

Mr. Jared W. Thompson, Chair
Organization of Agreement States
Arkansas Department of Health
4815 W. Markham, Mail Slot 30
Little Rock, Arkansas 72205

Dear Mr. Thompson:

I am responding to the petition for rulemaking dated September 3, 2004, that you submitted to the U.S. Nuclear Regulatory Commission (NRC) on behalf of the Organization of Agreement States. Your petition was docketed as PRM-35-17 and requested that 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, 35.190, 35.290, and 35.390.

The notice of receipt of the petition was published in the *Federal Register* on October 28, 2004 (69 FR 62831). NRC did not institute a separate public comment period for this petition because the issues raised by this petition were being considered in the 10 CFR Part 35 rulemaking on training and experience.

NRC has considered the petition and your supporting rationale. For the reasons provided in the enclosed *Federal Register* notice, NRC has determined to grant the petition in part, and revised 10 CFR 35.55, 35.190, 35.290, and 35.390, in the final rule, to establish a requirement for minimum number of hours of classroom and laboratory training for the alternate pathway. However, the request to establish a requirement for minimum number of hours of classroom and laboratory training for the certification pathway is denied, for the reasons set forth in the *Federal Register* notice. This final rule completes action on the petition.

Sincerely,

Annette Vietti-Cook
Secretary of the Commission

Enclosure: *Federal Register* Notice
for the Part 35 Final Rule

cc: Stanley A. Fitch, Past-Chair
Organization of Agreement States

Josephine Piccone, OSTP/NRC

Mr. Jared W. Thompson, Chair
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*See previous concurrence

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