

PRM-35-20
(71FR64168)

DOCKETED
USNRC

January 16, 2007 (4:00pm)

January 15, 2007

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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

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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.

The NRC may not realize it, but it has a problem. With changes to the regulations in Part 35, you have disfranchised a large population of qualified individuals from serving as RSOs and have unintentionally reduced the pool of needed experts. When the need arises, these experts will not be available to provide radiation safety expertise to patients, their families, and their physicians. How then is radiation protection improved?

The NRC needs to be proactive in solving its problem. Taking no action, although easy to implement, leaves the regulated community and the NRC with many problems waiting to happen. One solution could establish a radiation protection consulting group within NRC. This group could fill the void with the NRC's own experts. When an issue previously handled by the qualified RSO arises, a phone call to the NRC experts could provide an assessment of the problem, appropriate advice to handle the situation and written documentation for review at inspection time.

Alternatively, the NRC could recognize that individuals qualified to serve as an RSO prior to an arbitrary date are qualified after that date. Specifically, I am referring to individuals certified by the American Board of Health Physics. Certification means individuals have a minimum of six years of experience in radiation protection and have passed a challenging and comprehensive examination. This is true for folks certified both before and after October 2005. effectively utilizing the existing pool of expertise. I believe the petition cited above provides that solution and I urge the Commission amend its regulations to incorporate those changes.

Sincerely,

Brian M. Methe', DABHP, DABMP

Template = SECY-067

SECY-02

From: Carol Gallagher
To: SECY
Date: Tue, Jan 16, 2007 3:39 PM
Subject: Comment letter on PRM-35-20

Attached for docketing is a comment letter on the above noted PRM that I received via the rulemaking website on 1/15/07.

The commenter's address is:

Brian M. Methe'
315 South Manning Blvd
Albany NY 12208

Carol

Mail Envelope Properties (45AD37E4.416 : 5 : 35764)

Subject: Comment letter on PRM-35-20
Creation Date Tue, Jan 16, 2007 3:39 PM
From: Carol Gallagher
Created By: CAG@nrc.gov

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MESSAGE	771	Tuesday, January 16, 2007 3:39 PM
TEXT.htm	556	
1795-0040.doc	37376	Tuesday, January 16, 2007 3:04 PM

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Expiration Date: None
Priority: Standard
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