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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

September 15, 1998

The Honorable Carol Moseley-Braun
United States Senate
Washington, DC 20510-1303

Dear Senator Moseley-Braun:

I am responding to your letters dated August 26, 1998, in which you transmitted inquiries from two constituents, Drs. H. Weston Moses and James T. Dove, that supported proposed changes in the U.S. Nuclear Regulatory Commission's (NRC) 10 CFR Part 35 regulations on medical use of byproduct material. In particular, they supported the proposed changes in the training and experience requirements for the use of byproduct material in diagnostic cardiology. They noted that these changes have been endorsed by the NRC's Advisory Committee on the Medical Use of Isotopes.

The Commission considers the overall issue of training and experience to be one of the most important issues addressed during the rulemaking. Adequately trained personnel are key to the safe use of radioactive material in medicine. The Commission has, therefore, proposed that the training and experience criteria for all users of radioactive material be risk-informed and focused on safety. At the same time, however, the Commission recognized that the proposed rule must be adaptable to the many medical uses of byproduct material, including intravascular brachytherapy. This important issue, among others, was discussed at a Commission public meeting in June 1998. The Commission directed the staff to further study the issue and provide a basis for its current position.

On August 13, 1998, the proposed rulemaking was published in the Federal Register, for a 90-day public comment period. A series of public meetings was also scheduled during the comment period. The first meeting took place August 19-20, 1998, in San Francisco, California. Additional meetings will be held in Kansas City, Missouri on September 16 -17, 1998, and in Rockville, Maryland on October 21 - 22, 1998. Details on the public meetings were published in the Federal Register on July 24, 1998 (63 FR 39763). As noted in the Federal Register notice for these meetings, the Commission, through the facilitator for the meeting, invited participants that represent a broad spectrum of interests which may be affected by the proposed rulemaking. The American College of Cardiology (ACC) staff has worked with the staff to ensure that the cardiologists' interests are represented at these meetings. Representatives of the ACC and the American Society of Nuclear Cardiology were invited to participate in the public meetings.

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. Joseph Callan".

L. Joseph Callan
Executive Director
for Operations