



## Ohio Administrative Code

### Rule 3701:1-43-17 Records.

Effective: May 15, 2023

---

(A) Each person who receives TENORM under a license issued pursuant to the rules in Chapter 3701:1-43 and rule 3701:1-38-02 of the Administrative Code, will keep records showing the receipt, transfer, and disposal of the TENORM as follows:

- (1) The licensee will retain each record of receipt of TENORM as long as the material is possessed and for three years following transfer or disposal of the material.
- (2) The licensee who transferred the material will retain each record of transfer for three years after each transfer unless otherwise specified by rule for that particular licensed activity.
- (3) The licensee who disposed of the material will retain each record of disposal of TENORM until the director terminates each license that authorizes disposal of the material.
- (4) The licensee will keep records of information important to the safe and effective reclamation of a facility in an identified location until the license is terminated by the director. If records of relevant information are maintained for other purposes, reference to these records and their locations may be used. As used in this rule "reclaiming" means returning property to a condition or state such that the property no longer presents a health or safety hazard or threat to the environment. This includes, but is not limited to, those activities necessary to decommission the licensed facility such as safely removing a facility from service, reducing the residual radioactivity to a level that permits release of the property for unrestricted use, and termination of the license. Information important to reclaiming includes:
  - (a) Records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment or site. These records may be limited to instances when contamination remains after any cleanup procedures or when there is reasonable likelihood that contaminants may have spread to inaccessible areas as in the case of possible seepage into porous materials such as concrete. These records will include any known information on identification of involved



radionuclides, quantities, forms and concentrations; and

(b) As-built drawings and modifications of structures and equipment in restricted areas where radioactive materials are used or stored, and of locations of possible inaccessible contamination, such as buried pipes which may be subject to contamination. If needed drawings are referenced, each relevant document need not be indexed individually. If drawings are not available, the licensee will substitute appropriate records of available information concerning these areas and locations.

(B) Except as provided in paragraph (C) of this rule, the licensee will retain each record that is prescribed by Chapter 3701:1-38 and Chapter 3701:1-43 of the Administrative Code, or by license condition for the period specified by the appropriate regulation or license condition. If a retention period is not otherwise specified by rule or license condition, the record will be retained until the director terminates each license that authorizes the activity that is subject to the record-keeping requirement. Such records may be either the original record or a reproduced copy or microform, provided that such copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by the director. The record also may be stored in electronic media provided that the licensee is capable of producing legible, accurate, and complete records during the prescribed retention period. Records such as letters, drawings, specifications, will include all pertinent information such as stamps, initials, and signatures. The licensee will maintain adequate safeguards against record tampering and loss.

(C) In the case of a conflict between a record requirement specified in rule and that requirement specified as a license condition, the licensee will comply with the license condition.