

May 9, 2011

MEMORANDUM TO: Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff

FROM: Chairman Jaczko */RA/*

SUBJECT: DATA COLLECTION REGARDING PATIENT RELEASE

It is the NRC's mission to protect public health and safety, and to do that, we should continually satisfy ourselves that we are aware of doses that result from the use of radioactive material. The current release criteria in 10 CFR 35.75 for patients treated with radioactive material set appropriate dose limits and appear to properly balance public health and safety with the individual necessities of medical care. As stated in NCRP Report No. 155: "the release of patients treated with therapeutic amounts of radiopharmaceuticals is not likely to expose any member of the public, inclusive of both external and internal dose contributions, [to] >5 mSv (0.5 rem) provided that adequate instructions are provided at discharge to the patient and the family members."

While there is analytical information indicating that our current requirements are appropriate, there does not appear to be much empirical data regarding the doses actually being received by members of the public that are exposed to these patients. Therefore, the staff should evaluate whether there are gaps in the available data regarding doses being received by members of the public due to the release of patients treated with medical isotopes, as well as how the agency could go about collecting additional data, if needed. The staff should consider the practicality, usefulness, and methodology of collecting this data, and how it would inform regulatory decisionmaking. The staff in the technical program area should coordinate with the staff from the Office of Nuclear Regulatory Research in order to determine whether this type of study is feasible and, if so, the proper scope of the study and the estimated resources. The staff should provide its recommendations to the Commission, in a notation vote paper, on whether data gaps exist and whether and how such data could be collected and used.

SECY, please track.

cc: CFO
EDO
OGC
SECY