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Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Re: 10 CFR § 35.57

Dear Sir:

In September 2006 the American Association of Physicists in Medicine (AAPM) submitted a Petition for Rulemaking concerning the referenced item. In particular the AAPM claims that Medical Physicists who achieved Board Certification via the AAPM, the American Board of Medical Physicists (ABMP), or the American Board of Radiology (ABR) should be exempt from the provisions of 10 CFR § 35.57 under a revised "grandfather" clause. The AAPM Petition claims that Medical Physicists who achieved Board Certification via the AAPM, the ABMP, or the ACR have, via this Board Certification process, demonstrated their competence in the area of radiation safety as it relates to being a responsible and competent Radiation Safety Officer (RSO) under the newly implemented provisions of 10 CFR § 35.57.

I wish to strongly disagree with the position taken by the AAPM. I am in fact a Medical Physicist and am a member of both the AAPM and of the ACR and I am currently serving in the capacity of RSO.

Simply stated, I have met far too many of my fellow Medical Physicists to know that the majority of them, in my opinion, do not in fact have sufficient background and knowledge in the area of general radiation safety to be deemed competent. Many of my fellow Medical Physicists achieved their Board Certification many, many years ago and whatever minimal radiation safety knowledge they may have demonstrated then has long ago vanished from their knowledge as they have not participated in any endeavor, class, seminar, or any other educational event that would keep them current. And many others simply never were required to demonstrate any knowledge of radiation safety at all within their Board Certification process. In fact, I would contend that the majority of Medical Physicists, whether Board Certified or not, are in fact not familiar with their own State's radiation safety regulations nor the majority of the regulations contained within 10 CFR § 35. I would even venture to say that many, if not most, do not even know that 10 CFR § 35 exists or what it is all about.

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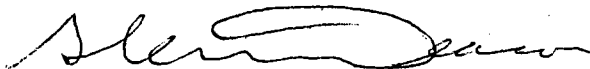
SECY-02

I am a consulting Medical Physicist covering medical facilities throughout Washington, Oregon, California, New Mexico, Arizona, and Hawaii. In this capacity I frequently interact with my fellow Medical Physicists who provide some other aspect of medical physics services to these same facilities. I can safely say that the reason I am at most of these facilities is because these other Medical Physicists in fact cannot and/or do not provide the radiation safety services that are required and that I provide in their stead.

I respectfully recommend that Board Certified Medical Physicists be required to demonstrate their radiation safety knowledge and expertise like everyone else. After all, if what the AAPM claims is correct about their Board Certified members being qualified, then those members should have no difficulty in demonstrating those qualifications.

In summary, I personally object to any change to the current "grandfather" provisions of 10 CFR § 35.57 as requested by the AAPM. I believe their Petition is self-serving of its members and at the same time detrimental to the community at large.

Respectfully,

A handwritten signature in black ink, appearing to read "Glenn Deacon". The signature is fluid and cursive, with a large loop at the end.

Glenn Deacon
1500 Via Hacienda
Chula Vista, CA 91913