

TEXAS RADIATION ADVISORY BOARD MINUTES

Third Quarter Meeting

August 23, 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.; Earl P. Erdmann; W. Kim Howard, M.D.; Justin P. LeVasseur, M.D.; Odis R. Mack; Troy Marceleno; Bruce A. Matson, D.D.S.; and Elaine L. Wells

The following members were absent: Thomas M. Burnette; Eugene A. Coleman, Ph.D.; Ian Hamilton, Ph.D.; Judith A. Pester, M.D.; and Kevin L. Raabe

Guests present: Rick Jacobi, P.E.; Eddie Selig, Advocates for Responsible Disposal; and Bob Wilson, Jackson, Sjoberg, McCarthy & Wilson, LLP; Doris Bryan, Radiation Technology; Annette Glass, Representative Warren Chisum's office; Stephanie Goodrum, Texas Utilities; and Patrice Ford, member of the public

Texas Department of Health (TDH) central office staff present: Tom Godard

Bureau of Radiation Control (BRC) staff present: Arthur Tate; Ruth E. McBurney; Margaret Henderson; Doris McCormick; Alice Rogers, P.E.; Gary Smith, Ph.D.; Debbie Borden; Pete Myers; Cindy Cardwell; Thomas Cardwell; and Ruben Cortez

Texas Commission on Environmental Quality (TCEQ) staff present: Susan Jablonski, Devane Clark, George FitzGerald, and Susan White

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

Minutes of the June 14, 2003 meeting were approved with a change requested by Mr. Ford to add a notation that TRAB planned to have a conference call about HB 2292 if an opportunity came up during a special session.

Cindy Cardwell provided a slide presentation to the board members on future changes to radiation rules required by legislation.

The Medical Committee (Kim Howard, M.D., Chair) met and a quorum was present. Mrs. McBurney provided an update on Board of Medical Examiners rules regarding Standing

Delegation Orders as it applies to laser hair removal. The proposed rule will be published in the *Texas Register* in three weeks for public comment.

At the June 14, 2003 regular board meeting, Dr. Howard requested additional information be provided the committee members on the training a physician received in Italy and the individual's activities after training and up until this time. The committee reviewed the additional information on foreign training and experience received. On motion and second, the committee recommended the physician be approved as an authorized user for brachytherapy. Motion passed unanimously.

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. Voting on the rule package in one vote, on motion and second the committee recommended 30 TAC Chapter 37, Subchapter T, Financial Assurance for Disposal of Low-Level Radioactive Waste; 30 TAC Chapter 30, Public Notice; 30 TAC Chapter 305, Consolidated Permits; and 30 TAC Chapter 336, Radioactive Substance Rules be adopted with the proviso that individual comments of TRAB members be included in the recommendation and are responded to in writing by TCEQ. Motion passed unanimously.

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

Program Reports:

1. Texas Commission on Environmental Quality (TCEQ)
 - (i) NORM Drinking Water Rules
 - (a) July 27, 2003, the Commission deferred considering rules.
 - (b) December 67, 2003, EPA could take enforcement on individual water systems.
 - (c) Residuals management is being reviewed.
 - (ii) TCEQ will propose repeal of the Texas Low-Level Radioactive Waste Disposal Authority rules that were transferred to TCEQ in 1999. This repeal will be brought to TRAB in November.
2. Railroad Commission of Texas (RCT)
 - (i) August 31, 2003, Richard Ginn is retiring after 33 years service. Underground injection and NORM responsibilities are passing to Steve Seni, Ph.D.
 - (ii) RCT purchased an additional 17 Ludlum Model 3s to be able to conduct

for TRAB Medical Committee representation on a study group. Dr. Howard volunteered to provide advice. Other member of the TRAB medical committee may participate if they wish.

On unanimous vote, the TRAB passed congratulatory retirement resolutions in honor of Doris McCormick and Arthur Tate for careers dedicated to the radiation control profession.

The next quarterly meeting is tentatively scheduled for November 15, 2003, in Austin, Texas.

The meeting adjourned at 11:15 a.m.

Respectfully submitted,

Elaine L. Wells, Secretary
Texas Radiation Advisory Board