

**DELAWARE AUTHORITY ON RADIATION PROTECTION**  
**SUMMARY OF MEETING**  
March 15, 2010  
WT SMITHERS  
Dover, Delaware

Members Present: (those with checks only)

R. Arm	√	F. Fisher-Tyler	√	N. Melikechi	√
R. Elliott		W. Holden	√	R. Subramanyam	√
F. Esposito	√	D. Irwin	√	D. Tilton	
L. Fox	√	C. Krikelis	√	E. De Whitt	√
R. Frelick	√	T. May	√		

Others Present:

R. Brinsfield √  
N. Henry √  
E. Tross √

Authority Chairman N. Melikechi called the meeting to order at 6:10 pm at W.T. Smithers, Dover, Delaware, and started the meeting with introductions to welcome the new DNREC Authority member, Everitt DeWhitt.

**I. AGENDA ADOPTED**

C. Krikelis moved to approve the agenda as amended, D. Irwin seconded, and all members voted in favor of accepting. The motion was approved.

**II. MINUTES**

D. Irwin moved to approve minutes of the November 9, 2009 meeting, C. Krikelis seconded, and all members voted in favor of accepting. The motion was approved.

**III. CHAIRMAN'S COMMENTS**

Dr. Melikechi thanked all members for their service on the Authority and indicated that he would be reporting on some new topics under the New Business section of the agenda, to include work on By-Laws and Communications for the Authority. He thanked William L. Holden, III for his many contributions as Authority Chair over the past four years (2005 – 2009), most notably for his partnering actively with Legislative Liaison Chair David Irwin to pass Senate Bill 108. He also reported that efforts were underway to renew the appointments for himself, Dr. Esposito, and W. Holden, and identify a candidate to fill the Sussex County Authority seat vacated by S. Moody on July 1, 2009.

#### **IV. OFFICE OF RADIATION CONTROL (ORC)**

F. Fisher-Tyler provided updates on a number of ORC Program activities, including short-term options to eliminate the multi-year inspection backlog and options for assuring long-term sustainability of ORC inspection resources. She also discussed a number of activities in progress, including the hiring process to fill the vacant inspector position, benchmarking survey of other state radiation control program resource levels, possible options for amending the Delaware Radiation Control Regulations, changes to the Dental Assisting National Board (DANB) contract with DPH for the Dental Radiation Technology Exam, and an information technology contract for enhancements for the ORC database. She also mentioned that ORC had received a request for Human Screening for Body Composition Analysis, which would be brought to the Authority for discussion in April, 2010.

R. Brinsfield reviewed ORC monitoring reports, Certificates of Approval issued to new facilities, new and renewal certificates for radiation technologists and technicians, and a report on violations issued during inspections of x-ray facilities for calendar year 2009, and 2010 YTD. He indicated that the 2009 inspection metrics appeared to be holding at a level consistent with 2008, which is significantly diminished when compared to 2007, due to the ongoing field inspector staffing shortage.

#### **V. OLD BUSINESS**

Dr. Melikechi reported that old business would be addressed in the Committee Reports.

#### **VI. COMMITTEE REPORTS**

##### **A. Budget/Long-Range Planning**

F. Fisher-Tyler reported that Chair R. Elliott was unable to attend, but did hold a committee meeting in December 2009. She indicated that based on that meeting, Dr. Melikechi would request a meeting with the DPH Director, to discuss resource levels for ORC. Dr. Arm moved to approve the December 11, 2009 meeting minutes, Dr. Melikechi seconded, and the committee members voted in favor of accepting. The motion was approved.

**ACTION ITEM: Hold meeting with DPH Director, Dr. Melikechi**

##### **B. Certification**

Chair L. Fox indicated that the Authority membership may be interested to know that there is an over-abundance of graduates from the Nuclear Medicine Technology programs at Del Tech, who are having difficulty finding local employment. She indicated that the Certification Committee will review a request from ISCD to be recognized as a national credential in bone densitometry, in 2010.

**ACTION ITEM: Review ISCD request for recognition under the Radiation Technologist/Technician Regulations, L. Fox.**

**C. Inspection**

Committee Chair W. Holden reported that W. Holden indicated that the Inspection Committee proposal to initiate enforcement for facilities found to be operating without a valid permit by issuing an administrative penalty was reviewed by DPH and the Deputy Attorney General in fall, 2009, and was approved and implemented by DPH in January 2010. At the time of this meeting, DPH had not yet discovered any violations subject to the new procedure in 2010. He reported that the Committee would continue to work with ORC on plans to amend the Delaware Radiation Control Regulations, last amended in July, 2002.

**ACTION ITEM: Continue to monitor review of the radiation control regulations, W. Holden.**

**D. Radon**

Chair Dr. F. Esposito indicated that there was nothing to report.

**E. Low-Level Radioactive Waste (LLRW)**

E. DeWhitt reported that he has been appointed to serve as Alternate Commissioner to DNREC Secretary Colin O'Mara, to the Appalachian States Low Level Radioactive Waste Commission, and does not yet have anything to report.

**F. Legislative Liaisons**

Chair D. Irwin reported that he discussed with Senator Ennis various approaches to getting fee revenue deposited to general fund in 2009 allocated to ORC/DPH. Possible methods included epilogue language to request funding for one-time expense (contract inspectors) for FY 2011, or working with Dr. Rattay, DPH Director, to get additional resources included in the Governors Recommended Budget for FY 2012 and outgoing years, based on the amount of fee revenue collected by ORC each year. Dr. Melikechi indicated he would discuss various options with Dr. Rattay at a meeting he has scheduled on May 5, 2010. T. May stated that the Authority on Radiation Protection has used a step-wise approach to maintaining or growing ORC resources for several years, but experience has shown that demand (population growth, growth in senior demographic, new medical technologies) have out-paced the existing resources. He stated that the fee revenue implemented in 2008 may present an opportunity to add another full-time merit inspector, which could be the long-term solution for sustainability of the inspection program. Dr. Frelick stated that he has long held the belief that Delaware needs a cabinet level Department of

Health, to allow programs such as Radiation Control to receive the visibility and resources that are needed for to assure public health, particularly in the area of radiation control.

**VII. NEW BUSINESS**

Dr. Melikechi reported that a By-Laws Task Force has been established to develop by-laws for the Authority on Radiation Protection, to comply with language in Senate Bill 108, which passed into law in 2008. He indicated that R. Elliott will chair the committee, and C. Krikelis, W. Holden, and Dr. Arm will serve on the task force as members. He also announced his intent to establish a Communications Committee to develop a webpage to provide a public forum for information about the Authority and it's activities. He indicated that the committee is still in the early planning stages.

**VIII. PUBLIC COMMENTS**

There were no public comments submitted.

**IX. ADJOURNMENT**

C. Krikelis moved to adjourn the meeting, Dr. Arm seconded and all voted to accept. The motion was approved.

Authority meetings are tentatively scheduled for the following Mondays in 2010, at the Jesse Cooper Building, 417 Federal Street, Dover, Delaware: April 12, September 13 & November 15.

Respectfully submitted,

Frieda Fisher-Tyler, Administrator  
Office of Radiation Control  
Agent for the Authority on Radiation Protection