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NRC APPROVES OHIO AGREEMENT TO REGULATE USE OF CERTAIN RADIOACTIVE MATERIALS

The Nuclear Regulatory Commission has approved an agreement which allows the state of Ohio to assume part of NRC's regulatory authority over the use of certain radioactive materials. The proposed agreement was published for comment for four consecutive weeks in the Federal Register starting in March. Twenty-five letters were received.

Under the agreement, NRC transferred to Ohio the responsibility for licensing, rulemaking, inspection and enforcement concerning (1) materials made radioactive in certain non-power reactors used for this purpose; (2) the tailings or wastes produced by the extraction or concentration of uranium or thorium from processed ore; (3) uranium and thorium source materials; and (4) special nuclear material in quantities not sufficient to support a nuclear reaction.

The agreement also allows the state to regulate the land disposal of radioactive waste and to conduct safety evaluations of sealed radioactive sources and devices for medical and industrial use.

Approximately 574 current NRC licenses, most of them for medical and industrial uses, will be transferred to Ohio's jurisdiction. The Ohio Department of Health will administer the regulatory program.

NRC will retain 19 materials licenses, including certain Federal facilities and exempt distribution (involving products, such as smoke detectors, that are exempt from certain licensing requirements), and two licensees authorized to possess special nuclear material. In addition, NRC will continue to have regulatory jurisdiction over the Davis-Besse and Perry nuclear power plants near Toledo and Painesville, Ohio, and the U.S. Enrichment Corporation's uranium enrichment facility near Portsmouth, Ohio. NRC does not regulate Department of Energy (DOE) nuclear facilities, such as the Fernald and Mound sites and the entombed Piqua reactor, and these are not affected by the Agreement. These facilities will continue to be self-regulated by DOE.

The NRC has determined that the state's radiation control program is adequate to protect public health and safety and is compatible with the agency's own program for regulating the radioactive materials covered in the agreement.

Ohio becomes the 31st state to sign such an agreement with NRC. Other states which have previously assumed this authority are: Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Maine, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah and Washington. Four other States are in various stages of entering into agreements with the NRC. They are Pennsylvania, Oklahoma, Minnesota and Wisconsin.

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