

OHIO DEPARTMENT OF HEALTH

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February 6, 2002

Paul H. Lohaus
Director
Office of State and Tribal Programs
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Lohaus,

I am writing you in response to your letter dated January 14, 2002. The letter contained United States Nuclear Regulatory Commission, USNRC, comments on Ohio rule 3701:1-48, which is Ohio's version of 10 CFR 34.

The letter contains eight comments and one editorial change concerning the compatibility to USNRC regulations of Ohio chapter 3701:1-48. Six of the comments and the editorial change were incorporated into the appropriate rule as recommended by the USNRC. The remaining two comments and Ohio's response are outlined below:

1. Rule 48-16(E) – 10 CFR 34.43(e)

NRC's comment - The term designee was replaced by other qualified individual. These terms have different meanings. This sentence should be changed to meet the compatibility requirement.

Ohio's response – The term in 3701:1-48-16(E) was changed to "qualified designee". We feel that this change meets the compatibility requirement.

2. 10 CFR 34 Appendix A

NRC's comment – This Appendix was deleted from the Ohio rules. It should be added to meet the compatibility requirement.

Ohio's response – Rule 3701:1-48-16(A) includes 10 CFR 34 Appendix A by reference.

Please feel free to contact Marcia Howard or myself at 614-644-2727 if there are any questions.

Sincerely,

Roger L. Suppes, Chief
Bureau of Radiation Protection

STATE OF OHIO
Ohio Department of Health
Bureau of Radiation Protection
Dr. J. Nick Baird, M.D., Director of Health

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COMMENTS: _____

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