



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

Department of  
Environmental Quality

Alan Matheson  
Executive Director

DIVISION OF RADIATION CONTROL  
Rusty Lundberg  
Director

**Radiation Control Board**

Peter A. Jenkins, CHP, Ph.D. – *Chair*  
Scott Bird – *Vice Chair*  
Brady Bradford  
Dick Codell, Ph.D.  
Lindsey Christensen Nesbitt, Ph.D.  
Ulrich Rassner, M.D.  
Matt W. Rydalch  
Alan Matheson – *Executive Director*  
Rusty Lundberg, *Executive Secretary*

**MINUTES  
OF  
THE UTAH RADIATION CONTROL BOARD  
April 14, 2015**

Department of Environmental Quality  
Multi Agency State Office Building  
Conference Room 1015, 195 North 1950 West, Salt Lake City, Utah

**BOARD MEMBERS PRESENT**

Peter Jenkins, CHP, Ph.D.  
Richard Codell, Ph.D.  
Matt Rydalch  
Brady Bradford (via phone)  
Lindsey Christensen Nesbitt, Ph.D. (via phone)  
Rusty Lundberg, Executive Secretary

**BOARD MEMBERS  
ABSENT/EXCUSED**

Amanda Smith, Executive Director DEQ  
Scott Bird  
Ulrich Rassner, MD

**DRC STAFF/OTHER DEO MEMBERS  
PRESENT**

John Hultquist, DRC Section Manager  
Phil Goble, DRC Section Manager  
Connie Rauen, DRC Staff  
Karen Wehking, DRC Staff  
Lisa Mechem, DRC Staff  
Loren Morten, Program Manager  
Spencer Wickham, DRC Staff  
Eric Boone, DRC Staff  
Mike Givens, DRC Staff  
Laura Lockhart, AG's Office  
Donna Spangler, DEQ  
Brad Johnson, DEQ

**PUBLIC**

Dan Shrum, EnergySolutions  
Vern Rogers, EnergySolutions  
Matt Pacenza, HEAL Utah  
Tim Gillie, Tooele Transcript  
George Chapman  
Janet Jenson, Jenson & Guelker  
Ashley Sollyslak, HEAL Utah  
Brian Maffley, S.L. Tribune  
Mike Garner (via phone)

I. Welcome

Dr. Peter Jenkins, Chairman, called the meeting to order at 1:00 p.m. He welcomed the Board Members and the public.

II. Approval of the Minutes from the March 10, 2015 Board Meeting

Dr. Peter Jenkins, Chairman, asked if any members of the Board had any corrections to the minutes for the March 10, 2015 Board Meeting. None were requested.

**MOTION MADE BY MR. BRADY BRADFORD TO APPROVE THE MINUTES OF MARCH 10, 2015.**

**SECONDED BY MR. MATT RYDALCH.**

**MOTION CARRIED AND PASSED UNANIMOUSLY.**

III. Administrative Rulemaking

a. Proposed Rule Changes:

i. Mr. Spencer Wickham, DRC Staff, reviewed the proposed changes and rulemaking process for R313-19-34, R313-36-3 and R313-24-4. He informed the Board that the proposed revisions are in response to incorporate corresponding federal regulations at (10 CFR) Parts 30, 34, 40, and 71. The Nuclear Regulatory Commission (NRC) notified the Utah Division of Radiation Control that the revised regulations need to be adopted by agreement states before August 6, 2015. Mr. Wickham recommended that the Board accept the Director's recommendation to initiate rulemaking by filing the proposed rule changes with the Division of Administrative rules, publishing it in the May 1, 2015 issue of the Utah State Bulletin and to initiate a 30-day comment period.

**MOTION MADE BY DR. RICHARD CODELL TO ACCEPT RECOMMENDATION MADE BY THE DIVISION STAFF'S TO ADOPT THE PROPOSED CHANGES TO R313-19-34, R313-36-3, R313-24-4 AND TO INITIATE 30-DAY PUBLIC COMMENT PERIOD.**

**SECONDED BY MR. MATT RYDALCH.**

**MOTION CARRIED AND PASSED UNANIMOUSLY.**

ii. Mr. Spencer Wickham, DRC Staff, reviewed the proposed changes and rulemaking process for rules R313-12-3, R313-21 and R313-22. He informed the Board that the proposed revisions are in response to incorporate corresponding federal regulations at (10 CFR) Parts 30, 31, 32, 40 and 70. The NRC notified the Utah Division of Radiation Control that the revised regulations need to be adopted by agreement states before October 23, 2015. Mr. Wickham recommended that the Board accept the Director's recommendation and to initiate rulemaking by filing the proposed rule changes with the Division of Administrative rules, publishing it in the May 1, 2015 issue of the Utah State Bulletin and to initiate a 30-day comment period

**MOTION MADE BY MR. MATT RYDALCH TO ACCEPT RECOMMENDATION MADE BY THE DIVISION STAFF'S TO ADOPT THE PROPOSED CHANGES TO R313-12-3, R313-21, R313-22 AND TO INITIATE 30-DAY PUBLIC COMMENT PERIOD.**

**SECONDED BY DR. RICHARD CODELL.**

**MOTION CARRIED AND PASSED UNANIMOUSLY.**

**IV. Information Items**

**a. Nuclear Regulatory Commission (NRC)**

- i. Mr. Rusty Lundberg, Executive Secretary, gave a status update on proposed changes to 10 CFR Part 61, Licensing Requirements for Land Disposal of Radioactive Waste, that was published in Federal Register on March 26, 2015 (80 FR 15930) and provided in the Board packet. The comment period will be 120-days, closing on July 24, 2015. Final rule should be published by mid-2016. Dr. Richard Codell asked how this would affect the depleted uranium, Mr. Lundberg responded that would be further evaluated once the rule is finalized.

**b. Low-level Radioactive Waste**

- i. EnergySolutions – Depleted Uranium Performance Assessment – Mr. Rusty Lundberg, Director, gave a status update on the formal public period that was initiated April 13, 2015 and the final Safety Evaluation Report (SER) for the proposed disposal of large quantities of depleted uranium was released to the public for review and comment. He informed the Board of the public meetings that have been scheduled and the public comment period is expected to end on May 29, 2015. However, on April 14, 2015 the DRC received a written request from EnergySolutions to place the public comment period on hold until EnergySolutions could provide the information identified in the SER as being unresolved due to the need for additional information. The Board and members of the public had a lengthy discussion, with comments, concerns, and objections regarding the request for the extension. Mr. Dan Shrum of EnergySolutions gave their reasoning behind the request. The Board made a recommendation to the Division to reconsider the request for extension and to move forward with the public comment period that had been initiated and extend the length of the comment period rather than delay it indefinitely.

- c. **First Quarter 2015 Activities Report** – Mr. Rusty Lundberg, Director, gave an update and summary on the on the activities conducted by the division on various programs monitored by the Division of Radiation Control. Mr. Peter Jenkins. Board Chairman asked for a brief update on NOV's. Mr. Lundberg stated there was no notices of deficiency in the quarter and gave a summary on previous NOV's. Mr. Jenkins asked for further explanation on an incident on gauges described in the report that stated: *“As a result members of the public were exposed on accident to radiation from the gauge the exposures were not significant enough with no detectable health issues.”* Mr. Rusty Lundberg, explained the steps that had been taken in regards to the

issue which was still under investigation. Mr. Mike Givens, DRC Staff, provided additional information on the observed dose rates and inspection he had conducted.

- d. **Public Availability of Information** – Mr. John Hultquist, DRC Program Manager, reviewed and presented the DEQ EZ Records Search system that was in the process of being implemented for public access to records.

#### **V. Public Comment**

No comments were received.

#### **VI. Next Scheduled Board Meeting: June 9, 2015**

Multi Agency State Office Building, Board Conference Room #1015  
195 North 1950 West  
Salt Lake City, Utah

Meeting Adjourned 2:38 PM

For those individuals needing special assistance in accordance with the Americans with Disabilities Act, please contact Dana Powers at the Utah Department of Environmental Quality, at 195 North 1950 West, Salt Lake City, UT 84116, Office of Human Resources at (801) 536-4412, TDD (801) 536-4414, or by email at: [dpowers@utah.gov](mailto:dpowers@utah.gov)