

Radiation Advisory Board - Meeting Minutes November 10, 2016

**Perimeter Center, Conference Center
Conference Room #2
9960 Mayland Drive
Henrico, VA 23233**

Members Present: Stanley H. Benedict, Ph.D. (via phone); M. Rehan Khan, MD; Roy Heltzel, Jr.; James Nunn (via phone); Les Foldesi; and Drexel N. Harris

Members Absent: Karen Cole Dameron, DDS; James Thornton; Sebastiana Gagliano Springmann, DDS.

Ex Officio Members Present: Steve Harrison and S. Hughes Melton, MD, representing Marissa J. Levine, MD, MPH, FAAFP, State Health Commissioner; Ron Graham, Director of Occupational Health Compliance, representing C. Ray Davenport, Commissioner, Department of Labor and Industry; Carolyn Bissett, representing Sandra Adams, Commissioner, Department of Agriculture and Consumer Services; Tom Grose, Director of Safety and Environmental Programs, Virginia Institute of Marine Science; Leslie Romanchik, representing David Paylor, Director, Department of Environmental Quality; and Tom Jordan, representing Jeffrey D. Stern, Ph.D., State Coordinator, Department of Emergency Management.

Ex Officio Members Absent: None.

Staff Present: Stan Orchel, Matt Ettinger and Sherry House for the Office of Radiological Health (ORH).

Call to Order:

Dr. Melton, serving on behalf of Dr. Levine, directed that Mr. Harrison chair the meeting. The meeting was then called to order at 10:00 a.m. by Mr. Harrison. A quorum was declared given that a minimum of nine (9) members were present. Attendees then introduced themselves.

Agenda:

Mr. Harrison presented the draft agenda and asked if there were any additional items to be added. Being none, a motion to approve was made by Dr. Khan and seconded by Les Foldesi. The motion passed and the agenda was approved.

Minutes:

Mr. Harrison asked that everyone take a moment to review the meeting minutes from November 19, 2015. Several corrections were noted and Les Foldesi moved for approval of the minutes, with corrections. The motion was seconded by Drexel Harris. The motion passed and the minutes were approved as amended.

Office of Radiological Health Discussion:

Mr. Harrison gave a presentation on the Office's current initiatives including funding status, staffing and current program metrics. Mr. Harrison indicated that negotiations with VDEM and Dominion Virginia Power to increase funding for Environmental Monitoring and Emergency Preparedness support were successful. Dominion agreed to provide an additional \$220,000 per year beginning in FY18 (July 1, 2017). This will bring the total annual funding from Dominion to \$416,000 and will help offset the elimination of General Funds from ORH's budget.

Mr. Harrison reviewed current staffing levels for ORH which stand at 25 Full Time Equivalent employees. The compensation analysis was completed and salary alignments implemented where needed to normalize pay inequities. There are currently two vacancies within the Office: Radioactive Materials Program Supervisor; and, Business Manager. The Business Manager position is being evaluated for consolidation with other offices in VDH in order to maximize efficiencies. The Office currently has 9 staff that are eligible for full or partial retirement. Succession planning is a high priority.

With regard to program metrics, the number of X-ray inspections has increased by over 200 per year since 2014. This number will probably flat line over the next year without additional support. Radioactive material inspections have increased by about 50 per year for a total of 386 in 2016. Radon contacts have jumped significantly in the past few years to 1,707 in 2016 largely due to increased outreach efforts as part of our federal Radon grant.

Other:

Mr. Harrison highlighted some of the Office's accomplishments over the past year including:

- Reconstructing the ORH website using WordPress.
- Continued training and outreach initiatives:
 - Engaged in a multi-disciplinary joint hazard assessment training for monitoring and responding to attacks involving radiological, chemical, biological and explosive agents.
 - Engaged in training and building sweep activities for hazardous materials with the Virginia State Police counterterrorism and criminal interdiction responders.
 - Completed the development of a maritime radiation detection response protocol with the Port of Virginia.
 - Developed response team mission ready packages for the Emergency Management Assistance Compact (EMAC).
 - Collaborated with the Virginia Nuclear Energy Consortium as established by legislation in 2013.

Rulemaking:

Mr. Harrison provided updates on several rulemaking items regarding the X-ray and Radioactive Materials Programs. Specifically, 12VAC5-481 was updated effective June 5, 2016 to include electronic brachytherapy. Additionally, there are two X-ray regulatory proposals in progress as noted below:

1) Establishment of an X-ray Private Inspector fee of \$150 per year. This proposal was approved by the Governor's office and published in the Virginia Register for public comment, with the comment period having closed on October 19th. The proposal will be presented to the Board of

Health for approval at their next scheduled meeting. If approved, the final version will be posted to Regulatory Town Hall for public comment one last time in order to complete the process.

2) Establish non-medical X-ray device registration and inspection fees and update the fees for those devices used in the healing arts. This proposal is a two-phased approach, first involving the establishment of fees for non-medical devices and updating the fee for X-ray devices used in the healing arts. This regulatory action is in progress. A later phase will occur in order to review and update the fees for other X-ray devices. The public comment period for the first phase ends on November 18, 2016, after which that proposal will move forward to the Board of Health for their review and action.

In the Radioactive Material Program, 12VAC5-481-451 became effective March 8, 2016 and the 12VAC5-481-10 definitions became effective on March 23rd. These two sections had to be expedited and instituted in March to meet NRC requirements. The remainder of the 12VAC5-481 update was completed on August 25th. The NRC's review of the updates has been performed and some minor comments were offered, which will be processed as an exempt regulatory action.

Old Business:

Following up on a request that was made by Dr. Khan during the previous Board meeting, Mike Welling and Debbie Steva from UVA gave a presentation on the Roles and Responsibilities of Radiation Safety Officers.

New Business:

Mr. Harrison asked if there was any new business. Dr. Khan asked that ORH consider Source Radiation Monitoring and Awareness for further review. Carolyn Bissett asked that the veterinarian community be included in that review/discussion as well.

Public Comments:

Mr. Harrison offered an opportunity for any public attendees present to address the Board. Since none were present, no comments were made.

Next Meeting:

The next annually required meeting is planned to be held in November of 2017.

Adjournment:

Drexel Harris motioned for adjournment and Dr. Kahn seconded. Mr. Harrison thanked the members for their participation and adjourned the meeting at 11:20 a.m.