



TEXAS
Health and Human
Services

Texas Department of State
Health Services

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

June 25, 2021

Business Filing and Verification Section

Radioactive Material Unit – Karl Von Ahn, Manager

The RAM licensing staff continues to work throughout the COVID-19 pandemic. Staff continues working in the office and from home on a rotating schedule.

We are continuing to prepare for moving our offices to the main campus, tentatively scheduled for July 15th. We have had to make significant reductions in the office footprint. The staff has been scanning paper files to upload electronic file copies into our SharePoint filing system or attach in the VR database records for industrial radiographers.

Radiation Machine Source Unit – Jo Turkette, Manager

No Updates.

Radiation Surveillance Section-Radiation Unit

In preparation for summer & fall tropical storms and hurricanes, the requests for alternate emergency contact information letters were sent to certain licensees with sites along the Gulf Coast. We expect responses from these licensees by June 20, 2021.

Mammography and X-Ray Group – Trae Windham, Manager

No Updates.

X-Ray and Remote Inspections Group – Shannon Quinn, Manager

No Updates.

X-ray Group – Stephanie Lopez, Manager

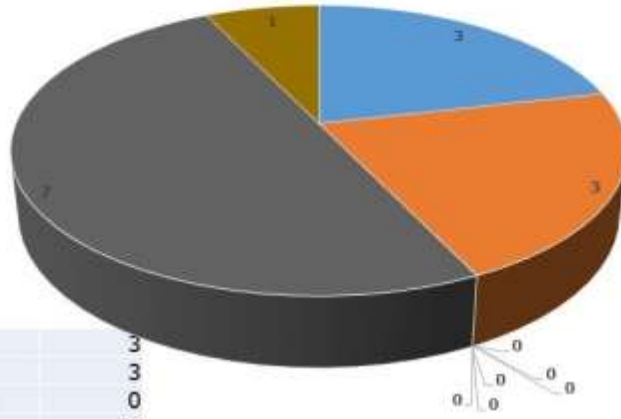
No Updates.

Environmental Monitoring Group – Bob Free, Manager

Incident Investigations:

There were no significant events reported during this reporting period. The pie charts below reflect the numbers and categories of incidents and complaints received during this reporting period.

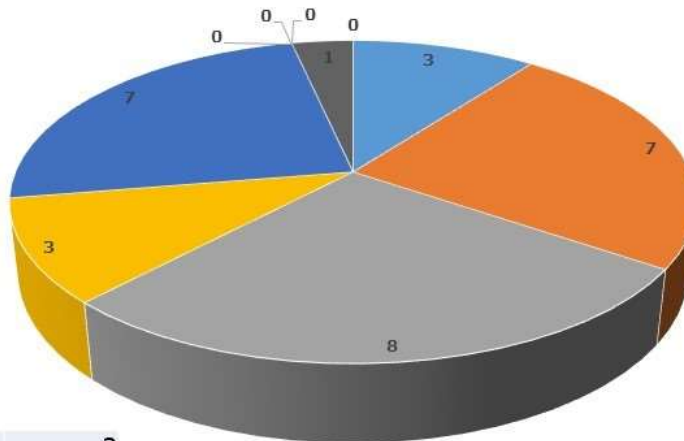
Complaints from March 1, 2021 - May 31, 2021



Exposure	3
Lost or Stolen	3
Equipment Failure	0
Transportation	0
Medical	0
Well Logging	0
Radiation Burns	0
NORM	0
X-ray	7
Laser	1
Total	14

- Exposure
- Equipment Failure
- Medical
- Radiation Burns
- X-ray
- Lost or Stolen
- Transportation
- Well Logging
- NORM
- Laser

Incidents from March 1, 2021 - May 31, 2021



Exposure	3
Lost or Stolen	7
Equipment Failure	8
Transportation	3
Medical	7
Well Logging	0
Radiation Burns	0
NORM	0
X-ray	1
Laser	0
Total	29

- Exposure
- Equipment Failure
- Medical
- Radiation Burns
- X-ray
- Lost or Stolen
- Transportation
- Well Logging
- NORM
- Laser

South Texas Project (STP):

DSHS continues to monitor and respond to emails, phone calls, and conference calls regarding Covid 19 updates regarding STP and Matagorda County. Planning is currently underway for the upcoming evaluated exercise, which will be evaluated virtually. As a result, some of the exercise items will be evaluated out of sequence on a date separate from the July 28 exercise day.

Comanche Peak Nuclear Power Plant (CP):

There were no Comanche Peak Nuclear Power Plant (CP) exercises or significant activities during this period. DSHS monitors and responds to emails, phone calls, and conference calls regarding Covid 19 updates regarding Comanche Peak and Hood and Somervell Counties. In addition, DSHS monitors activities at the Comanche Peak designated hospitals, Lake Granbury Medical Center (LGMC), and Texas Health Cleburne (THC) for issues affecting their ability to assist contaminated injured workers at their facilities. These monitoring activities have also been coordinated with FEMA Region VI in Denton. The U.S. Nuclear Regulatory Commission (NRC) has

approved the requested exemption from the 2021 CP Plume Phase exercise. FEMA has received the exemption request and is waiting for the final decision from FEMA headquarters.

Waste Isolation Pilot Plant (WIPP):

Due to the COVID-19 outbreak, the Department of Energy has limited the shipments of transuranic waste through Texas to the WIPP site located Southeast of Carlsbad, New Mexico. A total of six shipments from the Oakridge National Labs site were transported through Texas during this reporting period.

In addition, two WIPP information briefings were provided to four local officials in Ector and Midland Counties.

Pantex:

Planning for the FY2021 Pantex exercise is underway. However, with Covid-19 we are encountering some issues with the scheduling of the exercise. We will remain as flexible as possible to get this exercise accomplished as best, we can.

The Staging Area in Washburn is expected to be fully operational by mid-July 2021.

DSHS staff are working on updating procedures and plans to bring them up to date.

Special Project

DSHS conducted radiological monitoring in support of the Austin Fire Department Special Operations group at the Circuit of the Americas, May 21-23, 2021.

Compliance Section

Environmental Health Unit – Alyson Henry

From March 2021 – May 2021, the Compliance Section issued 40 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 \$180,465 in administrative penalties. 20 X-ray registrations and one industrial radiographer certification were revoked during this period.

Policy, Standards, and Quality Assurance Section

Radiation Unit – Brian Vamvakias, Manager

Upcoming rules:

- **§289.233 - Radiation Control Regulations for Radiation Machines used in Veterinary Medicine (Project 20R030).**
 - The revised rule was adopted and became effective on April 15, 2021. The rule is published in the April 9, 2021 issue of the Texas Register. The new rule will be published on our DSHS radiation website when it has been formatted for web publication.
 - A guidance document is being developed that will explain the changes in the revised rule as well as go over the general regulatory requirements for veterinarians using radiation machines. When the guidance document is complete, we will send it to stakeholders electronically and also provide a copy on our website. Staff will be available to answer questions at any time. The guidance document will be available by July 2021.
 - The Surveillance staff will not enforce any new requirement until January 1, 2022.

- **§289.226 - Radiation Control Regulations for Registration of Radiation Machines Use and Services (Project 20R029)**
 - Comments were received during the 30-day public comment period that pointed out a referencing error. The error was corrected, and the revised proposed rule was submitted for review. The department's response to the comments received will be published with the Adopted Rule.
 - The Adopted rule is expected to be published in the July 23, 2021 issue of the Texas Register and become effective July 27, 2021,
 - The current rule puts the responsibility of radiation machine equipment performance evaluation (EPE) on both the registered facility and the service provider who installed the machine. The EPE ensures the machine is safe to use per the manufacturer's instructions. A "30-day EPE" is required within 30 days of a service for installation, reassembly, or repair that would affect the radiation output of a radiation machine, and a "routine EPE" is required at a frequency set by rule depending on the type of machine. For example, dental intra-

oral machines must have an EPE performed every four years. This revision removes the dual responsibility of the routine EPE. This revision maintains the dual responsibility of the facility registrant and the service provider to make sure the 30-day EPE is done.

- **§289.252, §289.256, §289.257 - Medical Use of Radioactive Material (Project 21R035)**
 - The NRC made significant changes to 10 CFR 30, 32, and 35 in January 2019 concerning the medical use of radioactive material (RAM). Texas must amend the associated Sections in Chapter 289 TAC by January 2022. Other NRC revisions since 2019 are also being incorporated into this project.
 - No comments were received during the 10-day draft public comment period, so essentially the same rule text will go forward as the proposed rule.
 - The project is scheduled to be presented at the HHS Executive Council meeting in August 2021. The proposed rule will be published in the Texas Register in September and will have a 30-day public comment period. The rule is scheduled to be effective in January 2022.