



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

**April 19, 2024
Radiation Section**

Licensing and Registration Activities

License Type	Companies	Sites
X-Ray Registrations	17885	22839
Laser	3924	4692

Registration Completed Actions December 2023 – February 2024				
	New	Renewal	Amendment	Termination
X-Ray	907	154	782	631
Laser	314	30	98	102
Total	3018			

RAM Licensing actions December 2023 – February 2024				
	New	Renewal	Amendment	Termination
General License Acknowledgment	1	0	10	8
RAM	12	24	273	14
Waste Shipper/Transporter	0	11	0	0
RAM Reciprocity	10	0	3	0
Sealed Source and Device	0	0	0	0

Industrial Radiographer Certification	
Application for Exam	380
Trainee Application	308
Renewal Application	88
Non-Texas Radiographer	209

Rulemaking

23R011 - Radioactive Materials

Ensuring compatibility with Nuclear Regulatory Commission Regulation Action/Amendment Tracking System

- NRC RATS ID 2020-1 Due 06/13/23
- NRC RATS ID 2020-3 Due 11/16/23
- NRC RATS ID 2021-1 Due 09/08/24

Revision of 25 TAC 289 sections in this project-

- §289.201 General Provisions for Radioactive Material
- §289.202 Standards for Protection Against Radiation from Radioactive Material
- §289.253 Radiation Safety Requirements for Well Logging Service Operations and Tracer Studies
- §289.255 Radiation Safety Requirements and Licensing and Registration Procedures for Industrial Radiography
- §289.256 Medical and Veterinary Use of Radioactive Material
- §289.257 Packaging and Transportation of Radioactive Material
- §289.258 Licensing and Radiation Safety Requirements for Irradiators

Progress

- Reviewed by TRAB April 2023.
- Reviewed by NRC on March 2024 with only one comment to keep a clause as "Reserved." The HHSC rules policy does not allow any part of the rule to be held as "reserved."
- The rule packet was significantly revised to meet "Plain Language" guidance.
- The rule has been moved to the May 2024 Executive Council meeting schedule.
- Under the May 2024 schedule,
 - The proposed rule will be published for a 31-day public comment from 6/21/24 to 7/22/24.
 - The rule will become effective on 10/23/2024.

23R012 - Laser

§289.301 Registration and Radiation Safety Requirements for Lasers and Intense-Pulsed Light Devices

- Reviewed by TRAB April 2023.
- This rule project was moved to the August 2024 Executive Council meeting schedule.
 - The Proposed rule public comment period will be from 9/20/2024 to 10/21/2024.
 - The rule will become effective on 1/28/2025.

23R013 - Accelerators

§289.229 Radiation Safety Requirements for Accelerators, Therapeutic Radiation Machines, Simulators, and Electronic Brachytherapy Devices

- Reviewed by TRAB April 2023.
- This rule project was moved to the May 2024 Executive Council meeting schedule.
 - The Proposed rule public comment period will be from 6/21/2024 to 7/22/2024.
 - The rule will become effective on 10/23/2024.

23R048 Licensing of RAM

§289.252 Licensing of Radioactive Material

- Addresses NRC RATS 2021-2. Deadline is 12/30/2024.
- The draft went to public comment from December 15, 2023, until January 5, 2024.
- Reviewed by NRC with "No Comment" letter received February 6, 2024
- The project is currently on the May 2024 Executive Council meeting schedule.
 - The proposed public comment period will be from 6/21/2024 to 7/22/2024.
 - The rule will be effective 10/23/2024.

23R057 Texas Radiation Advisory Board (TRAB)

§289.130 Radiation Advisory Boards

- SB 1592 (88R) passed to increase the Texas Radiation Advisory Board membership to 19 members, adding a requirement for a member to be licensed by the Texas Veterinary Board.
- Significant revision was made to harmonize §289.130 with the advisory board rule template provided by the Rule Coordination Office.
- This rule project is on the November 2024 Executive Council meeting schedule.
 - The proposed public comment period will be 7/12/2024 to 8/12/2024.
 - The rule will be effective 11/11/2024.
- TRAB is reviewing this draft.

Inspection Data (FY24 to date)

Number of Inspections for FY23 total and 1 st QTR for FY24						
	FY23 (9/1/22 – 8/31/23)		FY 24 QTR 1 (9/1/23 – 11/30/23)		FY 24 QTR 2 (12/1/23 – 2/29/24)	
	# Ins	# Insp with Violations	# Ins	# Insp with Violations	# Ins	# Insp with Violations
RAM	755	94 (12.5%)	181	25 (13.8%)	204	31 (15.2%)
X-Ray	4789	1693 (35.4%)	963	394 (40.9%)	972	393 (40.4%)
X-Ray Remote	732	352 (48.1%)	123	33 (26.8%)	106	30 (28.3%)
Mammography	641	120 (18.7%)	161	30 (18.6%)	169	32 (18.9%)
Laser	47	39 (83%)	4	4 (100%)	5	5 (100%)

Technical Staff Vacancies

Position	Location	Anticipated Fill Date	Notes
X-ray/Mammography Inspector	Amarillo	June 2024	Posted
X-ray Inspector	Austin	May 2024	Interview selection in process
X-ray Inspector	San Antonio	TBD	To be posted
RAM Inspector	Lubbock/Midland	April 2024	Position Filled
RAM Inspector	Corpus Christi	May 2024	To be Posted
RAM License Reviewer	Austin	TBD	Posted

RAM License Reviewer	Austin	TBD	Posted
Industrial Radiographer Certification Reviewer	Austin	April 2024	Position Filled

Staff Training and Activities

- Lisa Bruedigan was voted in as a new National Council on Radiation Protection and Measurement (NCRP) member at their annual meeting held March 24 – 25, 2024. The Council selected six new members this year to maintain its roster of 100 members.
- An in-service was held for Radioactive Materials License Reviewers on March 27, 2024
- Five Radiation Section Employees attended CTOS Weapons of Mass Destruction Training in Nevada in February and March.
- Two Radioactive Materials Inspectors attended the NRC H-314 Well Logging course in February 2024.
- One Radioactive Materials Inspector attended the NRC H-315 Irradiator Technology course in April 2024.

Compliance Activities

January 2024 to March 2024:

- Orders: 169
- Administrative Penalties: \$360,984.00
- Revocations:
 - 10 X-ray registrations
 - 1 Laser registrations
 - 0 Radioactive Material licenses

Radioactive Materials Inspection Branch

- Eric Skotak retired after 37 years of public service with the Radiation Section.
- Jason Callahan was selected as the Radioactive Materials Inspection Branch Manager.
- The NRC Periodic Meeting was held on March 20, 2024. A draft report will be sent within 30 days, with the preliminary verbal report indicating no items of concern were identified. The NRC holds Periodic Meetings with each agreement state halfway through its Integrated Materials Performance Evaluation Program (IMPEP) cycle.
- Our current staffing includes seven fully qualified inspectors, four trained inspectors, and two vacant inspector positions.

Mammography Branch

- Two inspectors will attend the Maryland FDA Mammography Quality Standards Act Course III class in April 2024. The anticipated date of full certification is June 2024.

Registration Branch

- The laser program staff will be attending a 3-day course in April on laser safety hosted by the Department of Energy at the University of Texas.

Emergency Response Activities

South Texas Project Nuclear Power Plant (STP)

- Preparations are underway for the plume pathway exercise scheduled for July 17, 2024, with the dress rehearsal scheduled for June 5, 2024. The initial planning meeting was held on January 17, 2024, and monthly meetings followed.

Comanche Peak Nuclear Power Plant (CPNPP)

- June 4, 2024: FEMA-graded Glen Rose ISD drill is scheduled.
- October 17, 2024: FEMA-graded Medical Services Drill (MSD) at Lake Granbury Medical Center and Texas EMS is scheduled.

Waste Isolation Pilot Plant (WIPP)

- WIPP will continue quarterly meetings and offer training, briefings, and equipment exchanges.
- On January 22nd-23rd, 2024, Local Briefings were conducted with representatives from Dallas, Reeves, Van Zandt, Gregg, and Ward counties.
- There have been (15) WIPP shipments through Texas since the last report.
- Meter exchanges and calibrations have occurred since the last report.
- On March 19th-21st, 2024, approximately 34 students attended the CMERRT course in Gregg County.
- Forrest Weston attended:
 - EPA-400 PAG Course.
 - Radiation Specialist Course.
 - ANS Webinar: Spending Time on Spent Nuclear Fuel with the Department of Energy.
- Forrest Weston assisted other entities in the DSHS Radiation Control group in Scurry County, Lubbock County, and Hutchinson County and provided AIP assistance on upcoming inspections.
- Raven Alexander and Forrest Weston attended several virtual meetings for the Texas Annual WIPP SubGrant Meeting and the DSHS WIPP Work Plan Review for the program year 2025.
- Raven Alexander received SMOC training on February 15th, 2024 and March 21st, 2024.

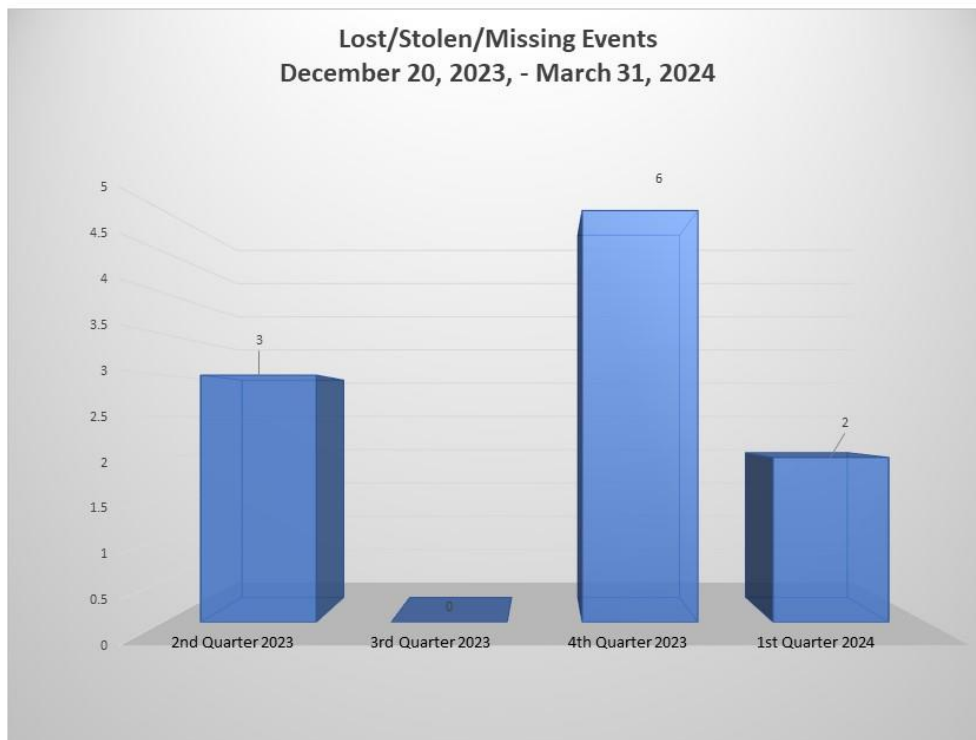
Pantex/Agreement in Principle (AIP)

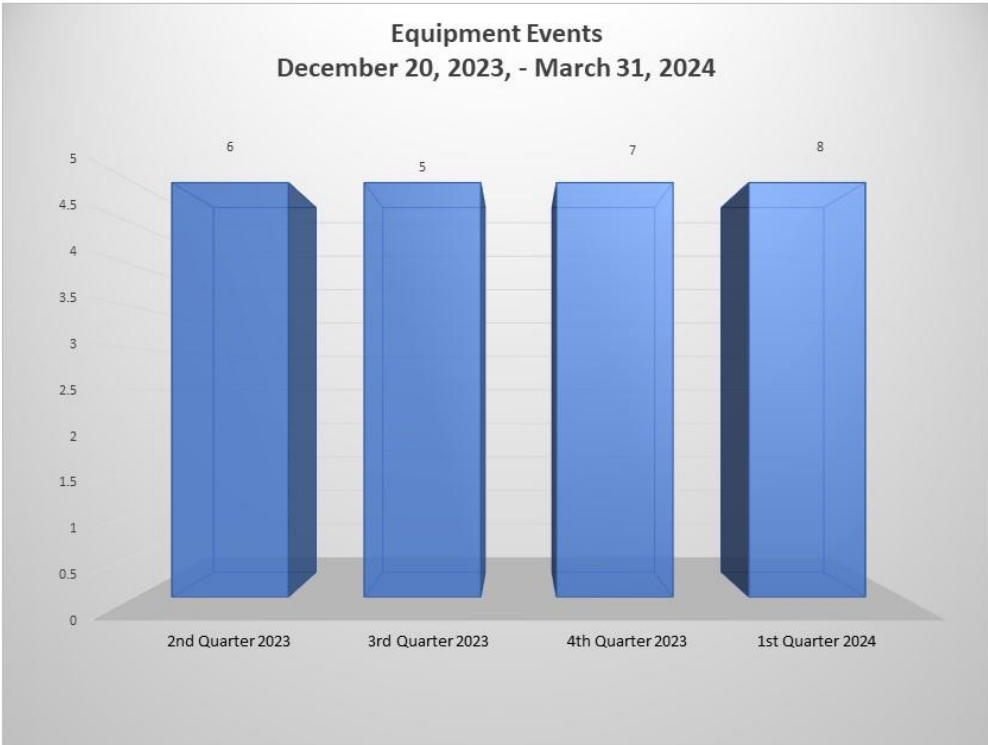
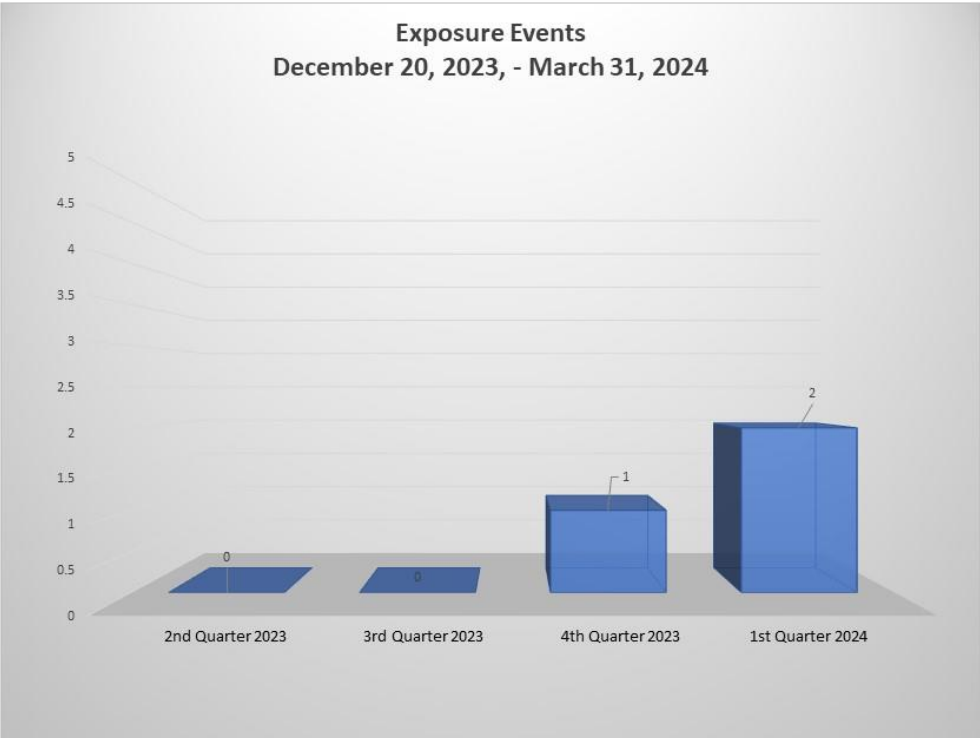
- Attended three AIP meetings during this quarter.
- Tim Gibson and Shay Christian attended the following courses:
 - Environmental Protection Agency-EPA 400-Protective Action Guide Manual Course
 - Transportation Emergency Preparedness Program (TEPP)—Radiation Specialist Course
 - Pantex—Emergency Response Organization training (Tim Gibson/Art Tucker attended)
 - Federal Emergency Management Agency—Mass Fatalities Planning & Response
- Quarterly environmental sampling was performed in January 2024, and soil/sediment, vegetation, surface water, and drinking water were obtained and sent to the DSHS Lab for analysis. OSLs were exchanged at the sampling locations on and around the Pantex plant on January 25, 2024. The samples were sent to the DSHS Lab for analysis. These results are pending.

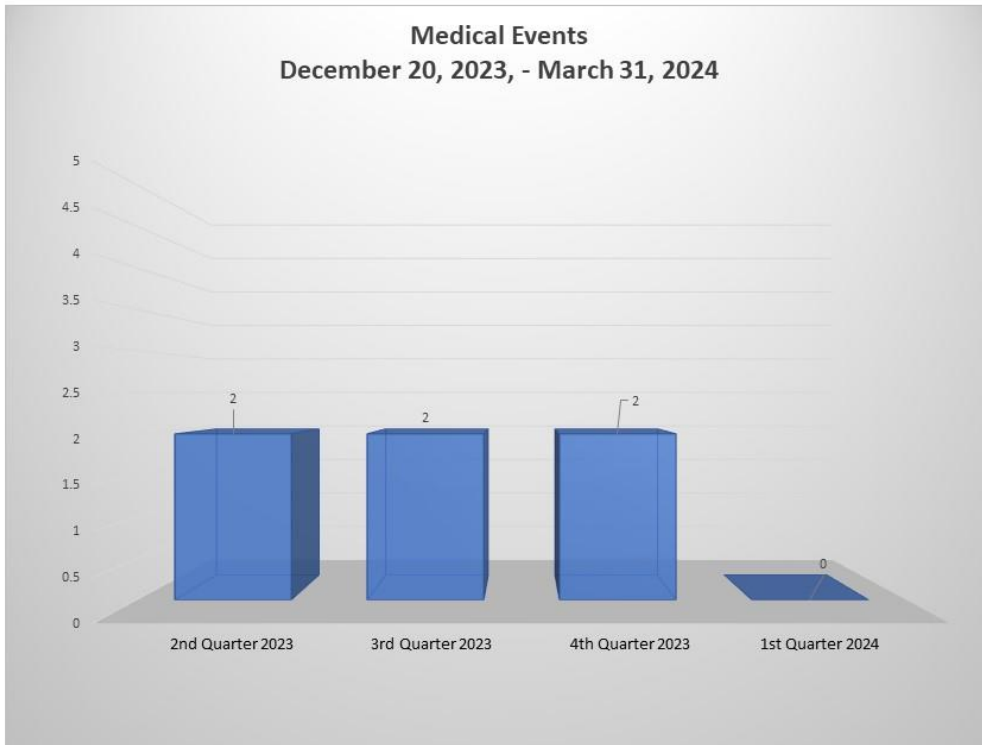
- A Pantex Plant onsite exercise was supported by DSHS personnel on February 14, 2024.
- The Pantex plant declared an operational emergency on February 27, 2024. Shay Christian responded to the Pantex Alternate Emergency Operations Center to help support this emergency. Lisa Bruedigan, Bob Free, Tim Gibson, and Rae Walker monitored the emergency utilizing the Pantex Bridge line and the Pantex EMINS information system. The emergency was declared due to wildfires in the area that were approaching the plant property. Pantex personnel were evacuated as a precaution. None of the fires ever made it onto the plant property.
- Calibrations were performed by Amarillo DSHS personnel in February and March 2024. The City of Amarillo had six Ludlum 3001, four 26-2, and fifty Canberra meters calibrated. DSHS Washburn Staging Area had one Ludlum 2241 and eleven Canberra meters calibrated.
- Tim Gibson achieved Remote Pilot Certification after passing the FAA Part 107 Remote Pilot exam in February 2024.

Incident Investigations

The graphs below reflect the numbers and categories of incidents received during this reporting period.







Medical Event Summaries:

There were no medical events to report during this period.

List of Acronyms

AIP	Agreement in Principle
ANS	American Nuclear Society
CMERRTT	Compressed Modular Emergency Response Radiological Transport Training
CPNPP	Comanche Peak Nuclear Power Plant
CTOS	Counterterrorism Operations Support
DSHS	Department of State Health Services
EMC	Emergency Management Center
FAA	Federal Aviation Administration
FDA	US Food and Drug Administration
FEMA	Federal Emergency Management Agency
HHSC	Health and Human Services Commission
IMPEP	Integrated Materials Performance Evaluation Program
MSC	Medical Services Drill
MQSA	Mammography Quality Standards Act
NRC	Nuclear Regulatory Commission
OSL	Optically Stimulated Luminescence
PAG	Protective Action Guide
RAM	Radioactive Material
RATS	Regulation Action/Amendment Tracking System
SMOC	State Medical Operations Center

STP	South Texas Project Nuclear Power Plant
TDEM	Texas Department of Emergency Management
TEPP	Transportation Emergency Preparedness Program
TMERRT	Technician Level Modular Emergency Response Radiological Transportation Training
TRAB	Texas Radiation Advisory Board
WIPP	Waste Isolation Pilot Plant