

January 5, 2012

James Luehman, Deputy Director
Division of Materials Safety and State Agreements
Federal and State Materials and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Luehman:

Ohio has amended rules in the Ohio Administrative Code. We are submitting the final rules to the NRC for your review to ensure that they are compatible with NRC regulations. The rules were amended in accordance with RATS ID number 2007-3 and 2009-1. Comments on these rules that your office made in a January 12, 2011 letter have been rectified in the final rules. Also, Ohio Chapter 3701:1-58 was finalized based on no NRC comment for RATS ID numbers 2009-1.

A chart to aid you in cross referencing the Ohio rules to the applicable NRC regulations is attached. The final Ohio rules can be found at <http://www.odh.ohio.gov/rules/final/finalRules.aspx>

We believe that these Ohio rules satisfy the compatibility and health and safety categories established in the Federal and State Materials and Environmental Management Programs procedure SA-200.

If you have any questions, please feel free to contact Mark Light of my staff at 614-644-2727 or Mark.Light@odh.ohio.gov.

Sincerely,

Michael J. Snee, Chief
Bureau of Radiation Protection

Enclosure: As stated

RATS 2007-03 and 2009-1

Please Note: The bracket "[]" around a compatibility category designation means that the Section may have been adopted elsewhere in a State rules and it is not necessary to adopt it again.

NRC REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	If Difference, Why or Why Not was a Comment Generated
20.1003	Definition (Waste)	38-01	B	N/A		
30.20(a)	Gas and Aerosol Detectors Containing Radioactive Material	40-13	B			
30.71	Exempt Quantities	40-11 Appendix A	D	N/A		
35.50	Training for Radiation Safety Officer	58-18	B	N/A		
35.51	Training for Authorized Medical Physicist	58-19	B	N/A		
§35.57 (a)(3) & (b)(3)	Training for experienced Radiation Safety Officer, teletherapy or medical	58-21	D	N/A		

NRC REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	If Difference, Why or Why Not was a Comment Generated
	physicist, authorized user, nuclear pharmacist, and authorized nuclear pharmacist					
§35.190	Training for uptake, dilution and excretion studies	58-33	B			
§35.290	Training for imaging and localization studies	58-36	B			
§35.390	Training for use of unsealed by- product material for which a written directive is required	58-40	B			
§35.392	Training for the oral administra- tion of sodium iodide I-131 requiring a writ- ten directive in quantities less	58-41	B			

NRC REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	If Difference, Why or Why Not was a Comment Generated
	than or equal to 1.22 Gigabecquerels (33 millicuries)					
§35.394	Training for the oral administra- tion of sodium iodide I-131 requiring a writ- ten directive in quantities greater than 1.22 Gigabecquerels (33 millicuries)	58-42	B			
§35.396	Training for the parenteral administration of unsealed byproduct material requiring a written directive	58-104	B			
§35.490	Training for use of manual brachytherapy sources	58-51	B			
§35.491 ¹	Training for	58-52	B			

NRC REGULATION SECTION	SECTION TITLE	STATE SECTION	COMPATIBILITY CATEGORY	DIFFERENCE YES/NO	SIGNIFICANT YES/NO	If Difference, Why or Why Not was a Comment Generated
	ophthalmic use of strontium-90					
§35.690	Training for use of remote afterloader units, teletherapy units, and gamma stereotactic radiosurgery units	58-71	B			

¹ See CR-08-01 for additional information