

3701:1-43-15 Unrestricted use and conditional release.

The following criteria apply for persons subject to a specific or general license under this chapter:

- (A) Equipment can be released from the site for unrestricted use when that equipment is not contaminated with TENORM at levels greater than those in the appendix to this rule. Upon application, specific approval of alternative levels may be granted by the director.
- (B) The director shall release a site for unrestricted use upon request by the licensee who has demonstrated to the director that the following applicable criteria have been met:
 - (1) The average member of the critical group will not receive annually a public dose in excess of 0.25 millisievert (0.025 rem) TEDE from residual radioactive materials on site other than residual TENORM radium-226 and radium-228 and their progeny;
 - (2) The concentration of residual TENORM radium-226 and radium-228, on land averaged over one hundred square meters, is less than one hundred eighty-five becquerels per kilogram (five picocuries per gram) above the background concentration, averaged over any fifteen centimeter layer of soil. The fifteen centimeter layers are contiguous depth increments from the surface down. Each of the progeny radionuclides of the residual TENORM radium-226 and radium-228 may also be present in concentrations similar to the residual TENORM radium-226 and radium-228 concentration;
 - (3) Where residual TENORM radium-226 and radium-228 and their progeny and other residual TENORM radionuclide contamination are present, the sum of fractions shall be used for combining the criteria of paragraph (B)(1) and paragraph (B)(2) of this rule. The sum of fractions is determined by dividing each average radium concentration by the radium limit of one hundred eighty-five becquerels per kilogram (five picocuries per gram) and dividing the estimated annual dose from other residual TENORM radionuclides by 0.25 millisievert (0.025 rem) and then adding the ratios together. The sum of the fractions must be less than, or equal to, one to meet this criterion; and
 - (4) All license termination requirements in rule 3701:1-38-22 of the Administrative Code have been satisfied.
- (C) Persons with a specific license shall comply also with requirements of paragraphs (A)(7) and (A)(8) of rule 3701:1-43-12 of the Administrative Code and rule 3701:1-43-14 of the Administrative Code that are applicable to remediation and termination of the license.
- (D) Persons with a general license shall also notify the director in writing prior to commencing activities to reclaim the site. Decontamination activities require a specific license.
- (E) Actions taken to confine TENORM on site or to remediate sites shall be based on expected longevity-related controls for one thousand years.
- (F) Equipment contaminated with TENORM in excess of levels specified in the appendix

to this rule may be transferred pursuant to paragraph (E) of rule 3701:1-43-08 of the Administrative Code.

- (G) Other transfers of TENORM shall be in accordance with rules 3701:1-43-03, 3701:1-43-08, and 3701:1-43-18 of the Administrative Code.
- (H) When a general licensee has permanently ceased use of radioactive materials at a site or portion of a site or facility or when an area has not been used for a period of two years, the licensee shall, within sixty days, provide the following information in writing to the director:
 - (1) The location of the site or area; and
 - (2) The plan for reclaiming or decontaminating the site or area.

Effective: 04/01/2012

R.C. 119.032 review dates: 04/01/2017

CERTIFIED ELECTRONICALLY
Certification

03/22/2012
Date

Promulgated Under: 119.03
 Statutory Authority: 3748.04
 Rule Amplifies: 3748.01, 3748.02