



OHIO DEPARTMENT OF HEALTH

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Ted Strickland/Governor

Alvin D. Jackson, M.D./Director of Health

December 30, 2008

Terrence Reis, Deputy Director
Division of Materials Safety and State Agreements
Federal and State Materials and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Reis:

The Ohio Department of Health has finalized the amendments to rules in Ohio Administrative Code Chapter 3701:1-58 "Medical Use of Radioactive Materials" and Ohio Administrative Code rules 3701:1-46-43 and 3701:1-46-44. The effective date of the rules was December 22, 2008. The rules were submitted in draft form to the NRC on April 30, 2008. In a letter signed by James G. Luehman and dated June 30, 2008, the NRC had three comments on the draft rules. These comments have been incorporated into the final versions of the rules.

A chart to aid you in cross referencing the Ohio rules to the applicable NRC regulations is attached. The final Ohio rules can be found at <http://www.odh.ohio.gov/rules/final/finalRules.aspx>

In addition, we have finalized the amendment to Ohio Administrative Code rule 3701:1-40-17. This rule was amended to incorporate comments received in a December 7, 2007 letter from your office signed by Robert J. Lewis. The rule was submitted in draft form to the NRC on April 30, 2008. In a letter signed by James G. Luehman and dated June 30, 2008, the NRC had no comments on the draft rule. This rule is equivalent to 10 CFR 30.35. This final Ohio rule can also be found at <http://www.odh.ohio.gov/rules/final/finalRules.aspx>

I believe that these Ohio rules satisfy the compatibility and health and safety categories established in the FSME Procedure SA-200.

If you have any questions, please feel free to contact Michael Snee of my staff at 614-644-2727 or Michael.Snee@odh.ohio.gov.

Sincerely,

Robert E. Owen, Chief
Bureau of Radiation Protection

NRC / ODH Crosswalk

Crosswalk		
NRC Rule	ODH Rule	Title
32.72	3701:1-46-43	Manufacture, preparation, or transfer for commercial distribution of radioactive drugs containing radioactive material for medical use.
32.74	3701:1-46-44	Manufacture and distribution of sources and devices containing radioactive material for medical use.
35.2	3701:1-58-01	Definitions.
35.13	3701:1-58-08	License amendments.
35.14	3701:1-58-09	Notifications.
35.41	3701:1-58-16	Procedures for administrations requiring a written directive.
35.49	3701:1-58-17	Suppliers for sealed sources or devices for medical use.
35.50	3701:1-58-18	Training for Radiation Safety Officer.
35.51	3701:1-58-19	Training for an authorized medical physicist.
35.55	3701:1-58-20	Training for an authorized nuclear pharmacist.
35.57	3701:1-58-21	Training for experienced radiation safety officer, teletherapy or medical physicist, authorized medical physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist.
35.59	3701:1-58-22	Recentness of training.
35.65	3701:1-58-26	Authorization for calibration, transmission, and reference sources.
35.75	3701:1-58-30	Release of individuals containing unsealed radioactive material or implants containing radioactive material.
35.100	3701:1-58-32	Use of unsealed radioactive material for uptake, dilution, and excretion studies for which a written directive is not required.
35.190	3701:1-58-33	Training for uptake, dilution, and excretion studies.
35.200	3701:1-58-34	Use of unsealed radioactive material for imaging and localization studies for which a written directive is not required.
35.290	3701:1-58-36	Training for imaging and localization studies.
35.300	3701:1-58-37	Use of unsealed radioactive material for which a written directive is required.
35.390	3701:1-58-40	Training for use of unsealed radioactive material for which a written directive is required.
35.392	3701:1-58-41	Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabecquerels (33 millicuries).
35.394	3701:1-58-42	Training for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 Gigabecquerels (33 millicuries).
35.396	3701:1-58-104	Training for the parenteral administration of unsealed

Crosswalk

NRC Rule	ODH Rule	Title
		radioactive material requiring a written directive.
35.490	3701:1-58-51	Training for use of manual brachytherapy sources.
35.491	3701:1-58-52	Training for ophthalmic use of strontium-90.
35.590	3701:1-58-54	Training for use of sealed sources for diagnosis.
35.690	3701:1-58-71	Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units.