



Ohio Administrative Code

Rule 3701:1-40-21 Records.

Effective: April 17, 2022

(A) Each person who receives radioactive material under a license issued pursuant to the rules in this chapter, and other chapters of the Administrative Code adopted pursuant to Chapter 3748. of the Revised Code, and rule 3701:1-38-02 of the Administrative Code, shall keep records showing the receipt, transfer, and disposal of the radioactive material as follows:

- (1) The licensee shall retain each record of receipt of radioactive material 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 shall 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 shall retain each record of disposal of radioactive material until the director terminates each license that authorizes disposal of the material.

(B) Except as provided in paragraph (C) of this rule, the licensee shall retain each record that is required by this chapter, Chapters 3701:1-46, 3701:1-48, 3701:1-49, 3701:1-52, and 3701:1-58 of the Administrative Code, and rule 3701:1-38-02 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 must 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 required retention period. Records such as letters, drawings, specifications, must include all pertinent information such as stamps, initials, and signatures. The licensee shall 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 shall comply with the license condition.

(D) Prior to license termination, each licensee authorized to possess radioactive material with a half-life greater than one hundred twenty days, in an unsealed form, shall forward to the department, records of disposal of radioactive material buried without specific state authority or buried without authorization from the United States nuclear regulatory commission prior to January 28, 1981, pursuant to 10 C.F.R. 20.304, as that section existed on January 1, 1981.

(E) If licensed activities are transferred or assigned in accordance with paragraph (B) of rule 3701:1-40-19 of the Administrative Code, each licensee authorized to possess radioactive material, with a half-life greater than one hundred twenty days, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:

(1) Records of disposal of licensed material made under rule 3701:1-38-19 of the Administrative Code, including any burial authorized under a United States nuclear regulatory commission license on or before January 28, 1981, or a previous "section 20.304" permitted burial of a small quantity of licensed material in soil by a United States nuclear regulatory commission licensee on or before January 28, 1981, without specific authorization, in accordance with 10 C.F.R. 20.304 as that section existed on January 1, 1981.

(2) Records required by rule 3701:1-38-20 of the Administrative Code.

(F) Prior to license termination, each licensee shall forward to the department all the records required by paragraph (I) of rule 3701:1-40-17 of the Administrative Code.