

**DRAFT Minutes of the Radiation Protection Advisory Committee (RPAC) Meeting
Virtual Meeting Via WebEx
October 29, 2020**

Meeting called to order at 9:04 a.m.

Members in Attendance:

John Keklak
Michael Sheetz
Chrysan Cronin
Steven King
Summer Kaplan
Aaron Fisher
Nathaniel Burden
Marian Wolford

Todd Mobley
Anthony Montagnese
Shawn McNeely
Joseph Och
Victor Rizzo
Margaret Blackwood
Peter Smith
Kent Lambert

Members Absent:

Kent Lambert

Janice Wirth

DEP Staff in Attendance:

David Allard
John Chipppo
Kristina Hoffman
Stephanie Banning
Dwight Shearer
Kate Cole
Bryan Werner
Roy Huhn
Robert Zaccano
Wendy Carson
Bethany Piper
Elaine Crescenzi
Jeff Timcik
Joseph Koshy
Maria Coons
Ryan Fox
Suzanne Sarver
Virginia Mergo

Lisa Funk
Keith Salador
Robert Lewis
Barbara Bookser
Terry Derstine
Joshua Myers
Barbara Bookser
Denise Bleiler
Keith Salador
David Gaisor
Bo Reiley
Grace Schoeniger
John Kime
Kathy King
Molly Adams
Serena Groff
Victoria Parker
Danielle Conley

Guests in Attendance:

Kendall Berry
Walter Tsou

Karen Colucci
Theresa McCurdy

Introduction; Adoption of Agenda; Approval of Minutes:

The agenda for this meeting was adopted and the minutes from the July 9, 2020 were approved.

Open Floor:

Chrysan Cronin introduced herself to the RPAC. Dave made note of the 2019 radon workshop at Muhlenberg where Chrysan was instrumental in organizing.

A member of the public wanted to know if radioactivity was being monitored during fracking activities. The attendee was concerned about radioactive discharges from oil and gas wells being hydraulically fractured. DEP staff stated that there was a recent House Committee Hearing led by a Legislator on hydraulic fracturing, oil and gas (O&G) well development waste, regulatory loopholes, and hazardous and radioactive waste. Bureau of Radiation Protection (BRP) staff monitored the hearing and DEP provided written testimony, noting an in-depth and peer reviewed O&G Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) Study that was performed back in 2016. It was explained that O&G workers are typically not ‘radiation workers;’ and for radiation control purposes, they are considered members of the public. The conclusions of the O&G TENORM Study were that workers are not likely to exceed regulatory public dose limits. BRP informed this member of the public they [or any worker] can contact the Occupational Safety and Health Administration (OSHA) and request an investigation if worker exposure to radiation is a concern.

An RPAC member asked if this TENORM issue is outside the purview of this committee. DEP stated that it is not outside RPAC’s purview and it was agreed to by RPAC that the topic could be added to RPAC’s agenda on a routine basis as long as there is information to share.

A member noted that HB1811, involving licensure of medical technicians and medical physicists and defining continuing education, has been put on hold until 2021. A question was posed about what education requirements should be followed if the continuing education requirements in the bill differ from what’s currently required in regulation. The DEP will evaluate when the law is passed and implemented by the PA Department of State.

Program Updates:

Nuclear Safety: BRP’s retired Division Chief has returned as an annuitant. Nuclear power plant outages became an issue in spring 2020 as they brought thousands of employees together to perform them. The Governor and the Secretary of Health were both instrumental in the utilities completing these outages. BRP was involved in discussions between the Pennsylvania Emergency Management Agency (PEMA) and the Federal Emergency Management Agency (FEMA) regarding nuclear power plant (NPP) emergency response exercises. Pennsylvania performs 2-3 FEMA-graded exercises each year. BRP performance at PEMA and in the field is reviewed always does very well. PEMA and local offsite response organizations (ORO) wanted to postpone further exercises until COVID-19 is mitigated. The Nuclear Regulatory Commission (NRC) is giving exemptions to the NPPs for these exercises; but FEMA claims they don’t have any regulatory authority to do that. BRP continued exercise participation at a lower

level of involvement for the rest of the year, but is positioned to fully respond 24/7 if there is an incident or accident at a NPP.

Decommissioning/Environmental Surveillance: BRP continues to perform environmental surveillance sampling. The Lab is open again and samples are being submitted and analyzed. The decommissioning team has begun to perform license terminations. Oversight is being completed. Two local residential houses were found with a few dozen small radioactive sources. SC Regional and Central Office staff responded and collected the sources for proper disposal. No contamination was found in the houses, and it is believed that no serious exposure to the public had occurred when the houses were occupied.

Radon: The certification permit review backlog was cleared. DEP's new three-year EPA State Indoor Radon Grant (SIRG) grant has begun. The SIRG grant is a great resource that is used as outreach. A series of Public Service Announcements will be broadcast, as well as social media posts, for outreach during the 2021 Radon Action Month in January.

Radiation Control: Permitting is continuing as usual with minimal delays. BRP staff have approval to come into the office for processing mail and checks, however mail delays continue. BRP is working to alleviate these issues as quickly as possible. Most regional inspections were put on hold, but over the past few months were slowly re-starting. They are prioritized by high risk, and U.S. Food and Drug Administration Mammography Quality Standards Act (FDA MQSA) contract requirements.

Discussion Items

Some minor changes to the RPAC Bylaws were recommended. These included:

1. The wording ***"in person"*** was proposed to be removed from Article V. Voting. This language was removed due to the pandemic and the real possibility of continued virtual meetings in the future.
2. The following language was proposed to be removed from Article IV, Membership; ***"The Committee shall be constituted to run through December 31, 2006. Thereafter, the Secretary may authorize reconstitution of the Committee for subsequent periods of four years."***
3. Finally, the following language was proposed to be removed from Article IV. Item B. ***"This provision will require submission of nominations by March 15, 2006 for members and alternates appointed to the Committee term beginning January 1, 2007."***

Pending no issues, RPAC will vote to approve these changes at the next meeting.

Under the bylaws, committee members may be nominated by an organization. Over half of our members were nominated by an organization. Other members are defined as "at large" at the discretion of the committee unless they are nominated by an organization. The DEP Secretary can also appoint "members at large" for inclusion in the committee.

Review of Nuclear Material Events Database (NMED) and Medical Reportable Events (MRE):

There were five NMED events since the last RPAC meeting. One was a radiation level on packaging exceeding DOT limits; one was equipment failed to function as designed; and three medical events. It was noted that these SirSphere and Therasphere events may have generic issues. It was also noted that the NRC is aware of these issues and has issued guidance document on it.

There were three therapeutic medical reportable events and one diagnostic event: one was equipment failure; one was a treatment setup error; and two were incorrect table isocenter shifts.

Brief Update on Gonadal Shielding: DEP will publish an FAQ and/or fact sheet on the DEP website to make sure facilities are aware that BRP regulations and policy do not require absolute use of gonadal shielding during an X-ray exam, and to clarify any questions regarding BRP's specific regulation. Given BRP's regulations allow not using shielding if it interferes with the imaging, managers and inspectors that inspect such medical facilities won't cite them if it isn't used. The main reasons for the new national recommendation to stop shielding use are: (1) it can interfere with exposure control and increase the radiation dose to patients; and (2) organ radiation weighting factors have decreased over the last 40 years and the gonads are now weighted less sensitive. A RPAC member noted a paper coming out in December where a study at Children's Hospital in Philadelphia was performed, and using a phantom, the female shielding did increase radiation dose by 20%, and a male patient's dose was increased as well.

Discussion of PA Radon Mitigation Standards Technical Guidance Document Revisions

A comment was made regarding "Section 8: Reference Materials", specifically, several are no longer available on the EPA website. Accreditation by the American National Standards institute (ANSI) should be most current one. A reference should be made to EPA but also this section should include the current information available.

A member wanted to highlight there are new low voltage fans being introduced to the market and whether there will be a need to hard wire or not. Another member suggestion is to be able to send information to a customer by electronic means and not paper copies, this and some other sections are behind current state of technology. Per DEP the information will continue to be attached to the system. It should stay in the home and not all can be electronic. Houses turn over, and DEP wants to be sure paperwork is attached to the system.

Another suggestion is to have an alarm system or require an audio/visual alarm of system failure to let the homeowner realize it has failed. The audio/visual alarm for system failure will be required in the updated standards. The Department of Housing and Urban Development (HUD) is also incorporating a lot of the American Association of Radon Scientists and Technologists (AARST/ANSI) standards even for Federal Housing Administration (FHA). The DEP is currently trying to get legislation promulgated regarding radon resistant new construction within the whole of the Commonwealth.

Open Floor

A member asked if the \$50 mitigation fee could be waived due to additional costs and the reduced amount of business from COVID-19. BRP staff stated they could delay the fee, but could not waive it.

A member created a COVID-19 standard operating procedure for radon testing and mitigation companies to show them how they would be able to operate their businesses with reducing or transmitting COVID-19 to the occupants or to their own people. This course is planned, once all administrative hurdles are overcome, to be offered in partnership with DEP for all mitigators and testers. BRP is also currently working with the Department of Health to communicate COVID-19 safe practices for small businesses.

A member asked if there would be another round of regulatory relief via the official form submittal process used early in the pandemic. This would be due to the increased number of cases and the chance of a shutdown again. Staff stated that § 215.31 in BRP regulations cover exemption requests. BRP didn't know if the Office of Administration will have official forms again for such pandemic-related submittals. Specific individual exemption requests should come to Central Office, and BRP staff will handle them once logged-in.

The meeting adjourned at 11:45.

The RPAC's next meetings will be held June 10, 2021 and October 28, 2021. Both will be planned as virtual meetings.