

**Minutes of the Radiation Protection Advisory Committee (RPAC) Meeting Combination
Virtual / In Person Meeting**

April 30, 2025

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

Members in Attendance:

Margaret Blackwood	Ian Irvin	Janice Wirth
Steven King	Anthony Montagnese	Aaron Fisher
John Keklak	Marian Wolford	
Dr. Lara R. Paciello	Nate Burden	

Members Absent:

Victor Rizzo	Summer Kaplan	Christine Eckenrod
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DEP Staff in Attendance:

John Chipppo	Maria Coons	David Gaisior
Benjamin Seiber	Stephanie Banning	Lisa Funk
Alyssa Oskin	Kristina Hoffman	Dwight Shearer
David Gaisior	Barb Bookser	Denise Bleiler
Christopher Heckert	Josh Myers	Alhaz Bah
Robert Lewis	Grace Schoeniger	Dennis Ferguson
Derek Stahl	Dyran Altenburg	Victoria Parker
Jennifer Minnick	Randy Kutchman	Evan Wosochlo
Sean Gimbel	Lindsay Williamson	Suzanne Sarver
Laura Griffin	Dale Motley	Jeff Timcik
Lori Aquilanti Oleyar	Danielle Conley	

Guests in Attendance:

Kendall Berry	Alex Khammang	Sam Einstein
Trent Machamer	Daniel Snyder	Aaron Wilmot
Nate Eachus	Jeffrey Ivicic	Ed Miller

Introduction: Adoption of Agenda; Approval of Minutes:

The agenda for this meeting was adopted and the minutes with minimal corrections from the October 16, 2024, meeting were approved.

Open Floor:

No members of the public registered to provide public comment. RPAC members, Mr. Nate Burden and Mr. Aaron Fisher opened the discussion about bipartisan Senate Bill 1328 being reintroduced which involves radon testing in public schools beginning with the 2026-2027 school year. If a school's test results are over 4 picocuries per liter of air (pCi/L), the school

building shall be mitigated and retested until the radon levels are less than 4 pCi/L. If the testing of a school building's radon gas levels does not identify any radon gas levels at or above 4 pCi/L of air, the school building must be retested every five years or when the school building receives major structural, foundational, or HVAC renovations or repairs, whichever is sooner. If the testing of a school building's radon gas levels identifies any radon gas levels at or above 4 pCi/L of air, the school building must be retested every two years. House Bill 289 in the 2025 session was also introduced and referred to the Environmental and Natural Resource Protection.

Bureau Director Shearer also asked Mr. Fisher and Mr. Burden about radon testing in daycare centers. They stated that they are in the process of gathering data and have made presentations at two daycare centers regarding radon testing.

Bureau Director Shearer also stated House Bill 448 was introduced which allows prior owners of homes to access available radon testing data for the time they owned the property.

Program Updates:

Nuclear Safety & Emergency Response: Crane Energy's goal is to be online by the year 2028. They have placed orders for fuel generators and their deadlines are being met. We are optimistic that they will be able to participate in an evaluated-graded exercise in the fourth quarter of 2026 or early 2027. They will have to demonstrate that they can operate and coordinate with offsite agencies, which is part of their licensing requirements.

Radon: The Radon Division completed their required six-month review with the Environmental Protection Agency (EPA). There is a Region 3 Stakeholders Meeting being held in the state of Delaware this June. Mr. Bob Lewis thanked Mr. Burden and Mr. Fisher for all the work they did for the school bills. The radon section recently sent out 5,000 post cards to people who installed a radon mitigation system in the past two years to remind the homeowner to retest their radon mitigation system to make sure their system is working properly. The Radon Division is currently working along with the American Lung Association and an epidemiologist from the PA Department of Health to create a new risk estimate for Pennsylvania. The EPA completed the last risk estimate for the years 2003-2009 which gives us a precise exposure level for Pennsylvania residents using basement, first floor, outdoors, and away-from-home conditions. Our radon re-entrainment study has now been published through the Health Physics Society and will appear in the June issue of Health Physics.

Radiation Control: X-ray and radioactive materials (RAM) will be discussed during the meeting. We plan on developing regulations for fusion devices in the upcoming years and we will be one of the first states to take on that task. The RAM regulations will open later this year or early next year. DEP will include some of the "parking lot" regulation issues we've discussed over the years when updating the regulations.

Decommissioning & Environmental Surveillance: Decommissioning & Environmental Surveillance added a site to their list of cleanup facilities at the formerly utilized sites remedial action program site or FUSRAP located in western Pennsylvania. This site is also considered a Shallow Land Disposal Area (SLDA) site. The cleanup costs at the Apollo SLDA plutonium site located in Parks Township will cost approximately one billion dollars. They are building structures to cover trenches to exhume the material. There are concerns about federal budgeting since the project is being overseen by the Army Corps of Engineers. However, since they are not in the trenches, they are able to stop the cleanup, and it will still be considered safe. If they would get into the trenches, covered structures would be built over the trenches and continue to be in a safe condition if the doors were locked. Under Nuclear Regulatory Commission's (NRC) guidance, they can bury trash and waste in shallow and disposal areas.

Realignment: Effective March 7, 2025, Bureau Director Dwight Shearer discussed with the committee that the regional office staff merged with central office's radiation protection staff. This realignment will streamline uniformity and communications across the three regions which will provide conformity to the licensees and registrants of the Commonwealth. Everything should be finalized in June.

Review of Nuclear Material Events Database (NMED) and Medical Reportable Events (MRE): There were two NMED events since the last RPAC meeting. Both were medical events.

There was one MRE event since the last RPAC meeting. The event occurred because a patient had their arms in the incorrect position during the ninth and eighteenth fractions.

American Registry of Radiologic Technologists (ARRT) Test-Discussion of Existing Regulations: The Bureau of Radiation Protection's (BRP) legal counsel, Ms. Lindsay Williamson, led the discussion related to ARRT, hospitals, and the PA Department of Health. Ms. Williamson stated that we do have statutory authority under both the Radiation Protection Act and within our regulations which allow students to take x-rays under the supervision of qualified personnel from the time of graduation to the time they take the Board exam. An FAQ has been drafted for BRP's website. After the committee reviewed the FAQ, it was decided that this FAQ would be designated for hospitals only. While students are under direct supervision, they are encouraged to take the Board exam within weeks or a few months following graduation. Facilities were allowing students obtain this certification within six months, nine months, and even up to a year. From a program perspective and after checking with counsel, we felt that six months should give the student plenty of opportunity to access the ARRT test centers to receive their certification. RPAC member, Ms. Peggy Blackwood asked if a student took their Board exam in six months and failed the exam, would they receive an additional six-month window to retest if they took employment at another hospital? The FAQ answered that question as no. It was suggested to highlight the word hospital and state this FAQ is for hospitals only. RPAC member, Mr. Tony Montagnese stated that the ARRT also certifies radiation oncology therapists as well as nuclear medicine technologists including catheter labs and asked if these positions would also be included in the FAQ? Bureau Director Shearer stated that this topic requires

additional discussions, including a conversation about technicians working in catheter labs being qualified to step on the pedal, until they make a final decision.

Ms. Lisa Funk of BRP stated that in 2018 the PA Department of State ceased to provide a way for individuals to take the limited-scope exam in radiology. In 2022, we were receiving calls from companies located out of state that were coming into Pennsylvania and setting up urgent care centers and x-ray clinics and these companies wanted to hire limited-scope employees. They discovered individuals no longer had a pathway in the state of Pennsylvania to take the limited-scope exam. Companies asked if we would accept the limited-scope exam an individual took in another state. We discovered there are 23 states that have a contract with the ARRT. Individuals in these 23 states would receive training through the ARRT's curriculum and clinical exams. Once they pass that program, the state notifies the ARRT to contact the individual and schedule a limited-scope exam. DEP will accept individuals that passed the limited-scope exam results for the 23 contracted states. There was recently an instance when an individual received their certificate, but the certificate did not state that the exam was administered by the ARRT. Confusion arose because other states have their own state licensure programs and do not use the ARRT curriculum. Inspectors now ask individuals when they come across this situation which pathway they chose to receive their certificate. There must be an association or link to the ARRT curriculum which is also embedded into our regulations that allows Pennsylvania to accept their certificate. Under Pa Code Title 49 Chapter 18 and the heading auxiliary personnel, a list of procedures individuals can perform using limited scope is provided. They do not have permission to perform computed tomography or fluoroscopy procedures.

Draft Final Omitted Regulation—NRC Consistency Rule: Bureau Director Shearer stated that during our last Integrated Materials Performance Evaluation Program (IMPEP) review, the IMPEP team stated we had unintentionally incorporated some NRC regulations by reference. We've worked with our Office of Chief Counsel and our Policy Office and shaped it into a final omitted regulation. This is the fastest method to get the change through the Environmental Quality Board (EQB). We are hoping to have this on the July agenda for the EQB.

RPAC member, Mr. Ian Irvin stated that as part of these rulemakings in proposed and final rules, Agreement States are a part of the process by coordinating with Agreement States, NRC, and other federal actors that determine who actually is responsible for these regulations.

Revenue Update: Bureau Director Shearer stated that BRP has a three-year funding review requirement built into our regulations. At this point we do not have anything official to say yet. Hopefully for the fall RPAC we will be able to have a full discussion.

Second Open Floor: No members of the public registered to provide public comment. RPAC member Dr. Lara Paciello from the University of Pittsburgh stated that one of their "sister facilities" was getting cited for the use of effective dose calculations with lead apron use by the Occupational Safety and Health Administration (OSHA). Historically, OSHA would not cross over to that jurisdiction even though they can legally. The facility is opposing this citation in

court. Hopefully, we can get this resolved because this citation will significantly impact whether other facilities will use this methodology. Many facilities in the Commonwealth use this methodology and could be affected if additional citations are issued.

Bureau Director Shearer stated that when this was brought to his attention, he immediately alerted the Office of Chief Counsel, and our attorney did a thorough review of the citation. Unfortunately, what we have learned is that OSHA only responds to worker complaints. OSHA does not perform routine inspections. The second thing that we learned is that while those regulations are antiquated, OSHA does have the statutory authority required to issue citations. Mr. Dwight Shearer spoke with the inspector, and I pointed out that if you read the OSHA regulations, they do cite 23 Agreement States in the regulations; however, we have 38 Agreement States with three more joining. Mr. Shearer also indicated as far as workload, facilities may want to perform procedures that are less complex and have less dense tissue since they would get a higher throughput and ultimately more money. Performing more complex and/or more dense tissue inspections would mean patients could be pushed to the end of the quarter or even into the next quarter, which is not how to manage patient care. Mr. Shearer also brought up the issue of sterilizing ring badges. The OSHA inspector stated they have not seen this in over five years. The OSHA inspector was given a checklist of the regulations and clearly the facility was not meeting them. OSHA was going to contact the NRC to discuss this. DEP has considered contacting the Conference of Radiation Control Program Directors which governs all the states and ask them to create a survey. The survey should ask if OSHA comes into your state due to a complaint, do they first contact the state level Department of Health Radiation Protection Program or the Department of Environmental Protection to find out how often they were inspected. We stated that our RAM licenses are unannounced inspections and are based upon isotope concentrations. A facility could be on a one-year, two-year, three-year, etc. schedule for inspection frequency. A larger healthcare facility could have DEP's Radiation Protection Program visiting their facility every 12-18 months. If reviewing dosimetry records could satisfy OSHA's inspection requirements, then those records will be reviewed. The "sister facility" is going through a second round of appeals. Dr. Paciello stated that the citation was for approximately \$36,000 and it was based upon the use of effective dose calculation using a lead apron. Dr. Paciello is helping in a consulting-type capacity and has hired outside consultants to support the appeal. The facility appreciates BRP's offer of championing with them and will accept help from BRP if need arises.

Mr. Montagnese discussed a recent article in the Journal of American Medical Association (JAMA) which is crediting 5% of cancers in the US are from using CT scans. He wanted to bring it to BRP's attention because he anticipates BRP will receive questions from the public about this article. This study has been, at a minimum, challenged by the American College of Radiology (ACR) and the American Association of Physicists in Medicine (AAPM).

Ms. Kendall Berry, a guest of the RPAC committee, wanted to add an additional comment about the JAMA article above. The Health Physics Society Medical Section (HPSM) has drafted a response to this article, and it is currently going through a review at the hospital Board level. It's

an excellent response. If BRP does receive comments about this article, they can refer them to the ACR, the AAPM, and the HPSM's responses.

RPAC member, Ms. Marian Wolford stated the Pennsylvania Dental Association (PDA) would like to submit a statement for BRP's review that will be shared with all our members which discusses shielding and dental radiography. The statement would only address the use of lead aprons since thyroid collars are still part of the NCRP report No. 177 recommendation 19. DEP has been told an updated statement is coming on thyroid shields but have not been notified when it will be released. The reason this statement is necessary is because the PDA is receiving numerous calls on this issue. The PDA would like to begin a statewide education program then follow it up with a lead shield collection program. Bureau Director Shearer stated that BRP will review their statement and suggested that since we are inspecting dental facilities every four years, that we could partner and help collect the lead aprons during an inspection.

The meeting was adjourned at 11:07 a.m.

The date for the next RPAC meeting is October 15, 2025. The meeting format will be a hybrid combination of virtual and in person.