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Exempt Action Final Regulation Agency Background Document

Agency name	Department of Health
Virginia Administrative Code (VAC) citation(s)	12VAC5-481-451
Regulation title(s)	Radiation Protection Regulations
Action title	Increased Control Regulation Revision
Final agency action date	January 20, 2016
Date this document prepared	January 20, 2016

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) or an agency's basic statute, the agency is not required, however, 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, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. 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 section 12VAC5-481-451, "Increased controls and fingerprinting" to be compatible with 10 CFR Part 37.

The NRC created Code of Federal Regulations (CFR) Title 10, Part 37 (10CFR Part37), "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material" on March 19, 2013. Agreement States are required to implement compatible regulations within 3 years of this date or the program will be deemed "non-compatible" by the NRC, which may result in the revocation of Virginia's Agreement State status.

The NRC reviewed the proposed revision to 12VAC5-481-451 and provided comments in a letter dated February 19, 2015.

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.

The State Health Commissioner, Dr. Marissa Levine, approved these amendments to the Virginia Radiation Protection Regulations (12VAC5-481) on behalf of the State Board of Health on January 20, 2016.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

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