



TEXAS
Health and Human
Services

Texas Department of State
Health Services

TEXAS RADIATION ADVISORY BOARD MINUTES

Friday, July 21, 2023

Scheduled to Convene at 10:45 a.m.

1. Call to order

William Pate, DrPH, Chair, called the meeting to order at 10:45 a.m. A quorum was present.

2. Roll call of TRAB members present.

Members present: Michael Britt; John Hageman, M.S., C.H.P.; Lisa Masters, D.D.S.; Darlene Metter, M.D.; Sanjay Narayan; William Pate, DrPH; Ken Peters; Doug Posey, DVM; Tim Powell; Kevin Raabe, REM; Bob Redweik; and Darshan Sachde, Ph.D.

Department of State Health Services (DSHS) staff present: Timothy Stevenson, Lisa Bruedigan, Gem Naivar, Jay Pavlica, Walquira Sanchez, Kaylie Smith, and Karl Von Ahn

Texas Commission on Environmental Quality (TCEQ) staff present: Ashley Forbes and Guy Henry

Texas Railroad Commission (RRC) staff present: Christine Peters and Betsy Peticolas

Guests present: Megan Reed, LLRWDC; Rick Jacobi, Jacobi Consulting; Luke Cogburn and Jason Johnson, Texas Division of Emergency Management (TDEM); Caleb Troxclair, Waste Control Specialist (WCS); Shaun McCabe, Federal NORM Services; Dan Snow, Lotus; Kelly McBeth, Texas Energy Lobby (TEL)

3. Review and, as needed, discuss and take possible action concerning amendment and approval of the minutes of the April 21, 2023, meeting

Dr. Metter motioned to approve the minutes. Dr. Masters seconded the motion, and the minutes were unanimously approved.

4. Public Comments

Dr. Pate established rules of conduct for making public comments, including time limits and communication decorum.

Mr. Dan Snow, representing Lotus, LLC, provided comments regarding TCEQ License R04100 with Waste Control Specialists. He provided a white paper, which contextualized the comments and included the assertion “that TCEQ does not have the right to authorize the disposal of oil and gas NORM waste independent of and to the exclusion of the RRC.” Mr. Snow requested that the INUW Committee of the TRAB take this issue under advisement and be prepared to make a recommendation to the Governor.

5. TRAB Committee Reports and Recommendations

A. Industrial, Nuclear Power, Uranium and Waste Committee

Mr. Peters provided an overview of the INUW Committee meeting.

B. Medical Committee

Dr. Metter provided an overview of the Medical Committee meeting.

C. Topic Research Committee

Dr. Sachde provided an overview of the Topic Research Committee meeting.

6. Program Reports

A. Railroad Commission of Texas

Christine Peters discussed the program report.

B. Texas Commission on Environmental Quality

Ashley Forbes discussed the program report and gave some updates.

C. Texas Department of State Health Services

Lisa Bruedigan discussed the program report.

D. Texas Low-Level Radioactive Waste Disposal Compact Commission (TLLRWDCC)

Megan Reed gave an update on activities at TLLRWDCC.

E. Waste Control Specialists (WCS)

Ashley Forbes gave an update on activities at WCS.

F. U.S. Nuclear Regulatory Commission (NRC) – TCEQ Commissioner Bobby Janecka, State Liaison Officer

Commissioner Janecka was not in attendance. Ashley Forbes gave some updates on his behalf.

7. Routine and Continuing Business

A. Recognition of TRAB member’s excused absence from this meeting

Roland Benke, Mark Harvey, Mark Silberman, and Simon Trubek requested excused absences from this meeting. Dr. Metter motioned to approve these absences. Mr. Peters seconded the motion. All approved.

B. Review of Draft DSHS Regulations & Subject Matter Expert Comments

- i) X-Ray (Major Revision): 25 TAC §289.229
 - ii) Laser (Major Revision): 25 TAC §289.301
 - iii) RAM (Minor Updates for NRC Compatibility): 25 TAC §289.201, §289.202, §289.253, §289.255, §289.256, §289.257, and §289.258
- Kaylie Smith and Jay Pavlica gave updates on these rule revisions.

C. Revision of Position Statement Related to Health Physicist Staffing Shortages

Dr. Pate gave an update on this topic. This statement was finalized and posted online.

8. New Business

A. Senate Bill 1592, 88th Legislature, Regular Session, 2023, Passage and Update of 25 TAC §289.120

Ms. Bruedigan stated that this rule is officially open. The change to the rule consists of the additional TRAB member that the Legislature put forth. Some grammar changes were updated. There will be a public comment period for these changes, and then it will come back to the TRAB for final review.

B. Other Industrial/Minimal Threat X-ray definition and requirements

A couple of university systems contacted Dr. Pate regarding the definitions for minimal threat. This was discussed in the Topic Research Committee meeting. It was decided to form a working group to work on this topic. Dr. Pate agreed to be the representative for the Public Research and Medical Committees. He will also contact the INUW Committee chair to determine a committee representative.

C. TRAB Vice-Chair and Secretary Elections

Dr. Pate stated that the by-laws require the Board to have annual elections for the Vice Chair and Secretary of the Board at the first meeting after August 31st. That meeting will be in October. Tim Powell currently serves as the Vice Chair, and the secretary position is vacant. Dr. Pate asked if anyone would like to run for those positions to please get in touch with him and let him know.

9. Identification of Agenda Items and topics for next or future TRAB or TRAB Committee Meetings

- a) Public Comment topic raised by Dan Snow, Lotus LLC.
- b) Add rule 25 TAC §289.252 be added to the agenda.

- c) Industrial Minimal Threat Update
- d) Regulation differences between NRC and Texas

10. Adjourn

Mr. Raabe motioned to adjourn the meeting. Dr. Posey seconded the motion. All agreed. Dr. Pate adjourned the meeting at 12:07 p.m.