



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	VIRGINIA DEPARTMENT OF HEALTH (VDH), DIVISION OF RADIOLOGICAL HEALTH
<b>Virginia Administrative Code (VAC) citation</b>	12VAC5-481
<b>Regulation title</b>	VIRGINIA RADIATION PROTECTION REGULATIONS
<b>Action title</b>	12VAC5-481 NRC 2008 UPDATE
<b>Final agency action date</b>	4/14/08
<b>Document preparation date</b>	4/14/08

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The purpose of this proposed action is to amend the current regulations (12VAC5-481) ensuring their compatibility with Title 10, Energy, of the Code of Federal Regulations. The Nuclear Regulatory Commission (NRC) reviewed these regulations on October 19, 2006 and December 19, 2007 providing comments. These amendments ensure 12VAC5-481 will be compatible with 10 CFR, thus allowing the Commonwealth of Virginia to enter into an agreement with the NRC for the regulation of certain radioactive material in the Commonwealth.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

On April 11, 2008 Dr. Karen Remley (Commissioner of Health) signed the certification that the 12VAC5-481 (Virginia Radiation Protection Regulations) amendment is completed and full, true and correctly dated. The Division of Radiological Health has been working on this amendment since October 2007 with help from the NRC, Virginia's Office of Attorney General and Virginia Legislative Services. VDH is submitting these regulations as final/exempt pursuant to 2.2-4006(A)(4)(c).

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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These proposed amendments will have no direct impact on the institution of the family and family stability.