



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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July 30, 1997

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Martin Nusynowitz, M.D.
President
American College of Nuclear Physicians

H. William Strauss, M.D.
President
Society of Nuclear Medicine
1850 Samuel Morse Drive
Reston, VA 22090-5316

Dear Drs. Nusynowitz and Strauss:

I am responding to your June 27, 1997, letter expressing appreciation for the Nuclear Regulatory Commission's support of Dr. Donald Cool's attendance at the June meeting of the Society of Nuclear Medicine (SNM) and the American College of Nuclear Physicians (ACNP). The comments in your letter, as well as those conveyed during your discussions with Dr. Cool, will be considered during the rulemaking process, and are appreciated.

The Commission recently approved the staff's alternative proposal, to revise 10 CFR Part 35, that was outlined in SECY-97-131, Supplemental Information on SECY-97-115, "Program for Revision of 10 CFR Part 35, 'Medical Uses of Byproduct Material,' and Associated Federal Register Notice," dated June 20, 1997 (Enclosure 1). Enclosed for your information is the June 30, 1997, staff requirements memorandum for the alternative program (Enclosure 2). Consistent with the approved approach, the staff has already begun preparing rule language and alternatives, following a risk-informed, performance-based, approach to regulation.

Under the alternative approach, public input will begin immediately and continue throughout the development of the rule alternatives and associated guidance. Rulemaking alternatives and drafts will be made publicly available on an ongoing basis, including posting them on an Internet page. In addition, the staff will make available the comments received both in the Public Document Room, and, to the extent possible, electronically on the Internet.

The staff looks forward to working with the ACNP and SNM throughout the rulemaking process. If you have any questions on the proposed program to revise Part 35, please call Dr. Cool at (301) 415-7197.

Sincerely,

Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

Enclosures: As stated