

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

Minutes of a regular meeting at 9:30 a.m. Wednesday, October 21, 2015

The following Commission members were present in person: Paul Orlando

Members present via conference call: Dr. Timins, Bob Tokarz, Alfonso Gandica, Mary Moore, John Mauro, Anthony Valente, Sue Dupre, Jacobine Dru, DAG.

Absent member(s): Brendan McCluskey

Also present were: Jenny Goodman, Arthur Robinson, Al Orlandi, Ramona Chambus and Christine Gares.

Call to Order

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

Roll Call

A quorum was met with 8 Commission members.

Minutes

A motion was made by Paul Orlando and seconded by Mr. Valente to approve the September 2015 meeting minutes with one revision from Ms. Dupre. By a majority vote (7 in favor, 0 opposed and 1 abstention (Dr. Timins)), the Commission approved this motion.

Report of Commission Members

Dr. Timins initiated discussion regarding the following topics contained in the Radiation Protection Program's July monthly report:

- The Bureau of X-ray Compliance report of inspection results at 92 dental CBCT facilities.
- The Bureau of Environmental Radiation report on a successful IMPEP Audit.
- BER's Radon section report regarding the reclassification of municipalities based on their potential for elevated radon levels.

- BER staff involvement with the Camden Green Ambassadors Internship Program, and;
- BER's report regarding radioactive waste detected in municipal waste transportation.

Dr. Timins initiated discussion regarding various topics contained in the Radiation Protection Program's May and August monthly reports.

Details of these events can be found in the specific monthly reports and are available upon request.

Dr. Timins notified CORP members that the US Department of Health and Human Services has updated their Radiation Emergency Medical Management website. This website provides information on the diagnosis and treatment of radiation injuries and presents interactive clinical data. The Health and Human Services on line radiation treatment resource website is www.remm.nlm.gov

Dr. Timins discussed a recent article that cited an almost 30 fold increase in thyroid cancer in children under 18 years of age attributed to the accident and radiation release at Fukushima Daiichi nuclear power plant in Japan. Dr. Timins offered to forward the article to Commission members.

Old Business

Dr. Timins confirmed that Mr. Paul Orlando was appointed as the New Jersey Department of Environmental Protection's representative to the Commission, replacing Mr. Paul Baldauf.

Mr. Orlando reminded the Commission members to take the on-line Ethics training required of all special state officers. Mr. Orlando stated that he will forward the link to the training to members and requested that they send the confirmation of completion receipt to be kept on record.

N.J.A.C. 7:28 et seq. Updates

The proposed rule concerning licensing for fusion imaging CT technology and incorporation by reference of NRC rules in 10 CFR 37 was published in the New Jersey Register and mailed out to all interested parties on Monday, October 19, 2015. There is a sixty day public comment period.

Consideration of Amendment to the Zimmer Biomet exemption

On September 23, 2015, the Commission on Radiation Protection (CORP) unanimously approved a request to exempt Zimmer Biomet from the provisions of N.J.A.C. 7:28-4.1 regarding the requirement to obtain a specific license for possession and use of technologically enhanced naturally occurring radioactive material (TENORM) in excess of the quantities provided in the exemption for licensing as per N.J.A.C. 7:28-4.3(a)5.

BER staff reported at the September meeting, based on preliminary information that it received from NJ DEP's Site Remediation, that Zimmer Biomet and its industry are exempt from the provisions of the Industrial Site Recovery Act (ISRA) and the Brownfields and Contaminated Site Remediation Act. As a result, CORP granted the exemption provided Zimmer Biomet abides by N.J.A.C. 7:28-4.15, Financial assurance and recordkeeping for decommissioning. This provision was added to assure that in the event of closure of Zimmer Biomet, DEP would have oversight of the decommissioning.

Subsequent to the meeting, BER received new information from Site Remediation officials that Zimmer Biomet and its industry are in fact covered by ISRA, thus ensuring DEP oversight at the time of closure and decommissioning. As a result, the BER staff determined that it is not necessary to require financial assurance from the facility as regulated by N.J.A.C. 7:28-4.15. BER staff proposed that CORP consider an amendment to the original exemption approval and remove the financial assurance provision (N.J.A.C. 7:28-4.15).

Mr. Orlando made a motion to modify the previously issued exemption by removing the financial assurance requirement of N.J.A.C. 7:28-4.15 as originally approved at the September 2015 Commission meeting. Mr. Tokarz seconded the motion. By a majority vote (7 in favor, 0 opposed and 1 abstention (Dr. Timins)), the Commission approved this motion.

New Business

There was no new business.

Public Comment

There were no public comments.

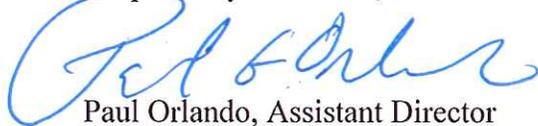
Closed Session

A closed session was not necessary at this meeting.

Adjournment

The meeting adjourned at 10:10 a.m. The next meeting is scheduled for November 18, 2015. A taped transcript of the meeting is available for review. Copies of the abbreviated minutes are available by contacting Christine Gares 609-984-5463.

Respectfully submitted,



Paul Orlando, Assistant Director
Commission Secretary