



TEXAS
Health and Human
Services

Texas Department of State
Health Services

**Department of State Health Services (DSHS) First Quarter 2018
Program Report to the Texas Radiation Advisory Board (TRAB)
Consumer Protection Division**

February 23, 2018

Business Filing and Verification Section

Radioactive Material Unit – Karl Von Ahn, Manager

- Effective January 1, 2018, we have changed to a new radioactive materials license format. One major change is the addition of the state seal as a watermark, which was done to make the licenses more tamper evident if someone modified the license. Along with the format changes, we have also been updating the standard license conditions, which we started using on January 1, 2018.
- Since there were significant changes to both the license format and especially the medical license conditions, we posted notices on the Radiation Control Program web page with links to a copy of the letter describing the changes and a cross walk from the prior medical license language and authorized user listing to the new listings. [Copies attached.]
- We have generated a consolidated in-house policy and procedure manual for license reviewers.
- The Nuclear Regulatory Commission conducted a two week IMPEP review of both DSHS and TCEQ. An initial draft of the NRC report is due in 30 days for review and factual comment by DSHS and TCEQ of their findings and recommendations.

Radiation Surveillance Section-Radiation Unit

Radioactive Materials Inspection Group – Eric Skotak, Manager

Planning the Radioactive Materials Group Staff Meeting for the first week in April.

Mammography and Remote Inspections Group – Trae Windham, Manager

- The FDA EQUIP initiative to address digital quality assurance continues to evolve ahead of implementation scheduled for March 5, 2018. The EQUIP initiative was introduced by the FDA in January 2017 after an increase in the number of accreditation failures due to inadequate image quality in submitted mammography images. The initiative addresses three essential aspects of image quality which includes, a procedure for feedback to technologists and repeat accountability, technologist and interpreting physician image acceptance, and lead interpreting physician oversight of facility machine quality control practices.
- The Remote Inspections Group continues a successful transition of correction facilities to the remote inspections program. Within the last two quarters 67 remote inspection forms were sent to correctional facilities, with 59 percent of those being reconciled.

X-Ray Groups – Lisa Bruedigan and Joann Harthcock, Managers

- Staff meeting will take place the last week of April. This year's staff meeting will focus on new industry technologies, technical writing and reporting, x-ray machine testing, and emergency response.
- Two new x-ray inspectors were hired in early February. As part of their training, they will be attending multiple didactic training sessions in Austin with dedicated staff trainers and will accompany field inspectors as they perform inspections to gain experience.

Environmental Monitoring Group – Bob Free, Manager

Incident Investigations:

- On September 22, 2017, the Agency was notified by the licensee's radiation safety officer (RSO) that an unusual event had occurred at their facility. The RSO stated that while he was working on his computer, he noted that the display for 16 security cameras went blank. The RSO determined that their computer system had been hacked. Onsite investigation completed on October 4, 2017, confirmed the system was breached from the video surveillance company and down linked into the radiography company's video feed communication line. The breach was directly targeted at the company supplying the video surveillance and not the licensee. The licensee's vault security system has a separate communication system and their security plan is not stored on the computer system so neither were accessed or affected. Upgrades in firewalls and alerting system, as well as password changes, have been completed by the licensee to prevent a recurrence. The licensee's security system has back up power from batteries and a generator. There was no breach in the camera security system. No violations were cited.
- On December 29, 2017, the Agency was notified by the licensee's corporate radiation safety officer (CRSO) who reported a lost radiography camera. The CRSO stated one of the licensee's radiographers had removed from storage and placed a QA model D880 exposure device containing a 40.9 curie iridium-192 source on the tailgate of their truck. The radiographer did not lock the device in the transfer case and drove off with the device still on the tailgate. The radiographer stated he had placed the device on the back step of the truck and then noticed he had forgotten his gloves and went to get them. When he came back to the truck he forgot about the device and they left the facility. On December 29, 2017, at 1528 hours the gauge was reported as found 6.9 miles from the licensee's facilities. Local law enforcement and fire department personnel participated in the search and discovered the camera in a ditch on the side of the road.

South Texas Project:

- A FEMA evaluated medical exercise at Matagorda Regional Medical Center in Bay City took place on October 31, 2018. There were no findings or issues identified during this exercise.

- Another FEMA evaluated medical exercise is scheduled to take place on March 8, 2018 at Palacios Community Medical Center.
- The DSHS Dress Rehearsal Exercise is scheduled for May 1, 2018. DSHS Radiation Emergency Response Team will drill and test themselves similar to the FEMA evaluated exercise in order to prepare.
- An Ingestion Phase Federal Outreach is scheduled for May 2, 2018. Federal agencies involved in the recovery/ingestion phase of a nuclear power plant event will present on their supporting assets, roles and responsibilities.

Comanche Peak:

- Comanche Peak will be holding ONSITE radiological exercises on the following dates in 2018 that will involve DSHS Joint Information Center participation:
 - February 14
 - April 4
 - July 11
 - August 15
- Additional participation may be required if Hood and Somervell counties decide to participate in the exercises. The additional participation may be required after the results of local elections are determined. These results may affect staffing of current local officials, including the County Judges. The elections are to be held on Tuesday, March 6th, 2018.

Waste Isolation Pilot Plant:

- During this reporting period, the Waste Isolation Pilot Plant has received over 21 transuranic waste shipments through Texas with the majority of shipments transporting from the Oak Ridge National Laboratory facility in Tennessee.
- A total of 25 radiological instrument sets were updated in 8 jurisdictions throughout Smith County.
- In September and October, Radiological First Responder classes were provided for the Addison Fire Department and also for the Mesquite Fire Department. A total of 8 classes were provided resulting in 102 students successfully completing the course.

Pantex:

- The Department of Energy has approved the "Agreement in Principle" (AIP) contract for the federal contract years, 2017-2021. Our FY2018 budget has been funded in full and was not affected by the government shutdown.
- DSHS has hired Amber Bolen as a Health Physicist II. Her office will be located in the new Administrative Complex on Pantex Site. This will give us a better working relationship with their emergency management personnel.
- DSHS representatives will attend the Quarterly AIP Meeting and Exercise Workshop held in Austin, Texas at the State Capital on February 5-6.
- Preparations continue to move forward regarding the planning of the Pantex Full Participation Exercise to be held on April 17, 2018.
- DSHS continues to settle into the new staging area at Randall County Fire Station No.1 after a move from the previous staging area at Line Avenue in Amarillo, TX.

Compliance Section**Environmental Unit – Alyson Henry**

From November 2017 – February 2018, the Compliance Section issued 88 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 \$169,345.00 in administrative penalties. One radiographer certification was revoked as a result of failing to respond to an Order issued by the Department assessing administrative penalties.

Radiation Policy, Standards, and Quality Assurance Section**Radiation Unit – Chuck Flynn, Manager**

- The following proposed radioactive materials rules will be presented at the TRAB meeting on February 23, 2018.
The proposed radioactive materials rules (now known as our "RAM 2016-2018" packet) include:

§289.251 concerning exemptions, general licenses, and general license acknowledgements

§289.252 concerning licensing of radioactive material

§289.253 concerning radiation safety requirements for well logging service operations and tracer studies

§289.256 concerning medical and veterinary use of radioactive material

§289.257 concerning packaging and transportation of radioactive material

- These proposed rules will be presented at the May 24, 2018, Health and Human Services Council meeting.

- The x-ray rule packet includes:

§289.232 concerning radiation control regulations for dental radiation machines

This draft rule has been reviewed by legal counsel and will soon be posted via our govdelivery email system and also be sent by direct email to TRAB members for a 30-day comment period.

- NRC Integrated Materials Performance Evaluation Program (IMPEP):

The U.S. Nuclear Regulatory Commission (NRC) conducted its 4-year review of the Texas Radiation Programs including the Department of State Health Services (DSHS) and the Texas Commission on Environmental Quality (TCEQ). The IMPEP review took place from Monday, January 29, 2018, through Friday, February 9, 2018.

The NRC looked at both common and non-common performance indicators in their assessment of the Texas Radiation Programs. The NRC's preliminary findings for the Texas 2018 IMPEP review found the Texas programs to be both adequate for protection of public health and safety and compatible with NRC requirements.

The NRC has 30 days to send us their preliminary report findings and we have 30 days to respond to those findings. The NRC will conduct a Management Review Board on April 24, 2018 to present their final findings to DSHS and TECQ.