

RADIOACTIVE MATERIALS COMMITTEE (39)

June 9, 2015

Minutes

ATTENDEES:

Susan Hiatt, Chair, RAC
Victoria Morris, RAC
Robert Friedman, RAC
David Close
Douglas Draper
Jeffrey Kennedy
Patricia Gallagher

ABSENT MEMBERS:

Robert Peterson, RAC
Jack Dukes
Jonathan Fortkamp
Bill Thomas, RAC

ODH ATTENDEES:

Mike Snee
Stephen James
Karl Von Ahn
Jayson Rogers
Selina Jackson

The June 9, 2015 meeting of the Radioactive Materials Committee was held in Basement Mohican Room, located at 35 E. Chestnut St., Columbus, Ohio. The meeting was called to order by Susan Hiatt at 10:00 AM.

Review of Agenda: Mike Snee proposed an addition to the agenda, to New Business: two rules in Chapter 3701:1-37. This change was approved.

Approval of Minutes from December 9, 2014:

The draft minutes for the December 9, 2014 meeting were reviewed. David Close made a

motion to approve the minutes as submitted. Bob Friedman seconded the motion. The committee approved the motion.

Bureau Updates: Mike Snee provided an update on the following items:

- The Ohio Department of Health underwent a major reorganization earlier this year. This has resulted in substantial impacts on the radiation protection program, which no longer has its own bureau, but is now part of the Bureau of Environmental Health and Radiation Protection. The chief of this new bureau is Gene Phillips. Mike Snee is now a technical advisor to the bureau chief. The agreement state licensing section is now separate from the X-ray and radon sections. Mike will email the committee members the new organization chart.

- Mike introduced Jayson Rogers and Selina Jackson, who will be assisting in the rule development process.

- The Republican National Convention will be held in Cleveland in July 2016. The state of Ohio will be involved in security preparations. The bureau will be interfacing with the Department of Energy for this.

- The bureau is working with the Ohio EPA, which will be requiring radiation monitors at landfills that will be accepting fracking waste.

- Mike reported on the status of rules that have been reviewed by the committee. The following chapters have been filed with JCARR: 3701:1-38, -58, -40, and -54. The revisions to the fee rules, rule 38-02 for radioactive materials and rule 38-04 for radiation generating equipment, are not going forward and have not gone out for public comment. It was a department management decision not to proceed with these fee rule changes.

Old Business: Review of public comments on:

- Chapter 3701:1-46. This was in response to RATS 2013-2, which affected rules 3701:1-46-31, -33, -35, -36, -37, -39, -40, -41, -44, -46, -47, -48 and -49. No comments were received. Vicki Morris made a motion to send these rules on to the RAC. Bob Friedman seconded the motion. The motion was approved.

- Chapter 3701:1-44. This was a five-year review. One comment was received, from attorney Charles T. Simmons on behalf of the Zirconium Environmental Committee. The bureau has responded to this comment by letter dated May 8, 2015. The bureau has agreed to incorporate the editorial changes suggested to rule 44-27. Other rule changes suggested by this commenter were rejected as being incompatible with the NRC's language. However, it was noted that the relief sought could be requested as an exemption on a case-by-case basis. The committee agreed with the bureau's response to the comments.

Bob Friedman made a motion to send these rules, as revised today, on to the RAC. Vicki Morris seconded the motion. The motion was approved.

New Business:

- RATS 2015-2, rules 3701:1-37-11 and -26. Minor changes are being made to these rules in accordance with NRC requirements. Patty Gallagher made the motion to send these rules, as revised today, out for public comment. David Close seconded the motion. The motion was approved.

- Five-year review of Chapter 3701:1-48. The committee reviewed the rules. Some minor changes were made. Bob Friedman made a motion to send these rules, as revised today, out for public comment. Patty Gallagher seconded the motion. The motion was approved.

- Five-year review of Chapter 3701:1-50. The committee reviewed the rules. Some minor changes were made. Vicki Morris made a motion to send these rules, as revised today, out for public comment. David Close seconded the motion. The motion was approved.

Next meeting: the next meeting will be held in either August or September.

Adjourn: the meeting was adjourned at 12:22 PM.