

NOTICE OF PUBLIC RULES HEARING

DATE: Thursday, October 6, 2011
TIME: 10:00 A.M.
PLACE: 8TH FLOOR LARGE CONFERENCE ROOM
OHIO DEPARTMENT OF HEALTH (ODH)
246 N. HIGH STREET
COLUMBUS, OHIO 43215

In accordance with Chapter 119 of the Revised Code (R.C.) the Public Health Council (PHC) will conduct five public rules hearings at its October 6, 2011 meeting. The PHC meeting will begin at 10:00 a.m. in the 8th Floor Large Conference Room of the Ohio Department of Health, 246 N. High Street, Columbus 43215; the public hearings will commence soon thereafter.

HEARING #1: By authority of R.C. 3748.04, the PHC proposes to amend Ohio Administrative Code (O.A.C.) rule 3701:1-38-01. This rule provides definitions for terms used in O.A.C. Chapter 3701:1-38, pertaining to general radiation protection standards for sources of radiation. Proposed amendments add a definition for "Nationally Tracked Source" and expand the definition of "Waste." The subsequent paragraphs are re-numbered accordingly.

HEARING #2: By authority of R.C. 3748.04, the PHC proposes to amend O.A.C. rules 3701:1-40-11 and -13; these rules pertain to licensing requirements for radioactive material. Proposed changes are: deletion of reference to Ra-226 in the Appendix to rule 3701:1-40-11; and the change of a reference in rule 3701:1-40-13.

HEARING #3:

By authority of R.C. 3748.04 and to satisfy five year review requirements, the Public Health Council proposes to amend O.A.C. rules 3701:1-48-01, -02, -04, -05, -09, -14 to -17, -19, -21, -23, and -24. Amendments are proposed to improve clarity, change the word "byproduct material" to "radioactive material," and to change the word "department" to "director," when appropriate.

HEARING #4:

By authority of R.C. 3748.04 and to satisfy five year review requirements, the Public Health Council proposes to amend O.A.C. rules 3701:1-58-18, -19, -21, -33, -36, -40 to -42, -51, -52, -71, and -104. These rules pertain to medical use of radioactive materials. The proposed amendments add or correct citations. Additionally, paragraphs are reworded in rules 3701:1-58-19 and -21 to provide clarity.

HEARING #5:

By authority of R.C. 3701.342, the Public Health Council proposes to amend O.A.C. rules 3701-36-01 to -03, and 3701-36-10 to -13; to rescind current and propose new rule 3701-36-04; and to rescind current rules 3701-36-05 to -09. These rules pertain to local health district standards. Some significant amendments are as follows: 1) the addition of a definition for "Public Health Accreditation Board (PHAB) Standards;" 2) a change in the

required date for completion and submission of the department's on-line report; and 3) a change in the date required for completion and submission of the United States Centers for Disease Control and Prevention Performance Standards Report, along with submission of a copy to ODH.

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 the hearing and those simply intending to observe are encouraged to pre-register by mail (ODH Rules, Office of the General Counsel, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215); by phone [(614) 466-4882], or by e-mail (odhrules@odh.ohio.gov).

Copies of the proposed rules are available on the Register of Ohio website (ODH has a link to that website at www.odh.ohio.gov/rules/pending.aspx), or from the Office of the General Counsel (contact information listed above). Please FAX [(614) 644-0085], mail, or e-mail any written comments before 5:00 p.m. on October 5, 2011.

August 30, 2011