



TEXAS RADIATION ADVISORY BOARD

September 12, 2009 Board Meeting

Department of State Health Services (DSHS), Moreton Building, Room M-739

1100 West 49th Street, Austin, Texas

1. **Call to order**

Rick Jacobi, P.E., J.D., Vice Chair, called the meeting to order at 9:03 a.m. Members present for the meeting: Mitch Lucas, P.E.; Mark Silberman, M.D.; Ian Hamilton, Ph.D.; Amy Clark; Kevin Raabe; Bill Campbell; Nora Janjan, M.D.; Jay Murphy, P.E.; John Hageman, C.H.P.; David Nichols, M.D.; and Melanie Marshall, D.D.S.

Members not present: Darlene Metter, M.D.; Rosana G. Moreira, Ph.D.; Brad Bunn; Jesse Ray Adams; Bobby Haley; and Ana Cleveland, Ph.D.

Department of State Health Services (DSHS) staff present: Richard Ratliff, P.E.; Alice Rogers, P.E.; Susan Tennyson; Ruben Cortez; Robert Free; Darice Bailey; Helen Watkins; Jo Turkette; Jerry Cogburn; Monica Perez; Cindy Cardwell; Carolyn Wright; and Chris Myers.

Texas Commission on Environmental Quality (TCEQ) staff present: Annette Glass and Devane Clarke

Texas Railroad Commission (RRC) staff present: David Cooney

2. **Introduction of guests and new members**

Guests present: Eddie Selig, Advocates for Responsible Disposal in Texas; Pete Myers, South Texas Chapter Health Physics Society; Karen Myers, South Texas Chapter Health Physics Society; Kim Howard, M.D., representing himself.

3. **Minutes of the February 28, and June 13, 2009 meetings**

One typo was edited from the June minutes. On motion and second, both minutes were unanimously approved.

4. **Election of Officers**

Kevin Raabe nominated Rick Jacobi for Chair. Dr. Janjan seconded the nomination. The board unanimously approved the motion. Dr. Hamilton nominated himself for Vice Chair. Kevin Raabe seconded the nomination. The board unanimously approved the motion. Dr. Janjan nominated Mitch Lucas for Secretary. Kevin Raabe seconded the nomination. The board unanimously approved the motion.

5. **Meeting of the Medical Committee (Dr. Janjan, Chair)**

Dr. Janjan and Richard Ratliff discussed the worldwide shortage of Mo-99. Alternative methods of diagnostic nuclear medicine were discussed.

6. **Meeting of the Waste and Industrial Committee (Mr. Raabe, Chair)**

Mr. Raabe inquired about who wants to be on the committee.

7. **Report from the Interagency Information Management Working Group (Dr. Cleveland, Chair)**

Dr. Cleveland sent a 2 page report in her absence. The report was not discussed.

8. **Meeting of the Committee of the Whole**

a. Resolutions commending former TRAB members, Dr. W. Kim Howard, Michael S. Ford and Troy Marceleno

Mr. Jacobi read the resolutions commending Dr. Howard, Mr. Ford, and Mr. Marceleno. Mr. Jacobi asked that the board adopt these resolutions. Dr. Janjan moved for the adoption and Dr. Hamilton seconded the adoption. The board unanimously approved the adoption of the resolutions. Dr. Howard was present to accept his resolution.

b. Program update on Laser Hair Removal Rules

Cindy Cardwell and Richard Ratliff gave a PowerPoint presentation on the implementation of the new Laser Hair Removal program. The draft rules were discussed with members of TRAB.

c. Reports and/or Recommendations from Committees and Work Groups

None

d. Update on Limitations on Political Activities

Carolyn Wright discussed “lobbying activities” with members of TRAB. Ms. Wright reviewed parts of the Texas Government Code to clarify what TRAB can and cannot do. She defined TRAB as a state agency and its members as state officers. § 556.006 of the Texas Government Code prohibits a state agency from influencing a legislative measure, but allows a state officer to provide public information. The differences between “lobbying” and “providing public information” were discussed.

9. **Public Comment**

Dr. Kim Howard asked how the laser hair removal inspections would be funded. Mrs. Cardwell answered that the bill came with a contingency rider that appropriated funds for the program.

10. **Program reports**

a. Railroad Commission of Texas

Report submitted electronically. Dave Cooney and Mr. Raabe discussed the timetable on the Uranium rules.

b. Texas Commission on Environmental Quality

Annette Glass provided an update on Waste Control Specialists final radioactive materials license for the disposal of class A, B, and C low level radioactive waste at their facility in Andrews County. Mr. Hageman and Devane Clarke discussed the compact facility and the federal facility. Dr. Janjan and Mr. Clarke discussed how Yucca Mountain could affect these facilities.

c. Department of State Health Services

Richard Ratliff and Mr. Lucas discussed the Lake Granbury incident/investigation. Richard Ratliff and Mr. Hageman discussed Tritium exit signs and their disposal. Richard Ratliff briefed the board about the National Source Tracking System workshop hosted by the NRC and DSHS in Cypress, TX.

11. **Board member requests for agenda items for next meeting**

- Mr. Jacobi asked for any requests to be made by e-mail.
12. **Public comment**
None
 13. **Next meeting date**
October 24, 2009; November 7, 2009; and November 14, 2009 were suggested by Cindy Cardwell as possible meeting dates. Richard Ratliff said he would survey which dates would have a quorum present.
 14. **Draft Laser Hair Removal Rules Stakeholder comments**
Cheryl Piquard, Allen Faulkner, Paul Jones, Dixie Medford, Mike White, and David Marwitz were present for the meeting. Mr. Faulkner and Mr. Jones made comments on laser tattoo removal. Ms. Medford and Mr. White made comments on Laser Hair training.
 15. **Adjourn**
Rick Jacobi adjourned the meeting at 12:02 p.m.