicist, Materials
Jerry Thomas, Health Physicist Trainee, Materials

The visit consisted of a follow-up on the status of NRC comments dated September 28, 1989, to the State following our 26th program review; and significant changes in the Mississippi program since the last review. These topics are detailed in the following paragraphs.

Status of Comments To Dr. Alton B. Cobb dated September 28, 1989

I. Management and Administration

Administrative procedures is a Category II Indicator. The following comment with our recommendation is made.

Comment

Files should be maintained in a fashion to allow for fast, accurate retrieval of information. The State uses a filing system where backup information from the licensing process, licensee correspondence, and inspection reports are filed together on one side of the file folder. This practice results in less efficient retrieval of information from the files. Alternative methods for organization of file folders were discussed with program staff.

Recommendation

We recommend that the file folders be organized to allow for more efficient retrieval of information.

State Response

It has been our practice to file all correspondence, including inspection reports, in chronological order. However, the staff agrees that some of the larger licensing files such as the four (4) broad medical and educational licenses may be somewhat awkward to review due to the large quantity of correspondence. For these licenses, a classification folder will be utilized to separate licensing documents, inspection reports, and general correspondence.

Present Status

The State is in the process of reorganizing their license folders. This is done as the license is amended in "its" entirety.

II. Licensing

Licensing Procedures is a Category II Indicator. The following comment with our recommendation is made.

Comment

The State has a policy of amending licenses in their "entirety" every five years which is consistent with NRC practice. However, three of the licenses sampled had not been amended in their entirety since 1980, 1981, and 1982, respectively. Program staff related that staff turnovers and training of personnel contributed to the backlog.

Recommendation

We recommend that the State identify all licenses that are in need of "entirety" amendments and establish a schedule for these amendments based upon license category and priority.

State Response

Since January 1989, the staff has issued 29 license amendments in their entirety. Another 23 license amendments in their entirety have been scheduled through June 1990. I feel the staff has made significant improvement in this area.

Present Status

The State continues to make progress in amending licenses in their "entirety." This is accomplished as the licenses are processed during routine amendment actions. Since the previous review, the State has amended 50 licenses in their entirety and 20 additional licenses will be processed during this calendar year.

III. Compliance

A. Inspection Procedures is a Category II Indicator. The following comment with our recommendation is made.

Comment

Based upon file reviews and discussions with program staff, posting of "Notices to Employees" is a common citation found during "initial" inspections. Options available to the Program for compliance in this area were discussed. One option that has been effective in other States is the hand delivery of all new licenses. This allows the Program Representative to discuss with the licensee all license conditions, regulatory requirements, (posting, training, etc.) and to evaluate the licensee's facility, engineering controls, and safety procedures prior to the initial use of licensed materials.

Recommendations

We recommend that an inspection policy be adopted that would require the hand delivery of all new licenses issued by the State.

State Response

We agree that hand delivery of all new licenses would be beneficial both to the licensee and our staff. However, implementation relies heavily upon the availability of travel funds and staff. To initiate such a practice, it is our intention to perform either a prelicensing visit or hand deliver all priority I and II licenses.

Present Status

The State has implemented their hand delivery policy for priority I and II licenses.

B. Inspection Reports is a Category II Indicator. The following comment with our recommendation is made.

Comment

Inspection reports should document specific results of inspections and items of noncompliance in terms of answers to questions (who, when, why, where, and what). Several reports needed additional information to fully document the findings such as, who performed the instrument calibration or when a source was received and due for leak testing.

Recommendations

It has been our practice and certainly our intentions to fully document the specific results of inspections and items of

noncompliance. The staff reviewed the comments provided by Mr. Richard Woodruff on the selected license files. Every effort will be made to alleviate the recurrence of these comments in future inspections.

Current Status

Three license files were reviewed as documented in Attachments B and C. The State improved the documentation of specific results of inspections and items of noncompliance.

Significant Program Changes

The following program changes are provided as an update to the State Profile tabulation.

- Status and Compatibility of Regulations. The State's regulations are compatible with NRC regulations through the 02-88 NVLAP provisions. The State is planning on revisions to their regulations during this next fiscal year to include all updated changes in accordance with the 1990 version of the SSR and also amendments for the provisions on decommissioning and emergency preparedness.

- Organization. There have been no changes in the location of the Radiation Control Program; however, some personnel changes will be discussed below. A revised organization chart is provided as Enclosure 1.

- Personnel. There have been no changes in the Materials Program except for the addition of one new inspector, Jerry Thomas. The resume and educational background for Mr. Thomas was reviewed and found to meet all of the requirements of the position.

- Salaries. There have been no changes in the salary structure; however, all State employees will receive a five percent or a minimum of $125 increase per pay period beginning October 1, 1990.

- Budget. A revised budget for FY 91 (July 1, 1990 to June 30, 1991) was received and provided as follows:

Salaries & Fringe Benefits	$521,765.00
Travel	19,590.00
Contractual Services	195,290.00
Total	$807,975.00

An equipment item is to be added which will increase the total budget by approximately $25,000.00.

The sources of the revenue are as follows:

State Funds	$223,500.00
Radiological Health Fees	325,000.00
EPA/Radon Grant	115,800.00
Water Quality Fees	143,675.00
Total	$807,975.00

- Licensing. The State had 325 specific licenses on the date of this review visit. Standard licensing procedures are being followed. The "major license" listing has not changed since the last review. The State appears to be current on their licensing workload.

- Compliance. The status of the inspection program appears to be on target. The State is in the process of revising their inspection frequency schedule to be compatible with the latest (April 6, 1990) NRC inspection schedule.

- Incidents. Copies of all incidents since last review were obtained, reviewed, and transmitted to HQ and the AEOD's Office.

Conclusion

Based upon this program visit and the previous review, I recommend that the next full review be scheduled for September of 1991.

Richard L. Woodruff

Enclosures:
1. Organizational Chart
2. License File Review
3. Compliance File Review

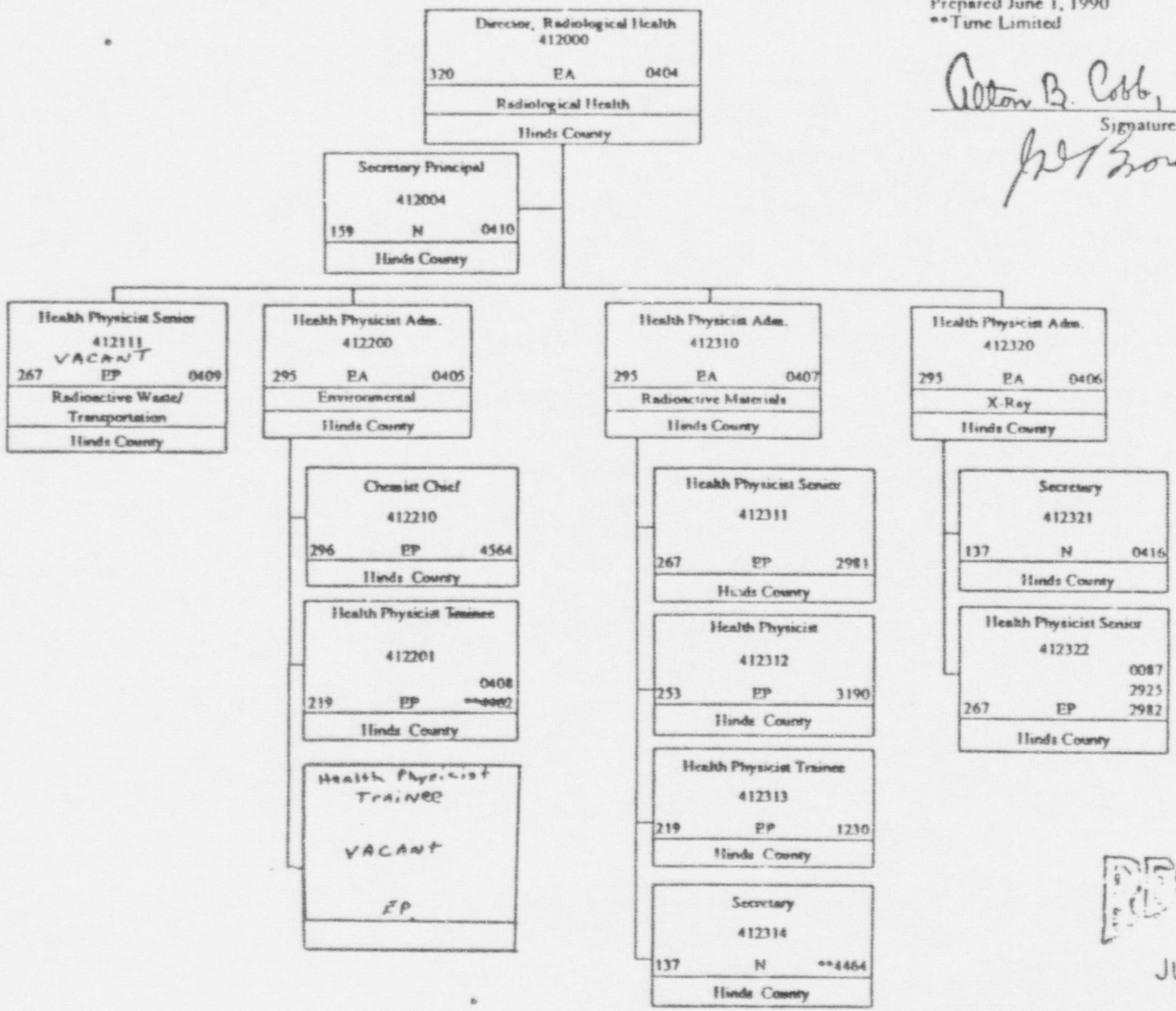
cc w/encls:
Stewart D. Ebneter, Regional
Administrator, Region II

ENCLOSURE 1

ORGANIZATION CHARTS

Mississippi State Department of Health
Agency: 90301
FY-91
Page 17 of 118 Pages
Prepared June 1, 1990
**Time Limited

Clifton B. Cobb, M.D.
Signature



9-19-90

ENCLOSURE 2

REVIEW OF SELECTED LICENSE FILES

One license file was selected for review. No comments were developed on this license file.

License:	Southern Inspection Services
Location:	Vancleave, MS
License No:	MS-697-01
Issued:	03-16-90
Expires:	03-01-91
License Type:	Industrial Radiography

ENCLOSURE 3

REVIEW OF SELECTED COMPLIANCE FILES

Two license files were selected for review. No comments were developed from these casework reviews.

1.

Licensee:	South Central Regional Medical Center
Location:	Laurel, MS
License No:	MS-277-02
License Type:	Teletherapy
Inspection Date:	07-24-90
Type of Report:	Form
Type of Inspection:	Routine, announced
Inspectors:	Robert W. Goff
Enforcement Letter, Date:	Pending
Signed By:	
Licensee Response Date:	
State Acknowledgement Date:	

2.

Licensee:	Interstate Nuclear Services, (INS)
Location:	Vicksburg, MS
License No:	MS-495-01
License Type:	Nuclear Laundry
Inspection Date:	08-03-90
Type of Report:	Narrative
Type of Inspection:	Routine, Announced
Inspectors:	Robert W. Goff and J. Barlow
Enforcement Letter, Date:	08-27-90
Signed By:	Eddie S. Fuente
Licensee Response Date:	Pending
State Acknowledgement Date:	N/A

M. J. Smith	9/77-7/88	Branch Director	Resigned	Bob Goff
Dot Rogers	11/88-3/89	Secretary	Deceased	Ivy Saxton
Johnnie Jones	11/87-5/89	Sec. Principal	Transfer	Vacant
William Bryan	5/89-6/89	Chemist II	Resigned	George Powell

2. List the RCP salary schedule:

Position Title	Annual Salary Range
Division Director	$31,224 - $46,752
Health Physicist Administrative	$27,550 - $41,284
Health Physicist, SR.	$23,960 - $35,899
Health Physicist	$22,353 - $33,478
Health Physicist Trainee	$18,868 - $28,260
Chemist Chief	$26,736 - $40,052
Chemist II	$21,372 - $32,016
Secretary Principal	$13,379 - $20,036
Secretary	$11,980 - $17,949

3. Compare your salary schedule with similar employment alternatives in the same geographical area, such as industrial, medical, academic employers or other State agencies.

Based on salaries paid to individuals leaving for similar positions in industry, it appears that the salary schedule is far behind. However, recent adjustments to salary schedules and realignment of positions have brought some positions in alignment with salaries of similar positions of other regional Agreement States.

4. Explain whether your salary schedule is adequate to recruit and retain staff.

The salary schedule for Health Physicist Trainee position appears to be adequate for recruitment. The salary schedules for the recruitment of trained Health Physicists is not sufficient to attract individuals from industry or other government Agencies. Whether salaries are adequate to maintain present personnel is yet to be resolved due to short period for which salary increases and realignment of positions have been in effect.

5. What opportunities are there for promotion within the RCP organizational structure without a staff vacancy occurring?

After satisfactorily completing one year employment as a Health Physicist Trainee, he or she is promoted to a Health Physicist. Health Physicist are promoted to Health Physicist Senior when he or she meets the minimum requirements and the Health Physicist Administrative and Program Director have determined that this individual has satisfactory performed his job duties as a Health

BLACK STATE BD

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

November 22, 1991

Alton B. Cobb, M.D.
State Health Officer
State Board of Health
Felix J. Underwood Building
2423 North State Street
P. O. Box 1700
Jackson, MS 39205

Dear Dr. Cobb:

This is to confirm the discussion Mr. Richard L. Woodruff, Region II State Agreements Officer, held on September 13, 1991, with Ms. Therese L. Hanna and Messrs. Bobby Redding, Eddie S. Fuente, and Robert W. Goff following our review and evaluation of the State's Radiation Control Program.

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 Mississippi, the staff determined that overall the Mississippi program for regulation of agreement materials is adequate to protect the public health and safety and is compatible with the Commission's program. However, this finding of compatibility is contingent upon the State adopting the "dosimetry processor" requirements of 10 CFR 20.202(c), and "financial assurance" requirements of 10 CFR 30.35 as soon as possible.

Status and Compatibility of Regulations is a Category I indicator. For those regulations deemed a matter of compatibility by NRC, State regulations should be amended as soon as practicable but no later than three years. On February 12, 1988, the NRC regulations on "dosimetry processors" were adopted and on July 27, 1988 the "financial assurance" regulations were adopted. These amendments to our regulations are matters of compatibility. Based upon discussions with your staff and our compliance file reviews, it appears that the "dosimetry processor" rule is being regulated administratively through your licensing and compliance program until the Mississippi regulations can be amended. Mississippi has a "Financial Surety Arrangements for Site Reclamation" rule, 801.C.25(f); however, this rule needs to be revised to remain compatible with the NRC regulations. Also, from our exit meeting, we understand that the State's regulations are in the process of being revised in their entirety, and will be offered to the State Board of Health for consideration during their January 1992 meeting. We would appreciate receiving your comments and plans on the adoption of these rules.

An explanation of our policies and practices for reviewing Agreement State programs is attached as Enclosure 1.

Enclosure 2 contains our summary regarding the technical aspects of our review of the program. There were no major comments developed during the review and the review was summarized with Mr. Fuente and his staff during our exit meeting with him.

9111270048

We appreciate your continued support of the Radiation Control Program and your regulatory efforts to protect public health and safety. The Radiation Control Program facility that you have established is one of the best, and contributes to the high quality work being performed by the Radiation Control Program staff. We also appreciate your cooperation with this office and the courtesy and cooperation extended by your staff to Mr. Woodruff during the review.

A copy of this letter and the enclosures are provided for placement in the State Public Document Room or otherwise be made available for public examination.

Sincerely,

original signed by Carlton Kammerer

Carlton Kammerer, Director
Office of State Programs

Enclosures:
1. Application of NRC Guidelines
2. Summary of Assessment and Comments

cc w/encls:
J. Taylor, Executive Director for Operations, NRC
S. Ebneter, Regional Administrator, Region II, NRC
E. Fuente, Director, Division of Radiological Health MS Department of Health
State Liaison Officer
NRC Public Document Room
State Public Document Room

Distribution:
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RTrojanowski, RSLO, RII
Mississippi File
Document Control Desk (SP01)

bcc w/encls:
The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick

*See previous concurrence.

OFC	RII:SAO	RII:RA	SP:SA:AD	SP:D	GPA:DD	
NME	RWoodruff	SEbneter	VMiller	CKammerer	SSchwartz	
DTE	10/2/91*	10/15/91*	11/13/91	11/13/91	11/ /91	

OFC	GPA:D	EDO	DD:RMSS	D:RMSS		
NME	HRDenton	JMTaylor	GAArlotto	RMBernero		
DTE	11/15/91	11/20/91	11/20/91	11/20/91		

G:MSREVIEW

APPLICATION OF "GUIDELINES FOR NRC REVIEW OF
AGREEMENT STATE RADIATION CONTROL PROGRAMS"

The "Guidelines for NRC Review of Agreement State Radiation Control Programs," were published in the Federal Register on June 4, 1987, as an NRC Policy Statement. The Guide provides 29 indicators for evaluating Agreement State program areas. Guidance as to their relative importance to an Agreement State program is provided by categorizing the indicators into two categories.

Category I indicators address program functions which directly relate to the State's ability to protect the public health and safety. If significant problems exist in one or more Category I indicator areas, then the need for improvements may be critical.

Category II indicators address program functions which provide essential technical and administrative support for the primary program functions. Good performance in meeting the guidelines for these indicators is essential in order to avoid the development of problems in one or more of the principal program areas, i.e., those that fall under Category I indicators. Category II indicators frequently can be used to identify underlying problems that are causing, or contributing to, difficulties in Category I indicators.

It is the NRC's intention to use these categories in the following manner. In reporting findings to State management, the NRC will indicate the category of each comment made. If no significant Category I comments are provided, this will indicate that the program is adequate to protect the public health and safety and is compatible with the NRC's program. If one or more significant Category I comments are provided, the State will be notified that the program deficiencies may seriously affect the State's ability to protect the public health and safety and that the need of improvement in particular program areas is critical. If, following receipt and evaluation, the State's response appears satisfactory in addressing the significant Category I comments, the staff may offer findings of adequacy and compatibility as appropriate or defer such offering until the State's actions are examined and their effectiveness confirmed in a subsequent review. If additional information is needed to evaluate the State's actions, the staff may request the information through follow-up correspondence or perform a special limited review. NRC staff may hold a special meeting with appropriate State representatives. No significant items will be left unresolved over a prolonged period. The Commission will be informed of the results of the reviews of the individual Agreement State programs and copies of the review correspondence to the States will be placed in the NRC Public Document Room. If the State program does not improve or if additional significant Category I deficiencies have developed, a staff finding that the program is not adequate will be considered and the NRC may institute proceedings to suspend or revoke all or part of the Agreement in accordance with Section 274j of the Atomic Energy Act of 1954 as amended.

ENCLOSURE 1

SUMMARY OF ASSESSMENTS AND COMMENTS
MISSISSIPPI RADIATION CONTROL PROGRAM
FOR THE PERIOD
AUGUST 4, 1989 TO SEPTEMBER 13, 1991

SCOPE OF REVIEW

This program review was conducted in accordance with the Commission's Policy Statement for reviewing Agreement State Programs published in the Federal Register on June 4, 1987, and the internal procedures established by the Office of Governmental and Public Affairs, State Programs. The State's program review was reviewed against the 29 program indicators provided in the Guidelines. The review included inspector accompaniments, discussions with program management and staff, technical evaluation of selected license and compliance files and the evaluation of the State's responses to an NRC questionnaire that was sent to the State in preparation for the review.

The 27th regulatory program review meeting with Mississippi representatives was held during the period of September 9-13, 1991, in Jackson, Mississippi. The State was represented by Eddie S. Fuente, Director, Division of Radiological Health, and Robert W. Goff, Health Physics Administrator.

Selected license and compliance files were reviewed by Richard L. Woodruff, Region II State Agreements Officer. Field accompaniments of two inspectors were made by Mr. Woodruff on September 4 and 5, 1991. A summary meeting regarding the results of the review was held with Ms. Therese L. Hanna, Director, Policy and Planning, State Health Department, and Messrs. Bobby Redding, Assistant Director, Bureau of Environmental Health, Eddie S. Fuente, Director, Division of Radiological Health, and Robert W. Goff, Health Physics Administrator.

CONCLUSION

The Mississippi program for control of agreement materials is adequate to protect public health and safety, and compatible with the NRC's program for similar materials. However, this finding is contingent upon the State's adoption of the dosimeter processor provisions of 10 CFR 20.202(c) and the amendment of the State's regulations on financial surety in accordance with 10 CFR 30 and 40 requirements. The State's revised regulations are scheduled to be offered to the State Board of Health for consideration during the Board's January 1992 meeting.

STATUS OF PROGRAM RELATED TO PREVIOUS NRC FINDINGS

The results of the previous review were reported to the State in a letter to Dr. Cobb dated September 28, 1989. All comments made at that time were satisfactorily resolved and closed out during our visit held in September of 1990.

ENCLOSURE 2

CURRENT REVIEW COMMENTS AND RECOMMENDATIONS

All 29 indicators were reviewed and the State fully satisfies 28 of these indicators. Specific comments on the remaining indicator were made in the cover letter to this report. No other comments were developed during the review.

SUMMARY DISCUSSION WITH STATE REPRESENTATIVES

A summary meeting to present the results of the regulatory program review meeting was held on Friday, September 13, 1991, with Ms. Therese L. Hanna, Messrs. Bobby Redding, Eddie S. Fuente, and Robert W. Goff. In general, the reviewer discussed the scope of the review, and expressed the staff view that the program was adequate and compatible, contingent upon the adoption of the 10 CFR 20.202(c) provisions and the financial assurance requirements of 10 CFR 30 and 40. In addition, the Representatives were informed that we were pleased with the State's support of the Radiation Control Program and we appreciated the State's cooperation and support to NRC. Ms. Hanna and Mr. Redding were also informed that the details of the review were discussed with the Radiation Control Program staff and a letter from NRC would be sent to Dr. Cobb with the results of the review. In response, Mr. Redding and Ms. Hanna related that they were pleased to receive a good report on the Radiation Control Program, and that the rules needed for compatibility would be submitted to the State Board of Health for their consideration at the January 1992 meeting.