

Radiation Advisory Board - Meeting Minutes May 14, 2014

**Perimeter Center, Conference Center
Conference Room #3
9980 Mayland Drive
Henrico, VA 23233**

Members Present: Stanley H. Benedict, Ph.D., Karen Cole Dameron, DDS, Sebastiana Gagliano Springmann, DDS, Roy Heltzel, Jr., James Nunn, Les Foldesi, and Drexel Nelson Harris.

Members Absent: Frances West Porter, Bing Nguyen, M.D., and James Thorton.

Ex Officio Members Present: Dr. David Trump, MD, MPH, MPA (Acting Chief Deputy Commissioner, Public Health and Preparedness) representing Marissa J. Levine, MD, MPH, FAAFP, State Health Commissioner; Leslie Romanchik; representing, Director, Department of Environmental Quality; Ron Graham, Director of Occupational Health Compliance, representing C. Ray Davenport, Commissioner, Department of Labor and Industry; Tom Grose, Director of Safety and Environmental Programs, Virginia Institute of Marine Science; and Dan Kovich, DVM, representing Matt Lohr, Commissioner, Department of Agriculture and Consumer Services.

Ex Officio Members Absent: Jeffrey D. Stern, State Coordinator, Department of Emergency Management.

Staff Present: Steve Harrison, Stan Orchel and Alissa Nashwinter for the Office of Radiological Health (ORH).

Call to Order

Dr. Trump called the meeting to order at 10:02 a.m. A quorum was deemed present given that twelve members were in attendance.

Agenda

Dr. Trump presented the draft agenda and asked if there were any additional items to be added. Being none, Dr. Trump asked for a motion to approve which was made by Stanley Benedict and seconded by James Nunn. The motion passed and the agenda approved. Attendees then introduced themselves to one another.

Minutes

Dr. Trump asked that everyone take a moment to review the minutes from the November 20, 2013 meeting. One correction was made - Drexel Nelson Harris was not in attendance at the last meeting. Dr. Trump moved for approval of the corrected minutes. The motion was made by Stanley Benedict and seconded by Les Foldesi. The motion passed and the minutes were approved.

Office of Radiological Health Discussion

Mr. Harrison discussed recent VDH leadership and ORH organizational changes, ORH's interest in posting Notices of Violations (NOV) on the web page and recent Radon Program activities. Mr. Drexel Harris asked if other states posted violations. Mr. Harrison said that some do while others do not and went on to explain that Virginia statutes do not include enforcement authority regarding radon testing and mitigation professionals. This initiative could provide the public information on complaints, installation issues or other concerns reported to and investigated by ORH, if the practice of posting NOVs is deemed acceptable by the Office of Attorney General. Mr. Benedict asked if a list of testers is maintained on ORH's website. Mr. Harrison replied that ORH does not maintain that list (because it is available through EPA, National Radon Safety Board and National Radon Proficiency Program web pages) but that the information on where to find lists of radon testers and mitigators is maintained on ORH's web page under Radon.

Other

Mr. Harrison provided an overview of other items of interest including new FEMA/NRC Nuclear Station Planning Criteria - Hostile Action-Based Events, FLEX Events, Protective Action Guide and Radiological Emergency Preparedness manual updates; X-ray and RadMat incidents; and, Emergency Preparedness activities including upcoming KI replenishment.

Rulemaking

Mr. Harrison provided an update on current rulemaking items. Mr. Harrison stated that a revision to 12VAC5-481 that updates the X-ray portions in Parts VI and VIII was approved by the Governor to proceed and will be presented to the Board of Health for approval on June 5th. Mr. Harrison also mentioned that a full revision of 12VAC5-481 for the Radioactive Materials Program has begun. This revision will remove the NRC rule references and include the new security requirements being adopted by the Nuclear Regulatory Commission (NRC) in 10 CFR Part 37. He then stated that this revision would be submitted in early 2014 using the exemption process. Lastly, Mr. Harrison discussed that once the current X-ray proposed changes are submitted that a second X-ray regulatory revision would be initiated addressing X-ray therapy modalities.

Old Business

Mr. Harrison presented the draft RAB Bylaws that were discussed at the November 20, 2013 meeting, stated that they were reviewed by the OAG and ready for RAB action. Dr. Trump asked for discussion. After a brief overview of the changes, Mr. Foldesi motioned for approval and was seconded by Mr. Benedict. The motion passed and the bylaws were approved. Dr. Trump asked if there was any additional old business but none was brought forward.

New Business

Dr. Trump asked if there was any new business. Mr. Foldesi delivered a presentation on recent activities of the Southeast Compact. This discussion included activities of the Low Level Waste Forum. Dr. Springmann asked Mr. Foldesi to discuss the magnitude of waste. Mr. Foldesi said that the true volume is not known. Several examples of radiation in the community were discussed. Mr. Nunn stated that a list of approved disposal brokers is located on CRCPD's website, but that there are none licensed by/in Virginia. Mr. Harrison commented that North Anna and Surry Power Stations have filed for a 20-year license extension, respectively.

Mr. Benedict raised the subject of uranium mining, asking about the present decision status given last year's interest by Virginia Uranium, Inc. to have mining regulations instituted by the Commonwealth as well as deliberations by the General Assembly. Mr. Harrison shared information with the group about the current status, i.e. that Gov. McAuliffe announced his opposition to uranium mining and that legislation that had been considered for proposal at the 2014 General Assembly had been withdrawn by the patron prior to the session.

The group briefly discussed the posting of Radiation Advisory Board meeting announcements, agendas and minutes and that they would be posted to Regulatory Town Hall henceforth, as was this meeting. Mr. Harrison committed to having information about accessing Regulatory Town Hall placed on ORH's web site.

Public Comments

Dr. Trump offered an opportunity for any public attendees present to address the board. Since none were present, no comments were made.

Next Meeting

A discussion was held regarding the next meeting. A date of November 5, 2014 at 10:00 am was selected, tentatively. The Board indicated that if ORH does not have significant items of concern to bring to the Board for consideration/information, then ORH is to notify Board members that the meeting will be postponed until the next annually required meeting date of May 2015.

Mr. Foldesi asked if ORH was planning to recommend any legislative changes to the General Assembly this year. Mr. Harrison responded that there had been an interest in strengthening school radon testing statutory language but that the Department of Education did not concur with that recommendation and instead preferred to send a letter to school division superintendents reminding them of the public school radon testing requirement. Mr. Harrison went on to state that there were no other planned legislative proposals on the part of the Office.

Adjournment

Dr. Trump thanked the members for their participation and adjourned the meeting at 11:30 a.m.