



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

**October 25, 2024
Radiation Section**

Licensing and Registration Activities

License Type	Companies	Sites
X-Ray Registrations	17911	22912
Laser	4066	4883

Registration Completed Actions June 2024 – August 2024				
	New	Renewal	Amendment	Termination
X-Ray	837	159	799	331
Laser	296	45	58	59
Total	2,584	1,133	204	390

RAM Licensing actions June 2024 – September 2024				
	New	Renewal	Amendment	Termination
General License Acknowledgment	1	0	9	3
RAM	9	39	457	16
Waste Shipper/Transporter	0	11	0	0
RAM Reciprocity	8	7	5	0
Sealed Source and Device	0	0	0	2
TOTAL	567	18	57	471

Industrial Radiographer Certification	
Application for Exam	656
Trainee Application	382
Renewal Application	150
Non-Texas Radiographer	175
TOTAL	1,363

Rulemaking

23R011 - Radioactive Materials

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

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

Progress:

- Draft rule was reviewed by TRAB April 2023.
- Proposed rule was reviewed by NRC March 2024.
- Proposed Rule public comment period ended 07/15/24
 - Minor editorial errors were identified and corrected
 - Substantive changes are identified in the Adoption Preamble published in the Texas Register (TR).
- Adopted rules published in the 10/4/24 issue of the TR.
 - The Adopted rule became effective on 10/23/2024.
- Inspectors will begin enforcing the new requirements after 4/1/25.

23R048 Licensing of RAM

Revision of §289.252 Licensing of Radioactive Material

Ensuring compatibility with NRC RATS

- NRC RATS 2021-2 due 12/30/2024.
- NRC RATS 2023-1 due 9/25/2026.

Progress:

- Reviewed by TRAB December 2023.
- The draft was reviewed by NRC with "No Comment" letter received 2/6/24.
- The Proposed rule was published in the 7/19/24 issue of the TR.
- The proposed public comment period was from 7/19/24 to 8/19/24.
 - No comments were received.
- The Adopted Rule was published in the 10/25/24 issue of the TR and will be effective 10/29/24.
 - Inspectors will begin enforcing the new requirements after 4/1/25.

23R012 - Laser

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

- Reviewed by TRAB April 2023.
- The Proposed rule was published in the 9/13/24 issue of the TR.
- The Proposed rule public comment period was 9/13/24 to 10/14/2024.
 - Substantive comments were received and need to be considered. Any changes will be addressed in the Adopted Rule.
- The Adopted rule is scheduled to be published in the 1/24/25 issue of the TR and

become effective on 1/28/2025.

23R013 - Accelerators

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

Progress

- Reviewed by TRAB April 2023.
- The Proposed rule was published in the 6/14/2024 issue of the TR.
- The Proposed rule public comment period was 6/14/24 to 7/15/2024.
 - Comments received from the American Society of Radiologic Technologist (ASRT) and the Texas Society of Radiologic Technologist (TxSRT) supported the rule changes.
 - Minor changes were made based on other comments. These changes are identified in the Adoption preamble published in the TR.
- Adopted rules published in the 9/27/24 issue of the TR and became effective on 9/30/24.
- Inspectors will begin enforcing the new requirements after 4/1/25.

23R057 Texas Radiation Advisory Board (TRAB)

Revision of §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.

Progress

- Draft was reviewed by TRAB March 2024.
- The Proposed rule is scheduled to be published in the 12/27/24 issue of the TR.
- The proposed public comment period will be from 12/27/24 to 1/27/25.
- The Adopted Rule is scheduled to be published in the 4/25/25 issue of the TR.
- The rule is scheduled to be effective 4/28/25.

24R087 Radiation Safety Requirements for Mammography Machines

Revision of §289.230 Certification of Mammography Systems and Mammography Machines Used for Interventional Breast Radiography and repeal of §289.234 Mammography Accreditation. Revision of §289.230 is to be compatible with the amended FDA regulations at 21 CFR 900 Mammography Quality Standards Act (MQSA).

Progress:

- Draft was shared with TRAB July 2024.
- The program requested TRAB to assign the review to a subject matter expert in the Medical Committee.
- A Kick-Off meeting was held 8/7/24.
- The draft rule public comment period was from 9/17/24 to 10/1/24.
- The Proposed rule is scheduled to be published in the 3/28/25 issue of the TR.
- The public comment period for the proposed rule is scheduled to be from 3/28/25 to 4/28/25.

What Happens Next for Effective Rules

- Staff is working on the web version of the rule sections for projects 23R011, 23R048, and 23R013
 - Each section is published as an Adobe document on the Radiation Program website.
 - An interactive table of contents (TOC) is added to the document.

- Headers on each page indicate where the reader is in the rule.
- We will send notifications via GovDelivery to our stakeholders and the inspectors will also notify licensees and registrants as they perform inspections.

Future Rule Projects

- §289.228 Radiation Safety Requirements for Industrial Radiation Machines
- §289.231 General Provisions and Standards for Protection Against Machine-Produced Radiation
- §289.227 Use of Radiation Machines in the Healing Arts
- §289.226 Registration of Radiation Machine Use and Services

Inspection Data (FY24)

Number of Inspections for FY24				
	QTR 1 (9/1/23 – 11/30/23)		QTR 2 (12/1/23 – 2/29/24)	
	# Ins	# Insp with Violations	# Ins	# Insp with Violations
RAM	196	28 (14%)	204	31 (15%)
X-Ray	973	402 (41%)	972	393 (40%)
X-Ray Remote	118	73 (62%)	106	30 (28%)
Mammography	161	30 (18.6%)	169	32 (19%)
Laser	4	4 (100%)	5	5 (100%)
	QTR 3 (3/1/24 – 5/31/24)		QTR 4 (6/1/24 – 8/31/24)	
	# Ins	# Insp with Violations	# Ins	# Insp with Violations
RAM	162	29 (16%)	129	20 (15%)
X-Ray	963	371 (38%)	918	382 (42%)
X-Ray Remote	133	68 (51%)	235	77 (33%)
Mammography	166	35 (21%)	147	26 (17%)
Laser	16	12 (75%)	42	36 (86%)

Technical Staff Vacancies

Position	Location	Anticipated Fill Date	Notes
X-ray/Mammography Inspector	Amarillo	TBD	To be reposted
X-ray Inspector	Austin	TBD	To be reposted
X-ray Inspector	San Antonio	TBD	2 Positions to be posted

X-ray Inspector	Arlington	TBD	2 Positions to be posted
RAM Inspector	Arlington	November 2024	Interviews in progress
RAM Inspector	Corpus Christi	November 2024	Position has been posted
RAM Inspector	Houston	November 2024	Interviews in progress
RAM License Reviewer	Austin	TBD	Selection in process
RAM License Reviewer	Austin	TBD	Selection in process

Staff Training and Activities

- The Radiation Section conducted an all staff meeting on July 30-31, 2024. The staff had a day and a half training that covered a variety of topics including team building, ethics, emergency response and program updates. The staff also had a half day of break out sessions for RAM, X-ray and Mammography specific training.
- Two employees attended the Organization of Agreement States (OAS) Annual Meeting in August of 2024.
- Jason Callahan represented the Conference of Radiation Control Program Directors (CRCPD) at the Transportation Security Unified Stakeholders Group meeting held August 27-29, 2024.
- One Radioactive Materials License Reviewer attended the NRC G-205 Root Cause workshop in July 2024.
- One Radioactive Materials License Reviewer and the Radioactive Materials Inspection Manager attended the NRC H-112 Decommissioning course in September 2024.
- One Radioactive Materials License Reviewer completed the NRC self-study courses H-117S Introduction to Health Physics, H-122S Fundamental Health Physics, and H-317S Medical Uses in August and September 2024.
- One Radioactive Materials Inspector attended the NRC G-108 Inspection Procedures and H-201 Material Controls courses in August and September 2024. Lisa Bruedigan represented the CRCPD at the International Council on Radiation Protection's Special Liaison Organizations meeting in Munich, Germany, held September 10, 2024. She also attended the 5th European Congress of Medical Physics Joint Conference, held September 11 – 14, 2024, in Munich, Germany.

Compliance Activities

July 2024 to September 2024:

- Orders: 122
- Administrative Penalties: \$ 204,351.00
- Revocations:
 - 13 X-ray registrations
 - 1 Laser registrations
 - 1 Radioactive Material licenses

Mammography Branch

- The Texas Mammography Accreditation Program (TMAP) continues transitioning all State of Texas Accredited facilities to the American College of Radiology accreditation program. TMAP currently has no open application actions and is solely concentrated on transitioning facilities. As of October 1, 2024, TMAP has facilitated the transition of approximately 65% of its accredited facilities. The target completion date is January 1, 2025.

Registration Branch

- One vacancy for the Industrial X-ray/Laser Program Coordinator.

Emergency Response Activities

South Texas Project Nuclear Power Plant (STP)

- The Palacios Community Medical Center (PCMS MS1) graded exercise was performed on August 15, 2025, and no anticipated findings were observed.
- FEMA is combining the STP Plume Exercise from July 17, and the PCMC MS1 exercise in one after-action report (AAR). FEMA has contacted DSHS, indicating that the AAR is late due to reasons on their end. They assured us we would have the full 30 days from receipt of the report to provide input or feedback.

Comanche Peak Nuclear Power Plant (CPNPP)

- October 17, 2024: A FEMA-graded Medical Services Drill (MSD) at Lake Granbury Medical Center and Texas EMS is scheduled. DSHS employees will travel to participate in the exercise.
- Planning for the next CPNPP Hostile Action exercise has begun. A tabletop exercise will be held in January 2025 (date to be determined). The dress rehearsal is scheduled for July 9, 2025, and the graded exercise is scheduled for August 13, 2025.

Waste Isolation Pilot Plant (WIPP)

- WIPP will continue quarterly meetings and offer training, briefings, and equipment exchanges.
- Local Briefings were conducted with representatives from Reeves, Ector, Stanton, and Taylor counties.
- There have been twelve (12) WIPP shipments through Texas since the last report.
- The program is current on meter exchanges and calibrations.
- From July 22nd to 26th, 2024, approximately 57 students attended the Modular Emergency Response Radiological Transportation Training (MERRTT) course in Reeve's County.
- Raven Alexander took a position with the Center for Disease Control and her last day was August 2nd, 2024
- Forrest Weston attended Nevada WIPP program WIPP-Road-TREX (Transportation exercise) on Sept 4th and 5th, 2024.

Pantex/Agreement in Principle (AIP)

- Quarterly environmental sampling was performed on July 10, 2024. 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 July 10, 2024. The samples were sent to the DSHS Lab for analysis. These results are pending.
- Quarterly radio and Zello communication tests were performed on July 11, 2024, on the southwest quadrant of the 10-mile EPZ. The quarterly AIP meeting was held on July 31, 2024, and a local AIP meeting was held on September 4, 2024.
- A radiation instrument training for the Amarillo Fire Department HAZMAT team was held July 23-25, 2024.

- A Pantex Plant onsite exercise was supported by DSHS personnel on August 29, 2024.
- A Pantex recovery phase exercise was held on August 7, 2024. This exercise was supported by approximately 14 individuals of the DSHS Radiological Emergency Response Team from across the state. Field Teams, Incident Command, Joint Information Center, and Emergency Response staff participated in the exercise and trained the day before.
- Calibrations were performed by Amarillo DSHS personnel in August & September 2024.
- Tim Gibson and Shay Christian attended the Panhandle Regional Emergency Preparedness Conference in September 2024.
- Tim Gibson and Shay Christian received Excellence in Training awards during the City of Amarillo Area Office of Emergency Management (AAOEM) awards banquet on September 28, 2024.

Counterterrorism / Radiological WMD

- Federal, State, and Local Agencies are preparing for the 2026 World Cup Soccer Event. Dallas and Houston are the Host Cities during the scheduled matches in June-July 2026. Beginning in October 2024, planning meetings will be held to address Emergency Preparedness and Response for this major international event. Clint Taylor will attend these meetings as the representative for the DSHS Radiation Section.

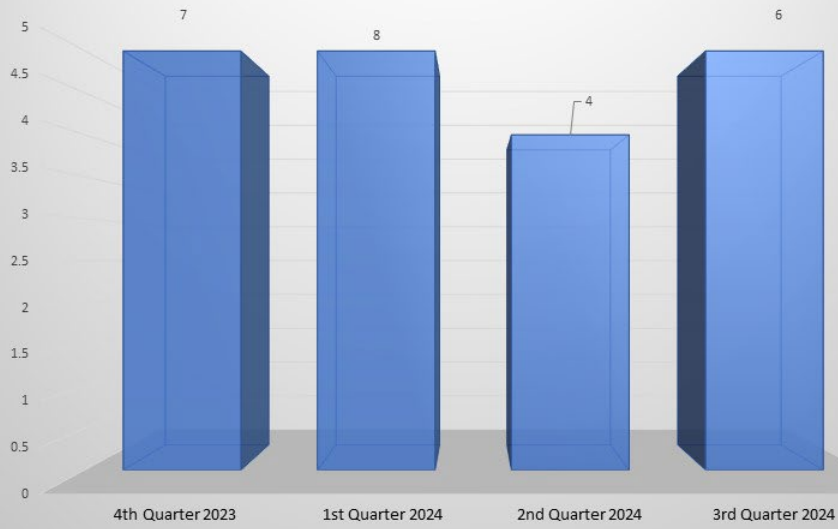
Southern Mutual Radiation Assistance Plan (SMRAP)

- Robin Phillips and Clint Taylor supported to the Office of Preparedness and Emergency Response Systems, Arkansas Department of Health, for the Nuclear One Hostile Action and Plume exposure graded exercise on August 20th, 2024, in Russellville, Arkansas.

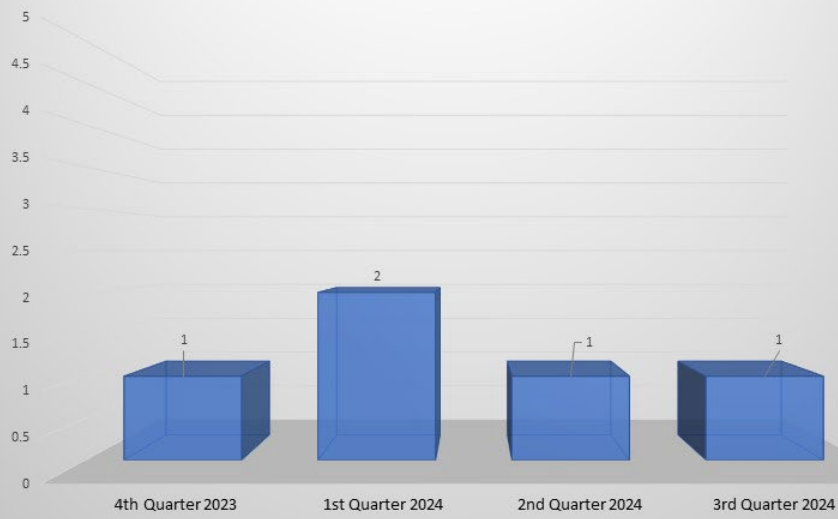
Incident Investigations

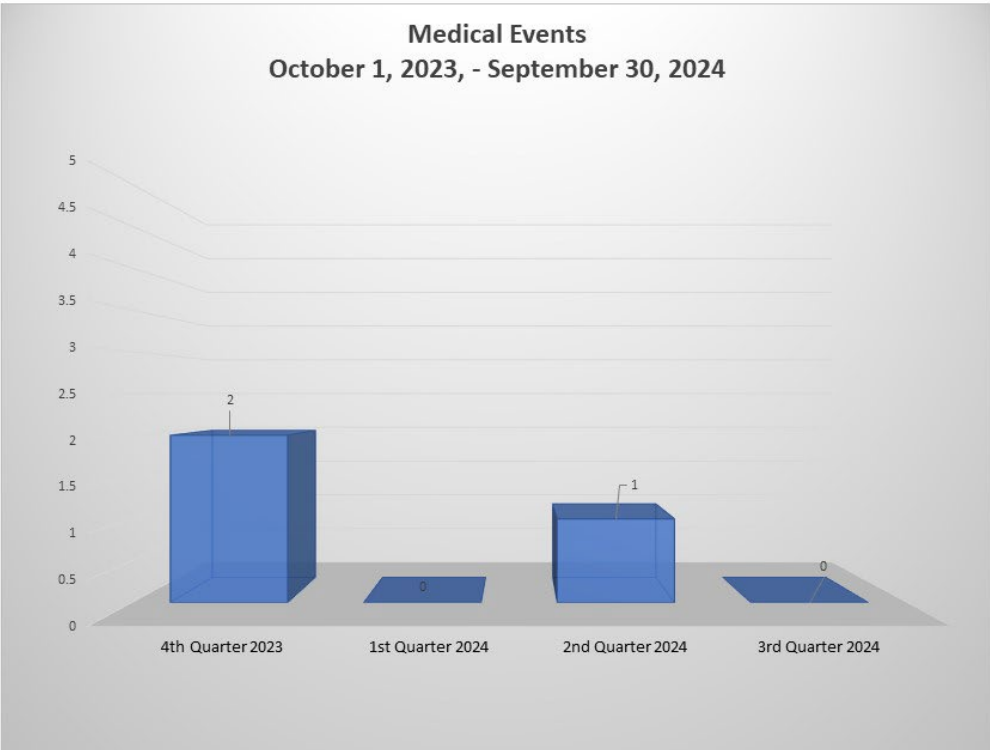
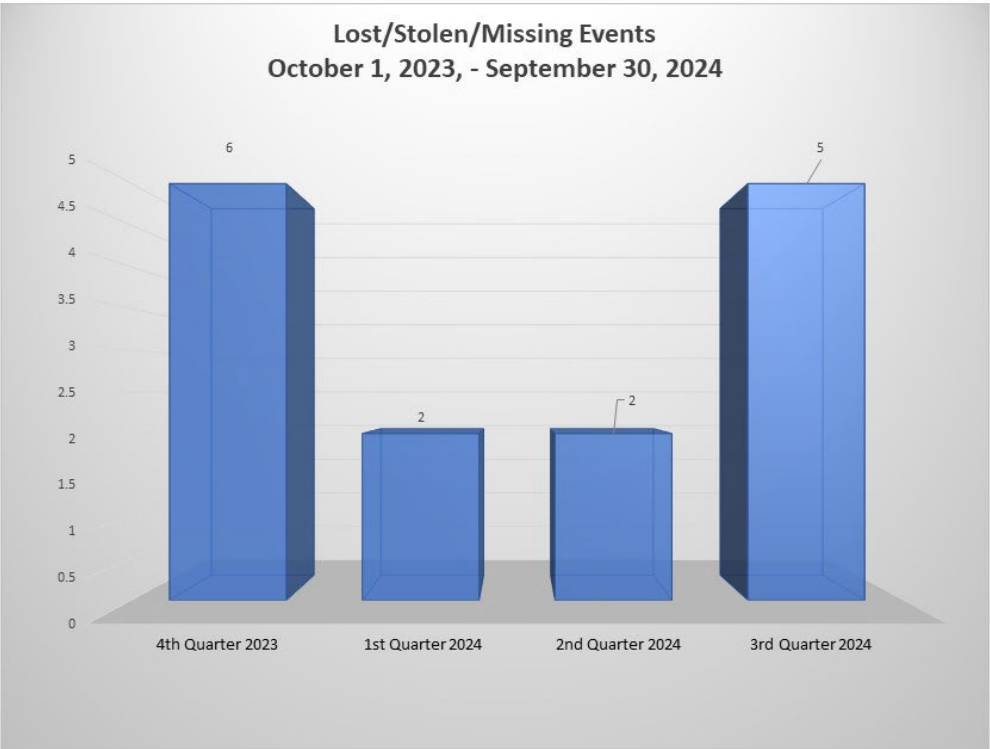
The graphs below reflect the numbers and categories of incidents received during this reporting period.

Equipment Events October 1, 2023, - September 30, 2024



Exposure Events October 1, 2023, - September 30, 2024





Medical Event Summaries:

There were no medical events to report during this period.

List of Acronyms

AAOEM	Amarillo Area Office of Emergency Management
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AAR	After-Action Report
AIP	Agreement in Principle
ASRT	American Society of Radiologic Technologist
CPNPP	Comanche Peak Nuclear Power Plant
CRCPD	Conference of Radiation Control Program Directors
DOE	Department of Energy
DSHS	Department of State Health Services
EMS	Emergency Medical Service
EPZ	Emergency Planning Zone
FEMA	Federal Emergency Management Agency
HAZMAT	Hazardous Materials
HHSC	Health and Human Services Commission
MERRTT	Modular Emergency Response Radiological Transportation Training
MQSA	Mammography Quality Standards Act
MSD	Medical Services Drill
NRC	Nuclear Regulatory Commission
OSL	Optically Stimulated Luminescence
PAG	Protective Action Guide
PCMS MS1	Palacios Community Medical Center
RAM	Radioactive Material
RATS	Regulation Action/Amendment Tracking System
SB	Senate Bill
STP	South Texas Project Nuclear Power Plant
TAC	Texas Administrative Code
TOC	Table of Contents
TR	Texas Register
TRAB	Texas Radiation Advisory Board
TREX	Transportation exercise
TxSRT	Texas Society of Radiologic Technologist
WIPP	Waste Isolation Pilot Plant