









## 1.0 INTRODUCTION

This report presents the results of the review of the California radiation control program. The

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## California Final Report



### 3.0 COMMON PERFORMANCE INDICATORS

IMPEP identifies five common performance indicators to be used in reviewing both NRC Regional and Age-Related Safety and Health Programs: (1) Training; (2) Status of Materials Inspection; (3) Technical Quality of Licensing Activities.

#### 3.1 Technical Staffing and Training

Issues central to the evaluation of this indicator include the Branch's staffing level and staff



management in acting positions as Section Chiefs along with their own Senior Health Physicist responsibilities. In addition, several other technical positions were lost due to the "Catch-22" situation that has resulted in a program staffing shortage. The staffing shortage has impacted the Branch performance in most program areas as discussed in this report.

During the last IMPEP review in 1999, California was commended for a "good practice" for establishing a Quality Assessment (QA) Unit in the ICE Section. When innovative and effective practices are identified during IMPEP reviews, the NRC shares these "good practices" with all Agreement States and NRC Regional Offices. The 1999 IMPEP team commented on the positive effects of the QA Unit in improving the quality of the Branch's inspection and incident

inspections and incident follow-up actions, and emphasized consistency among the seven program offices. The positions in the QA Unit were abolished during the review period when

duties were assumed by a senior health physicist. However, this staff member was not assigned these duties on a full-time basis, which has resulted in significant delays in QA

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review included casework from all of the materials inspectors and several supervisors, and



The Licensing Units review each inspection file prior to reviewing renewal applications to determine the inspection and enforcement history of the licensee. However, the review team











The Branch has used license conditions in some cases; however, none have been reviewed by the NRC for compatibility. In fact, absent from the license conditions are sections of rules that the NRC considers health and safety significant and are listed in STP Procedure [SA-200](#), as B or H&S compatibility categories. For example, two important sections from 10 CFR Part 34, "Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations," are not covered by license conditions. The first is the requirement for having two qualified individuals present at a location of radiographic operations and the second is the requirement that a radiographer be certified through a radiographer certification program by a certifying entity.

The industrial radiography "two-person rule" is an example of a regulation with direct health and safety implications. It requires the presence of a second trained individual to observe the operations and be capable of providing immediate assistance to prevent unauthorized entry. The Branch is aware of industrial radiography companies, including out-of-state companies, performing radiography in the State using only one trained individual, to reduce operating costs. California is the only jurisdiction in the United States which does not have a two-person rule.

Other excluded parts of the regulations is the required use of written directives and specific procedures for administrations requiring a written directive, as outlined in 10 CFR Part 35, "Medical Use of Byproduct Materials." In Section 3.5 of this report, it was identified that a li10.98 72 451.6f0.00



- “Respiratory Protection and Controls to Restrict Internal Exposure,” 10 CFR Part 20 amendment (64 FR 54543 and 64 FR 55524) that became effective February 2, 1999.
- “Energy Compensation Sources for Well Logging and Other Regulatory Clarifications,” 10 CFR Part 39 amendment (65 FR 20337) that became effective on May 17, 2000.
- “New Dosimetry Technology,” 10 CFR Parts 34, 26, and 39 amendments (65 FR 63750) that became effective on January 8, 2001.

The team identified the following regulation changes and adoptions that will be needed in the future, and the State related that the regulations would be addressed in upcoming rulemaking or

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courses. All have regulatory experience and aperiencew 0mnded the NRC SS&D Workshop.

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The registrations clearly summarized the product evaluation to provide license reviewers with adequate information to license the possession and use of the product. Deficiency letters clearly stated regulatory positions and all health and safety issues were properly addressed. The review team determined that the product evaluations were thorough, complete, consistent, of acceptable technical quality, and adequately addressed the integrity of the products during use and in the event of an accident.

#### 4.2.3 Evaluation of Defects and Incidents Regarding SS&Ds

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## 5.0 SUMMARY

As noted in Sections 3 and 4 above, the review team and the MRB found California's





## **LIST OF APPENDICES AND ATTACHMENT**

Appendix A	IMPEP Review Team Members
Appendix B	California Organization Charts
Appendix C	Inspection Casework Reviews
Attachments	July 1, 2004 Letter from Richard J. Jackson

APPENDIX A

**IMPEP REVIEW TEAM MEMBERS**

<b>Name</b>	<b>Area of Responsibility</b>
James Lynch, Region III	Team Leader Technical Staffing and Training Inspector Accompeiments
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David Fogle, Texas	

APPENDIX B  
**CALIFORNIA ORGANIZATION CHARTS**

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