



Texas Radiation Advisory Board
P.O. Box 149347, Mail Code 2835
Austin, Texas 78714-9347
John Hageman, M.S., C.H.P.
Chairman of the Texas Radiation Advisory Board

June 12, 2015

Mr. Kirk Cole
Interim Commissioner
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

Dear Mr. Cole,

Attached is the Texas Radiation Advisory Board's Annual Report to the Commissioner, covering activities of the Board for Fiscal Year 2014. This report is required by 25 TAC §289.130(n).

Should you have any questions about this report, please contact me either by phone at (210) 522-2633 or by email at john.hageman@swri.org.

Regards,

A handwritten signature in blue ink that reads "John P. Hageman".

John P. Hageman M.S., C.H.P.
Chairman

Attachment

**TEXAS RADIATION ADVISORY BOARD FISCAL YEAR 2014
ANNUAL REPORT TO THE COMMISSIONER**

This report summarizes the activities of the Texas Radiation Advisory Board (TRAB or Board) for Fiscal Year (FY) 2014 (September 1, 2013 to August 31, 2014) as required by 25 TAC §289.130(n).

The TRAB was created by the Texas Radiation Control Act pursuant to the Texas Health and Safety Code, Section 401.015. The Board normally consists of 18 members, appointed by the Governor, and consisting of subject matter experts in radiation and members of the public. The Board includes a chair, a vice-chair, and a secretary who are elected by and from the TRAB's membership. Members of the Board receive no compensation for their service, except for reimbursement for travel expenses incurred while attending meetings or engaging in authorized Board business.

The TRAB is organized and directed to review and evaluate state radiation policies and programs; and to make recommendations and furnish technical advice to the following state agencies:

- the Texas Department of State Health Service (DSHS)
- the Texas Commission of Environmental Quality (TCEQ)
- the Railroad Commission of Texas (RRC)
- any other state agencies or groups that may be involved with radiation safety, such as the Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDC).

The TRAB is to review proposed rules and guidelines of any state agency relating to the regulation of sources of radiation, and to recommend changes in proposed or existing rules and guidelines relating to these issues.

Meetings

The TRAB is required, by statute, to meet at least quarterly, on dates set by the Board. Special meetings may be called by the TRAB Chairman or its committees, which consist of TRAB members. Board meetings may be held at any designated place in the state, determined by the Chairman, to best serve the purpose for which the meeting is called. All meetings held during FY 2014 were held in Austin, Texas, to minimize meeting expenses and to provide for the best use of staff resources from the various state agencies. Attendance at the quarterly meetings, held in FY 2014, is shown in Table 1 - TRAB Meetings.

Table 1 - TRAB Meetings: The TRAB consists of 18 appointed members and a quorum, of at least 10 members in attendance, was obtained at all FY 2014 meetings.

Meeting Date	Meeting Type	Attendance	
		Present	Absent
November 1, 2013	TRAB Quarterly Meeting	13	5
January 31, 2014	TRAB Quarterly Meeting	15	3
May 23, 2014	TRAB Quarterly Meeting	15	3
September 19, 2014	TRAB Quarterly Meeting	14	4

Guidelines for Board Members

Those appointed to the TRAB may not vote, deliberate, or be counted as a member in attendance at a meeting until they complete a training program. The DSHS provides members of the TRAB information regarding the requirements for office, including information regarding a person's responsibilities under applicable laws relating to standards of conduct for state officers. Texas Government Code prohibits a state agency from attempting to influence a legislative measure, but allows a state agency or officer to provide factual information to a legislative body.

Board Actions in FY 2014

As required by statute, the TRAB reviewed and evaluated state radiation programs, regulators and policies, and provided technical advice and made recommendations to the DSHS, TCEQ, and RRC.

The TRAB elected officers at their September 19, 2014, meeting. By acclamation, the results are as follows: Mr. John Hageman, Chairman; Dr. Nora Janjan, Vice-Chairman; and Mr. Mark Pittman, Secretary.

Resolutions and Recommendations

- **At the November 1, 2013, meeting,** the Board unanimously recommended the adoption of 25 TAC §289.101, relating to the Memorandum of Understanding Between the Department of State Health Services and the Texas Commission on Environmental Quality in regards to their respective Radiation Control Functions.
- The Board unanimously supported 25 TAC §289.204, relating to Radiation Control Program Fees.
- The Board also recommend that 25 TAC §289.301, regarding the State's Laser Safety Standards, be updated to reflect the most current American National Standards Institute (ANSI) standards after other current rulemaking processes are completed.
- **At the January 31, 2014, meeting,** the Board unanimously recommend the approval of the proposed rules from the DSHS in regard to several aspects of the Radiation Safety Standards, including: 25 TAC §289.201; 25 TAC §289.202; 25 TAC §289.251; 25 TAC §289.252; 25 TAC §289.253; 25 TAC §289.255; 25 TAC §289.257.
- **At the May 23, 2014, meeting,** the Board recommended that the state agencies' written reports presented to the Board be placed on the TRAB's website.
- **At the September 19, 2014, meeting,** the Board unanimously adopted a written advisory statement on the support of storage of spent nuclear fuel in Texas, which is displayed on the TRAB's website.

- A written advisory statement on the disposal of low-level radioactive waste, specifically sealed sources, was unanimously adopted for display on the TRAB's website. This advisory recommended the "grandfathering" of sources that were in Texas before the legislation on imported waste was passed.
- The Board unanimously approved the advisory statement on the National Registry for Radiation Exposure during Healthcare Procedures for display on the TRAB's website
- The Board unanimously approved the Medical Committee sending out surveys, regarding what other organizations are doing about proposed regulations effecting the medical community.

Other Activities for the TRAB

- **At the November 1, 2013, meeting,** Dr. Metter gave a presentation explaining the topic of Nuclear Medicine.
- **At the January 31, 2014, meeting,** Mr Rutherford gave a presentation on the Waste Isolation Pilot Plant (WIPP) and its impact on Texas.
- Mr. Ratliff also discussed the funding of radioactive radium and uranium removal from water treatment systems, in relation to the recent passage of State Proposition 6.
- The Board reviewed the theft of a high-activity cobalt-60 source in Mexico, as it related to Texas. Mr. Free briefed the Board on the status of the incident.
- **At the May 23, 2014, meeting,** Mr. Ratliff discussed the upcoming *Texas Radiation Regulatory Conference*, to be held in Austin, Texas, September 11 and 12, 2014. The conference will be hosted by the South Texas Chapter of the Health Physics Society.
- Mr. Rutherford gave a PowerPoint presentation on the release of radioactive material from the WIPP and its impact on Texas.
- The Board thanked Dr. Charles Beasley for speaking at the board meeting regarding the State's licensing of Medical Physicists.
- **At the July 10, 2014, meeting,** Mr. Hageman, M.S., C.H.P., gave an invited presentation to the TLLRWDC meeting giving a description of the Texas Radiation Advisory Board, its purpose, mission and membership.
- **At the September 19, 2014 meeting,** Mr. Ratliff discussed the success of the *Texas Radiation Regulatory Conference*, held in Austin, Texas, on September 11 and 12, 2014. There were approximately 400 attendees at this conference.
- Mr. Ratliff advised the TRAB that the state agencies' written report to the TRAB are now available on the TRAB website.

- Mr. Free presented the updates on the WIPP facility release of radioactive material from the waste drum that leaked.
- The proposed U.S. Nuclear Regulatory Commission's (NRC) changes to the radiation safety regulations, 10 CFR, Part 20, were discussed. An advisory statement will be presented at the next meeting for timely submittal to the NRC.

Activities Planned for FY 2015

The focus of the Board for FY 2015 will be on the following areas:

- Continued discussion and review of proposed radiation dose registries/diaries for medical patient exposures.
- Review and comment on the storage and/or disposal of low and high-level nuclear waste in Texas.
- Review the status of the Waste Isolation Pilot Plant (WIPP), used for disposal of transuranic radioactive material in New Mexico, in regards to Texas.
- Review and comment on the potential for new nuclear power plants in Texas.
- Follow the incorporation of the most current American National Standards Institute (ANSI) standards Z136.1 to Z136.9, dealing with the *Safe Use of Lasers* in various facilities (e.g., medical facilities, research facilities, etc.) into the Texas regulations, 25 TAC §289.301, Registration and Radiation Safety Requirements for Lasers and Intense-Pulsed Light.
- TRAB's Medical Committee will continue to review and comment on any regulations dealing with radiation used in the healing arts.
- TRAB's Industrial, Nuclear Power, Uranium and Waste Committee will continue to review and comment on regulations and policies within their scope. Emphasis will especially be on the assurance that nuclear reactors, radioactive waste disposals, and drinking water supplies remain as safe as is reasonably possible for the State of Texas.
- Work with the Governor's office to renew or replace Board members with expired or expiring appointment terms.

TRAB Membership

The TRAB consists of the following 18 members, which was updated in early 2014. A quorum of 10 of 18 is required for the TRAB; and it has formed three Committees to improve the focus of the TRAB in addressing the diverse radiation protection issues in Texas.

These current TRAB Committees are:

- **Medical Committee (quorum 5 of 9)**
 - Darlene Metter, Nuclear Medicine (2019), Committee Chair
 - Mark Silberman, Pathology (2017), Committee Vice Chair
 - Robert Emery, Hospital Administration (2017)
 - Nora Janjan, Nuclear Physics in Medicine (2015), TRAB Vice Chair
 - Ian Hamilton, Radioactive Waste (2015)
 - Melanie Marshall, Dentistry (2015)
 - Dave Nichols, Radiology (2015)
 - Bill Campbell, Insurance (2019)
 - John Johnson, Agriculture (2017)

- **Industrial, Nuclear Power, Uranium and Waste Committee (quorum 5 of 9)**
 - Ken Krieger, Industry (2015), Committee Chair
 - Mitch Lucas, Nuclear Utilities (2019), Committee Vice Chair
 - Kevin Raabe, Uranium Mining (2017)
 - Amy Clark, Public Representative (2015)
 - John Hageman, Health Physicist (2017), TRAB Chair
 - Ian Hamilton, Radioactive Waste (2015)
 - Stephen Harris, Labor Representative (2019)
 - Judith M. "Judy" Raab, Petroleum Well Service (2019)
 - Darshan Sachde, Public Representative (2019)

- **Topic Research Committee (quorum 3 of 5)**
 - Ian Hamilton, Radioactive Waste (2015), Committee Chair
 - Robert Emery, Hospital Administration (2017), Committee Vice Chair
 - Amy Clark, Public Representative (2015)
 - Nora Janjan, Nuclear Physics in Medicine (2015), TRAB Vice Chair
 - John Hageman, Health Physicist (2017), TRAB Chair

TRAB Expenses for FY 2014

The total expenses incurred for TRAB meetings, for FY2014 were down by \$ 3,641.50 from FY2013. The FY2014 expenses were \$18,604.50; and consisted of (i) TRAB members' reimbursements of \$ 8,040.37 for travel and per diem, (ii) DSHS staff salaries of \$ 10,518.14 expended in direct support of TRAB, and (iii) \$ 45.99 in other operating expenses.