

May 17, 2002

The Honorable James M. Inhofe  
United States Senate  
Washington, D.C. 20510

Dear Senator Inhofe:

I am responding to your letter of April 15, 2002, in which you noted that the U.S. Nuclear Regulatory Commission (NRC) is revising regulations on the medical use of byproduct materials in 10 CFR Part 35 and you voiced your support for the timely adoption of these regulations. The Commission appreciates your support.

The final rule was published on April 24, 2002, in the Federal Register (67 FR 20250). The effective date will be October 24, 2002. Currently, the Commission is engaging the stakeholders in finalizing the guidance documents for the implementation of the final rule. These guidance documents and training of the NRC staff will be completed prior to the final rule becomes effective. I have enclosed a schedule for these activities for your information.

If you have any questions, please contact me.

Sincerely,

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Richard A. Meserve

Enclosure: Schedule for Part 35 Activities

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Schedule for Part 35 Activities

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Planning meeting on development of guidance documents and Public Workshops	March 13
Publish draft NUREG Vol 9.	Late-March — 60 day comment period
Publish Revised Part 35.	April 24, 2002
Conduct public workshop on draft NUREG 1556 Vol 9, with emphasis on therapeutic applications of byproduct material.	April 25
Conduct public workshop on draft NUREG 1556 Vol 9, with emphasis on diagnostic applications of byproduct material.	April 30
Develop performance-based / risk-informed inspection guidance.	March — May
† Post inspection guidance to web.	Mid-May
† Public workshop on inspection guidance	June 6, 2002
Finalize guidance, including for inspections.	July
Publish final guidance (NUREG and guidance for diagnostic nuclear medicine).	August
Regional training of staff and State representatives.	June — July
Effective Date of Revised Part 35	October 24, 2002

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† Meeting dates have been, or will be, announced in the Federal Register and posted on the NRC web site at [www.nrc.gov](http://www.nrc.gov) — click on “Public Meeting Schedule”

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Enclosure