



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

May 15, 2009

Mr. Gregg D. Dempsey
Senior Science Advisor
U.S. Environmental Protection Agency
Radiation and Indoor Environments National Laboratory
P.O. Box 98517
Las Vegas, Nevada 89193-8517

Dear Mr. Dempsey:

We have reviewed your April 13, 2009 request for information on radioactive materials licenses issued by the California Department of Public Health, Radiologic Health Branch, for usage of radioactive materials in Ventura County and portions of Los Angeles County. As part of our review, I and one of my senior staff members have discussed your information needs with you.

We would be happy to provide you with the requested information, to the extent that our records will support your request. Based on the discussions we have had with you to date concerning your information needs, it appears that a very substantial search effort of our records will be necessary in order to satisfy your information needs. This is based on your desire for information pertaining to all radioactive materials usage under California regulatory jurisdiction within the specified geographical area from 1962 (the inception of the California Agreement State program) to date. This will require a detailed review of literally thousands of individual licenses to identify the locations of use authorized in the licenses.

Because of staffing limitations within our program, we would like to avail ourselves of your offer for staffing assistance to perform these reviews. We would request, however, that because of the security sensitive nature of the location of certain radioactive materials, you utilize EPA personnel to perform this function instead of contractor personnel, or alternatively you utilize contractor personnel who meet the requirements for access to Increased Controls security sensitive information established by the U.S. Nuclear Regulatory Commission.

We would also like to remind you of our discussions that there are certain potential radioactive materials uses in the specified geographical area for which we will not have records. This may be due to record retention issues or because certain radioactive

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uses are not limited to specific geographic locations within the state. The latter include "temporary job site" authorizations, transportation activities, exempt radioactive materials usage, and potentially others.

It would appear beneficial to meet with you, or your staff, to establish the protocol for this record review and subsequent information transmittal to meet your requested needs. At this meeting, we can also further explore the limitations that may exist in our ability to provide you with the information we understand you desire. We would like to involve the Department of Toxic Substances Control in any such meeting since they are the lead California agency for the Santa Susana Field Laboratory cleanup.

We sincerely hope that we will be able to provide you with the information that you require. You can reach me at (916) 440-7942 to set up an initial meeting.

Sincerely,



Gary W. Butner, Chief
Radiologic Health Branch

cc: Norman E. Riley, Project Director
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