

May 22, 2001

ALL AGREEMENT STATES
MINNESOTA, PENNSYLVANIA, WISCONSIN

**OTHER INFORMATION: TECHNICAL CONFERENCE FORUM - REQUEST FOR
COMMENTS ON 10 CFR 35.75 - PROPOSED AMENDMENT TO THE PATIENT
RELEASE RULE (STP- 01- 044)**

The U.S. Nuclear Regulatory Commission (NRC) is in the process of developing a proposed rule to provide a notification requirement associated with 10 CFR 35.75, the "Patient Release Rule." The proposed rule and supporting information is provided for your review and comment at the Technical Conference Forum URL listed below.

The proposed rule would require a licensee to notify the NRC, no later than the next calendar day after the licensee becomes aware, that an individual received or is estimated to have received a dose exceeding 50 millisievert (5 rem) from a patient who contains unsealed byproduct material or implants containing byproduct material and was released in accordance with 10 CFR 35.75. In addition, the rule would require a licensee to submit a written report to the NRC within 15 days after discovery of the event and to provide a copy of the report to the identified exposed individual.

Please review this proposed rule and forward any comments* that you may have to Ms. Betty Ann Torres, Office of Nuclear Material Safety and Safeguards, by June 22, 2001. Comments may be provided electronically to bat@nrc.gov or by telephone at 301-415-0191.

The draft proposed rule is predecisional and is available only at the Agreement States area of the NRC's Technical Conference Forum <http://techconf.llnl.gov/cgi-states/topics> via the NRC Home Page <http://www.nrc.gov>. The draft rule is marked: "PREDECISIONAL DRAFT INFORMATION FEDERALLY PROTECTED NOT FOR PUBLIC DISCLOSURE."

Due to its predecisional nature, this document is exempt from public disclosure under NRC rules. Therefore, we request that you limit distribution to your staff and not release the draft publicly. If this draft is released, please inform me or the contact named below within 24

*This information request has been approved by OMB 3150-0029, expiration 04/30/01. The estimated burden per response to comply with this voluntary collection is approximately 6 hours. Forward any comments regarding the burden estimate to the Information and Records Branch (T-6F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0029), Office of Management and Budget, Washington, DC 20503. If a document does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information. The OMB 3150-0029 renewal clearance package went to OMB 2/20/01 for approval.

hours. For additional information about distribution and use of predecisional information, please see All Agreement States letters SP-99-019 and SP-99-027 available at the Agreement State web site, <http://www.hsrdrnrl.gov/nrc/home.html>.

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Thank you for your attention to this matter.

/RA/

Kathleen N. Schneider, Acting Deputy Director
Office of State and Tribal Programs

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