PRM-35-20
(71FR64168)

(110)

January 15, 2007

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

DOCKETED
USNRC

January 17, 2007 (4:00pm)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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.

As a diplomate of the American Board of Health Physics, I support this petition for rulemaking; and 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 old regulations for . . . §§ 35.50 (RSO) . . . prior to October 24, 2005."

Although the petition specifically focuses on the American Board of Radiology and the American Board of Medical Physics in its discussion on this portion of the proposed rule change, the proposed change presented to the Commission, is more general. As such it 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 would be forced to use the alternate pathway. I have, however, seen no evidence that support the assertion implicit in the current regulations that individuals certified prior to 2005 are any less capable of performing as an RSO. Therefore, these additional steps pose a burden upon individuals and licensees without a corresponding increase in public or worker health and safety.

I believe that my certification by the ABHP and subsequent renewals as required by the ABHP establishes my credentials as a radiation safety professional. 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 RSOs prior to October 25, 2005 by virtue of their board certification should continue to be considered qualified to hold this position.

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In conclusion, as a certified health physicist, I believe that my certification by the ABHP establishes that I have the requisite training and education to serve as an RSO at a medical institution. 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.

Sincerely,

Charles F. Guenther, CHP

From: Carol Gallagher
To: SECY
Date: Wed, Jan 17, 2007 11:12 AM
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:

Charles F. Guenther
1217 Lomitas Ave
Livermore CA 94550

Carol

Mail Envelope Properties (45AE4B05.416 : 5 : 35764)

Subject:	Comment letter on PRM-35-20
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