

EDO Principal Correspondence Control

FROM: DUE: 06/28/00

EDO CONTROL: G20000289
DOC DT: 05/25/00
FINAL REPLY:

Aubrey V. Godwin
Arizona Radiation Regulatory Agency

TO:

Chairman Meserve

FOR SIGNATURE OF :

** GRN **

CRC NO: 00-0376

Kane, NMSS

DESC:

Comments on Pending Rulemaking to 10 CFR Part 35
-- 131 Iodine

ROUTING:

Travers
Paperiello
Miraglia
Norry
Blaha
Burns/Cyr

DATE: 06/13/00

ASSIGNED TO:

CONTACT:

NMSS

Kane

SPECIAL INSTRUCTIONS OR REMARKS:

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jun 12, 2000 13:57

PAPER NUMBER: LTR-00-0376 **LOGGING DATE:** 06/08/2000
ACTION OFFICE: EDO

AUTHOR: AUBREY GODWIN
AFFILIATION: AZ
ADDRESSEE: RICHARD MESERVE
SUBJECT: COMMENTS RE PENDING RM TO 10 CFR PT 35

ACTION: Appropriate
DISTRIBUTION: CHAIRMAN, COMRS, OGC

LETTER DATE: 05/25/2000
ACKNOWLEDGED: No
SPECIAL HANDLING:

NOTES:
FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

EDO --G20000289

2758



Jane Dee Hull
Governor

Aubrey V. Godwin
Director



4814 South 40th Street

Phoenix, Arizona 85040-2940

(602) 255-4845
Fax (602) 437-0705

May 25, 2000

Richard A. Meserve, Chairman
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Chairman Meserve:

I am writing you regarding a pending rulemaking to 10 CFR 35. It is my understanding that the Commission has directed the staff to prepare a final rule regarding the minimum training for physicians utilizing 131 iodine for thyroid treatment such that these physicians would have less training than the physicians utilizing diagnostic quantities of radioactive material. Further, the Commission directed that the rule be issued a compatibility class "B." This is a significant change from the proposed rulemaking and deserves comment. It is unfortunate that the states are not being given due process and an opportunity to comment on this change.

Even so, I am going to offer comments and hope they are considered by the Commission prior to actually adopting the regulations. First, in view of the misadministration data showing the large number of misadministrations involving 131 iodine for hypothyroidism, it is hard to understand the reasoning for reducing the training requirements for these users. If anything, the training should be increased. Second, the changing of the compatibility class to "B" is not consistent with the agreed to procedures of the Commission. The training of physicians has traditionally been a state decision, only lightly touched by the NRC. To now, claim it is a major interstate problem is clearly not supported by history or facts. In short, please reconsider the serious adverse implications of the initial decision and reverse it.

Thank you for you time. If you have any questions please contact me.

Sincerely

A handwritten signature in black ink, appearing to read "Aubrey V. Godwin".

Aubrey V. Godwin
Director