

NOTICE OF PUBLIC HEARING

The Public Health Council (Council) of the Ohio Department of Health has proposed to amend existing rules 3701:1-66-14 and 3701:1-66-15; to adopt new rules 3701:1-58-01 to 3701:1-58-103; to amend existing rules 3701:1-38-01, 3701:1-38-12, and 3701:1-38-13; to amend existing rules 3701:1-46-43 and 3701:1-46-44; to amend existing rule 3701-39-02.1; and to amend existing rules 3701:1-40-02 to 3701:1-40-28, 3701:1-40-30 to 3701:1-40-32, 3701:1-40-34, 3701:1-40-35, 3701:1-40-37, and 3701:1-40-38 of the Ohio Administrative Code (O.A.C.).

Proposed amended existing rules 3701:1-66-14 and 3701:1-66-15 of the Ohio Administrative Code pertain to both megavoltage and other than megavoltage therapeutic radiation-generating equipment. This action is being taken under authority of section 3748.04 of the Revised Code (R.C.). The amendments are being proposed to clarify rule cross-references, to define different types of calibrations; to specify quality assurance measurements required by the radiation expert; to specify simulator equipment standards and quality management program requirements.

Proposed new rules 3701:1-58-01 to 3701:1-58-103 of the Ohio Administrative Code pertain to the medical use of radioactive material. The purpose in proposing these rules is to create Ohio rules that are compatible with federal regulations. This action is being taken under authority of R.C. 3748.02 and 3748.04.

Proposed amended existing rules 3701:1-38-01, 3701:1-38-12, and 3701:1-38-13 of the Ohio Administrative Code pertain to general radiation protection standards for sources of radiation. The amendments are being proposed to keep the rules compatible with federal regulations and are necessitated by the proposed creation of Chapter 3701:1-58 of the Administrative Code. Besides updating definitions and references, proposed changes will alter the method used to calculate radiation exposure skin doses. This action is being taken under authority of R.C. 3748.02 and 3748.04.

Proposed amended existing rules 3701:1-46-43 and 3701:1-46-44 of the Ohio Administrative Code pertain to the requirements for manufacturing and distribution of radioactive drugs for medical use. The proposed amendments update references to other rules and are necessitated by the proposed creation of Chapter 3701:1-58. This action is being taken under authority of R.C. sections 3748.02 and 3748.04.

Proposed amended existing rule 3701-39-02.1 of the Ohio Administrative Code pertains to standards for handling radioactive material facilities. This action is being taken under authority of R.C. sections 3748.02 and 3748.04. The proposed amendments update references to other rules, and are necessitated by the proposed creation of Chapter 3701:1-58.

Proposed amended existing rules 3701:1-40-02 to 3701:1-40-28, 3701:1-40-30 to 3701:1-40-32, 3701:1-40-34, 3701:1-40-35, 3701:1-40-37, and 3701:1-40-38 of the Ohio Administrative Code pertain to radiation protection requirements. This action is being taken under authority of R.C. sections 3748.02 and 3748.04. The proposed amendments update references to other rules and are being proposed to keep Ohio rules compatible with federal regulations.

In accordance with Chapter 119 of the Revised Code, the Council will conduct public hearings on the proposed actions on Thursday, June 9, 2005 beginning at 10:00 a.m. The hearings will be conducted in the 8th floor conference room, Ohio Department of Health, 246 North High Street, Columbus, Ohio.

At the hearings, persons affected by the proposed actions may appear and be heard in person, by their 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. Persons intending to testify are encouraged to preregister by writing Kaye Norton, Office of the General Counsel, Ohio Department of Health, 246 North High Street, P.O. Box 118, Columbus, Ohio 43216-0118, or by telephoning at (614) 466-4882.

Copies of the proposed rules are available from Ms. Norton or on the Department's web site at www.odh.ohio.gov. Written comments also may be submitted to Ms. Norton at the above address or FAX to (614) 728-7813, on or before June 9, 2005.

May 2, 2005