



Nicholas J. Vailas  
Commissioner

Kathleen A. Dunn  
Director

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF COMMUNITY & PUBLIC HEALTH

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September 9, 2003

Mr. Paul H. Lohaus, Director  
Office of State and Tribal Programs  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dear Mr. Lohaus:

As part of our on-going communications regarding the status of New Hampshire's progress on implementing program improvements in response to the state's Integrated Materials Performance Evaluation Program (IMPEP), I offer you the following enclosures:

- An updated Program Improvement Work Plan dated 9/9/03.
- Updated "Licensing Status Monthly Summary Report" and "Monthly Inspection Status Summary Report" dated 9/9/03.
- Radioactive Material License Inspections Completed in the Year 2003 (as of 9/9/03).
- Radioactive Materials Inspection Schedules – 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003.
- Radioactive Materials Inspection Calendars – 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003.
- Current Schedule of Initial Inspections for Newly-Issued Licensees.
- Updated rule adoption matrix/schedule.

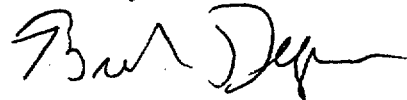
In regards to efforts that we have undertaken or will be undertaking to address workforce issues, business operations and consistency with NRC regulatory standards, I offer the following:

- In July 2003, the NH Division of Personnel approved the reclassification of the current Bureau Chief position to the new, higher paying, Radiation Health Physicist V level. The last step in the reclassification process requires the approval of the Governor and Executive Council. Given the overall status of the economy and the need to be prudent in expending state funds, it is uncertain when we should expect final approval.
- At this time, the BRH's health physicist positions are fully staffed. Rick D'Alarcao, who holds a doctorate degree in physics, began working on July 11<sup>th</sup>; and Debanond Chakraborty, who holds a master's degree in health physics, started on August 22. Rick has been scheduled to attend the following three NRC-sponsored courses this fall: Radiation Safety in Industrial Radiography; Inspection Procedures; and Licensing Practices and Procedures. Also, on September 9, in anticipation of the NRC training schedule to be released in the upcoming federal fiscal year, we have submitted applications to have our newest health physicist, Mr. Chakraborty, attend the same three courses listed above at the next available opening.
- Contract work continues with former agreement state program director (Vicki Jeffs) conducting license application reviews on behalf of the radiation control program.

- Contract work continues with Mario Iannaccone conducting inspections of radioactive material licensees on behalf of the program.
- On July 18, 2003, the new fee schedule, which implements the Bureau's fee-based rules, was approved by the Joint Legislative Council on Administrative Rules. The new fee structure is now in place and generating revenue.
- The new computer software program, "RADS", is still moving forward. Although RADS has gone through the initial user acceptance phase, there remain usability issues. Bureau supervisors met recently with DHHS Information Technology staff to mediate for the needed changes, and progress should be noted this month.
- The Radioactive Materials Section Supervisor, Dennis O'Dowd, continues providing weekly reports, which indicate the assignments each staff member has for the upcoming week and the status of the current week's work. These are reviewed each Friday and I believe are helpful in supporting the staff in prioritizing work assignments. In addition, the inspection schedule for the last quarter of 2003 has been completed, which includes initial inspections of newly issued licenses (as per the NRC's Manual Chapter 2800 inspection protocols). Inspections and inspection report due dates are now scheduled well in advance so as to allow for mid-course corrections, should any be needed.
- The State Radiation Advisory Committee (SRAC) held its last quarterly meeting on September 4, 2003. The state's letter to the NRC, dated July 18, 2003, was reviewed by the committee, which then expressed its satisfaction with the progress to date.
- In regard to bringing our rules into conformance with those of the NRC, the immediate schedule of events is as follows: 1) All rulemaking notice forms have been submitted to the appropriate legislative office; 2) the official rulemaking notice was published in the July 11, 2003, New Hampshire Rule Register; 3) the public hearing on the proposed amendments took place on August 1, 2003, and 4) the legislative review of these rules is scheduled for September 18, 2003, in Concord, New Hampshire. This will, in effect, adopt 49 CFR 100-189 & 390-397, 10 CFR Subpart D, and 10 CFR 20 Appendices G, B, and C. The remaining rule adoptions needed to achieve full compliance with NRC will be pursued in accordance with the submitted timeline.

In summary, the state continues to make continuous progress in addressing the issues raised in the 2001 and 2002 IMPEP reports. Please feel free to call me with any questions. I may be reached directly at (603) 271-4716 or via e-mail at [bdupee@dhhs.state.nh.us](mailto:bdupee@dhhs.state.nh.us). I look forward to our September 18<sup>th</sup> conference call.

Sincerely,



Brook S. Dupee  
Assistant Director

cc: Josephine Piccone, Deputy Director, NRC State and Tribal Programs  
George Pangburn, Region 1 Director, Div. Of Nuclear Materials Safety  
Duncan White, Region 1 Regional state Liaison Officer  
John Wallace, Associate Commissioner, DHHS  
Members of the State Radiation Advisory Committee [via e-mail]

NEW HAMPSHIRE DEPARTMENT OF HEALTH and HUMAN SERVICES  
OFFICE of COMMUNITY and PUBLIC HEALTH / BUREAU of RADIOLOGICAL HEALTH

PROGRAM IMPROVEMENT PLAN

Revision 09/09/2003

<u>Recommendation</u>	<u>Tasks</u>	<u>Milestones</u>	<u>Assignments</u>	<u>Anticipated Completion Date</u>	<u>Status</u>	<u>Completion Date</u>
<b>Performance Indicator:</b> <b>Technical Staffing and Training</b> <b>Recommendation:</b> That the Department take the necessary actions to address staff turnover and staff vacancies as appropriate. <small>(NOTE: NRC considers this recommendation open (MRB 05/11/03))</small>	Review staffing options	Continue seeking permanent staff for vacant positions	KD/BD	ASAP	R. D'Alarcao began employment with the BRH as an HP on 07/11/03; D. Chakraborty began employment with the BRH as an HP on 08/22/03.	8/22/03
	Modify salary structure via HP career ladder to levels that encourage staff retention	Reclassify/upgrade current HP staff positions	KD/BD/VM	N/A	Completed - current HP staff upgraded to RHP III LG. 26; provisional upgrade status to RHP IV LG 29 for program supervisors	03/18/03 for RHP III staff; program supervisors still awaiting permanent RHP IV status
<b>Performance Indicator:</b> <b>Technical Staffing and Training</b> <b>Recommendation:</b> That the Bureau examine and change business processes and organization of the section to improve the effectiveness and efficiency of the program. <small>(NOTE: NRC considers this recommendation open (MRB 05/11/03) until such time as all vacant positions, particularly Bureau Administrator, are filled with fulltime permanent staff.)</small>	Introduce multiple improvements with managerial oversight	Oversee implementation of inspection calendar; RHP staff training program; weekly meetings with supervisory staff to note progress; weekly and monthly reports to senior management; tracking of deliverables.	KD/BD	N/A	Completed	5/1/03
	Reclassify/upgrade unfilled Administrator position	Continue seeking BRH administrator/bureau chief	KD/BD	Position upgraded from Administrator II to RHP V by Dept. of Personnel; Awaiting G&C approval prior to commencing recruitment	In process	

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<b>Performance Indicator:</b> <b>Status of Materials</b> <b>Inspection Program</b> <b>Recommendation:</b> That the Bureau take appropriate management measures to conduct inspections of both core and initial licensees in accordance with the State's established inspection priority system. (NOTE: NRC considers this recommendation open. MRB 06/11/03)	Develop and maintain calendar-based inspection scheduling system for inspection assignments to HP staff	Development completed 04/30/2003	DOD	N/A	Completed	4/30/03
		Maintain calendar on a quarterly basis	DOD	Complete 30 days prior to end of each calendar quarter - modify as necessary	Completed through 12/31/03 (4th qtr 2003 scheduling completed)	On-going task/ up-to- date
		Review status of program inspection goals with staff on a quarterly basis	DOD	on-going task	Completed	9/2/03
		Review inspection calendar on a bi-weekly basis to ensure timely completion of past scheduled inspections	DOD	on-going task	Inspections verified as up-to-date	On-going
	Review staffing options	Maintain/continue contract with V. Jeffs as a regulatory health physicist (licensing)	BD/KF	N/A	Completed	6/4/03
		Maintain/continue contract with M. Iannaccone as a regulatory health physicist (inspections)	BD/KF	N/A	Completed	6/25/03
		Continue seeking permanent staff for vacant positions	KD/BD	ASAP	One new HP commenced work 07/11/03 and the other on 08/22/03	8/22/03
	Revise fees to fully fund program	Defend fee revisions before JLCAR	KD/KF/WJ/DO	7/17/03	Completed	7/18/03
		Adoption of final fee rules	KD/KF/WJ/DO	7/17/03	Completed	7/18/03

NEW HAMPSHIRE DEPARTMENT OF HEALTH and HUMAN SERVICES  
OFFICE of COMMUNITY and PUBLIC HEALTH / BUREAU of RADIOLOGICAL HEALTH

**PROGRAM IMPROVEMENT PLAN**

Revision 09/09/2003

<u>Recommendation</u>	<u>Tasks</u>	<u>Milestones</u>	<u>Assignments</u>	<u>Anticipated Completion Date</u>	<u>Status</u>	<u>Completion Date</u>
<b>Performance Indicator:</b> <b>Program Elements Required for Compatibility:</b> <b>Recommendation:</b> That the Bureau develop and implement an action plan to adopt NRC regulations in accordance with current policy on adequacy and compatibility.	Rules Revision	Re-adopt current regulations that have expired	JK prepares w/DOD&WJ input	Published in register for public comment on 07/11/03; public hearing date 08/01/03; legislative review 08/12/03; special mtg between JK & RN to discuss revisions.	in process; JLCAR hearing scheduled for 09/18/03	
		Incorporate as applicable license conditions as legally binding requirements to address revised regulations	DOD/HP Staff	9/30/03	in process/on-going task	
		Draft rules based on NRC regulations in accordance with compatibility criteria	JK prepares w/DOD&WJ input	To be submitted to JLCAR for approval/ adoption by 02/29/04	in process - special meeting held 08/18/03 to discuss and plan rule-making efforts	
		Hire Records Retention Clerk to assist in Rules Revision	BD/DOD	N/A	Completed	5/30/03
<b>Abbreviations Key</b> KD = Kathleen A Dunn, MPH, Director Office of Community & Public Health (OC&PH), DHHS BD = Brook Dupee, Deputy Director, OC&PH, DHHS VM = Veronica Malmberg, Director, Division of Community Support (CS), (OC&PH,DHHS) KF=Kate Frey, Financial Assistant OC&PH, DHHS DOD=Dennis O' Dowd, Supervisor, Radioactive Material Section, BRH WJ=Wayne Johnston, Supervisor, Radiation Machine Section, BRH SRAC = State Radiation Advisory Committee HR=Human Resources,DHHS						

STATE OF NEW HAMPSHIRE  
OFFICE OF COMMUNITY AND PUBLIC HEALTH  
BUREAU OF RADIOLOGICAL HEALTH  
RADIOACTIVE MATERIALS SECTION

**LICENSING STATUS SUMMARY REPORT**

September 2003

Currently, there are approximately 25 open actions. Of these, the agency is awaiting responses to letters requesting additional information ("deficiency" letters) from 16 applicants/licensees.

There are 5 license amendments currently in draft, and the remainder of the open actions are all actively undergoing review.

Respectfully submitted,

Dennis P. O'Dowd, Supervisor  
Radioactive Material Section  
Bureau of Radiological Health

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF COMMUNITY & PUBLIC HEALTH  
BUREAU OF RADIOLOGICAL HEALTH  
RADIOACTIVE MATERIALS SECTION

**MONTHLY INSPECTION STATUS SUMMARY REPORT**  
(As of September 9, 2003)

INSPECTIONS (CORE) DUE PENDING

Number of "core" radioactive material license inspections due by greater than 25%.....0

Respectfully submitted,

Dennis P. O'Dowd, Supervisor  
Radioactive Material Section  
Bureau of Radiological Health

State of New Hampshire  
Department of Health and Human Services  
Office of Community and Public Health  
Bureau of Radiological Health  
Radioactive Materials Section

**RADIOACTIVE MATERIAL LICENSE INSPECTIONS  
COMPLETED IN 2003 (AS OF 09/09/03)**

License No.	Licensee name	Inspection Completion Date	Priority	Inspection Type
430R	Osram Sylvania, Inc.	01/09/03	3	initial
431R	Harding Metals, Inc.	01/15/03	5	initial
377R	Berlex Laboratories, Inc.	01/30/03	3	routine
433R	Jacques Whitford Co., Inc.	02/19/03	5	initial
443R	Cirtronics Corporation, Inc.	02/28/03	3	initial
257R	Valley Regional Hospital	03/06/03	5	routine
435R	Alan D. Kaplan, M.D., P.A.	03/13/03	5	initial
442R	Alliance Imaging, Inc.	03/13/03	5	initial
444R	S.W. Cole Engineering, Inc.	03/14/03	5	initial
138R	Exeter Hospital	03/17/03	3	routine
263R	Littleton Hospital	03/25/03	5	routine
355R	The Memorial Hospital	03/26/03	5	routine
147R	Portsmouth Regional Hospital	04/08/03	3	routine
440R	Max Cohen & Sons, Inc.	04/15/03	5	initial
130R	Mary Hitchcock Mem. Hospital	04/21/03	1	routine
446R	Merrimack Valley PET, P.C.	04/24/03	5	initial
RI 3D-117-01	Ocean State Technical Svcs.	05/02/03	1	routine (reciprocity)
335R	NH Bureau of Env. & Occ. Hlth.	05/13/03	5	routine
142R	Nylon Corporation	05/23/03	5	routine
264R	M&W Soils Engineering, Inc.	05/30/03	5	routine
399R	Haley & Aldrich, Inc.	06/02/03	5	routine
401R	R.W. Gillespie, Inc.	06/03/03	5	routine
390R	Sandborn, Head, Assoc., Inc.	06/20/03	5	routine
396R	Lead Tech, Inc.	06/27/03	5	routine
368R	Monadnock Community Hospital	06/30/03	3	routine
345R	Jaworski Geotech, Inc.	07/01/03	5	routine
366R	Seacoast Diversified	07/01/03	5	telephonic <sup>1</sup>
MA 56-0229	IEL Service	07/16/03	3	routine (reciprocity)
353R	HTE Northeast, Inc.	07/24/03	5	routine
MA 19-0672	Baker Testing, Inc. (ind. rad.)	07/25/03	1	routine (reciprocity)
441R	American Health Centers, Inc.	08/04/03	5	initial
118R	NH Dept. of Environmental Svcs.	08/06/03	5	routine
419R	Construction Materials Testing	08/07/03	5	routine
318R	Gemini Technical Services	08/13/03	5	routine
143R	Simplex Technologies	08/21/03	5	routine
397R	Rochester Equine Clinic	08/22/03	5	routine
265R	Weeks Hospital	08/26/03	5	close-out
FL 1091-5	Florida Power & Light (ind. rad.)	09/04/03	1	routine (reciprocity)
268R	Androscoggin Valley Hospital	09/05/03	5	routine

Updated 09/09/03

<sup>1</sup> No possession/use of RAM onsite for a significant period; company had previously submitted request for termination, but not acted on. Termination of license issued shortly after call.

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BUREAU OF RADIOLOGICAL HEALTH  
RADIOACTIVE MATERIALS SECTION

## INSPECTION SCHEDULE

(2<sup>nd</sup> and 3<sup>rd</sup> Quarters)

### Routine Inspections

Assigned Completion Date	License No.	Licensee Name	Assigned Inspector	Completed Date
05/13/03	335R	NH BEOH	AB	05/13/03
05/23/03	142R	Nylon Corporation of America	AB	05/23/03
05/30/03	264R	M & W Soils Engineering, Inc.	AB/TK	05/30/03
06/03/03	399R	Haley & Aldrich, Inc.	AB	06/02/03
06/11/03	401R	R. W. Gillespie & Associates, Inc.	AB	06/03/03
06/20/03	390R	Sanborn, Head & Associates, Inc.	AB	06/20/03
06/27/03	396R	Lead Tech, Inc.	AB	06/27/03
07/02/03	345R	Jaworski Geotech, Inc.	AB	07/01/03
07/07/03	368R	Monadnock Community Hospital	TK/AB	06/30/03
07/11/03	366R	Seacoast Diversified, Inc.	AB	07/01/03
07/24/03	353R	HTE Northeast, Inc.	AB	07/24/03
07/30/03	118R	NH Dept of Environmental Services	AB	08/06/03
07/31/03	441R	American Health Centers	TK/AB	08/04/03
08/01/03	419R	Construction Materials Testing, Inc.	AB	08/07/03
08/13/03	318R	Gemini Technical Services, Inc.	AB	08/13/03
08/18/03	143R	Simplex Technologies, Inc.	AB	08/21/03
08/22/03	397R	Rochester Equine Clinic	MI/AB	08/22/03
09/05/03	268R	Androscoggin Valley Hospital	TK/AB	09/05/03
09/24/03	106R	Frazier Paper, Inc.	AB	
09/30/03	259R	St. Joseph Hospital	TK/AB	
<b>Special Inspections</b>				
By 06/31/03	OOS	OOS Licensee Reciprocities	DO/AB	5/02/03
TBD	OOS	OOS Licensee Reciprocities	MI/AB	07/25/03
TBD	265R	Weeks Medical Center	TK/AB	08/26/03
TBD	OOS	OOS Licensee Reciprocities	MI/AB	09/04/03

NOTE: RML No. 437 Atlantic Cardiology Assoc., P.A. License Issued March 10, 2003. Originally scheduled for initial inspection on July 10, 2003, rescheduled for 4<sup>th</sup> quarter (i.e., within six months of receipt of radioactive material *and* prior to date of issuance of the license). Confirmed on July 9, 2003 only calibration and references sources received as of 07/01/03, and currently only in testing and quality assurance phase of medical use operations.

Revised 9/9/03

## INSPECTION SCHEDULE (4<sup>th</sup> Quarter)

Assigned Completion Date	License No.	Licensee Name	Assigned Inspector	Date Completed
10/07/03	145R	NH Dept. of Transportation	AB/RD	
10/14/03	418R	Metabolic Solutions, Inc.	AB/DC	
10/28/03	381R	Radiation Safety & Control Svcs, Inc.	AB/DC	
11/04/03	445R	ATC Group Svcs., Inc.	AB/RD	
11/11/03	437R	Atlantic Cardiology, P.A.	AB/DO	
11/25/03	439R	QA Laboratory, Inc.	AB/DO	
12/02/03	182R	Elliot Hospital	MI/AB	
12/08-10/03	190R	University of New Hampshire	TK/AB/TBD	
12/30/03	417R	GSI Geotechnical Svcs., Inc.	AB/DC	
		<b>Special Inspections</b>		
10/20 - 11/03/2003	-	Pease AFB	MI	
TBD	427R	Kollsman Corporation – D&D	MI	
TBD	OOS	OOS Licensee - Reciprocity	MI	

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION  
INSPECTION CALENDAR - SECOND AND THIRD QUARTER  
(STATUS AS OF SEPTEMBER 9, 2003)**

**May 2003**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2 A. Banerjee RI RML 335R Ocean State Tech. Site Reciprocity Inspection COMPLETED	3
4	5	6 A. Banerjee RI RML 7D-117-01 Ocean State Tech. Inspection Letter Issued/Closed	7	8	9	10
11	12	13 A. Banerjee RML 335R NH BEOH Routine Inspection Concord COMPLETED	14 A. Banerjee Gerow Chiropractic Machine Chiropractic X-Ray Inspections Lebanon COMPLETED	15	16	17
18	19 A. Banerjee RML 335R NH BEOH Exit Interview with RSC/Management COMPLETED	20	21 AB x-ray Inspections Nashua	22 AB x-ray Inspections Chiro & vet W. Canaan	23 A. Banerjee RML 112R NY COA Routine Inspection Manchester	24
25	26 A. Banerjee RML 335R NH BEOH Inspection Report due to supervisor	27 WJ/T/K/E The Memorial Hospital X-Ray Inspection New Conway	28	29	30 A. Banerjee W/T/K RML 264R MA W/Soils Routine Inspection Charlestown	31

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - SECOND AND THIRD QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**June 2003**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b> A. Banerjee RML 335R NH BEOH Issue Insp. letter	<b>3</b> A. Banerjee with K RML 399R Haley & Adrian Routine Inspection Bedford	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b> A. Banerjee RML 142R NYCOA Inspection Report due to supervisor	<b>10</b>	<b>11</b> A. Banerjee RML 401R Gillespie Routine Inspection Portsmouth	<b>12</b>	<b>13</b> A. Banerjee RML 264R M&W Soils Inspection Report due to supervisor	<b>14</b>
<b>15</b>	<b>16</b>	<b>17</b> A. Banerjee RML 399R Haley & Adrian Inspection Report due to supervisor	<b>18</b>	<b>19</b> A. Banerjee RML 142R NYCOA Issue Insp. letter	<b>20</b> M. Iannaccone A. Banerjee RML 390R Sanborn Head Assoc. Routine Inspection Concord	<b>21</b>
<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b> A. Banerjee RML 401R Gillespie Inspection Report due to supervisor	<b>26</b> A. Banerjee RML 264R M&W Soils Issue Insp. letter	<b>27</b> M. Iannaccone A. Banerjee RML 306R Lea Tech Routine Inspection Wolfeboro	<b>28</b>
<b>29</b>	<b>30</b> Response to NOV due back from RML 377R Berlex (Rcvd 6/20/03)					

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - SECOND AND THIRD QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**July 2003**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 A. Banerjee RML 399R Haley & Aldrich Issue Insp. letter	2 A. Banerjee RML 345R SWI Routine Inspection Manchester	3 A. Banerjee RML 390R Sanborn, Head, Assoc. Inspection Report due to supervisor	4 STATE HOLIDAY	5
6	7 T. Kenne/A. Banerjee RML 368R Monadnock Hospital Routine Inspection Peterborough	8	9 A. Banerjee RML 401R Gillespie Issue Insp. letter	10 A. Banerjee (w/DOD) RML 437R Atlantic Cardiology, P.A. Routine Inspection Dover NO RAM To be rescheduled 09/12/03	11 A. Banerjee RML 366R Seacoast Diversified Routine Inspection Portsmouth	12 A. Banerjee RML 396R LeadTech Inspection Report. due to supervisor
13	14	15 A. Banerjee RML 345R SWI Re-inspection Manchester	16 A. Banerjee Mass RML 196-0229 IEL Services Reciprocity inspection Manchester	17 A. Banerjee RML 390R Sanborn, Head, Assoc. Issue Insp. letter	18 Final action on NOV Response letter from RML 377R Berlex	19
20	21 T. Kenne/A. Banerjee RML 368R Monadnock Inspection Report due to supervisor	22 A. Banerjee RML 396R LeadTech Issue Insp. letter	23	24 A. Banerjee RML 353R NITE Northeast Routine Inspection Bedford	25 M. Iannaccone A. Banerjee Mass RML 196-0672 Baker Testing Reciprocity inspection Newington	26 A. Banerjee RML 366R Seacoast Inspection Report due to supervisor
27 A. Banerjee RML 345R SWI Inspection Report due to supervisor	28 A. Banerjee Mass RML 196-0229 IEL Services Inspection report due to supervisor	29 A. Banerjee RML 345R SWI Issue Insp. letter	30	31 T. Kenne/A. Banerjee RML 441R NHC Initial Inspection Rochester		

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - SECOND AND THIRD QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**August 2003**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 M. Iannaccone/A. Banerjee RML 419R Construction Material Routine Inspection Whitefield	2
3	4 T. Kenna/A. Banerjee RML 366R Monadnock Issue Insp. letter	5 A. Banerjee RML 366R Seacoast Issue Insp. letter	6 A. Banerjee RML 118R NH DES Routine Inspection Concord (moved from 7/30 to allow for supervisor audit)	7	8 M. Iannaccone/A. Banerjee Mass RML 19-0672 Baker Testing Inspection Report due to supervisor	9
10	11 A. Banerjee Mass RML 36-0229 IEL Services Issue Insp. letter	12	13 A. Banerjee RML 318R Gemini Routine Inspection Bradford	14 T. Kenna RML 441R AHC Inspection Report due to supervisor	15 A. Banerjee RML 419R Construction Material Inspection Report due to supervisor	16 D. O'Dowd to commence preparation of 4 <sup>th</sup> quarterly inspection schedule
17	18 A. Banerjee RML 143R Simplex Routine Inspection Newington	19	20 RML 118R NH DES Inspection Report due to supervisor	21 A. Banerjee RML 353R HTE NE Issue Insp. letter	22 Iannaccone/Banerjee RML 39R Rochester Equine Routine Inspection Rochester	23 M. Iannaccone/A. Banerjee Mass RML 19-0672 Baker Testing Issue Insp. letter
24	25	26 A. Banerjee RML 318R Gemini Inspection Report due to supervisor	27 Weeks Medical Center RML 265R Close-Out Inspection	28 T. Kenna RML 441R AHC Issue Insp. letter	29 A. Banerjee RML 419R Construction Material Issue Insp. letter	30 D. O'Dowd - completion of 4th quarterly inspection schedule due

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - SECOND AND THIRD QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**September 2003**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	<b>1</b> A. Banerjee RML 143 Simplex Inspection Report due to supervisor	<b>2</b> A. Banerjee RML 118R NH DES Issue Insp. letter	<b>3</b> Iannaccone/Banerjee Florida Power and Light - Industrial Radiography/ Reciprocity	<b>4</b> Iannaccone/Banerjee RML 397R Rochester Equine Inspection Report due to supervisor	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b> Kenna/Banerjee RML 268R Androscoggin Hospital Routine Inspection Berlin	<b>9</b>	<b>10</b> A. Banerjee RML 318R Gemini Issue Insp. letter	<b>11</b> A. Banerjee Weeks Medical Center RML 265R Inspection Report due to supervisor	<b>12</b> A. Banerjee - Contact RML 437R Atlantic Cardiology, P.A. To confirm status of program and whether RAM on-site	<b>13</b> A. Banerjee RML 143 Simplex Issue Insp. letter
<b>14</b> (Note: Banerjee & D'Alarcao-attendance to NRC Industrial Radiography Safety Course 09/15 - 09/19)	<b>15</b>	<b>16</b>	<b>17</b> Iannaccone Florida Power and Light - Inspection Report due to supervisor	<b>18</b> Iannaccone/ Banerjee RML 397R Rochester Equine Issue Insp. letter	<b>19</b>	<b>20</b>
<b>21</b> (Note: R. D'Alarcao- attendance to NRC Licensing Practices Course 09/22 - 09/26)	<b>22</b>	<b>23</b> Kenna/ Banerjee RML 268R Androscoggin Inspection Report due to supervisor	<b>24</b> A. Banerjee Frazier Paper Mill RML 106R Re-inspection Follow-up Inspection	<b>25</b> A. Banerjee Weeks Medical Center RML 265R Issue Inspection Letter	<b>26</b>	<b>27</b>
<b>28</b> (Note: R. D'Alarcao- attendance to NRC Inspection Procedures Course 09/29 - 10/03)	<b>29</b>	<b>30</b> Kenna/A. Banerjee St. Joseph Hospital RML 259R special inspection	(Oct. 1 <sup>st</sup> ) Iannaccone/ Banerjee Florida Power and Light Issue Insp. letter	(Oct. 3 <sup>rd</sup> ) A. Kenna/ Banerjee RML 268R Androscoggin Issue Insp. letter	Oct 20 - Nov 3 M. Iannaccone - Special inspections/ surveys at the former Pease AFB	Sept-Oct? M. Iannaccone on-site decommissioning oversight inspection at Kollsman Corp. TBD

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - FOURTH QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**October 2003**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
M. Iannaccone - Special inspections/surveys at the former Pease AFB tentatively scheduled for 10/20/03 - 11/3/03	Sept-Nov? M. Iannaccone - on-site decommissioning oversight inspection at Killsman Corp. TBD		1  Iannaccone/ Banerjee Florida Power and Light Issue Insp. letter	2	3	4
5	6  A. Kenna/ Banerjee RML 268R Androscoggin Issue Insp. letter	7  Banerjee/D'Alarcao RML 145R NH Dept of Transportation Routine Inspection Concord	8  A. Banerjee Frazier Paper Mill RML 106R Inspection Report due to supervisor	9	10	11
12	13	14  Banerjee/Chakraborty RML 418R Metabolic Solutions Routine Inspection Amherst	15	16	17	18
19	20  Banerjee RML 145R NH Dept of Transportation Inspection Report due to supervisor	21	22  A. Banerjee Frazier Paper Mill RML 106R Issue Insp. letter	23	24	25
26	27  Banerjee RML 418R Metabolic Solutions Inspection Report due to supervisor	28  Banerjee/Chakraborty RML 381R RSCS Routine Inspection Stratham	29	30	31	

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - FOURTH QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**November 2003**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						<b>1</b>
<b>2</b>	<b>3</b> Banerjee RML 145R NH Dept of Transportation Issue Insp. letter	<b>4</b> Banerjee/D'Alarcao RML 445R ATC Group Initial Inspection Manchester	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b>	<b>10</b> Banerjee RML 418R Metabolic Solutions Issue Insp. letter	<b>11</b> Banerjee/O'Dowd RML 437R Atlantic Cardiology, P.A. Initial Inspection Portsmouth	<b>12</b> Banerjee RML 381R RSCS Inspection Report due to supervisor	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b>	<b>17</b>	<b>18</b> Banerjee/D'Alarcao RML 445R ATC Group Inspection Report due to supervisor	<b>19</b>	<b>20</b> R.Alarcao Contact RML 450R AHC to ascertain whether they have rcvd. RAM	<b>21</b>	<b>22</b>
<b>23</b>	<b>24</b> Banerjee RML 437R Atlantic Cardiology, P.A. Inspection Report due to supervisor	<b>25</b> Banerjee RML 439R QA Labs Initial Inspection (to be audited by DOD) Stratham	<b>26</b> Banerjee RML 381R RSCS Issue Insp. letter	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b>						

**BUREAU OF RADIOLOGICAL HEALTH - RADIOACTIVE MATERIALS SECTION**  
**INSPECTION CALENDAR - FOURTH QUARTER**  
**(STATUS AS OF SEPTEMBER 9, 2003)**

**December 2003**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	<b>1</b> Banerjee RML 445R ATC Group - Issue Insp. letter	<b>2</b> Banerjee/Iannaccone RML 182R Elliot Hospital - Re- inspection Manchester	<b>3</b> Banerjee RML 437R Atlantic Cardiology, P.A. Issue Insp. letter	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b> Kenna/Banerjee/D'Al- arcao/Chakraborty RML 190R UNH - routine inspection Durham	<b>9</b> Kenna/Banerjee/D'Al- arcao/Chakraborty RML 190R UNH - routine inspection Durham	<b>10</b> Kenna/Banerjee/D'Al- arcao/Chakraborty RML 190R UNH - routine inspection Durham	<b>11</b>	<b>12</b>	<b>13</b>
<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b> Banerjee/Iannaccone RML 182R Elliot Hospital - Inspection Report due to supervisor	<b>18</b> R. Alarcao Contact RML No. 450R AHC to ascertain whether they have rcvd. RAM	<b>19</b>	<b>20</b>
<b>21</b>	<b>22</b> Banerjee RML 445R ATC Group Issue Insp. letter	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
<b>28</b>	<b>29</b> Banerjee/Iannaccone RML 182R Elliot Hospital- Issue Insp. letter	<b>30</b> Banerjee/Chakraborty RML 417R GSI Geo Svc's - routine inspection Dover	<b>31</b> Kenna/Banerjee RML 190R UNH - Inspection Report due to supervisor	(01/05/04) Banerjee/Chakraborty RML 371R Desmarais - routine inspection Dover	(01/2004 date TBD) Kenna/Banerjee RML 450R AHC - initial inspection Rochester	(01/09/04) Kenna/Banerjee RML 190R UNH - Issue Insp. letter

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
BUREAU OF RADIOLOGICAL HEALTH  
RADIOACTIVE MATERIALS SECTION

**SCHEDULE OF INITIAL INSPECTIONS OF NEWLY-ISSUED LICENSEES**  
(AS OF SEPTEMBER 9, 2003)

LIC. NO.	LICENSEE NAME	LICENSE ISSUANCE DATE	DATE RAM FIRST RECEIVED BY LICENSEE	SIX MONTHS FROM RAM RECEIPT DATE	TWELVE MONTHS FROM ISSUANCE DATE	INSPECTION DATE	COMMENTS  (Must be inspected w/in six months of receipt of RAM or twelve months of issuance of license)
435R	Alan D. Kaplan, P.A.	01/22/02	01/22/02	N/A	01/22/03	03/13/03	
440R	Max Cohen & Sons, Inc.	01/04/02	01/??/02	N/A	01/04/03	04/15/03	
441R	American Health Centers, Inc.	09/23/02	NO RAM RCVD as of 09/09/03	03/23/03	09/23/03	08/04/03	
442R	Alliance Imaging, Inc.	09/03/02	10/07/02	04/07/03	09/03/03	03/13/03	
443R	Cirtronics Corporation, Inc.	09/09/02	09/20/02	03/20/03	09/09/03	02/28/03	
444R	S.W. Cole Engineering, Inc.	11/15/02	11/19/02	05/19/03	11/15/03	03/14/03	
446R	Merrimack Valley PET, P.C.	10/28/02	11/13/02	05/13/03	10/28/03	04/24/03	
437R	Atlantic Cardiology Assoc, P.A.	03/10/03	07/01/03	09/10/03	03/10/04	11/11/03	Small calibration and check sources received 07/01/03 for QA testing only.
439R	Quality Assurance Laboratories, Inc.	07/29/03	07/29/03	01/29/04	07/29/04	11/25/03	
445R	ATC Group Services, Inc.	05/14/03	05/14/03	11/14/03	05/14/04	11/04/03	
450R	American Health Centers, Inc.	08/29/03	No RAM RCVD. as of 09/09/03	02/29/04	08/29/04	TBD 1 <sup>st</sup> qtr. 2004	Licensee to be contacted in 4 <sup>th</sup> qtr.

## **New Hampshire Rules for the Control of Radiation**

### **Rule Adoption Plan**

September 9, 2003

*As stated in letter dated April 28, 2003, an action plan has been developed that will address all BRH rules (the New Hampshire Rules for the Control of Radiation) that are associated with NRC regulations. Bureau of Radiological Health Rules that are lapsed will be addressed first. This initial phase includes:*

<b>Expired Regulations</b>	<b>Corresponding NRC Regulation</b>	<b>Submittal Date</b>
He-P 4037 - Transportation of RAM	10 CFR 71	August 21, 2003
He-P 4061 - Land Disposal of Radioactive Waste	10 CFR 60, Subpart D	N/A*
He-P 4062 - Requirements for Transfer of LLRW for Disposal	10 CFR 20, Appendix G	August 21, 2003
He-P 4090 - ALIs, DACs and Effluent Concentrations	10 CFR 20, Appendix B	August 21, 2003
He-P 4092 - Quantities of RAM Requiring Labeling	10 CFR 20, Appendix C	August 21, 2003

\* There are presently no plans for the operation of a Low Level Radioactive Waste Disposal Site within the State of New Hampshire.

Part He-P 4070, which revised the licensing and registration fee schedule, (including introducing fees for reciprocity), was adopted on July 18, 2003, this being the final essential step necessary to make the Bureau fee-based. As for the rules listed above, we are currently at the final rule-making stages, as the Joint Legislative Committee on Administrative Rules (JLCAR) hearing on these rules is scheduled for September 18, 2003.

With regard to other necessary rule revisions, the Bureau is currently pursuing a two-phase approach for the 11 overdue, recommended changes to current rules.

These changes to rulemaking include:

- Timeliness in Decommissioning of Materials Facilities
- Low-Level Waste Shipment Manifest Information and Reporting
- Termination or Transfer of Licensed Activities
- Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials, Clean Air Act
- Recognition of Agreement State Licenses In Area Under Exclusive Federal Jurisdiction Within an Agreement State
- Criteria for the Release of Individuals Administered Radioactive Materials
- Radiological Criteria for License Termination
- Deliberate Misconduct of Unlicensed Persons
- Minor Corrections, Clarifying Questions, and a Minor Policy Change
- Transfer for Disposal and Manifests: Minor Technical Conforming Amendment
- Respiratory Protection and Controls to Restrict Internal Exposures

These requirements will be evaluated as to their applicability to Bureau rules. Due the recent efforts needed for approval of the fee revisions, and to move forward with the expired regulations, as was decided at the rulemaking planning meeting held on August 18, 2003, these rule changes above will be proposed for submittal to the Joint Legislation Committee on Administrative Rules for approval and adoption no later than February 29, 2004.

The changes to current State rules that are not overdue will be pursued following the completion of the previous rule changes. These changes to rulemaking include:

- Energy Compensation Sources for Well Logging and Other Regulatory Clarifications.
- New Dosimetry Technology.
- Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material.
- Revision to the Skin Dose Limit.
- Medical Use of Byproduct Material.

NH Radiation Control Rules  
Rule Adoption Plan

September 9, 2003

These changes will also be reviewed as to their applicability to State rules. Adoption of the relevant changes to State rules will be pursued following successful promulgation of the expired State rules and the recommended overdue changes to current State rules.