

Michigan and the US Nuclear Regulatory Commission Agreement State Program

Agreement State Advisory Committee
Henry Ford Hospital
June 13, 2007

MEETING SUMMARY

1. Opening Remarks and Status Report

Thor Strong, Chief of the Radiological Protection Section, Department of Environmental Quality (DEQ), welcomed the participants and thanked Alan Jackson for hosting the meeting at Henry Ford Hospital Corporate Headquarters. He noted that the focus of this meeting was to review proposed changes to Part 135 of the Public Health Code and comments that had been submitted by Advisory Committee members. Before that discussion, though, he wanted to provide a status report on other activities.

He and Bruce Matkovich, Radiation Safety Section Manager, Department of Community Health, recently met with DCH Deputy Director Jan Christensen to discuss some unresolved issues, particularly concerning the interim fee structure. The decision was made to propose capping the annual interim fee at \$8,000.00. It was also decided to exempt from interim fees all academic institutions that do not pay an annual license fee to the U.S. Nuclear Regulatory Commission. These decisions were made in response to recommendations by Advisory Committee members and feedback from the April mailing to all licensees. The draft report to the Governor, first prepared in late March, has been revised to incorporate these changes, and submitted once again to the Directors of DCH and DEQ for review.

We are envisioning sending the report to the Governor's Office sometime in early summer, when FY 2008 budget issues are not the sole focus of attention. The report will be shared with the Advisory Committee members at that time.

As recommended by the Advisory Committee, an informational letter had been sent in early May to all of Michigan's NRC licensees and NARM registrants. The letter provided a summary of the Agreement State initiative, invited comments or questions, and invited interested recipients to have their e-mail address included on a list for regular updates. To date, about 20 individuals requested to be added to the stakeholders e-mail list.

2. Discussion of Part 135

The full text of Part 135, along with highlighted comments by Advisory Committee members had been e-mailed to Committee members on June 6. Mr. Strong noted that only a small number of comments had been received, and that most dealt with mammography issues rather than radioactive materials. He invited any additional comments that Committee members were ready to share at the meeting. He also noted that comments from the NRC in a March 22 letter were not included in the text. Staff believes that most of the comments made by NRC relative to legislative requirements are already covered either in Part 135 or other state statutes or will be addressed in rules.

One Committee member made the general comment that the statute ought to establish the broad general scope and authority of the radiation control program and avoid very prescriptive detail; detailed requirements were better suited to rules.

Significant discussion followed over mammography provisions in Section 13523. Committee members commented that there was too much specificity about physician requirements. Radiation Safety staff stated that they did not want problems with this section to hinder passage of the changes to Part 135 necessary to achieve Agreement State status. They will work with the committee to come to an acceptable compromise or will propose no changes to section 13523.

Committee members recommended that the next draft of Part 135 ought to be distributed for review by a wider audience, and suggested that members could forward it to members of the Health Physics Society and the American Association of Physicists in Medicine.

Committee members also noted that those present that morning represented a very small number of licensees, and that attendance by Advisory Committee members was spotty. Committee members recommended that staff hold public meetings, and invite all licensees and registrants to attend, so that a larger cross-section of stakeholders is better informed about this initiative.

It was suggested that the next Advisory Committee meeting be held in August, perhaps in conjunction with a public meeting.