



# OHIO DEPARTMENT OF HEALTH

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Ted Strickland/Governor

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

January 4, 2010

James Luehman, 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. Luehman:

Ohio has amended rules in Ohio Administrative Code. We are submitting the rules to the NRC for your review to ensure that they are compatible with NRC regulations. The rules were amended in accordance with RATS ID number 2007-3. Also, Ohio rule 3701:1-46-43 is being amended based on an NRC comment for RATS ID numbers 2006-1 and 2007-1. This comment is attached.

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

We believe that these Ohio rules satisfy the compatibility and health and safety categories established in the Federal and State Materials and Environmental Management Programs 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](mailto:Michael.Snee@odh.ohio.gov).

Sincerely,

Robert E. Owen, Chief  
Bureau of Radiation Protection

Enclosures: As stated

NRC / ODH Crosswalk

Crosswalk		
NRC Rule	ODH Rule	Title
		RATS 2007-3
20.1003	3701:1-38-01	Definitions
20.1009	N/A	
20.2001	3701:1-38-19 (No change)	Waste disposal
20.2006	3701:1-38-19 (No change)	Waste disposal
20.2008	3701:1-38-19 (No change)	Waste disposal
App B to 20	3701:1-38-12 Appendix C	Annual Limits on Intake (ALIs) and Derived Air Concentrations (DACs) of Radionuclides for Occupational Exposure; Effluent Concentrations; Concentrations for Release to Sewerage
30.3	3701:1-40-03 (No change)	Activities requiring license
30.4	3701:1-38-01	Definitions
30.15	3701:1-40-09 (No change)	Certain items containing radioactive material
30.18	3701:1-40-11 (No change)	Exempt quantities
30.20	3701:1-40-13	Gas and aerosol detectors containing byproduct material
30.32	3701:1-40-14	Application for specific licenses
30.34	3701:1-40-16	Terms and conditions of licenses
30.71	3701:1-40-11 Appendix (No change)	Exempt quantities

Crosswalk		
NRC Rule	ODH Rule	Title
30.72	3701:1-40-14 Appendix	Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release
31.4	N/A	
31.5	3701:1-46-05	Certain measuring, gauging or controlling devices
31.8	3701:1-46-08	Americium-241 or radium-226 in the form of calibration or reference sources
31.11	3701:1-46-11	General license for use of byproduct material for certain in-vitro clinical or laboratory testing
31.12	3701:1-46-51	General license for certain items and self-luminous products containing radium-226
32.1	3701:1-46-02	Purpose and scope
32.57	3701:1-46-37	Calibration or reference sources containing americium-241 or radium-226: requirements for license to manufacture or initially transfer
32.58	3701:1-46-38	Calibration or reference sources containing americium-241 or radium-226: labeling of devices
32.59	3701:1-46-39	Calibration or reference sources containing americium-241 or radium-226: leak testing of each source
32.71	3701:1-46-42	Manufacture and distribution of byproduct material for certain in-vitro clinical or laboratory testing under general license.
32.72	3701:1-46-43	Manufacture, preparation, or transfer for commercial distribution of radioactive drugs containing radioactive material for medical use
32.102	3701:1-46-46	Prototype tests for calibration or reference sources containing americium-241 or radium-226
33.100	3701:1-40-22 Appendix	Specific licenses of broad scope
35.2	3701:1-38-01	Definitions
35.10	N/A	
35.11	3701:1-58-06	License required



Crosswalk		
NRC Rule	ODH Rule	Title
35.13	3701:1-58-08 (No change)	License amendments
35.14	3701:1-58-09 (No change)	Notifications
35.15	3701:1-58-10	Exemptions regarding type A specific licenses of broad scope
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
35.63	3701:1-58-25	Determination of dosages of unsealed radioactive material for medical use
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
35.200	3701:1-58-34	Use of unsealed radioactive material for imaging and localization studies for which a written directive is not required
35.204	3701:1-58-35	Permissible molybdenum-99, strontium-82, and strontium-85 concentrations
35.300	3701:1-58-37	Use of unsealed radioactive material for which a written directive is required
35.2204	3701:1-58-85	Records of molybdenum-99, strontium-82, and strontium-85 concentrations
61.2	3701:1-38-01	Definitions
150.3	3701:1-38-01	Definitions