

Colorado IMPEP 2022 TI-003 Response / Information

Dates to be considered for covid-19 PHE response:

- Initial emergency executive orders were issued March 11, 2020 (D 2020-03).
- Governor Polis declared the State health emergency over on July 8, 2021.
- The Colorado radioactive materials unit has been working remotely since March 16, 2020 and has not returned to the office for routine work.
- All inspections were suspended from March 16, 2020 - June 2020. The first inspection conducted after the suspension of inspection activities occurred June 29, 2020.
- Resuming medical inspections was delayed until September 2020.
- From April 2020 - August 2020, Colorado routinely (at least monthly) reached out to all Part 22 (NRC Part 37) licensees to confirm the continued implementation of Part 22 for category 1 and category 2 radioactive materials.

Indicators and the effect by the covid-19 PHE:

- Technical Staffing and Training:
 - There was a delay in replacing Mark Dater's position of approximately 4 months. This position was filled in February 2021.
 - Travel restrictions have affected the abilities of Colorado staff to attend in-person training. These restrictions coincided with the NRC's restrictions with holding in-person training. The travel restrictions have since been lifted and Colorado staff have been able to attend in-person NRC training as it has been available.
 - By limiting the number of individuals at licensing facilities, the ability to cross train for inspection certifications has been slowed. Restrictions and guidance to limit the number of inspectors by CDPHE have been lifted; however, some facilities continue to have restrictions on the number of visitors allowed.
- Status of Materials Inspection Program
 - Delayed inspections:
 - ProTex the PT Xperts, LLC; initial inspection; due date 5/15/20; performed 6/29/20.
 - Colorado Surgical Affiliates; initial inspection; due date 8/30/20; performed 9/15/20.
 - Denver Heart; initial inspection; due date 4/11/20; performed 9/15/20.
 - Sky Ridge Medical Center; initial inspection (added HDR); due date 5/28/20; performed 9/23/20 (first medical use of HDR unit was 7/31/20).
 - NewFields Mining Design and Technical Services; initial inspection; due date 6/17/20; performed 9/23/20 - 10/5/20.
 - 360 Civil, Inc.; initial inspection; due date 8/16/20; performed 10/21 - 11/4/20.
 - BRL NDT Services, industrial radiography, initial inspection due 6/10/2020. This licensee has terminated their Colorado license effective 8/20/2020 with no initial inspection performed although this licensee was inspected while working under reciprocity.

- PLM Asphalt and Concrete, portable gauge, initial inspection due 6/5/2020 (this license was initially issued 7/17/2015, the licensee had not received radioactive material with initial inspections previously conducted on 7/6/2016, 6/28/2017, 6/27/2018, and 6/5/2019). This licensee has terminated their Colorado license effective 07/30/2020.
 - Evraz Rocky Mountain Steel, CO 250-02, fixed gauges, initial inspection due 12/17/2020. This inspection was an initial inspection due to the addition of new device which required Part 22 implementation. On 11/30/2020 the site was listed as an active outbreak site and outside personnel were limited. An explosion on May 29, 2021 also affected the licensee (no RAM involved in explosion). The inspection was started on 8/2/2021 (completed 8/6/2021).
 - Reciprocity inspections have continued to be performed, but have taken a lower priority compared to Colorado specific licensees.
 - Some summary of inspection findings after an inspection, and the final acknowledgement letter to close out an inspection, have been delayed. Efforts continue to be to deliver both of those correspondences within 30 days after an inspection or 30 days after a licensee's response.
- Technical Quality of Inspections
 - Inspections continue to be performed with a minimum of one qualified inspector present.
 - Inspection accompaniments were missed for Carrie Romanchek and Peter Rottenborn in 2020.
 - Enforcement discretion used for licensees who were not able to complete actions should only be utilized for items that have a minor health or safety significance; the licensee has documented why an area of compliance was not performed and has a plan in place to return to compliance if not already back in compliance; and the discretion used by an inspector should be noted in the inspection report.
- Technical Quality of Licensing Actions
 - Licensing actions continue to be performed by a primary reviewer with a secondary review completed by the Licensing Lead or the Unit Leader.
 - Some licensing actions may take longer to complete due to remote working.
- Technical Quality of Incident and Allegation Activities
 - Incident and allegation activities continue to take a priority over routine licensing and inspection activities.
 - Some onsite reactive inspections may be delayed due to inspector availability and access restrictions implemented by covid-19 protocols.
 - Some reactive inspections have been performed virtually.
- Legislation, Regulations, and Other Program Elements
 - The Colorado regulatory process was not delayed or adversely affected due to the COVID-19 PHE. No NRC regulations were adopted by Colorado more than 3 years after the effective date.
- Sealed Source and Device Evaluation Program
 - No known effects. No new sealed source and device evaluations. No overdue inspections.

- Uranium Recovery Program
 - See common performance indicator responses above. All uranium recovery licensees are in various phases of decommissioning and are regulated as all other licensees.