



**Department of State Health Services (DSHS)
Program Report to the Texas Radiation Advisory Board (TRAB)
Consumer Protection Division**

November 22, 2019

Business Filing and Verification Section

Radioactive Material Unit – Karl Von Ahn, Manager

As of August 1, 2019, we started entering and storing licensing and other documents on an internal SharePoint site. In addition to creating an electronic filing system, internal procedures and business rules are being created and amended. The goal is to switch to an electronic filing system instead of adding to our paper based records and microfiche.

We continue to update and review rule guides and application guides for office and public use. The documents require a substantial rewrite, and must now meet the DSHS report document formatting. The guide updating process is currently a lower priority than the internal paperless system development.

Radiation Surveillance Section-Radiation Unit

Radioactive Materials Inspection Group – Eric Skotak, Manager

The Radioactive Materials Group (Inspections) will be providing information to our blood and research irradiator licensees regarding the NNSA/DOE Office of Radiological Security “Cesium Irradiator Replacement Project” for permanent risk reduction which provides financial incentives for the removal of cesium-137 irradiators and replacement with X-Ray producing machine irradiators.

Lisa Bruedigan attended a workshop on the Security of Disused Radioactive Sources hosted by the World Institute for Nuclear Security on October 8 -9, 2019, in Vienna Austria. Ms. Bruedigan gave a presentation on RAM Storage and the Texas Two-Year Storage Rule.

Mammography and Remote Inspections Group – Trae Windham, Manager

The mammography program has begun the process of outlining an additional training and peer interaction program geared to further standardize mammography inspections throughout the state. This program will aim to alleviate some existing registrant confusion in interpreting rules and regulations, as well as promote greater transparency throughout the mammography inspections program.

The remote inspections program has begun using updated remote inspection forms as of 11/8/2019. The updated forms include updated dental rule references as well corrected rule references for all other modalities currently inspected by the remote inspections program. The change intends to clarify confusion issues expressed by the registrants such as return due dates, required equipment documentation, and required contact information.

X-Ray Group – Shannon Quinn, Manager

Effective October 1, 2019, Stephanie Lopez became the manager of the X-Ray South Inspectors Group. Stephanie has been with the Program for two years working in the Mammography Accreditation Program and as an X-ray Inspector. Stephanie has a background as a Radiological Technologist with over 15 years of managerial experience.

Environmental Monitoring Group – Bob Free, Manager

Incident Investigations:

On September 23, 2019, it was reported to the Agency by Customs and Border Protection, Department of Homeland Security, that a portal detector at Los Angeles Airport had alarmed when a package bound for Texas passed through. The radioisotopes within the package were identified as Cs-134 and Cs-137, and the helicopter part within the package was traced back to Japan presenting the possibility that the radioisotopes were from the Fukushima incident. The Agency resolved the issue in collaboration with the radiation control program in Los Angeles County, California Department of Public Health, and the EPA. The Package was returned to New Zealand. There is no evidence of threat to public health or safety. No violations cited.

On August 17, 2019, the Agency received a report from a licensee of a fire that occurred during the transport of a density gauge. The driver attempted

unsuccessfully to extinguish the fire. The truck was transporting a 100 millicurie cesium-137 source installed on a pipe. The dose rates were as high as five millirem per hour at one meter from the gauge. The manufacturing facility found that the shielding material had been compromised. The licensee stated the gauge and source will be safely disposed of. There is no evidence of threat to public health or safety. No violations were cited.

South Texas Project (STP):

There were no STP related activities for DSHS during the September 20-November 15, 2019, time period.

Comanche Peak:

A FEMA evaluated MS-1 medical drill was held on September 25th, 2019, at the Texas Health Cleburne Medical Center. The drill was a success and met all FEMA criteria and objectives. There was a Planning Issue concerning the Hospital having staff trained to provide whole body radiation surveys if Comanche Peak or the DSHS is not available.

DSHS and Comanche Peak participated in a Dress Rehearsal (DR) on Wednesday, October 2, 2019, in preparation for the FEMA Plume Phase Evaluated Exercise (EE) that will be held on Wednesday, November 6, 2019. The DR went well and met all State and Counties objectives.

DSHS participated in the FEMA EE Plume Phase Exercise at the Comanche Peak Nuclear Plant (CP) on November 6th, 2019. The purpose of the exercise was to assess the level of preparedness of state and local responders to a simulated radiological emergency at CP. This exercise was conducted in accordance with Federal Emergency Management Agency (FEMA) policy and guidance concerning implementation of state and local emergency preparedness plans and procedures. The exercise went well and all required criterion were evaluated. The FEMA draft report will be provided for review and comment within 30 days of the exercise.

Waste Isolation Pilot Plant (WIPP):

The Department of Energy continues to ship transuranic waste through Texas to the WIPP site located southeast of Carlsbad, New Mexico. Approximately

four to five shipments per month continue to be transported from the Oak Ridge National Laboratories in Tennessee.

WIPP program staff provided Radiological Emergency Response training to 16 emergency responders in Pecos, Texas, during the month of October, 2019.

35 radiological instrument sets were inspected, calibrated, and reissued to emergency first responders in Kaufman, Van Zandt, Pecos and Eastland counties located in and along the Interstate Highway 20 WIPP transportation route.

In addition, a total of six WIPP related briefings were provided to 19 local officials in Kaufman, Van Zandt and Eastland counties

Pantex:

Planning is beginning on a Tabletop Exercise focused on recovery from an event at the Pantex plant. This will include DOE and FEMA, as well as state and local officials from the surrounding counties. The date is tentatively scheduled for Spring 2020.

DSHS is working on development of a drone program for emergency response and environmental sampling. A demonstration was held in Amarillo for AIP partners at the AIP Task II meeting at Carson County Law Enforcement center.

Compliance Section

Environmental and Radiation Control Unit – Alyson Henry

From September 2019 – October 2019, the Compliance Section issued 27 Orders against individuals and companies that were found to have violated the Texas Regulations for Control of Radiation (25 Texas Administrative Code §§289.201 – 302). These Orders have resulted in the assessment of \$76,375.00 in administrative penalties. One Radioactive Material License and one X-ray registration was revoked during this period as a result of not responding to the Department when revocation was proposed.

On October 8, 2019, a formal hearing was held at the State Office of Administrative Hearings (SOAH) for an enforcement case related to an entity that failed to comply with a Department Order. The case is pending the Proposal for Decision (PFD) by the Administrative Law Judge (ALJ).

Policy, Standards, and Quality Assurance Section

Radiation Unit – Brian Vamvakias, Manager

- Upcoming rules:
 - §289.233, Radiation Control Regulations for Radiation Machines used in Veterinary Medicine will be the next x-ray rule to be revised. Request to open the rule for changes, Rule Notification Form (RNF), has been approved. PSQA will be meeting with all DSHS managers to begin working on drafting changes.
 - §289.226, Radiation Control Regulations for Registration of Radiation Machines Use and Services will be revised to meet 4-year review requirements. RNF has been approved. PSQA will be meeting with all DSHS managers to begin working on drafting changes.
 - At this time, the next Nuclear Regulatory Commission required changes to radioactive material rules will include:
 - §289.201, General Provisions for Radioactive Material
 - §289.202, Standards for Protection Against Radiation from Radioactive Materials
 - §289.251, Exemptions, General Licenses, and General License Acknowledgements
 - §289.252, Licensing of Radioactive Material
 - §289.255, Radiation Safety Requirements and Licensing and Registration Procedures for Industrial Radiography
 - §289.256, Medical and Veterinary Use of Radioactive Material and
 - §289.257, Packaging and Transportation of Radioactive Material;
and will also include:
 - §289.258, Licensing and Radiation Safety Requirements for Irradiators.