



Arkansas Department of Health

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Governor Sarah Huckabee Sanders

Renee Mallory, RN, BSN, Secretary of Health

Jennifer Dillaha, MD, Director

February 29, 2024

Adelaide S. Giantelli, Chief
State Agreement and Liaison Programs Branch
Division of Materials Safety, Security, State,
and Tribal Programs
Office of Nuclear Material Safety and Safeguards
United States Nuclear Regulatory Commission
Two White Flint North
11545 Rockville Pike
Rockville, Maryland 20852

Dear Ms. Giantelli:

The Department has received and reviewed the draft Integrated Materials Performance Evaluation Program (IMPEP) report dated February 16, 2024. The Department appreciates the Review Team's review and findings.

Attached are comments and corrections regarding the draft report. We ask that the Review Team consider the comments and corrections and make appropriate revisions in the draft report.

The Radioactive Materials Program continues to seek improvement as a co-regulator with the NRC to protect public health and safety, and to secure the safe use of radioactive material.

We look forward to interacting and discussing program improvements with the Management Review Board on March 27, 2024.

Thank you for the opportunity to review and comment on this draft document. I look forward to continuing a strong and positive working relationship between the Department and NRC.

If you have any questions or need additional information related to the Radioactive Materials Program, please contact Susan Elliott at 501-661-2173.

Sincerely,



Shane David, Pharm D,

Branch Chief, Health Systems, Licensing and Certification

Arkansas Department of Health

Arkansas Comments on Draft Report Dated February 16, 2024

The Department respectfully requests that the following comments be reviewed, and appropriate revisions or changes be made in the draft Integrated Materials Performance Evaluation Program (IMPEP) report dated February 16, 2024.

Letter from NRC to Shane David, PharmD, Branch Chief Health Systems Licensing and Certification

- **NRC Letter:**
 - **Paragraph 4, Page 1, indicated in part:**
“The MRB meeting is scheduled to be conducted as a hybrid meeting on March 28, 2024, at 1:00 p.m. ET via Microsoft Teams.”
 - **Response:**
The MRB meeting date subsequently changed and required parties agreed to the new meeting time on March 27, 2024, at 1:00 pm to 3:30 pm ET either in person or via Microsoft Teams.

Arkansas Draft IMPEP Report

- **3.1 Technical Staffing and Training**
 - **3.1, (b), Paragraph 1, Page 3 of the NRC report indicated in part:**
“Arkansas is comprised of eight staff members including the Section chief, a Section health physicist, the Program supervisor, four health physicists, and one administrative staff member. The Program also has a contract health physicist that performs licensing actions. This equates to about 6 full-time equivalent positions for the Program.”
 - **Response:**
The Arkansas Department of Health Radiation Control Section has calculated an approximate value of 6.5 full-time equivalent positions for the Radioactive Materials program.
 - **3.1, (b), Paragraph 2, Page 3 of the NRC Report indicated in part:**
“At the time of the review, there were two health physicist vacancies and Arkansas management had not yet taken any action to fill them and two health physicist positions were filled with staff that were recently hired with no previous experience with a radioactive

materials program. Both individuals started their training with an introduction to health physics principles.”

○ **Response:**

The recent health physicist hires, although limited, do have previous experience with radioactive material programs. One of the recent program health physicists hired has had several years of administrative experience within the Department’s Radioactive Materials Program working daily with our licensing processes. She has been instrumental in the Program’s transition to Web Based Licensing. In addition, our other recently hired health physicist has vast experience in the nuclear power industry, specifically with spent nuclear fuel cast storage.

○ **3.1, (b), Paragraph 2, Page 4, of the NRC Report indicated in part:**

“The team noted through interviews with staff and management that Arkansas has historically had difficulty recruiting and retaining qualified staff. The Program’s management has not analyzed, nor have they taken action to address attrition over the last several IMPEP reviews.”

Response:

The Radiation Control Program conducted staffing analysis and a RAM Staff Chart was prepared for Management review in 2022. This chart included a time frame of 2017 to 2022 and was made available for the NRC’s January 2023 Periodic Review. (See Attachment1).

As Program vacancies have occurred, the program has attempted to fill the vacancies as qualified applicants have been located through our hiring process. In addition, the Radiation Control Program has implemented an approach of promoting within the program to address staffing shortages and reduce employee turnover.

● **3.4 Technical Quality of Incident and Allegation Activities**

○ 3.4, (b), paragraph 3, Page 9, the NRC report indicated in part:

“During the review period, no allegations were received directly by Arkansas. One allegation was referred from NRC to Arkansas in

November 2023. At the time of the review, the Program was not aware of the NRC referred allegation; however, once the IMPEP team notified the Program, they initiated action to review the allegation."

Response:

The November 2023, NRC referenced allegation has been subsequently investigated with assistance from the NRC headquarters staff.

- **Appendix B of NRC Report**

- **Periodic Meeting Participants, specifically for State of Arkansas indicated in part:**

Connie Melton: Director, Center for Health Protection

Shane David: Chief, Health Systems Licensing and Certification

Bernard Bevill: Chief, Radiation Control Section

- **Response, please note the titles for the following individuals:**

Connie Melton, Center Director, Division for Health Protection

Shane David, Pharm D, Branch Chief, Health Systems, Licensing and Certification

Bernard Bevill, Section Chief, Radiation Control Section

RAM STAFF 2017-2022

IN TRAINING

VACANT

Year	Q1	Q2	Q3	Q4
2017	SUSAN			
2018			CHRIS	
2019	CHRIS			
2020	CHRIS			
2021	CHRIS			
2022				
2017	DAVID			
2018	DAVID			
2019	DAVID	KATIA		
2020		KATIA		
2021			CHRISTY	
2022	CHRISTY			
2017	STEVE			
2018	STEVE			
2019	STEVE			
2020	STEVE			
2021	STEVE			
2022	STEVE			
2017	ANGIE			
2018	ANGIE			
2019	ANGIE			
2020	ANGIE			
2021	ANGIE			
2022	ANGIE			
2017	1	2	3	4
2018	1	2	3	4
2019	1	2	3	4
2020	1	2	3	4
2021	1	2	3	4
2022	1	2	3	4