

**DRAFT Minutes of the Radiation Protection Advisory Committee (RPAC) Meeting
12th Floor Conference Room
Rachel Carson State Office Building, Harrisburg, PA
June 12, 2014**

Call to order – 9:03 a.m.

Members in Attendance:

Mr. John Keklak, Ms. Margaret Blackwood, Mr. Michael Sheetz, Mr. Anthony Montagnese, Mr. Vincent Roding, Mr. Joseph Och, Dr. Paul Houle, Mr. Kent Lambert, Mr. Eric Boeldt, Dr. Peter Smith, Ms. Janice Wirth, Mr. Shawn McNeely, Ms. Michele Tate, Dr. John Pammer

Members Absent:

Dr. Douglas Eggli, Dr. Charles Chambers, Dr. Charles Stoup, Ms. Jean Gresick-Schugsta, Dr. Richard Purse, Dr. William Thorne

Personnel Representing DEP:

Mr. David Allard, Director, Bureau of Radiation Protection (BRP); Mr. Joseph Melnic, Chief, Division of Radiation Control; Mr. Robert Lewis, Chief, Radon Division; Mr. Terry Derstine, SE Regional RP Manager; Mr. Robert Zaccano, SC Regional RP Manager; Mr. Ben Seiber, RP Program Analyst; Mr. John Chipppo, Chief, RAM Licensing; Ms. Sandra Martin, Chief, X-Ray & Accelerator Licensing; Ms. Kim Childe, RP Counsel; Ms. Sharon Trostle, DEP Executive Assistant; Ms. Laura Henry, DEP Policy Office; Ms. Kristina Hoffman, RP Program Analyst; Ms. Dyrán Altenburg, Management Technician; Mrs. Denise Bleiler, Chief, Radon Monitoring; Ms. Kelley Oberdick, Chief, Radon Certification; Mr. John Winston, SWR Inspector; Ms. Lisa Forney, SCR Compliance Specialist

Members of the General Public in Attendance:

Ms. Karen Colucci; Mr. Ray Urciuolo

Introduction of Members and Staff:

Mr. Melnic welcomed everyone and noted the by-laws require an election of officers every 12 months. A unanimous vote was made to retain John Keklak and Margaret Blackwood as the current chairperson and vice-chairperson, respectively.

Adoption of Agenda:

Today's agenda was approved unanimously.

Approval of Minutes:

Meeting minutes from the March 6, 2014, meeting were approved with one change – Shawn McNeely was not present.

Open Floor:

Mr. Urciuolo informed the members that the Department of Health (DOH) was recently given regulatory authority over indoor tanning facilities. Electronic product radiation from UV lamps has always fallen under DEP's domain; however, the bill, known as [Act 41](#) gives that authority to DOH. Mr. Urciuolo asked if DEP still has authority in this arena. Response: The Radiation

Protection Act references all-inclusive electronic product radiation defined by the Food and Drug Administration, which includes tanning booths, lasers, microwaves, etc. As such, the Bureau of Radiation Protection should be the regulatory authority and has in the past recommended this to be the case. Regardless, the legislature declared in its bill that the DOH has oversight responsibility in this instance.

Radiation Protection Program Update:

Nuclear Safety

The nuclear power plants hostile action based (HAB) exercises are continuing. Next week is the Beaver Valley Power Station exercise.

The Low-Level Waste Forum has a new program for disused sources, which includes the Source Collection and Treat Reduction (SCATR) program. If any RPAC member facilities have old, unused sources, now is the time to dispose of them. Refer to DEP Information Notice [2012-04](#).

Decommissioning/Environmental Surveillance

- Safety Light buildings are planned for demolition this year.
- The Lancaster Hamilton Watch site was an old site that painted radium dials on watches. It has since been converted to residential townhouses. The bureau performed a survey of the buildings and determined all readings were at background levels. The Department is offering all residences free radon test kits.

Radon

Work continues on revising the regulations.

TENORM Study

Over 3,500 samples were taken. The draft final report is being written and anticipated for release in the fall of 2014.

Radiation Control

BRP was hoping to do one regulation package with all revisions for Article V; however, due to the amount of changes necessary in the X-ray and radon chapters, a separate package addressing the Part 37 Security Rule will be submitted. The Part 37 submittal is simply a reference to the NRC regulation and should be completed by the fall of 2015. The Department is required to have the regulation implemented no later than March of 2016. The regulatory package will incorporate the federal regulation by reference; however, certain areas will be exempt from incorporation, such as fingerprinting requirements and exposure notifications. Those areas will remain the responsibility of the NRC. This rule is virtually the same as the security orders that are currently in place; therefore, licensees should not expect any major changes. RPAC endorsed moving forward with the Part 37 regulatory revision process.

Fee Revision Request

Section 218.11(i) states "The Department will review the adequacy of the fees established in this section at least once every 3 years and provide a written report to the EQB." The Department is in the process of reviewing fees and will report to the EQB our findings. RPAC will also be informed of the findings at the next scheduled meeting. A proposed rulemaking will be developed and presented to RPAC to address the need for any fee adjustments.

Regulatory Revisions

Chapter 240

Radon Subcommittee Summary – Dr. Paul Houle provided a summary of the subcommittee review addressing the revisions to the radon regulations. The subcommittee has reviewed and provided responses to approximately 80 comments. The next step is to submit a final version to the RPAC for concurrence. After EQB and other approvals are achieved, a webinar will be developed for the regulated community.

Chapters 215-219

The following sections were discussed and comments were offered:

- Section 215.14 currently includes a statement regarding availability of records. The section is properly written and needs no further revision.
- Section 219.3 definition for “medical reportable event for radiation-producing diagnostic or interventional machines” – The committee recommended using 3 Gy, not 2 Gy for peak skin dose limit. However, Suggested State Regulation, Part F (SSR-F) also considered this but decided to keep the lower 2 Gy limit. A recommendation to define “unintended dose” will be included in the next revision. A dose metric monitoring protocol to establish a threshold for patient follow-up per NCRP 168 should also be considered.
- Section 219.3 definition for “medical reportable event for radiation-producing machine therapy” – Besides designating wrong patient as a reportable event, the wrong treatment plan should also be considered.
- A national database is being created (H-38) that will record medical accelerator events. The database can be used as “lessons learned” for facilities to prevent similar events from occurring. BRP will share this information with RPAC and, when necessary, other licensees.
- The 50% greater than daily fractionated dose is confusing and should be better defined by separating total, weekly, and daily treatments.

Chapter 221

- Section 221.2 should add “ionizing” radiation to the IORT definition.
- Section 221.11 (registrants responsibilities) includes a timeframe for continuing education requirements. A recommendation to include anyone who operates or personally supervises the operation should follow the same requirement. Also, technique charts are now referred to as protocol information.
- Section 221.35a needs to be revised. There should not be any beam-on time restrictions. Also, record retention should be consistent throughout the regulations. Recommend reviewing the SSR-F for comparison.

- Section 221.11(o) - A recommendation was made to delete the reporting requirement since it already exists in § 219.229. The Department still feels reporting is a responsibility and should remain in this section.
- A recommendation was made to request the CT subcommittee to review these new regulations by comparing them to Conference of Radiation Control Program Director's SSR-F.
- Section 221.63 – The question of what happens if an OBI system is a cone-beam was raised. Response: Most OBI guidance systems are cone-beams. OBI systems need only to follow the requirements in § 221.63.

Chapter 223

- Ms. Jean Gresick-Schugsta shared the proposed changes to this chapter with her veterinarian for his review. He expressed interest in reviewing them, but does not have time to commit to attending an RPAC meeting to discuss them. RPAC is still seeking a member to represent the veterinarian community.
- Section 223.31 (registrant responsibilities) – RPAC agreed the section is necessary and reasonable. An addition should be made to the handheld device section permitting use if the device is designed appropriately.

Chapter 228

- Section 228.11a(b) was included to require operators to be certified. Every licensed facility in the Commonwealth currently uses The American Registry of Radiologic Technologists for Radiation Therapy (ARRT(T)) certified operators, but there is no specific regulation requiring this.
- Section 228.21a – Members questioned why the Department requires an application “30 days after the initial order is issued.” Most orders are made well in advance of construction or intended start of operations. It was explained that shielding evaluations need to be made as soon as the device is ordered. The committee suggested changing it to “90 days” rather than “30 days.”
- Section 228.35(c) – Members recommended testing interlocks annually rather than quarterly.

Other Business:

The Department informed the RPAC that during the next license amendment, license names will be changed to the official legal name and, if necessary, an additional “doing business as” (DBA) name will be included.

The next RPAC meeting is scheduled for October 16, 2014. An additional meeting may be scheduled for December 11, 2014, if necessary to complete review of any of the regulatory revision proposals.

Adjournment – 3:07 p.m.