

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

Minutes of a regular meeting, conducted virtually via Microsoft TEAMS, at 9:30 a.m. on  
October 18, 2023

The following Commission members were virtually present: Dr. Julie Timins (Chair), Mary E. Moore (Vice-Chair), Peixue Ma, John Mauro, Justin Baker, Larainne Koehler, Bob Tokarz, Roger Howell, and Donald Denny.

Also, virtually present: DAG Elizabeth Delahunty, Petcare staff Gary Shields, David Bierman.

Radiation Protection Staff members virtually present: Jennifer Daino, Jenny Goodman, Diane Halaycio, Mary Kanewski, Rachel McVeigh, Robert Cooper, Nathan Papperman and Arthur Robinson,

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**Call to Order**

Dr. Timins called the meeting to order at 9:33 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 nine Commission members in attendance.

**September 20, 2023 - CORP Minutes:**

Mr. Tokarz moved to approve the minutes for the September CORP. Dr. Denny seconded the motion. Minutes were approved (8 in favor, 0 opposed, 0 objections, 1 abstentions).

**Report of the Chair**

Introduction of Dr. Ma to the Commission.

The Commission appoints two (2) members to the Radiologic Technology Board of Examiners (Board). Dr. Timins named Ms. Moore and Dr. Denny as the CORP representatives on the Board.

**Report of Commission Members**

None

### **Old Business:**

None

### **New Business:**

#### **Exemption Request: Petcure Oncology at Veterinary Radiosurgery and Imaging Center – Varian Clinac iX:**

Ms. Kanewski presented information on the exemption request for Petcure Oncology at Veterinary Radiosurgery and Imaging Center from certain provisions of New Jersey Administrative Code (N.J.A.C.) 7:28- 20.7(h), 20.7(i)1, 20.9(b), 20.11(b), 20.11(c), 20.11(h)1 and 20.11(h)2. In advance of the meeting, Commission members were provided with a memorandum outlining the details of the exemption request, the facility's exemption Request Letter, a spreadsheet with Subchapter 20 regulations and comments from BXC/Petcure Oncology at Petcure Oncology at Veterinary Radiosurgery and Imaging Center, the linear accelerator shielding survey, and the occupational radiation exposure reports.

In attendance from Petcure Oncology at Veterinary Radiosurgery and Imaging Center via Microsoft Teams, was Mr. Gary Shields, the Medical Physicist and Particle Accelerator Safety Officer. During the meeting, there was a detailed discussion regarding the operation and safety features of the Varian Clinac iX.

N.J.A.C. 7:28-20.7(h), The Commission determined that a survey instrument was not necessary because the particle accelerator does not generate any additional ionizing radiation beyond the radiation produced during "beam on" time. However, Petcure Oncology at Veterinary Radiosurgery and Imaging Center will have a meter available and calibrated for the annual survey testing requirement. If changes were made to the shielding, operation, equipment, or occupancy, a calibrated survey instrument would be available to perform these measurements.

N.J.A.C. 7:28-20.7(i)1, The Commission determined that Petcure Oncology at Veterinary Radiosurgery and Imaging Center did not demonstrate hardship or compelling need and as a result denied the exemption request. Since the facility will have at least one calibrated survey meter available if changes were made to the shielding, operation, equipment, or occupancy, the following performance tests must be conducted on the survey instrument prior to use; checking the calibration of the meter, checking the battery condition, checking the high voltage, as well as testing the check source prior to use.

N.J.A.C. 7:28-20.9(b), The Commission determined that the installation did not need to be equipped with an audible warning device activated prior to the initiation of radiation production. The 'patients' being treated are anesthetized animals. The audible alarms could awaken the "patient" causing potential harm. The unit is equipped with appropriate warning lights indicating when the unit is in operation. Additionally, the operator is required to visually inspect the vault for any other remaining personnel and to be the last one to exit.

N.J.A.C. 7:28-20.11(b) and N.J.A.C. 7:28-20.11(c), The Commission recommended relief from this requirement since the survey does not identify any high radiation area except within the vault itself. There is only one entrance into the vault (high radiation area) and that one entrance is

configured so that radiation production will cease if the door is opened. Radiation levels, including any possible activation products, are below public dose limits inside the vault within seconds after termination of radiation production.

N.J.A.C. 7:28-20.11(h)1 and N.J.A.C. 7:28-20.11(h)2, The Commission has determined that it is not necessary for the registrant to supply all individuals with direct read personnel monitoring equipment. Radiation levels were below public dose limits inside the vault within seconds after termination of radiation production. Hence, workers are not entering a high radiation area and direct reading dosimetry is not required. Additionally, the facility supplies film badge monitoring for all operators of the Varian Clinac iX as well as an area badge at the console as a secondary precaution.

After the discussion, Dr. Timins made a motion to approve the exemption request except for 7:28-20.7(i)1. Mr. Tokarz moved to approve the exemption request. Dr. Howell seconded the motion. Exemption request was approved (9 in favor, 0 opposed, 0 objections, 0 abstentions).

### **Exemption Request: Petcure Oncology at Northstar Vets – Varian Halcyon:**

Ms. Kanewski presented information on the exemption request for Petcure Oncology at Northstar Vets from certain provisions of New Jersey Administrative Code (N.J.A.C.) 7:28-20.7(h), 20.7(i)1, 20.9(b), 20.11(b), 20.11(c), 20.11(h)1 and 20.11(h)2. In advance of the meeting, Commission members were provided with a memorandum outlining the details of the exemption request, the facility's exemption Request Letter, a spreadsheet with Subchapter 20 regulations and comments from BXC/Petcure Oncology at Petcure Oncology at Northstar Vets, and the linear accelerator shielding survey.

In attendance from Petcure Oncology at Northstar Vets via Microsoft Teams, was Mr. Gary Shields, the Medical Physicist and Particle Accelerator Safety Officer. During the meeting, there was a detailed discussion regarding the operation and safety features of the Varian Halcyon.

N.J.A.C. 7:28-20.7(h), The Commission determined that a survey instrument was not necessary because the particle accelerator does not generate any additional ionizing radiation beyond the radiation produced during "beam on" time. However, Petcure Oncology at Northstar Vets will have a meter available and calibrated for the annual survey testing requirement. If changes were made to the shielding, operation, equipment, or occupancy, a calibrated survey instrument would be available to perform these measurements.

N.J.A.C. 7:28-20.7(i)1, The Commission determined that PetCure Oncology at Northstar Vets did not demonstrate hardship or compelling need and as a result denied the exemption request. Since the facility will have at least one calibrated survey meter available if changes were made to the shielding, operation, equipment, or occupancy, the following performance tests must be conducted on the survey instrument prior to use; checking the calibration of the meter, checking the battery condition, checking the high voltage, as well as testing the check source prior to use.

N.J.A.C. 7:28-20.9(b), The Commission determined that the installation did not need to be equipped with an audible warning device activated prior to the initiation of radiation production. The 'patients' being treated are anesthetized animals. The audible alarms could awaken the "patient" causing potential harm. The unit is equipped with appropriate warning lights indicating

when the unit is in operation. Additionally, the operator is required to visually inspect the vault for any other remaining personnel and to be the last one to exit.

N.J.A.C. 7:28-20.11(b) and N.J.A.C. 7:28-20.11(c), The Commission recommended relief from this requirement since the survey does not identify any high radiation area except within the vault itself. There is only one entrance into the vault (high radiation area) and that one entrance is configured so that radiation production will cease if the door is opened. Radiation levels, including any possible activation products, are below public dose limits inside the vault within seconds after termination of radiation production.

N.J.A.C. 7:28-20.11(h)1 and N.J.A.C. 7:28-20.11(h)2, The Commission has determined that it is not necessary for the registrant to supply all individuals with direct read personnel monitoring equipment. Radiation levels were below public dose limits inside the vault within seconds after termination of radiation production. Hence, workers are not entering a high radiation area and direct reading dosimetry is not required. Additionally, the facility supplies film badge monitoring for all operators of the Varian Halcyon as well as an area badge at the console as a secondary precaution.

After the discussion, Dr. Timins made a motion to approve the exemption request except for 7:28-20.7(i)1. Mr. Tokarz moved to approve the exemption request. Ms. Koehler seconded the motion. Exemption request was approved (9 in favor, 0 opposed, 0 objections, 0 abstentions).

### **Closed Session**

None to Report

### **Public Comment**

None to report

### **Adjournment**

The meeting adjourned at 11:26 a.m. Audio recording of the meeting is available for review. Copies of the abbreviated minutes are available by contacting Jennifer Daino at [jennifer.daino@dep.nj.gov](mailto:jennifer.daino@dep.nj.gov)

*Patrick Mulligan*

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Patrick Mulligan, Assistant Director  
Commission Secretary

November 16, 2023

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Date

My signature indicates that the above minutes of the October 18, 2023, Commission meeting are reflective of the activities of such meeting and were approved by at least a majority vote at a subsequent meeting of the Commission as indicated by the date above.