

RADIOACTIVE MATERIALS COMMITTEE (39)

October 9, 2012

Minutes

ATTENDEES:

Susan Hiatt, Chair, RAC
Victoria Morris
Jack Dukes
Patricia Gallagher
Daniel Swanson, RAC
Jeffrey Kennedy
Bill Thomas, RAC
Douglas Draper
David Close
Robert Friedman

ABSENT MEMBERS:

Phil Jenkins, RAC
Robert Peterson, RAC
Jonathan Fortkamp

ODH ATTENDEES:

Mark Light

GUEST:

Laura Luna

The October 9, 2012 meeting of the Radioactive Materials Committee was held in Basement Training Room A, located at 35 E. Chestnut St., Columbus, Ohio. The meeting was called to order by Susan Hiatt, Chair, at 10:00 AM.

Review of Agenda: the agenda was approved as submitted.

Approval of Minutes from August 14, 2012: The draft minutes for the August 14, 2012 meeting were reviewed. Bill Thomas made a motion to approve the minutes as submitted. Jack Dukes seconded the motion. The committee approved the motion.

Bureau Updates: Mark Light provided an update on the following items:

- progress on the rules which had been previously approved by the committee, and the new process by which the Director will consider rules since the Public Health Council was abolished effective September 10.

- staffing of Bureau positions.

- issues associated with hydraulic fracturing, or "fracking," of rock formations in drilling for natural gas. The waste products from this process include cuttings, brine, and solids, some of which contain radium at levels as high as 1000 pCi/gram. The debate is whether these wastes are to be considered NORM or TENORM.

- Bill Thomas reported on a drill held by the City of Columbus at the airport in which the scenario was a "dirty bomb." Over 300 participants, three hospitals, and over 40 simulated "victims" were involved.

Old Business:

- Fee rules with revised penalty language: 3701:1-38-02, -38-06, and -54-02.

No comments were received on these rules.

Vicki Morris made the motion to send these rules on to the RAC. Patty Gallagher seconded the motion. The motion was approved.

- Five-year review of Chapter 54 rules: 3701:1-54-03, -54-04, and -54-05.

No comments were received on these rules.

Vicki Morris made the motion to send these rules on to the RAC. Bill Thomas seconded the motion. The motion was approved.

New Business: none.

Next meeting: The next meeting will be held on January 8, 2013 starting at 10 AM.

Adjourn: the meeting was adjourned at 10:45 AM.

RADIOACTIVE MATERIALS COMMITTEE (39)

August 14, 2012

Minutes

ATTENDEES:

Susan Hiatt, Chair, RAC
Phil Jenkins, RAC
Victoria Morris
Jack Dukes
Patricia Gallagher
Daniel Swanson, RAC
Jeffrey Kennedy

ABSENT MEMBERS:

Bill Thomas, RAC
Douglas Draper
David Close
Robert Peterson, RAC
Robert Friedman
Jonathan Fortkamp

ODH ATTENDEES:

Mark Light
Karl Von Ahn
Chuck McCracken
Stephen James

The August 14, 2012 meeting of the Radioactive Materials Committee was held in Basement Training Room A, located at 35 E. Chestnut St., Columbus, Ohio. The meeting was called to order by Susan Hiatt, Chair, at 10:00 AM.

Review of Agenda: the agenda was approved as submitted.

Approval of Minutes from July 10, 2012:

The draft minutes for the July 10, 2012 meeting were reviewed. Vicki Morris suggested the correction of a typographical error. Jack Dukes made a motion to approve the minutes as revised. Vicki Morris seconded the motion. The committee approved the motion.

Bureau Updates: Mark Light provided an update on the following items:

- progress on the rules which had been previously approved by the committee.
- staffing of Bureau positions.
- with the outbreak of the new swine flu, certain portions of ODH have been activated.

Old Business:

- Rescind rule 3701:1-39-02.1

This rule is now obsolete due to the enacting of the TENORM rules. There was a 30-day public comment period on its rescission. No comments were received.

Phil Jenkins made the motion to send this rule on to the RAC for rescission. Jack Dukes seconded the motion. The motion was approved.

At the June RMC meeting, it was noted that rule 40-03 references rule 39-02.1. This revised rule was to be sent out for public comment, but this had not been done. The reference in rule 40-03 was changed to rule 43-07. The Bureau staff did search for other rules that reference rule 39-02.1, and found none.

Patty Gallagher made the motion to send the rule 40-03, as revised, out for public comment. Vicki Morris seconded the motion. The motion was approved.

New Business:

- RATS 2011-2

RATS stands for Regulatory Assessment Tracking System, and is the NRC's list of rule changes which need to be adopted by agreement states.

The rules affected are: 3701:1-38-01, -40-14(D), -40-15, -52-04, -49-03, and -44-15.

The committee reviewed these rule changes. Patty Gallagher made the motion to send these rules out for public comment.

Dan Swanson seconded the motion. The motion was approved. The Bureau plans to send these rules out for public comment as a package with the RATS 2011-1 revisions.

Next meeting: The next meeting will be held on October 9, 2012 starting at 10 AM.

Adjourn: the meeting was adjourned at 11:05 AM.

RADIOACTIVE MATERIALS COMMITTEE (39)

July 10, 2012

Minutes

ATTENDEES:

Susan Hiatt, Chair, RAC
Phil Jenkins, RAC
Victoria Morris
Jack Dukes
Daniel Swanson, RAC
Jonathan Fortkamp
Jeffrey Kennedy
Bill Thomas, RAC
Robert Friedman

ABSENT MEMBERS:

Patricia Gallagher
Douglas Draper
David Close
Robert Peterson, RAC

ODH ATTENDEES:

Mark Light
Karl Von Ahn
Chuck McCracken
Courtney Reppy

The July 10, 2012 meeting of the Radioactive Materials Committee was held in Conference Room 7A, located at the 7th Floor, 35 E. Chestnut St., Columbus, Ohio. The meeting was called to order by Susan Hiatt, Chair, at 10:00 AM.

Review of Agenda: the agenda was approved as submitted.

Approval of Minutes from June 12, 2012: The draft minutes for the June 12, 2012 meeting were reviewed. Vicki Morris suggested some minor changes and clarifications. Jack Dukes made a motion to approve the minutes as revised. Bill Thomas seconded the motion. The committee approved the motion.

Bureau Updates:

Mark Light provided an update on the following items:

- progress on the rules which had been previously approved by the committee.

- CSI approved Chapter 3710:1-46.

- The Public Health Council will be abolished, and a Director-appointed committee will acting in its place. At this time, it is not clear whether Bureau rules will be reviewed by this body. Given the uncertainties of this new process, the RAC's early review of rules is appropriate and proactive.

- Bill Thomas added that the Utility Radiological Safety Board (URSB) held a quarterly meeting at the Davis-Besse nuclear power plant yesterday. After the meeting there was a tour of the plant, which was very informative. The October URSB meeting will be held in the vicinity of the Beaver Valley plant.

Old Business: None.

New Business:

Review rule package: 3701:1-54-02, -54-03, -54-04, 54-05, -38-02, -38-06, and -66-03.

The rules in Chapter 54 are up for a five-year review. Rules 38-02, 38-06, and 66-03 need to be revised since the legislature has eliminated the old penalties for late payment of fees. The old penalties were twice the invoiced fee at 90 days and five times the fee at 180 days. The new penalty is an additional 10% at 90 days.

The committee reviewed these rules, and made some editorial revisions.

Bill Thomas made the motion to send these rules, as revised today, out for public comment. Vicki Morris seconded the motion. The motion was approved.

Next meeting: The next meeting will be held on August 14, 2012 starting at 10 AM.

Adjourn: the meeting was adjourned at 11:37 AM.

RADIOACTIVE MATERIALS COMMITTEE (39)

March 13, 2012

Minutes

ATTENDEES:

Susan Hiatt, Chair, RAC
Phil Jenkins, RAC
David Close
Jack Dukes
Jeffrey Kennedy
Bill Thomas, RAC
Douglas Draper
Patricia Gallagher
Robert Peterson, RAC
Daniel Swanson, RAC

ABSENT MEMBERS:

Leonard Davis
Victoria Morris
Jonathan Fortkamp

ODH ATTENDEES:

Mark Light
Karl Von Ahn
Courtney Reppy
Shannon Dettmer
Steve James

GUESTS:

Whitney Sullinger, Office of the Lieutenant Governor
Dan Hill, Cardinal Health

The March 13, 2012 meeting of the Radioactive Materials Committee was held in the Basement Training Room A, located at 35 E. Chestnut St., Columbus, Ohio. The meeting was called to order by Susan Hiatt, Chair, at 10:00 AM.

Review of Agenda: the agenda was approved as submitted.

Approval of Minutes from January 10, 2012:

The draft minutes for the January 10, 2012 meeting were reviewed.

Bill Thomas made a motion to approve the minutes as submitted. Bob Peterson seconded the motion. The committee approved the motion.

Bureau Updates:

Mark Light provided an update on the following items:

- progress on the rules which had been previously approved by the committee.
- staffing of Bureau positions.
- the Common Sense Initiative ("CSI"). This is a program instituted by the Governor's office to make Ohio more business-friendly.

Mark introduced Whitney Sullinger, from the Office of the Lieutenant Governor. She explained the CSI in detail. The first executive order signed by the Governor established this program. Its intent is to eliminate burdensome regulations. State agencies are required to conduct a business impact analysis before promulgating new regulations. The Bureau's rules will be subject to this program, including those rules undergoing periodic five-year reviews.

The CSI review will be part of the comment process, and the committee will review the CSI comments before voting rules on to the RAC.

Old Business:

- Five-year review of OAC Chapter 3701:1-49, Well Logging

No public comments were received on this chapter. However, the CSI review prompted a change to rule 49-10(B) and (C), to reflect the availability, for viewing only, of the referenced ANSI standards in the Bureau's library.

Jack Dukes made the motion to send this chapter, as revised today, on to the RAC. David Close seconded the motion. The motion was approved.

- Five-year review of OAC Chapter 3701:1-52, Irradiators

No public comments were received on this chapter. The CSI review did not result in any recommended changes to these rules. Patty Gallagher made the motion to send this chapter on to the RAC. Bob Peterson seconded the motion.

The motion was approved.
- Five-year review of OAC Chapter
3701:1-56, Special Nuclear Material

This chapter will be considered at the next meeting as it is still being reviewed by the CSI staff.

New Business:

- OAC Chapter 3701:1-46, General Licenses and Licenses for Manufacturing and Distribution

The committee reviewed the rules. Some minor revisions were made.

An issue was raised as to the wording of several rules. Four rules (46-04, 46-09, 46-31, and 46-32) contain the term "byproduct material, accelerator produced material or radium," or similar language. In recent years most of the Bureau's rules have been revised to change that phrase to "radioactive material." The ODH staff will research the matter to see if the same change can be made to these rules.

Bill Thomas made the motion to send these rules, as revised today, and subject to resolution of the wording issue (radioactive material) discussed above, out for public comment. Jack Dukes seconded the motion. The motion was approved.

- Review of Form: Radiation Safety Officer Training and Experience and Preceptor Attestation (OAC 3701:1-58-18)

Karl Von Ahn reviewed the form with the committee. Several comments were made, which the Bureau will take into consideration.

Next meeting: The next meeting will be held on April 10, 2012 starting at 10 AM.

Adjourn: The meeting was adjourned at 12:52 PM.