PRM-35-20
(71FR64168)

DOCKETED
USNRC

January 16, 2007 (3:17pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

53

January 15, 2007

Annette L. Vietti-Cook, Secretary
Rulemakings and Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: PRM-35-20

Dear Ms. Vietti-Cook:

Thank you for the opportunity to comment on the petition for rulemaking filed by E. Russell Ritenour, Ph.D., on behalf of the American Association of Medical Physicists as published in the Federal Register Vol. 71 No. 211 on November 1, 2006. Mr. Ritenour's petition seeks to restore the recognition of diplomates of certifying boards that were previously recognized in 10 CFR Part 35 prior to October 25, 2005. I am a diplomate of the American Board of Health Physics and I support this petition for rulemaking. I urge the Commission to amend its regulations as stated in paragraph 4.2 of the petition to "recognize individuals that were certified by a board that was listed in Subpart J of the of the old regulations for . . . §§ 35.50 (RSO) . . . prior to October 24, 2005."

The petition specifically focuses on the American Board of Radiology and the American Board of Medical Physics in its discussion of this portion of the proposed rule change, however the proposed change presented to the Commission is more general. This change includes recognition of individuals certified by the American Board of Health Physics (ABHP) as meeting the training and education (T&E) requirements to be an RSO on a medical license.

The current regulations require that individuals certified prior to October 25, 2005 by the ABHP be forced to use the alternate pathway. These additional steps pose a burden upon individuals and licensees without a corresponding increase in public or worker health and safety. I do not support the assertion implicit in the current regulations that individuals certified prior to 2005 are any less capable of performing as RSO. The ABHP comprehensive certification exam is devoted to radiation safety and training and has included medical applications since its inception. Therefore, I believe that individuals considered qualified to be RSO prior to October 25, 2005 by virtue of their board certification should continue to be considered qualified to hold this position.

I encourage the Commission to favorably consider the petition for rulemaking and modify 10 CFR 35 to recognize the certifications of those individuals who met the Part 35 training and experience requirements for RSO as of October 25, 2005.

Very truly yours,

James E. Tarpinian, MS, CHP
Vice-Chair, American Board of Health Physics

Template=SECY-067

SECY-02

From: "Tarpinian, James" <tarpinian@bnl.gov>
To: <SECY@nrc.gov>
Date: Mon, Jan 15, 2007 8:31 PM
Subject: PRM-35-20

Dear Ms. Vietti-Cook:

Thank you for the opportunity to comment on the petition for rulemaking filed by E. Russell Ritenour, Ph.D., on behalf of the American Association of Medical Physicists as published in the Federal Register Vol. 71 No. 211 on November 1, 2006. Mr. Ritenour's petition seeks to restore the recognition of diplomates of certifying boards that were previously recognized in 10 CFR Part 35 prior to October 25, 2005. I am a diplomate of the American Board of Health Physics and I support this petition for rulemaking. I urge the Commission to amend its regulations as stated in paragraph 4.2 of the petition to "recognize individuals that were certified by a board that was listed in Subpart J of the of the old regulations for . . . §§ 35.50 (RSO) . . . prior to October 24, 2005."

Attached please find my letter encouraging the Commission to favorably consider the petition for rulemaking and modify 10 CFR 35 to recognize the certifications of those individuals who met the Part 35 training and experience requirements for RSO as of October 25, 2005.

Very truly yours,

James E. Tarpinian, MS, CHP

Vice-Chair, American Board of Health Physics

Mail Envelope Properties (45AC2AE0.686 : 17 : 5766)

Subject:	PRM-35-20
Creation Date	Mon, Jan 15, 2007 8:27 PM
From:	"Tarpinian, James" <tarpinian@bnl.gov>
Created By:	tarpinian@bnl.gov

Recipients
nrc.gov
TWGWPO02.HQGWDO01
SECY (SECY)

Post Office	**Route**
TWGWPO02.HQGWDO01	nrc.gov

Files	**Size**	**Date & Time**
MESSAGE	1200	Monday, January 15, 2007 8:27 PM
AAPM Petition.rtf	242168	
Mime.822	334950	

Options

Expiration Date:	None
Priority:	High
ReplyRequested:	No
Return Notification:	None
Concealed Subject:	No
Security:	Standard

Junk Mail Handling Evaluation Results
Message is eligible for Junk Mail handling
This message was not classified as Junk Mail

Junk Mail settings when this message was delivered
Junk Mail handling disabled by User
Junk Mail handling disabled by Administrator
Junk List is not enabled
Junk Mail using personal address books is not enabled
Block List is not enabled