

DELAWARE AUTHORITY ON RADIATION PROTECTION

Regulations Task Force

Summary of Meeting

July 25, 2018

Jesse Cooper Building

Dover, DE 19901

Attendees

F. Esposito	F. Fisher-Tyler	W. Fendt
M. Finkelstein	W. Holden, III	J. Mack
R. Brinsfield		

- I. Call to Order/Approval of Agenda
F. Esposito called the meeting to order at 1:40 pm, the agenda was reviewed and no changes were proposed. F. Esposito introduced a motion to approve the agenda, W. Holden, III seconded and the motion passed. The agenda was approved.
- II. Old Business – Repeal & Replace Parts F & H, Amend Parts A, B, D, K, X
F. Fisher-Tyler provided an overview of proposed rule for Parts F, H and other parts that include the definition of “licensed practitioner.” The proposed rule was published by the Register of Regulations on June 1, 2018, held open for public comment until July 16. She presented a summary to reflect revisions to the proposed rule suggested by the American Society of Radiologic Technologists (ASRT), and the Delaware Association of Nurse Anesthetists (DANA). All comments were reviewed, and the majority were accepted. A smaller number of suggested revisions were determined not acceptable, for a number of reasons, including remaining within the framework of existing, published version of Title 16, Delaware Administrative Code, 4465 Radiation Control Regulations and 4466 Certification of Radiation Technologists and Technicians, as amended.

Action Item: Incorporate accepted revisions, and generate the final rule, F. Fisher-Tyler

- III. New Business – Phase 5 Review Parts E, I, K, T
F. Esposito initiated discussion of regulations identified for phase 5 of the Authority on Radiation Protections comprehensive radiation control regulatory review.

F. Fisher-Tyler led discussion of Part E, Industrial Radiography. The group agreed that the CRCPD Suggested State Regulations, Part E published in 2015 should be reviewed for repeal and replace of the published Delaware radiation control regulation 4465 part E, last published in 2002. A draft version of Part E was reviewed, which had been revised to better fit with Delaware status as non-agreement (or NRC) state with respect to radioactive material licensing & enforcement, with minor edits identified. F. Fisher-Tyler also reviewed input regarding state radiation control regulations in MD, PA, and NJ, with respect to accepted industry practice for radiation control programs and end

users, and it was determined that Delaware will actually be the first of these states to address Part E in its entirety. In other words, the research of MD, PA, NJ regulations did not yield any useful content.

Action Item: Develop draft Part E, incorporating edits from task force, F. Fisher-Tyler

F. Esposito initiated discussion of Part I, Radiation Safety Requirements for Particle Accelerators. The CRCPD SSR has not been revised since 1991, and the Delaware regulation was last amended in 2002. F. Fisher-Tyler reported that CRCPD has established a working group for Part I, so an updated, draft SSR for Part I may be available within a year or two. The group agreed that this chapter, Part I should be taken off the table for discussion for the time being, until such time that the SSR is available. The group also agreed that it is important to have this regulation in place in the event that in future, a particle accelerator facility is located in Delaware.

F. Fisher-Tyler initiated discussion of Part K, Compliance Procedures, last reviewed and amended in 2013. She reported that Part K, Appendix A contains an extensive set of regulatory citations that provide examples of violations that could be cited during an onsite inspection of an x-ray facility. She stated that this chapter needed revision as part of this last phase of review, to ensure that the list of example violations is consistent with the full range of current, published regulations.

Action Item: Develop draft Part K, Appendix A to reflect updated regulatory citations, R. Brinsfield.

It was determined that Part T, Transportation would remain minimal in nature with respect to referencing state and federal regulations that govern transportation of radioactive materials in Delaware:

- U.S. Department of Transportation regulations for radioactive material transport,
- Delaware Department of Transportation (DelDOT) requirements for escort and fees for oversized, overweight and/or "superload" trucks,
- Delaware Department of Transportation (DelDOT) regulatory citations specifying state adoption of federal regulations for commercial motor vehicles in multiple areas, including transport of hazardous materials,
- Nuclear Regulatory Commission (NRC) regulations for protection and transport of spent nuclear fuel from commercial nuclear power plants.

Action Item: Prepare a draft Part T listing the appropriate citations, F. Fisher-Tyler

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| IV. | Public Comments
There was nothing to report. | F. Esposito |
| V. | Adjournment | F. Esposito |

F. Esposito introduced a motion to adjourn the meeting, M. Finkelstein seconded and the motion passed. The motion was approved, meeting adjourned at 4:40 pm.

Respectfully submitted,

Frieda Fisher-Tyler,
Administrative Agent,
Authority on Radiation Protection