

JAN 23 1986

Alton B. Cobb, M.D.
State Health Officer
State Board of Health
Felix J. Underwood State
Board of Health Building
P. O. Box 1700
Jackson, Mississippi 39205

Dear Dr. Cobb:

This is to confirm the discussion Mr. Richard L. Woodruff, NRC State Agreement Representative, held with you and Messrs. Joe D. Brown, Bobby R. Redding and Eddie S. Fuente following our review and evaluation of the State's radiation control program on December 20, 1985. The review covered the principal administrative and technical aspects of the program and included an examination of the program's legislation and regulations, organization, management, administration, personnel, and licensing and compliance activities.

Our review was performed in accordance with the NRC Policy defined in the "Guidelines for NRC Review of Agreement State Radiation Control Programs." These Guidelines were published in the Federal Register on December 4, 1981, and defined the 30 Indicators that are used for evaluating Agreement State Programs. A description of how the indicators are used in reporting the results of the program reviews to State management is enclosed (Enclosure 1).

As a result of our review of the State's program and the routine exchange of information between the Nuclear Regulatory Commission and the State of Mississippi, the staff determined that overall the Mississippi program for regulation of agreement materials is adequate to protect the public health and safety and is compatible with the Commission's program. The staff also noted the need for improvement in some program areas as noted below.

During our previous 1984 review, we noted that Mississippi had licenses that were overdue for inspection, resulting primarily from previous staff turnovers and the staffing level. Although, Status of the Inspection Program is a Category I Indicator, we determined that this 1984 comment was of minor significance. We noted again during this 1985 review that the total number of overdue inspections was essentially unchanged from the previous review. Therefore, we recommend that your plan for reducing the overdue inspections be modified in a manner designed to eliminate the overdue inspections beginning with those having the highest inspection priorities. The action plan should also contain numerical and time frame goals for reducing the backlog, milestones to measure progress, and require periodic management review to ensure that these milestones are being met as specified in the time frame goals.

We were pleased to learn that the State has hired two new Health Physics trainees for the Materials Branch. However, we recognize that usually several months are required to train inexperienced personnel to become adequately trained to perform

JAN 23 1986

independent inspections at higher priority and more complex facilities. In view of this training requirement and the need to perform inspections of the overdue, higher priority facilities, we are prepared to offer technical assistance to the State in the form of accelerated training for your new inspectors. This training would be provided by Mr. Woodruff to assist and accompany your representatives during selected inspections of your higher priority facilities. The duration of this type training should not exceed more than one week for each trainee and should be conducted during the first calendar quarter of 1986. If you choose to accept this offer, I will direct Mr. Woodruff to coordinate the training activities directly with Mr. Fuente and his staff.

Also, we were pleased to receive a final draft of your newly revised "Regulations for Control of Radiation in Mississippi." As you are aware, this office is required to review these regulations for compatibility with NRC regulations. Mr. Woodruff will have your regulations reviewed and provide comments directly to Mr. Fuente.

Enclosure 2 contains an additional comment regarding the technical aspects of our review of your program. This comment was discussed with Mr. Fuente and his staff during our exit meeting with him. You may wish to have Mr. Fuente address this comment.

We would appreciate your review and response to our comments and recommendations. In accordance with NRC practice, I am providing as Enclosure 3 a copy of this letter for placement in the State's Public Document Room or otherwise made available for public review.

I appreciate the courtesy and cooperation extended by you and your staff to Mr. Woodruff during the review.

Sincerely,

J. Nelson Grace
Regional Administrator

Enclosures:

1. Application of "Guidelines for NRC Review of Agreement State Radiation Control Programs"
2. Comments and Recommendations on Technical Aspects of the Mississippi Radiation Control Program for Agreement Materials
3. Letter to Alton B. Cobb, M.D. from J. Nelson Grace dated 1/23/86

Alton B. Cobb

3

JAN 23 1986

cc w/enclosures:

Eddie S. Fuente, Director
Division of Radiological Health
G. Wayne Kerr, Director
Office of State Programs, NRC
NRC Public Document Room

bcc:

R. L. Woodruff
Document Control Desk (SP01)

SGA:RII

RLW
RLWoodruff:vyg
1/7/86

SGA:RII

RET
RETrojanowski
1/7/86

GWK
ESP:

GWKerr
1/10/86

VSK
EDD:

VSkello
1/10/86

JAN 23 1986

ENCLOSURE 1

APPLICATION OF "GUIDELINES FOR NRC REVIEW
OF AGREEMENT STATE RADIATION CONTROL PROGRAMS"

The "Guidelines for NRC Review of Agreement State Radiation Control Programs," were published in the Federal Register on December 4, 1981 as an NRC Policy Statement. The Guide provides 30 Indicators for evaluating Agreement State program areas. Guidance as to their relative importance to an Agreement State program is provided by categorizing the Indicators into 2 categories.

Category I indicators address program functions which directly relate to the State's ability to protect the public health and safety. If significant problems exist in several Category I indicator areas, then the need for improvements may be critical.

Category II indicators address program functions which provide essential technical and administrative support for the primary program functions. Good performance in meeting the guidelines for these indicators is essential in order to avoid the development of problems in one or more of the principal program areas, i.e., those that fall under Category I Indicators. Category II Indicators frequently can be used to identify underlying problems that are causing, or contributing to, difficulties in Category I Indicators.

It is the NRC's intention to use these categories in the following manner. In reporting findings to State management, the NRC will indicate the category of each comment made. If no significant Category I comments are provided, this will indicate that the program is adequate to protect the public health and safety. If at least one significant Category I comment is provided, the State will be notified that the program deficiency may seriously affect the State's ability to protect the public health and safety and should be addressed on a priority basis. When more than one significant Category I comment is provided, the State will be notified that the need of improvement in the particular program areas is critical. The NRC would request an immediate response, and may perform a follow-up review of the program within six months. If the State program has not improved or if additional deficiencies have developed, the NRC may institute proceedings to suspend or revoke all or part of the Agreement. Category II comments would concern functions and activities which support the State program and therefore would not be critical to the State's ability to protect the public. The State will be asked to respond to these comments and the State's actions will be evaluated during the next regular program review.

JAN 22 1966

ENCLOSURE 2

COMMENTS AND RECOMMENDATIONS ON TECHNICAL ASPECTS OF
THE MISSISSIPPI RADIATION CONTROL PROGRAM FOR AGREEMENT MATERIALS

COMPLIANCE

Inspection Reports is a Category II Indicator. The following comment is made with our recommendation.

COMMENT

It is NRC practice to review licensed activities commensurate with the scope of the licensee program and to uniformly document the areas inspected appropriate to the kind of licensed activity. In reviewing the Mississippi inspection forms, it was noted that the Industrial Radiography form for fixed facilities does not provide for specific documentation on the licensee's facility, such as warning lights, interlocks, and alarms, or shipping requirements such as shipping papers and certificates of compliance. Also, the general inspection form did not provide for specific documentation with respect to the licensee's radiation safety organization, transportation and shipping requirements, engineering controls, and material control. It was also noted that the forms in general do not provide for reference to specific regulations or license condition requirements.

RECOMMENDATION

We recommend that the State review their inspection forms for content, and revise them as appropriate to provide uniform documentation of inspection requirements.