


**AGENCY MEMORANDUM OF RESPONSE**

**TO:** Mark Hamlin  
Director of Regulatory Policy  
Ohio Lieutenant Governor's Office

**FROM:** Lance D. Himes, J.D.   
General Counsel  
Ohio Department of Health

**RE:** O.A.C. Draft Rules 3701:1-38-02, 3701:1-38-06, 3701:1-54-02, and 3701:1-66-03 (Fee Rules)

**DATE:** November 16, 2012

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Thank you for your approval to proceed with original filing Ohio Administrative Code rules 3701:1-38-02, 3701:1-38-06, 3701:1-54-02, and 3701:1-66-03. These rules are being amended due to changes in penalty fees for handlers of radioactive material as adopted in H.B. 487 of the 129<sup>th</sup> G.A. Additionally, amendments have been made to rule 3701:1-54-02 as a result of five-year review.

c: Whitney Sullinger, Regulatory Policy Advocate, Ohio Lt. Governor's Office