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Potential Changes to Radiation Protection Regulations; Solicitation of Public Comment

Comment On: NRC-2009-0279-0019
Radiation Protection Regulations and Guidance; Public Meetings and Request for Comments

Document: NRC-2009-0279-DRAFT-0024
Comment on FR Doc # 2010-24137

Submitter Information

Name: Cindy Tomlinson
Organization: ASTRO

General Comment

Please find attached the American Society for Radiation Oncology's (ASTRO) comments on Radiation Protection Regulations and Guidance.

Attachments

NRC-2009-0279-DRAFT-0024.1: Comment on FR Doc # 2010-24137

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RULES AND DIRECTIVES
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*SUNSI Review Complete
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*E-REDS = ADH-03
Add = K. Morgan-Butler
(KRM1)*



January 31, 2011

Electronically Submitted VIA: www.regulations.gov

Cindy Bladey
Chief, Rules Announcements and Directives Branch
Office of Administration
Mail Stop: 5B01M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Comments on Radiation Protection Regulations and Guidance [Docket No. NRC-2009-0279, See 75 FR 59160 (September 27, 2010)]

Dear Ms. Bladey,

The American Society for Radiation Oncology (ASTRO) appreciates the opportunity to provide comments to the U.S. Nuclear Regulatory Commission (NRC) on the Radiation Protection Regulations and Guidance. ASTRO commends the NRC for conducting a thoughtful review process on this issue before issuing a rulemaking.

ASTRO is the largest radiation oncology society in the world, with more than 10,000 members who specialize in treating patients with radiation therapy. As the leading organization in radiation oncology, biology and physics, the Society is dedicated to improving patient care through education, clinical practice, advancement of science and advocacy.

ASTRO does not believe that a change in the NRC's radiation protection regulations is necessary at this time. However, should the NRC decide to make changes, we believe that those changes should be made using science and sound data – not because of pressure from the international community. The United States should be a leader in this area, not a follower. Changes to current protection regulations, especially those that affect the practice of medicine and radiation oncology, must be made with careful attention to the unique requirements of the health care system in the United States. These types of requirements and constraints cannot be “one-size-fits-all,” but rather they must conform to the community being regulated, not with the rest of the world.

Licensees operate under the principle of “as low as is reasonably achievable” (ALARA). This limit is lower than the maximum dose, and is, by its very nature, already limiting exposure. Currently, common practice sets ALARA limits at about 10% of the allowed maximum dose or 0.5 rem per year. Investigational levels fall below that. ASTRO recommends that any change in the maximum dose not change the normally accepted ALARA limits – limits that are already cautiously low. Lowering the acceptable ALARA limits could cause serious disruptions to

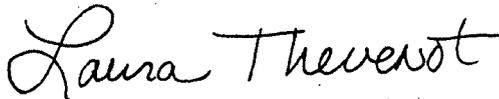
patient care. In particular, a radiation oncology practice that provides a significant amount of brachytherapy could be seriously impacted.

Should the NRC decide to pursue rulemaking on this issue, ASTRO strongly requests that a regulatory guidance be issued at the same time as the proposed rule. Without regulatory guidance it will be very difficult for licensees to assess the full impact of the proposed regulations and make substantive and informed comments.

Finally, should the NRC decide that rulemaking is necessary, ASTRO respectfully recommends that the agency first ensure that any new rules are consistent with related rules issued by other government agencies (such as the Environmental Protection Agency and the Occupational Safety and Health Administration). Consistency among federal agencies is paramount if licensees are to comply fully and safely.

Thank you for affording ASTRO the opportunity to provide comments on the Radiation Protection Regulations and Guidance. Again, we are very pleased with NRC's approach to soliciting input from the community prior to issuing regulations in this area. We look forward to working with the NRC on this issue. Please contact Cindy Tomlinson, Manager of Regulatory Affairs at 703-839-7366 or cindy@astro.org if you have any questions.

Sincerely,



Laura I. Thevenot
Chief Executive Officer

Cc: Dr. Kimyata Morgan Butler, Office of Federal and State Materials and Environmental Management Programs
Dr. Donald Cool, Office of Federal and State Materials and Environmental Management Programs