



Department of State Health Services (DSHS) Second Quarter 2016 Program Report to the Texas Radiation Advisory Board (TRAB)

May 20, 2016

Radiation Safety Licensing Branch

Radioactive Material Licensing Group

Thermo Process Instruments, LP, is continuing to transition their manufacturing and distribution operations to the Commonwealth of Massachusetts. The department is in receipt of several requests from them for updates and/or inactivation of their existing Texas Sealed Source & Device Registry Sheets. They will maintain an ongoing presence in our state even after decontamination operations have been completed. The department is currently processing a license application requesting authorization for Research & Development and Demonstration & Sales. At this time, the department has not received a decommissioning plan from Thermo Fisher Scientific.

The department received notification of the sale of a Radium Removal Treatment System to Silver Creek Village Water Supply Corporation (WSC), a small scale system that will be operated under a general license. Silver Creek Village WSC will contract with Texas Radioactive Material Water Remediation Technology, LLC) to perform spent media treatment exchanges and respond to emergencies or other unusual events requiring spill remediation under a temporary job site authorization provided in WRT's license.

Environmental Monitoring Group

Incident Investigations

1. On April 21, 2016, the Agency was contacted by the Environmental Protection Agency in response to a notice it had received regarding excessive dose rates coming from a package in shipment. The package was being carried by Federal Express (FedEx) and was located at one of its facilities in Houston, Texas. The Agency contacted the radiation safety officer (RSO) for FedEx. He stated FedEx had been informed by Customs and Border Protection that a package at the at a FedEx facility was reading higher than expected. The package was a spent Iridium 192 source from a High Dose Rate Afterloader (HDR) that was being returned from a Manila, Philippines hospital to the manufacturer, Alpha Omega in Louisiana. FedEx contacted Alpha Omega who then dispatched a technician to the FedEx facility to secure the package. The tech told DSHS investigators by phone that the source had been pulled from its shield and was lying on top of the shield inside the shipping package creating a dose rate of 41 mR/hr at a meter. FedEx is attempting to review video footage to determine where the source could have been pulled from the shield. It does not appear that the tampering occurred in Houston. The investigation into this event is on-going.

2. On March 16, 2016, the Agency was notified by a manager for a common carrier that a package containing radioactive material had fallen out of one of their vehicles during transport. The package was found by a member of the public on a highway. The person collected the package and called the phone number on the package. The number on the package was to the source manufacturer. The radiation safety officer (RSO) from the manufacturer's La Porte, Texas, facility met the member of the public to collect the package. The RSO completed a survey of the package and performed leak testing. The container was a type B package containing two iridium-192 sources. The RSO found the package's outer shipping box was damaged although the type B container was in good condition and was not leaking. The sources were taken to the manufacturer's La Porte facility and placed in storage. The sources whose ultimate destination was the manufacturer's Baton Rouge, Louisiana facility when the container fell out of the transport vehicle onto the freeway. The investigation revealed that the member of the public had the package for less than an hour. A dose estimate for the member of the public was calculated by the carrier's health physicist to be less than 0.5 millirem, which is below regulatory exposure limits for a member of the public. The carrier demonstrated that its employee did not follow operating procedures for transporting dangerous goods. The Agency has also provided the US Department of Transportation with a notice of the incident.

Emergency Planning

Weapons of Mass Destruction (WMD)

Valley Public Health Radiological Workshop - On April 14, 2016 a workshop was conducted by DSHS Radiation Control Program's EP staff for local and State public health agencies and hospitals in the DSHS Health Service Region (HSR) 11. Workshop participants included DSHS Central Office and HSR 11, Hidalgo County Health Department, city and county emergency management organization, a number of hospitals, and surrounding regional and county Public Health agencies. There were around 100 attendees. The workshop focused on public health and hospital response after a radiological dispersion device explosion in a public setting. Major areas of discussion included emergency public information and warning, mass care and responder safety and health.

South Texas Project (STP)

The STP FEMA Evaluated Exercise will be on July 13, 2016. A dress rehearsal will be conducted on June 1, 2016. Training with DSHS Radiological Emergency Response Team staff is ongoing. On April 4th a tour of STP was provided for DSHS Commissioner Hellerstedt and other DSHS management.

Comanche Peak (CP)

1. On Thursday, March 10, 2016 Somervell County District Judge John E. Neill of the 18th District Court of the State of Texas issued a decision on his findings of Luminant Generation Company, LLC vs. Somervell County Appraisal District. "After much consideration, the Court finds in favor of Defendant Somervell Central Appraisal District and orders the fair market value of the subject property set at \$2,221,721,055.00," said Neill in his brief issued 23 days after the second day of the two day trial held in the Somervell County Courthouse Annex Feb. 15-16
2. With the decision being fresh, Luminant and its attorneys will need to comb through Neill's findings before making a decision on an appeal, according to a statement by the energy company early Friday morning. "We are disappointed in the court's decision and believe it does not reflect the accurate value of Comanche Peak given today's market conditions," the statement reads. "We will be reviewing the ruling in detail and considering our options including an appeal."
3. Comanche Peak will be having a FEMA evaluated MS-1 medical drill at the Lake Granbury Medical Center on October 11th, 2016 and a Cleburne Reception Center Drill on October 12th, 2016.
4. Comanche Peak's next Plume Phase exercise will be in 2017. The Dress Rehearsal will be on July 12th, 2017 and the FEMA evaluated exercise will be on August 16th, 2017.

Waste Isolation Pilot Plant

1. February 2016 marks two years since the underground fire and radiological release events forced the temporary closure of the Department of Energy's Waste Isolation Pilot Plant (WIPP). Much progress has been made in the recovery of the underground storage facility. Significant upgrades have been made to the ventilation system and major changes and revisions to all safety management programs have been established.
2. A new Wireless Notification and Tracking System has been installed in the underground facility that allows for a two-way communications system which will allow personnel to immediately signal the Central Monitoring Room in the event of an emergency.
3. Plans are currently underway as to what steps remain to restart the WIPP facility. Transuranic waste from the Los Alamos National Laboratory is temporarily being stored at the Waste Control Specialists (WCS) facility located in Andrews County. This waste has been identified as the first waste to be shipped to the WIPP facility after reopening. Officials at the WIPP facility anticipate to start receiving shipments from WCS in March or April 2017. Shipments from sites throughout the nation are expected to begin late 2017.
4. Recently, a total of eight Radiological Emergency Response Training classes were provided to a total of 87 first responders at Fire Departments in Weatherford and in Kilgore, Texas.
5. WIPP program staff members are currently developing plans to conduct a full-scale WIPP Radiological Transportation exercise in Big Spring, Texas scheduled for November 9, 2016.

Pantex

1. Staff members with the Radiation Branch have recently reviewed and developed the "Agreement in Principle" (AIP) contract proposal for federal contract years, 2017 - 2021. The contract proposal has recently been submitted to the State Energy Conservations Office for approval and processing.
2. Exercise development and planning is currently underway regarding upcoming exercises with Pantex and with the State and Local Governments. Two exercises involving the Radiation Branch is tentatively scheduled for August and November of this year. Specific time, dates and extent of play regarding the exercise is currently pending. However, we anticipate obtaining detailed information at an exercise planning meeting with Pantex scheduled for May 16, 2016 in Claude, Texas.
3. The Radiation Branch continues to participate, attend and support emergency exercises and drills as well as supporting environmental monitoring, sampling and radiological instrument maintenance and calibration. Two Radiation Branch staff members recently attended and participated in the Joint Information Center Drill in Amarillo.
4. One FTE position remains vacant at this time. Additional interviews are currently scheduled.

Radioactive Materials (RAM) Inspections Group

1. The DSHS Region 1 radioactive materials inspector position will be filled June 13th. The Group will then be fully staffed.
2. Security Inspections Update training sessions were held in Houston, Arlington, and Austin over the period of May 3 – 18, 2016. This training provided an update related to the new definitions in Section 201(b) and new provisions in Section 252(ii) Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material. The radioactive materials inspectors, investigators, and quality assurance reviewers received the training.
3. The NRC's Integrated Materials Performance Evaluation Program (IMPEP) periodic meeting was held February 10, 2016. The Management Review Board meeting will be held on June 16th. All areas under review were found satisfactory.

X-Ray Inspections Group

1. X-ray Inspections and PSQA staff members participated in a week long staff meeting. The staff meeting included a site visit to a Radiation Therapy Center with hands on and didactic training by a Licensed Medical Physicist. The staff also visited a Proton Therapy Center and received didactic training from a Radiation Oncologist and Licensed Medical Physicist on the benefits, applications and physics of proton therapy treatment. In addition, the staff received a tour of the facility and were able to observe patient treatment.
2. There is one new X-ray Inspector currently participating in on-site training of basic x-ray modalities and will be participating in classroom training in late May.
3. All other X-ray Inspectors are fully trained to inspect all modalities.

Mammography and Remote Inspections Group

1. 1003 remote x-ray inspections have been issued for FY2016. Staff are working on 477 open remote inspections.
2. Most mammography inspections are being conducted timely. Two facilities are past due for inspection.
3. Arlington X-ray Inspector, Connie Gibson, just completed the 2016 FDA MQSA Inspector Certification course and is now working on completing her supervised inspections to provide capability as a back-up mammography inspector.

Radiation Enforcement

From January – April 2016, the Enforcement Unit issued 159 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 \$88,625.00 in administrative penalties. Of the 159 Orders issued, 69 were Revocation Orders. All of the Revocation Orders resulted from failing to pay registration or licensing fees.

Radiation Policy, Standards, and Quality Assurance Group

On June 12, 2015, the proposed RAM2 (Part 37) rule packet was presented to the TRAB. The packet consisted of the following rules:

§289.201 concerning general provisions for radioactive material

§289.202 concerning standards for protection against radiation from radioactive materials

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

§289.252 concerning licensing of radioactive material

§289.257 concerning packaging and transportation of radioactive material

The proposed rules were presented to and approved by the DSHS Council on September 10, 2015. Following approval by the HHSC Executive Commissioner, the final rules were posted in the *Texas Register* and became effective on March 1, 2016.