

October 19, 2004

Stanley A. Fitch, Chair  
Organization of Agreement States  
P. O. Box 913  
Sandia Park, NM 87047-0913

Dear Mr. Fitch:

This letter is in reference to your September 3, 2004, letter to Annette L. Vietti-Cook, Secretary, U. S. Nuclear Regulatory Commission (NRC). You request that the NRC amend its regulations to define and specify the minimum number of didactic (classroom and laboratory) training hours for the Authorized Nuclear Pharmacist and the Authorized Users identified in 10 CFR 35.55, 10 CFR 35.190, 10 CFR 35.290 and 10 CFR 35.390. Your letter has been docketed as a petition for rulemaking under 10 CFR 2.802 and assigned Docket Number PRM-35-17. We will inform you of the status of your petition as staff action on it progresses.

The enclosed notice acknowledging receipt of the petition will be published in the Federal Register. The NRC is currently revising the training and experience requirements of Part 35. Among the issues being addressed in the current rulemaking is whether a minimum number of didactic training hours should be defined and specified in §§ 35.55, 35.190, 35.290 and 35.390. Therefore the NRC will address the issues raised in this petition as part of the ongoing rulemaking, "Medical Use of Byproduct Material-Recognition of Speciality Boards (RIN No. AH19)." A proposed rule was published in the Federal Register on December 9, 2003 (68 FR 68549). Because the issues raised by this petition are being considered in a current rulemaking, NRC is not instituting a separate public comment period for this action.

Your petition and the NRC Federal Register notice of receipt also will be made available on the NRC's rulemaking website at <http://ruleforum.llnl.gov>. Questions regarding this website may be directed to Carol Gallagher of my staff at 301-415-5905 or e-mail: [cag@NRC.gov](mailto:cag@NRC.gov).

As staff review progresses on your petition, it may be necessary to request additional information. Please reference the assigned docket number on any correspondence you may have concerning the petition. You may direct any questions you may have concerning the petition process or the status of your petition to me on (301) 415-7163, e-mail: [mtl@nrc.gov](mailto:mtl@nrc.gov) or to Betty Golden on (301) 415-6863, e-mail [bkg2@nrc.gov](mailto:bkg2@nrc.gov).

Sincerely,

**//RA//**

Michael T. Lesar, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration

Enclosure: As stated

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Enclosure: As stated

Sincerely,  
/RA/

Michael T. Lesar, Chief  
Rules and Directives Branch  
Division of Administrative Services  
Office of Administration

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**SISP REVIEW COMPLETE X (BKG) Date 3/9/05**