

DRAFT
TEXAS RADIATION ADVISORY BOARD MINUTES
First Quarter Meeting
January 25, 2003
Austin, Texas

The meeting was called to order at 9:00 a.m. by Michael S. Ford, C.H.P., Chair, with the following members present: Jimmy L. Barker, P.E.; Susan E. Best, M.D., Ph.D.; Thomas M. Burnette; Earl P. Erdmann; Ian Hamilton, Ph.D.; W. Kim Howard, M.D.; Justin P. LeVasseur, M.D.; Odis R. Mack; Troy Marceleno; Bruce A. Matson, D.D.S.; Kevin L. Raabe; and Elaine L. Wells

The following members were absent: Eugene A. Coleman, Ph.D.; Judith A. Pester, M.D.; and Philip M. Wentworth

Guests present: Annette Glass, Office of Representative Warren Chisum; Rick Jacobi, P.E.; Bill Dornsife, WCS; Bob Wilson, McGinnis, Lochridge, and Kilgore; Eddie Selig, Advocates for Responsible Disposal; Dan Snow; S. G. Reinhard and Bert Striegler, Hickory UWCD, Kinnan Golemon and Christina Wisdom, Brown McCarroll; and Ken Bull, Richland SUD

Texas Department of Health (TDH) central office staff present: Tom Godard, Rick Bays, and Jackie McDonald

Bureau of Radiation Control (BRC) staff present: Richard A. Ratliff, P. E.; Margaret Henderson; Doris McCormick; Art Tate; Ruth E. McBurney, C.H.P.; Cindy Cardwell; Alice Rogers, P.E.; Pete Myers; Gary Smith, Ph.D.; Debbie Borden; Robert Free; William Silva; Thomas Cardwell; and Ruben Cortez

Texas Commission on Environmental Quality (TCEQ) staff present: George FitzGerald and Don Redmond

Texas Railroad Commission (RRC) staff present: Richard Ginn and Steve Seni, Ph.D.

Minutes of the July 20, 2002 meeting were approved as submitted.

Thomas Cardwell provided a presentation to the board members on computed tomography patient doses.

The Executive Committee (Michael Ford, Chair) met and a quorum was present. Jackie McDonald, Board of Health Office, reported on a survey sent to board members to assist the Board of Health Office in revising the advisory board rules. All responses were positive. Mr. Ford requested the rules be changed to clarify that the radiation advisory board members represent TRAB, not TDH or the Board of Health, in legislative issues.

On motion and second the committee recommended 25 TAC 289.130 - Radiation Advisory Board rules be forwarded to the Board of Health for proposal and publication in the *Texas Register* for public comment. Motion passed unanimously.

On motion and second the committee recommended 25 TAC 289.201 - General Requirements for Radioactive Material be forwarded to the Board of Health for final adoption. Motion passed unanimously.

On motion and second the full board approved the committee's recommendations. Motion passed unanimously.

The Medical Committee (Kim Howard, M.D., Chair) met and a quorum was present. The committee discussed the possibility of a program for Radiologist Practitioner Assistants. The response received from the TDH Medical Radiologic Technologists Program was that their rules only cover people who actually take the x-ray exam and use nuclear medicine in scans and therapy. A program for Radiologist Practitioner Assistants would cover doing other aspects of radiological practices. The committee recommended an interim study by TDH.

At a recent meeting of the Board of Medical Examiners, the rule regarding standing delegation orders as it applies to laser use is still pending due to some unresolved issues.

On motion and second the full board approved the committee's recommendation. Motion passed unanimously.

The Waste and Industrial Committee (Earl Erdmann, Chair) met and a quorum was present.

On motion and second the committee recommended 25 TAC 289.253 - Radiation Safety Requirements for Well Logging Service Operations and Tracer Studies be forwarded to the Board of Health for final adoption. Motion passed unanimously.

Steven Seni reported on the adoption of new 16 TAC Chapter 4 Subchapter F regarding oil and gas NORM. The committee requested clarification of who should be notified regarding contaminated NORM sites and type of label or tag, i.e., NORM or radiation symbol. The committee also has concerns about permissible concentrations. On motion and second the committee recommended not to recommend adoption of the rule as submitted. Motion passed unanimously.

Dan Snow, Lotus LLC, a company that disposes of naturally occurring radioactive waste, provided the board members with comments on 16 TAC Chapter 4, Subchapter F, Oil and Gas NORM.

On motion and second the full board approved the committee's recommendations. Motion

passed unanimously. Mr. Ford asked that a letter be written to the Railroad Commission of Texas to express the comments of board members. Mr. Ford also asked for a written response on how the comments were resolved.

Program Reports:

1. Railroad Commission of Texas, Steven Seni had no additional information to report.
2. A. TDH, Richard Bays, Associate Commissioner for Consumer Health Protection.
 - (i) An update on the Administrative Service Centers' activities was provided. The intent is to provide good and better information. The associateship's commitment to the bureaus is that they will be supported and necessary information will be provided to better manage their areas.
 - (ii) Regarding the budget, all state agencies received a letter Thursday from the Governor asking each to look at spending patterns. There is a 1.8 billion dollar short fall in FY 03. The letter asked that TDH reduce expenses by 7%.
- B. TDH, BRC, Richard Ratliff, P.E., Chief
 - (i) The Nuclear Regulatory Commission (NRC) performed their one year follow-up of the our program review. They reviewed the incident tracking system to see that incidents were reported in a timely manner. The training issues were reviewed and BRC requested that NRC provide funds for training. BRC also requested that NRC communicate to the Governor of Texas what the TDH/BRC and TCEQ programs do, that they are valuable, and what their needs are.
 - (ii) TDH/BRC will have a pilot project and hire interns interested in health physics and radiation issues. If they continue to work three consecutive summers, when they graduate, they may be offered a permanent position.
 - (iii) The Department of Defense is putting in a pulse neutron generator in El Paso to activate cargo at the port of entry. This will be able to detect drugs and explosives. At a public meeting this month, the biggest concern was how much radiation will be put into the environment.
 - (iv) March 1, 2003, Texas will have been an Agreement State for 40 years. Texas was the fifth state to sign an agreement with the NRC. BRC has requested to use the Board of Health meeting room March 21 to have a reception. Mr. Ratliff met with the first bureau chief recently and was provided with pictures of the signing ceremony of the agreement. Plans

are to ask the Texas Health Foundation for a grant to fund the invitations, framing of the pictures, refreshments, and other expenses.

- (v) The cleanup of the contaminated Gulf Nuclear facility in Houston is completed. The Webster facility is in the process of being cleaned up and that should be completed by the end of February.

C. Licensing, Registration, & Standards, Ruth McBurney, C.H.P.

- (i) In February the Food and Drug Administration representatives will be reviewing BRC's mammography accreditation program. Staff is also revising the procedures and policies of the program.
- (ii) Staff has one general license reviewer position vacant. The process engineer in the uranium technical assessment group is also vacant.

D. Compliance and Inspection, Arthur Tate

- (i) Currently, there are three radioactive material inspector positions vacant, one x-ray inspector position vacant. A position in the RADEF program is in the process of being filled. A health physicist in the emergency planning program has taken a position elsewhere.
- (ii) Recently, staff received a call from the Arkansas program that a Texas licensee sent a truck load of liquid hazardous materials with a very low level of radioactive material. Four of the drums did not meet acceptance criteria and the truck was sent back.
- (iii) About a year ago, NRC stated they would provide potassium iodide tablets to each state and the state would make arrangements with local government regarding the distribution to people living near reactors. BRC and TRAB have provided guidance to the local government regarding the use and availability of potassium iodide.

3. Texas Commission on Environmental Quality (TCEQ), George FitzGerald

- (i) TCEQ has been very fortunate in that the position freeze was lifted and they were able to fill a vacant geologist position. Hygie Reynolds, who has attended TRAB meeting, recently retired and TCEQ was able to fill his position immediately.
- (ii) Mr. FitzGerald expressed his appreciation to Texas A & M for providing training to health physicists.
- (iii) TCEQ was also involved in the NRC audit and the program was found to be adequate.
- (iv) The NORM in drinking water issue has been shelved pending the outcome of the Wisconsin law suit. More information should be available at the next TRAB meeting.

Kinnan Golemon, representing the Hickory Underground Water Conservation District No. 1, primarily located in the counties of San Saba, Concho, Menard, Mason, and Kimble, discussed EPA's Federal Radionuclide Rule. Mr. Golemon expressed the gratitude of the citizens in that area for the actions that TRAB has taken over the last several years. Mr. Golemon asked TRAB to recommend to Governor Perry that EPA should be encouraged to address this issue.

Mr. Ford asked Dr. Hamilton to work with Mr. Ratliff and send a letter of recognition to Robert Emery, the outgoing President of South Texas Chapter of the Health Physics Society, for his many contributions in the health physics field.

Mr. Ford recognized Margaret Henderson for her contributions to TRAB and presented her with a plaque.

Mr. Ford recommended sending a letter to each member of our congressional delegation and also Governor Perry reemphasizing TRAB's earlier position regarding EPA's drinking water standards.

The next quarterly meetings were tentatively scheduled for June 14, 2003 and sometime in September in Austin, Texas.

The meeting adjourned at 12:05 p.m.

Respectfully submitted,

Elaine L. Wells, Secretary
Texas Radiation Advisory Board