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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Department of Health
<b>Virginia Administrative Code (VAC) citation(s)</b>	12VAC5-481
<b>Regulation title(s)</b>	Radiation Protection Regulations
<b>Action title</b>	2015 update
<b>Final agency action date</b>	
<b>Date this document prepared</b>	10/28/15

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of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed.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 the current regulations (12VAC5-481) ensuring their compatibility with Title 10, Energy, of the Code of Federal Regulations. Agreement States are required to ensure their regulations are compatible with Title 10 regulations. This revision will ensure that Virginia's regulations implement revisions that were performed by the Nuclear Regulatory Commission (NRC) from 2011 until 2013. These revisions are required to be implemented by the Agreement States within 3 years of implementation by the NRC. One of these regulatory revisions is the creation of 10 CFR Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material". This new regulation must be in place by March 19, 2016.

The NRC reviewed the proposed revision to 12VAC5-481 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.*

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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 October 29, 2015.

### 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.*

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