

Office of Regulatory Management
Economic Review Form

Agency name	State Board of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12 VAC 5-481
VAC Chapter title(s)	Virginia Radiation Protection Regulations
Action title	Amend 12VAC5-481 Following the Amendment of 10 CFR
Date this document prepared	11/22/2022
Regulatory Stage (including Issuance of Guidance Documents)	Final Exempt

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<ul style="list-style-type: none"> • The changes to the radioactive materials regulations proposed by this action are not considered significant or impactful. Examples of changes included in this action are updating addresses, updating the names of committees, and adding two requirements that clarify expectations regarding qualified individuals serving as temporary Radiation Safety Officers. These changes will not result in direct costs to the regulated community or the Commonwealth of Virginia. • The proposed regulatory action will amend 12VAC5-481-451 to correct an address. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p> • The proposed regulatory action will amend 12VAC5-481-1700 to clarify to clarify the Radiation Safety Officer role and expectations. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p> • The proposed regulatory action will amend 12VAC5-481-1750 to correct the incorrect use of “license” with “licensee”. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p> • The proposed regulatory action will amend 12VAC5-481-1770 to correct the name of the Accreditation Council for Pharmacy Education. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p> • The proposed regulatory action will amend 12VAC5-481-1780 to correct information on a permit issued by the NRC. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p>
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	<ul style="list-style-type: none"> • The proposed regulatory action will amend 12VAC5-481-2018 and 12VAC5-481-2040 to correct the name of the Council on Postdoctoral Training. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p> <ul style="list-style-type: none"> • The proposed regulatory action will amend 12VAC5-481-3120 to strike subsection D.1. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p> <ul style="list-style-type: none"> • The proposed regulatory action will amend 12VAC5-481-3770 to correct radionuclide Sm-147 to 8.5×10^{-10}. <p>There are no monetized, direct or indirect costs or benefits associated with this change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	None	
(4) Other Costs & Benefits (Non-Monetized)	<p>All changes proposed by this action are mandated according to Virginia’s status as a U.S. Nuclear Regulatory Commission (NRC) Agreement State and requirement to maintain regulations that are compatible with 10 CFR.</p> <p>As a U.S. Nuclear Regulatory Commission (NRC) Agreement State, Virginia is required to maintain regulations that are considered by NRC to be compatible with 10 CFR. This proposed final exempt action will preserve Virginia’s status as an NRC Agreement State and ensure the continued protection of Virginia residents from the effects of harmful exposure to radiation.</p> <ul style="list-style-type: none"> • The proposed regulatory action will amend 12VAC5-481-451 to correct an address. <p>Costs: There are no non-monetized costs associated with this change.</p> <p>Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.</p>	

- **The proposed regulatory action will amend 12VAC5-481-1700 to clarify to clarify the Radiation Safety Officer role and expectations.**

Costs: There are no non-monetized costs associated with this change.

Direct Benefits: The regulated community will benefit from regulatory text that is accurate, up-to-date, and clarifies expectations regarding Radiation Safety Officers.

- **The proposed regulatory action will amend 12VAC5-481-1750 to correct the incorrect use of “license” with “licensee”.**

Costs: There are no non-monetized costs associated with this change.

Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.

- **The proposed regulatory action will amend 12VAC5-481-1770 to correct the name of the Accreditation Council for Pharmacy Education.**

Costs: There are no non-monetized costs associated with this change.

Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.

- **The proposed regulatory action will amend 12VAC5-481-1780 to correct information on a permit issued by the NRC.**

Costs: There are no non-monetized costs associated with this change.

Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.

- **The proposed regulatory action will amend 12VAC5-481-2018 and 12VAC5-481-2040 to correct the name of the Council on Postdoctoral Training.**

	<p>Costs: There are no non-monetized costs associated with this change.</p> <p>Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.</p> <ul style="list-style-type: none"> • The proposed regulatory action will amend 12VAC5-481-3120 to strike subdivision D.1. <p>Costs: There are no non-monetized costs associated with this change.</p> <p>Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.</p> <ul style="list-style-type: none"> • The proposed regulatory action will amend 12VAC5-481-3770 to correct radionuclide Sm-147 to 8.5×10^{-10}. <p>Costs: There are no non-monetized costs associated with this change.</p> <p>Direct Benefits: The regulated community will benefit from regulatory text that is accurate and up-to-date.</p>
(5) Information Sources	12VAC5-481 and 10 CFR.

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no monetized costs or benefits under the status quo associated with the proposed change. There are no direct benefits under the status quo.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	None	
(4) Other Costs & Benefits (Non-Monetized)	All changes proposed by this action are mandated according to Virginia’s status as a U.S. Nuclear Regulatory Commission (NRC) Agreement State and requirement to maintain regulations that are compatible with 10 CFR. Failing to do so will jeopardize Virginia’s status as an NRC Agreement State. The benefits of maintaining Agreement State status include improved responsiveness to radioactive materials licensees since	

	<p>state regulators are more accessible and closer in proximity than their federal counterparts; the ability to respond quickly in the event of an emergency involving radioactive materials; and the ability to set and collect the fees for radioactive materials licenses, which are generally less costly than those assessed by the NRC. Should Virginia choose to discontinue its status as an NRC Agreement State, or fail to meet requirements to maintain its status as an NRC Agreement State, the regulation of all radioactive materials in Virginia would return to the federal government under the NRC. The Virginia Department of Health does not receive funding from the NRC. When Virginia became an NRC Agreement State in 2009, it did so with the intention of assuming regulatory authority over radioactive materials indefinitely.</p> <p>There are no benefits under the status quo.</p>
(5) Information Sources	12VAC5-481 and 10 CFR.

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no monetized costs or benefits for local partners associated with the proposed change.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	<p>No indirect costs to local partners are expected to result from this action. Indirect benefits to local partners include improved Radiation Protection Regulations that are compatible with 10 CFR.</p> <p><i>The changes contained in this action are insignificant and include items that will correct addresses and names of organizations and clarify requirements for temporary radiation safety officers. There is no expected impact on local partners.</i></p>	
(4) Assistance	No assistance required for training or other technical implementation.	
(5) Information Sources	12VAC5-481 and 10 CFR.	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no monetized costs or benefits for families associated with the proposed change.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0

(3) Other Costs & Benefits (Non-Monetized)	<p>No indirect costs to families are expected to result from this action. Indirect benefits to families include maintenance of up-to-date Radiation Protection Regulations that will ensure Virginia families are not exposed to harmful radiation.</p> <p><i>The changes contained in this action are insignificant and include items that will correct addresses and names of organizations and clarify requirements for temporary radiation safety officers. There is no expected impact on families.</i></p>
(4) Information Sources	12VAC5-481 and 10 CFR.

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no monetized costs or benefits for small businesses associated with the proposed change.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	<p>No indirect costs are expected to result from this action. Indirect benefits to small businesses include improved Radiation Protection Regulations that are compatible with 10 CFR.</p> <p><i>The changes contained in this action are insignificant and include items that will correct addresses and names of organizations and clarify requirements for temporary radiation safety officers. There is no expected impact on small businesses.</i></p>	
(4) Alternatives	No alternatives exist. As an NRC Agreement State, Virginia is obligated to maintain regulations that the NRC determines are consistent with those of 10 CFR. The changes to 12VAC5-481 will not result in a regulatory burden to small businesses.	
(5) Information Sources	12VAC5-481 and 10 CFR.	

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

	Number of Requirements			
Chapter number	Initial Count	Additions	Subtractions	Net Change
12 VAC 5-481	321	0	0	0
TOTAL	321	0	0	0