

March 31, 2000

MEMORANDUM TO: Joseph R. Gray, Associate General Counsel  
for Licensing and Regulation  
Office of the General Counsel

Paul H. Lohaus, Director  
Office of State Programs

Jesse L. Funches  
Chief Financial Officer

R. William Borchardt, Director  
Office of Enforcement

Brenda Jo. Shelton, Chief  
Records Management Branch  
Information Management Division  
Office of the Chief Information Officer

David L. Meyer, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration

FROM: Donald A. Cool, Director  
Division of Industrial and /RA/  
Medical Nuclear Safety, NMSS

SUBJECT: FINAL RULES - 10 CFR PART 35, "MEDICAL USE OF  
BYPRODUCT MATERIAL," AND 10 CFR PART 20,  
"STANDARDS FOR PROTECTION AGAINST RADIATION"

Your concurrence is requested on the attached draft Commission Paper. The Commission Paper and associated Federal Register notices (FRN) were developed in partial fulfillment of SRM- SECY-99-201, Draft Final Rule - 10 CFR Part 35, "Medical Use of Byproduct Material," which directed the staff to submit the final Part 35 rulemaking package, including the guidance document to the Commission. This final rule also includes resolution of a petition for rulemaking filed by the University of Cincinnati, dated April 7, 1996 (PRM 20-24).

CONTACTS: Cathy Haney, NMSS/IMNS  
(301) 415-6825

Diane Flack, NMSS/IMNS  
(301) 415-5681

The following is a summary of this request:

1. Title: FINAL RULES - 10 CFR PART 35, "MEDICAL USE OF BYPRODUCT MATERIAL," AND 10 CFR PART 20, "STANDARDS FOR PROTECTION AGAINST RADIATION"

2. Task Leader: Cathy Haney (415-6825)

3. Cognizant Individuals:

Working Group

OSP	L. Bolling
OGC	M. Rothschild
OE	J. DelMedico
RI	P. Lansizera
NMSS	D. Flack
NMSS	S. Jones
NMSS	T. Young
AL	D. Walters
OH	M. Howard

Steering Group

OSP - P. Lohaus
OGC - S. Treby
OE - B. Borchardt
GA - T. Hill

4. Compatibility for Agreement States: Yes

5. Requested Action: Review and concur on the Commission Paper and the FRNs.

6. Requested completion Date: Three weeks from the date of this memorandum. Note, the final rulemaking package must be provided to the Commission by May 31, 2000 (Commission tracking memorandum and WITS item). In order to meet this date, it is important that we receive concurrence on schedule. A meeting will be scheduled during the week of April 17 to discuss any major unresolved issues.

Attachment:  
Commission Paper

cc: w/att  
H. T. Bell, IG  
W. F. Kane, NMSS  
M. Virgilio, NMSS  
H. Miller, Region I/ORA  
L. Reyes, Region II/ORA  
J. Dyer, Region III/ORA  
E. Merschoff, Region IV/ORA

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<b>DATE</b>	3/30/00		3/31/00				