



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 4, 1998

The Honorable Phil Gramm
United States Senator
2323 Byron Street, #2150
Dallas, Texas 75201

Dear Senator Gramm:

I am responding to your memorandum dated July 15, 1998, regarding the Texas Radiological Society's concern on the proposed revisions to the U.S. Nuclear Regulatory Commission's (NRC) 10 CFR Part 35 regulations on medical use of byproduct material. In particular, the Society was concerned about the training and experience requirements for the diagnostic use of isotopes.

Throughout the development of the proposed revisions, the staff carefully considered the public input, including comments from the American College of Radiology. Most of the public comments addressed the issue of training and experience, and the staff had to weigh a wide variety of viewpoints on this issue. The Commission received comments both supporting changes in requirements affecting personnel in the diagnostic area, and favoring continuance of the existing requirements. The resulting proposed revision for training and experience focuses on radiation safety and proposes that personnel competency be verified through an examination. This proposal is consistent with the Commission's goal to develop a risk-informed, and where appropriate, a more performance-based rule, and to address an objection often expressed by some commenters, that NRC requirements sometimes intrude into the practice of medicine.

On July 21, 1998, the Commission approved publication of the proposed rulemaking, in the Federal Register, for a 90-day public comment period, and it is expected that the proposed rule will be published for comment in early August. During the public comment period, public meetings will be held in San Francisco, California on August 19-20, 1998, in Kansas City, Missouri on September 16-17, 1998, and in Washington, DC on October 21-22, 1998, to provide an additional opportunity for comment and discussion on the proposed rulemaking. Additional details on the public meetings were published in the Federal Register on July 24, 1998.

The Commission plans to carefully evaluate all the public comments in finalizing the training and experience requirements for all users of byproduct material.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Callan".

L. Joseph Callan
Executive Director
for Operations

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Original Signed by
L. J. Callan

L. Joseph Callan
Executive Director
for Operations

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