



Ohio Administrative Code

Rule 3701:1-38-10 Notices, instructions, and reports to workers.

Effective: May 17, 2018

(A) Posting of notices to workers.

(1) Each licensee or registrant shall post current copies of the following documents:

(a) All applicable rules promulgated pursuant to Chapters 3748. and 4773. of the Revised Code;

(b) The license or certificate of registration, including, any conditions or documents incorporated by reference into a license and amendments thereto;

(c) The safe operating procedures applicable to activities under the license or registration; and

(d) Any notice of violation involving radiological working conditions, proposed imposition of civil or administrative monetary penalty, or order issued pursuant to rule 3701:1-38-06 of the Administrative Code and any response from the licensee or registrant. Such document shall be posted within five working days after receipt of the document. The licensee's or registrant's response, if any, shall be posted within five working days after dispatch of the document to the director. Such documents shall remain posted for a minimum of five working days or until action correcting the violation has been completed, whichever is later.

(e) The Ohio department of health, bureau of environmental health and radiation protection issued form titled "Notice to Employees."

(2) If posting of a document specified in paragraphs (A)(1)(a) to (A)(1)(c) of this rule is not practical, the licensee or registrant may post a notice which describes the document and states where it may be readily examined.

(3) Documents, notices, or forms posted pursuant to paragraph (A) of this rule shall appear in a sufficient number of places to permit individuals engaged in licensed or registered activity under the



license or registration to observe them on the way to or from any particular work location to which the document applies, shall be conspicuous, and shall be replaced if defaced or altered.

(B) Instruction to workers.

(1) The licensee or registrant shall, with respect to all individuals likely to receive an annual TEDE occupational dose in excess of one millisievert (one hundred millirem):

(a) Keep such individuals informed of the storage, transfer, or use of sources of radiation in the licensee's or registrant's workplace;

(b) Instruct such individuals in the health effects associated with exposure to radiation or radioactive material to the individual and potential offspring, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed;

(c) Instruct such individuals in, and instruct such individuals to observe, to the extent within the individual's control, the applicable provisions of rules promulgated under Chapter 3748. of the Revised Code and any license conditions for the protection of personnel from exposures to radiation or radioactive material;

(d) Instruct each such individual of his or her responsibility to report promptly to the licensee or registrant any condition which may constitute, lead to, or cause a violation of Chapter 3748. of the Revised Code, the rules promulgated thereunder, any license condition, or order, and any unnecessary exposure to radiation or radioactive material;

(e) Instruct such individuals in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive material; and

(f) Advise such individuals of any radiation exposure reports furnished pursuant to paragraph (C) of this rule.

(2) In determining those individuals subject to the requirements of paragraph (B)(1) of this rule, licensees and registrants shall take into consideration assigned activities during normal and abnormal



situations involving exposure to radiation and radioactive materials which can reasonably be expected to occur during the life of the facility. The extent of these instructions shall be commensurate with potential radiological health protection problems present in the workplace.

(C) Notifications and reports to individuals.

(1) Radiation exposure data for an individual and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of an individual shall be reported to the individual as specified in this rule. The information reported shall include data and results obtained pursuant to Chapter 3748. of the Revised Code or rules adopted thereunder, an order, or license condition as shown in records maintained by the licensee or registrant pursuant to paragraph (H) of rule 3701:1-38-20 of the Administrative Code. Each notification and report shall:

(a) Be in writing;

(b) Include appropriate identifying data such as the name of the licensee or registrant, the name of the individual, and the individual's identification number, preferably social security number;

(c) Include the individual's exposure information; and

(d) Contain the statement: "This report is furnished to you under the provisions of rule 3701:1-38-10 of the Administrative Code. You should preserve this report for further reference."

(2) Each licensee or registrant shall make dose information available to workers as shown in records maintained by the licensee under the provisions of paragraph (H) of rule 3701:1-38-20 of the Administrative Code. The licensee or registrant shall provide an annual report to each individual monitored under rule 3701:1-38-14 of the Administrative Code, of the dose received in that monitoring year if:

(a) The individual's occupational dose exceeds one millisievert (one hundred millirem) TEDE or one millisievert (one hundred millirem) to any individual organ or tissue; or

(b) The individual requests his or her annual dose report.



(3) Each licensee or registrant shall furnish reports to workers.

(a) At the request of a worker formerly engaged in activities controlled by the licensee or registrant, each licensee or registrant shall furnish to the worker a report of the worker's exposure to sources of radiation:

(i) As shown in records maintained by the licensee or registrant pursuant to rule 3701:1-38-20 of the Administrative Code for each year the worker was required to be monitored under the provisions of rule 3701:1-38-14 of the Administrative Code; and

(ii) For each year the worker was required to be monitored under the monitoring requirements in effect prior to August 31, 1999.

(b) This report must be furnished within thirty days from the time the request is made or within thirty days after the exposure of the individual has been determined by the licensee or registrant, whichever is later. This report must cover the period of time that the worker's activities involved exposure to sources of radiation licensed or registered by the director and must include the dates and locations of licensed or registered activities in which the worker participated during this period.

(4) When a licensee or registrant is required pursuant to paragraphs (A) to (C) of rule 3701:1-38-21 of the Administrative Code to report to the director any exposure of an individual to sources of radiation, the licensee or the registrant shall also provide the individual a written report on the exposure data included in the report to the director. This report must be transmitted no later than the transmittal to the director.

(5) At the request of a worker who is terminating employment with the licensee or registrant that involved exposure to sources of radiation during the current calendar quarter or the current year, each licensee or registrant shall provide at termination to each worker, or to the worker's designee, a written report regarding the radiation dose received by that worker from operations of the licensee or registrant during the current calendar year or fraction thereof. If the most recent individual monitoring results are not available at that time, a written estimate of the dose must be provided together with a clear indication that this is an estimate.