

OHIO DEPARTMENT OF HEALTH

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BOB TAFT
Governor

NICK BAIRD, M.D.
Director of Health

December 8, 2005

Janet R. Schlueter, Director
Office of State and Tribal Programs
United States Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

Dear Ms. Schlueter:

The Ohio Department of Health/Bureau of Radiation Protection (ODH) recently received your letter dated November 9, 2005. In this letter, you stated that the Plum Brook site is a 10CFR50 licensee and therefore the U.S. Nuclear Regulatory Commission (NRC) has responsibility over the reactor site. ODH recognizes this and acknowledges that the Plum Brook facility is operated by NASA who, as a federal agency, is not subject to state regulation.

However, ODH as the State of Ohio Radiation Control Agency has the responsibility under Chapter 3748 of the Ohio Revised Code to ensure the protection of public health and safety in Ohio. Thus, the state has a regulatory role toward ensuring the appropriate and timely mitigation of off-site contamination. Toward this end, we would like to work with the NRC in overseeing the assessment and remediation activities off-site.

ODH must be able to determine whether the impacted areas meet the state clean-up criteria as set forth in the Ohio Revised Code. ODH looks forward to working closely with the NRC on those activities related to the off-site radiological contamination. Continuation of the current cooperative effort between both agencies on the above will greatly assist in the successful assessment and remediation of the off-site contamination.

If you have any questions, please contact me or Ruth Vandegrift at 614-644-2727.

Sincerely,

Robert Owen, Chief
Bureau of Radiation Protection



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