

**COMMISSION ON RADIATION PROTECTION
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Minutes of a regular meeting at 9:30 a.m. on Wednesday, September 24, 2014

The following Commission members were present in person: Dr. Timins (Chair), Mr. Baldauf, Mr. Tokarz, Dr. Mauro, Mr. Winegar, and Ms. Dupre.

Member present via conference call: Mr. Gandica until 10:30 a.m.

Absent member(s): Ms. Moore, Mr. Valente.

Also present were: DAG Jacobine Dru, Ms. Ramona Chambus, Mr. Al Orlandi, Ms. Jenny Goodman, Mr. Arthur Robinson, Mr. Michael McCary, Mr. William Klimik, Mr. Eriks Blaschka, SIRONA Support Mgr. (via phone), and Ms. Betty Sigafos.

Call to Order

Dr. Timins called the meeting to order at 9:35 a.m. and announced that notice of the meeting complied with the requirements of the Open Public Meeting Act. Notice was published in The Trenton Times, Bergen Record and Courier Post. Notice was filed with the Secretary of State, mailed to approximately twenty interested parties and posted in at least one place reserved for such or similar announcements.

Roll Call

A quorum of six Commission members to open was met. In person; Dr. Timins, Mr. Baldauf, Ms. Dupre, Mr. Winegar, Dr. Mauro. and Mr. Gandica via phone. Mr. Tokarz joined in person at 10 a.m. Two members were absent.

Election of Officials

Ms. Dupre nominated Dr. Julie Timins to be re-elected as Commission Chair. Ms. Dupre nominated Ms. Mary Moore for Vice Chair. Mr. Winegar nominated Mr. Paul Baldauf for Commission Secretary. All three nominees were unanimously re-elected to the same offices they held in the previous year.

Readoption of Bylaws

After review of the Bylaws as readopted on September 18, 2013, a motion was made to readopt the existing bylaws without changes. All members present voted unanimously to approve the readoption of the Bylaws.

Minutes

The minutes of the regular meeting held on June 18, 2014 were presented for approval. Mr. Winegar made a motion to approve the minutes, Ms. Timins seconded, and the minutes were unanimously approved.

Report of Commission Members

Dr. Timins presented articles which refuted the claims that radioactive discharges from the nuclear disaster at Fukushima and existing nuclear power plants have resulted in elevated instances of cancer in babies and adults. Copies of these articles will be made and distributed to all Commission members.

Ms. Dupre had questions regarding the meeting held in Chicago by the Organization of Agreement States (OAS). Ms. Goodman responded that this meeting was attended by Ms. Nancy Stanley for the New Jersey Agreement State program. Of particular interest was the issue of the NRC's intention of making the Nuclear Materials Events Database available to the public. Many states have policies or laws that prohibit licensee locations from being released to the public. The NRC is taking the Agreement State comments into consideration.

Old Business

N.J.A.C. 7:28 Update

Mr. Orlando outlined the process for proposing the new rules for fusion imaging CT technology licensure and Agreement State amendments. These proposed rules and the summary document are under review by the Department's Office of Legal Affairs. This review must be completed before the Commission can vote on the proposed rule amendments. The rule will require Commission, DEP Commissioner, and DAG approval.

Mr. Baldauf stated that the Department anticipates proposal in the New Jersey Register for public comment by the spring of 2015.

Ms. Goodman presented the most recent outline of the Proposed New Rule N.J.A.C. 7:28-65 in regards to Agreement State responsibilities. Ms. Dupre had several questions regarding the changes, which Ms. Goodman answered.

Mr. Orlandi discussed the proposed revisions to N.J. A. C. 7:28-24 which was approved by the Radiologic Technology Board of Examiners at its July 2014 meeting. The proposed amendments include: (1) the education and licensure requirements and scope of practice for nuclear medicine technologists in a new licensure category called fusion imaging CT technology; (2) the revision of existing provisions to align with Agreement State regulations; (3) a revised approval process for schools of nuclear medicine technology; and (4) a new fee schedule for examinations and licensure and school approval.

Agreement State Update

Ms. Goodman reported that the Bureau continues to work on preparation for the upcoming IMPEP audit by the NRC.

New Business

Radiologic Technology Board of Examiners

Mr. Orlandi presented a written report on the July 29, 2014 Board meeting. He discussed several of the issues with the Commission.

SIRONA-CBCT Equipment Manufacturer Exemption

Mr. McCary, Bureau of X-ray Compliance, presented the exemption report. Sirona is requesting approval of several alternate QC tests for their Dental Cone Beam Computed Tomography (CBCT) units.

Commission members had questions regarding how certain test parameters are calculated. As a result a call was made to Mr. Eriks Blaschka, 3D Support Manager, for Sirona Dental, Inc. Mr. Blaschka did not have first-hand knowledge on how calculations were achieved and said he would look into it and call back.

Mr. Blaschka called back with answers regarding the calculations methods used. Additional clarification was needed which the Commission requested that Sirona provide in writing.

Dr. Timins made a motion to table the exemption request at this time, Ms. Dupre seconded, and the motion to table was unanimously passed.

Denterprise International – EXARO X-Ray 2Go Exemption

Mr. Robinson presented the Denterprise International Exemption Request for EXARO Xray2Go Hand Held Dental Unit. Denterprise is requesting an exemption from the requirements of New Jersey Administrative Code N.J.A.C. concerning dental equipment (7:28-16.1 et seq). Denterprise is a marketing firm for a manufacturing company and would like to sell the hand held unit in New Jersey.

Mr. Robinson showed a PowerPoint presentation that included testing performed by the manufacturer. There was also a user manual and an Xray2go handheld dental unit for Commission members to inspect. Several members were concerned with the fact that the manual did not have pictures on how to hold the unit during the taking of x-rays relative to the patient's position. In addition, Commission members were concerned with: (1) labeling on the handheld unit; (2) training of the operators in operating the unit; (3) security means to prevent misuse of the handheld unit; and (4) the optional pistol grip and how it will be used.

After careful consideration and questions by Commission members, Dr. Timins made a motion to table the exemption at this time, Ms. Dupre seconded, and the motion to table was unanimously passed.

Closed Session

A closed session was not necessary at this meeting.

Public Comment

There were no public comments.

Adjournment

The meeting was adjourned at 11:45 a.m. The next regular meeting is scheduled for Wednesday, October 15, 2014. A taped transcript of the meeting is available for review. In addition, copies of the abbreviated minutes are available by contacting Betty Sigafos at (609) 984-5636.

Respectfully submitted,

Original signed by

Paul Baldauf, P.E.
Commission Secretary