From: Flannery, Cindy
Sent: Monday, November 23, 2009 1:46 PM
To: 'Sandra Nissen'
Subject: RE: RSO Requirements
Attachments: 06-266.pdf; E9-16656.pdf; NARM 10-1-07.pdf

Dear Ms. Nissen:

I am responding to your September 24, 2009 e-mails to Mr. Elmo Collins and me in which you asked about the required documentation for an individual who was listed on a license as an RSO, subsequently removed from the license, and is now seeking approval to be listed as an RSO on another license for the same medical uses of radioactive material. If an individual was listed on a license as an RSO on April 29, 2005, the effective date of the final rule revising the training and experience (T&E) regulations (70 FRN 16336), the individual is "grandfathered" for those medical activities for which he or she was previously authorized. In this case, NRC would only need the previous license number (if issued by the NRC) or a copy of the license (if issued by an Agreement State). Please note that while NRC will recognizes approval of an RSO on another license, Agreement States are not required to automatically accept an RSO listed on NRC licenses or other Agreement State licenses. Agreement States are free to conduct their own evaluations of a proposed RSO's qualifications and make their own determination as to whether he or she is qualified as an RSO.

However, if the individual is no longer listed on a current license, and was not identified as an RSO on April 29, 2005, he/she would not be "grandfathered" and would have to meet the current T&E requirements in §35.50, plus the recentness of training requirement in §35.59. Further, in accordance with section 35.59, an individual who has not been listed on a license as an RSO in the last seven years would also have to meet the current T&E requirements in §35.50. In these cases, the documentation of T&E required to list a proposed RSO on an NRC license can be found on the "Licensing Guidance for Using the NRC FORM 313A Series of Forms" at http://www.nrc.gov/materials/miau/med-use-toolkit/licensing-guidance-form313a.pdf.

You also asked whether there have been any revisions to the T&E requirements for RSOs since January, 2006. There have been three revisions to the RSO T&E requirements in 10 CFR Part 35. The first revision, which was noticed in the *Federal Register* on January 12, 2006 (document attached), was a correction to the March 30, 2005 final rule. The second revision, which was noticed in the *Federal Register* on October 1, 2007 (document attached), was made as part of a rulemaking to establish requirements for the expanded definition of byproduct material (NARM rule). The third revision, which was noticed in the *Federal Register* on July 14, 2009 (document attached), was made to clarify that an RSO could have practical training and/or supervised experience in medical physics under the direction of physicians who met the requirements for authorized users in section 35.57, 35.290 or 35.390; and to allow grandfathered individuals to serve as preceptors and work experience supervisors for individuals seeking recognition as Radiation Safety Officers.

I hope this provides the clarification that you were seeking. For further information or for questions, please contact me at (301) 415-0223, or via e-mail at cindy.flannery@nrc.gov.

Regards,
Cindy

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From: Sandra Nissen [mailto:scn@nuclearcardiology.com]
Sent: Thursday, September 24, 2009 11:49 AM
To: Flannery, Cindy
Subject: RSO Requirements

1. A person is listed on an NRC medical imaging license as an RSO. At a later date, they are replaced by a new RSO and the license is amended accordingly. The person then wishes to be the RSO on another license that has the same authorization as the previous license. What documentation must be provided by the licensee to place the RSO on the new license other than the reference to the previous license number on which they were listed as the RSO?

2. Have there been any RSO training changes, requirements, since January 2006?

Thank you.

Sandra

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Recipients:
scn@nuclearcardiology.com ('Sandra Nissen')
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Files	Size	Date & Time
MESSAGE	976856	11/23/2009
06-266.pdf	49966	
E9-16656.pdf	63748	
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Options
Expiration Date:
Priority: olImportanceNormal
ReplyRequested: False
Return Notification: False

Sensitivity: olNormal
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