

December 9, 2003

ALL AGREEMENT STATES, MINNESOTA, PENNSYLVANIA
STATE LIAISON OFFICERS

PROPOSED REVISION OF 10 CFR PART 35, "MEDICAL USE OF BYPRODUCT MATERIAL" — RECOGNITION OF SPECIALTY BOARDS (STP-03-088)

The United States Nuclear Regulatory Commission (NRC) has sent the Office of the Federal Register, for publication, a Federal Register notice (FRN) to amend the Commission's rules in 10 CFR Part 35, "Medical Use of Byproduct Material." The FRN is available on line at <http://ruleforum.llnl.gov/cgi-bin/rulelist?type=prule>. The NRC is proposing to amend its regulations to resolve issues related to recognition of professional specialty board certifications to serve as evidence of satisfying NRC rules for training and experience of radiation safety officers (RSOs); authorized medical physicists (AMPs); authorized nuclear pharmacists (ANPs); and authorized users (AUs). 10 CFR Part 35 underwent a major revision that was published on April 24, 2002 (67 FR 20249), effective October 24, 2002. Subpart J was retained in the rule as a temporary measure to address training and experience issues related to recognition of certifications of professional specialty boards. Subpart J expires on October 24, 2004.

These amendments would amend the NRC's regulations governing the medical use of byproduct material to change the requirements for recognition of specialty boards whose certification may be used to determine the adequacy of the training and experience of individuals to serve as an RSO, AMP, ANP, or AU. Changes are also proposed to the requirements for demonstrating the adequacy of training and experience pathways other than through board certification.

Also included in the FRN is an Environmental Assessment (EA) that has been prepared in support of the proposed rule. The conclusion of the EA is the Commission's finding that no significant environmental impact will result from the proposed rule. The EA in the FRN is provided for your review and comment. If you have any comments on the rule and its environmental impact, please submit them by February 20, 2003. Comments* received after that date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

You can use the following methods to transmit your comments: (1) you can mail your written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff; (2) you can fax your comments to (301) 415-1672; or (3) via the NRC's interactive rulemaking web site at <http://ruleforum.llnl.gov>. This site provides the capability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking web site, contact Ms. Carol Gallagher at (301) 415-5905 (email: CAG@nrc.gov).

*This information request has been approved by OMB 3150-0029, expiration 06/30/04. 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.

STP-03-088

2

For additional information on this action, contact Roger W. Broseus, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-7608, email: RWB@nrc.gov.

/RA by Josephine M. Piccone for/

Paul H. Lohaus, Director
Office of State and Tribal Programs

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*See previous concurrence

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