

NOTICE OF PUBLIC HEARINGS

DATE: Wednesday, January 9, 2013
TIME: 3:00 P.M.
PLACE: Basement Training Room A
OHIO DEPARTMENT OF HEALTH
35 East Chestnut Street
Columbus, Ohio 43215

In accordance with Chapter 119 of the Revised Code (R.C.) and by authority of Revised Code 3748.04, the Director of the Ohio Department of Health (ODH), or his designee, shall conduct the following four Bureau of Radiation Protection rules hearings. The hearings will take place at the time, date, and place listed above, and they are open to the public.

HEARING #1: By authority of R.C. 3748.04 and pursuant to R.C. 119.032 (five-year review), the Director of Health proposes to amend Ohio Administrative Code (O.A.C.) rules 3701:1-46-03 and 3701:1-46-48. These rules pertain to General Licenses and Licenses for Manufacturing and Distribution of Radioactive Material, or more specifically, terms and conditions and acceptance sampling procedures under certain specific licenses. ODH recently withdrew a "no change" filing of these rules in order to correct a typo and to delete a citation that is no longer valid.

HEARING #2: By authority of R.C. 3748.04 and to satisfy five-year review requirements, the Director of Health proposes to amend O.A.C. rules 3701:1-54-03, 3701:1-54-04, and 3701:1-54-05. These rules pertain to Low-level Radioactive Waste. ODH is proposing minor amendments to replace the word "department" with "director," to update some references, and to make some edits for clarity.

HEARING #3: By authority of R.C. 3748.04, the Director of Health proposes to amend O.A.C. rules 3701:1-38-02, 3701:1-38-06 (General Radiation Protection Standards for Sources of Radiation); 3701:1-54.02 (Low-level Radioactive Waste Generators); and 3701:1-66-03 (Certification of Radiation Experts). Amendments to these rules reflect changes in penalty fees adopted in House Bill 487 of the 129th General Assembly. Additionally, rule 3701:1-54-02 is proposed to satisfy five-year review requirements.

HEARING #4: By authority of R.C. 3748.04, the Director of Health proposes to amend O.A.C. rules 3701:1-67-01 and 3701:1-67-02, to rescind rule 3701:1-67-03, and to propose new and rescind current rules 3701:1-67-05, 3701:1-67-06, 3701:1-67-07, 3701:1-67-08, and 3701:1-67-09. These rules pertain to Therapy Radiation-generating Equipment. These rules are being re-visited due to comments both from staff required to administer them and from affected parties. More significant changes reorganize and move subject matter for the purpose of clarity, and add definitions.

At the hearings, people affected by the proposed actions may appear and be heard in person, by an attorney or both; may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence tending to show that the proposed rules, if adopted or effectuated, will be unreasonable or unlawful. To aid in getting visitors through building security, both persons intending to testify at one or more e hearing and those simply intending to observe are encouraged to pre-register by writing the Office of the General Counsel [Rules], Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by telephoning (614) 466-4882, or by sending an e-mail to

odhrules@odh.ohio.gov.

Copies of the proposed rules are available on the Register of Ohio website. A link to this site may be found at <http://www.odh.ohio.gov/rules/pending.aspx> or from the Office of the General Counsel, Ohio Department of Health. Please FAX [(614) 564-2509], mail, or e-mail any written comments by 10:00 a.m. on October 30, 2012.

November 30, 2012