

RADIATION ADVISORY COMMITTEE MEETING

Minutes

June 8, 2011

Call to Order – Executive Session

Paul Brown, PhD, chair, called the Radiation Advisory Committee (RAC) into executive session on June 8, 2011, 10:08 a.m. in Conference Room 1E of the Portland State Office Building.

Members Present:

Barnett, D.M.D., Douglas
Brown, PhD, Paul
Chin, Peter-Jon

Franco, Janet
Gilbert, Theresa
Riggs, Edgar

Members Absent:

Elting, Donald
Reese, PhD, Steve

State Members Present:

Briner, Judie
Carpenter, Todd
DeSemple, Erin
Grater, Connie
Howe, David

Leon, Daryl
Lut, Margaret
O’Fallon, J.D., Shannon
Siebert, Kevin
Shibley, J.D., Gail

Guests

Bremner, DMD, Fred – Oregon Dental Association

Adjournment

Call to Order – Public Session

Paul Brown, PhD, chair, called the Radiation Advisory Committee (RAC) into public session on June 8, 2011, 10:40 a.m. in Conference Room 1E of the Portland State Office Building. Committee members and guests introduced themselves.

Guests:

Anderson, Beckie – Legacy Health Systems
Braatz, Patrick – Oregon Board of Dentistry
Bremner, DMD, Fred – Oregon Dental Association
Castellane, Al – OH&SU
Fletcher, Beryl – Oregon Dental Association
Harding, Doug – Aribex
Ironside, Lynn – Oregon Dental Hygienist Association
McLaughin, Dave – OR-OSHA
Shabbar, Ahmad – OH&SU/Reed College

Status of RPS Programs

David Howe, RPS Section Manager, reported that Justin Spence resigned December 1, 2010; Steve Crawford retired April 30, 2011; and Bonny Wright resigned May 24, 2011. RPS recently recruited for two of those positions (EHS 3 – X-ray inspectors) and they have been filled. Catherine Hess who has been working for 9 years as a radiation therapist and will soon complete her master's degree will begin June 13, 2011 and Richard Beauman who has worked the last few years in Florida Department of Health as an environmental health specialist and has a master's degree will begin July 5, 2011. We are currently recruiting for an operations/emergency response manager.

Japan Reactor Incident Update

David Howe and Daryl Leon, Lead Worker, Radioactive Materials Licensing Program did a presentation on Oregon Public Health Division's involvement with the March 11, 2011 Japan Reactor Incident.

Review of Minutes

Minutes from the November 10, 2010 meeting were sent to the members for their review.

Motion

Peter-Jon Chin moved and Dr. Doug Barnett seconded the motion to approve the November 10, 2010 Radiation Advisory Committee minutes as written. The motion carried.

Civil Penalty Updates

David Howe reported that Oregon Administrative Rules have been updated to enhance civil penalty actions against facilities who violate the rules. The tanning program has been the first program to experience enforcing these rules in 2009. David presented the sequence of events that the program goes through when a facility is in noncompliance of the rules. RML and X-ray programs don't have any active civil penalties processes in place.

Review of Proposed Rules Status

Todd Carpenter, RPS Emergency Preparedness, Licensing and Administration Unit Manager, distributed a packet of proposed rule changes, including the Statement of Need and Fiscal Impact (Attachment 1). Todd presented a timeline he hopes to implement to get these rules filed with the Secretary of State. He reviewed the changes with members.

OLD BUSINESS

Status Report on Inspection Procedures

David Howe reported that RPS has an internal Protocol Committee made up of the lead workers for Electronic Products and Radioactive Materials Programs and other personnel on a rotating basis as the protocols apply to their position. The committee meets on a monthly basis and once a protocol is finished it is submitted to the program manager and the RPS section for approval/signature. All protocols are reviewed annually. The most recent protocol being developed is inspection procedures for CT facilities.

Disposal of RAM/SCATR Program

Kevin Siebert, Health Physicist, Radioactive Materials Licensing Program, reported on the Source Collection and Threat Reduction (SCATR) program. We have been working with the Conference of Radiation Control Program Directors (CRCPD) who have obtained federal funds to help reduce unwanted radiation sources. We have helped 48 of Oregon licensees get rid of unwanted sources such as lead and paint analyzers, portable gauges, and medical sources.

Hand-held Dental X-ray Device Update

David Howe presented a draft informational bulletin and exemption form and rules related to hand-held dental X-ray devices (Attachment 2). He explained that in the last few months RPS has been evaluating the use of hand-held dental X-ray devices in the state of Oregon. Current administrative rules state that they are to be used only when it is impractical to transport a patient to a fixed X-ray installation.

Public Comment Session

Guests to the meeting commented on the exemption to the rule regarding hand-held dental X-ray devices. Comments included:

- Why don't we put it administrative rule?
- How are we addressing current problems?
- It is too restrictive, finding time and money for inspections
- Form isn't the same one that was distributed previously
- No time to discuss with constituents
- "Hand-held" has been "thrown" in to the rules; technical errors need to be fixed
- Never discussed 24 month monitoring; 12 month inspection, wearing dosimetry
- Need additional dialogue before finalization
- Wearing additional protective wear when the equipment doesn't require it
- A lot better access is available with the devices. It is a step backwards with all the processes to go through to use them.

- Exemption can be denied
- Oregon is the most restrictive of all states for using the NOMAD. With all the restrictions, there will be few NOMADS purchased, which becomes a barrier to care.
- Written comments were submitted from Aribex outlining most of these comments.

Legislative Update

Gail Shibley, J.D., Administrator, Office of Environmental Public Health, reported that the Oregon legislature is getting close to adjourning for this session. The Oregon Health Authority budget for the next biennium is approximately 12 billion dollars. Approximately 1.726 billion dollars will be in general funds. OEPH will not be getting any general funds this next biennium. We will be funded through federal funds and fees.

Gail noted that she had an opportunity recently to discuss radioactive materials with a constituent. Discussion was about portable gauges and the fees charged in different states. She asked that we review periodically how we comply with our statutory requirements.

NEW BUSINESS

Laser Technology Presentation

Judie Briner, X-ray Inspector in RPS, has been working with Oregon OSHA on Light Amplified by Stimulated Emission of Radiation (LASER) use in Oregon. It has come to the forefront that there might be some potential danger coming from lasers. She distributed a brief on Lasers (Attachment 3). Laser safety is not currently regulated by RPS. She has met several times with Dave McLaughlin from Oregon OSHA to discuss laser regulation. Dave distributed a fact sheet on lasers (included in Attachment 3).

Motion

Janet Franco moved, Dr. Barnett seconded the motion and the rest of the committee agreed to support RPS pursuing laser regulation

Future Rules

Todd Carpenter reported that once we complete the current rule process, the next Oregon Administrative Rule revisions will include cone beam CT, CT in general and microwave rules

Old Tanning Device Update

Erin DeSemples, RPS Tanning Inspector, distributed RPS Information Bulletin 2011-01 (Attachment 4) regarding Proposed Rule Changes. This was mailed to all

tanning registrants in March 2011.

She also distributed the first issue of the Tanning Technique newsletter (included in Attachment 4) that was mailed to all tanning registrants reiterating rule changes and updates.

Infrared Tanning Device Conversion Update

Erin DeSemples distributed an informational paper on an emerging technology: Infrared Lamps (IR) (Attachment 5). These devices are not currently regulated.

Adjournment

The meeting adjourned at 3:30 p.m.

The next meeting for the Radiation Advisory Committee is scheduled for Wednesday, October 12, 2011.

Respectfully submitted,

Connie J. Grater