

NOTICE OF PUBLIC RULES HEARING

DATE: Thursday, September 26, 2019
TIME: 11:00 a.m.
LOCATION: Ohio Department of Health
35 E. Chestnut Street
Columbus, Ohio 43215
ROOM: ODH Basement Training Room A

In accordance with *Chapter 119* of the Revised Code (R.C.), the Director of the Ohio Department of Health announces a Public Hearing at the date and time listed above to hear comments regarding the following action:

Ohio Revised Code (O.A.C.) Chapter 3717:1-37 – Physical Protection of Radioactive Material.

The proposed rules are under review as part of the statutory 5-year rule review process. They include physical protection guidelines for any person licensed to possess or transport of radioactive materials. The requirements ensure security of the specified radioactive materials from theft or diversion and address the access, use, transfer, and transportation of the radioactive material.

Information regarding rule package proposed:

This Ohio Department of Health (Department) rule package consists of 31 rules (9 no change rules, and 22 amended rules). It was submitted to the CSI Office on December 3rd, 2018 and the public comment period was open through January 2nd, 2019.

The Department presented the draft rules to the Radioactive Material Committee (RMC) which is comprised of experts in the field of radiation safety who represent stakeholders in industrial, academic, medical, and research facilities, and the RMC assisted the Department staff in reviewing the rules. The RMC approved the rules for public comment on July 10th, 2018. During the CSI public comment period there were no comments.

The draft rules will affect approximately 67 licensees in the State of Ohio and an additional 28 entities that are licensed by other states, but authorized to operate in Ohio. The impact of these rules is manifested in the cost and time for licensees to develop and maintain security programs and compliance with the draft rules. These security programs and procedures are estimated to take 40 hours to create and 10 hours per month to ensure compliance. The security equipment and hardware necessary to develop a security program is estimated at \$1,000.00 to \$10,000.00, subject to the scope of operations and the quantity of radioactive material possessed. These procedures and requirements ensure that radioactive materials are used in a manner that protects workers, and the public from radiation exposure beyond federally mandated levels.

Hearing and Contact Information:

At the hearing, people affected by the proposed action may appear and be heard in person or accompanied by an attorney. They may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence showing that the proposed rule, if adopted or effectuated, will be unreasonable or unlawful.

To aid in getting visitors through building security, any persons intending to testify at the hearing or planning to observe are encouraged to pre-register by writing to the Office of the General Counsel, Ohio Department of Health, 246 North High Street, 7th Floor, Columbus, Ohio 43215, or by phone to (614) 466-4882, or send an e-mail to odhrules@odh.ohio.gov.

Copies of the proposed rules will be available on the Register of Ohio website:

<http://www.registerofohio.state.oh.us/rules/search> approximately one day after the rule is filed, or from the Office of the

07/16/2019

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General Counsel, Ohio Department of Health (<https://odh.ohio.gov/wps/portal/gov/odh/about-us/offices-bureaus-and-departments/Office-of-General-Counsel/laws-and-rules/>).

Please e-mail any written comments to ODHrules@odh.ohio.gov by 5:00 p.m. on September 25, 2019.