DPR 35
(76FR29171)

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5

September 7, 2011

Office of Federal and State Materials
And Environmental Management Programs
U. S. Nuclear Regulatory Commission
Washington, DC 20555

RE: Request for Comments on Part 35 Preliminary Draft Proposed Rule Language (FSME 11-044)

To Whom It May Concern,

The State of Wisconsin, Radioactive Materials Program has reviewed the above documents and submits the following comments:

1. 35.13 and 14: Wisconsin supports the change of a notification in lieu of an amendment request, to acquire a sealed source for manual brachytherapy that is different from what is currently authorized by the license as long as the isotope and quantity are permitted by the license and has a valid SSD.

2. 35.50 (c)(3): What exactly is the meaning of this paragraph? In the last sentence, we are a little unsure what 'same new' means.

3. 35.50(d): Wisconsin supports the change in requiring preceptor attestation forms for Authorized Users, Authorized Medical Physicists, or Authorized Nuclear Pharmacists already listed on a license. However, how do we document for cross training between diagnostic authorized users who would like to be a Radiation Safety Officer of brachy therapy programs or vice versa?

4. 35.390(b)(1)(ii)(G)(3): Why aren't all photon emitters together?

5. 35.390(b)(1)(ii)(G)(5): Why was the section on parenteral administration of alpha emitters added?

6. 35.390(b)(1)(ii)(G)(6): After looking at 3-5 in this section, what could be left to fall into this category? Should (5) or (6) be eliminated?

7. 35.396(d)(2)(vi): Requiring 18 case studies (i.e. 3 cases for 6 categories) to be authorized for parenteral administrations of RAM seems burdensome especially when the regulations only require 3 (high-dose) Iodine-131 studies to authorize all of the administrations of Iodine-131 sodium iodide. We don't want to list out all of the varieties

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of parenteral administrations on the license as well. Is anyone aware of medical use of RAM using parenteral administration of alpha emitters? We think the 'other' category could be put to better use to capture some of these very low frequency studies. Also, as it is written, it is going to be difficult to figure out which preceptor authorized users have "experience in the same category" for the parenteral uses of material.

8. 35.600(a) and (b): Can these two be combined? They say the same thing except (a) is for the sealed source and (b) is for the device. A licensee is never going to use one without the other.

Thank you for the opportunity to provide this information. Contact me if you have any questions.

Sincerely,

Krista Kuhlman
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PUBLIC SUBMISSION

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Docket: NRC-2008-0175
Training Requirements for Experienced Radiation Safety Officers and Authorized Medical Physicists

Comment On: NRC-2008-0175-0004
Part 35 Preliminaray Draft Proposed Rule Language

Document: NRC-2008-0175-DRAFT-0005
Comment on FR Doc # N/A

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Organization: Radioactive Materials Program
Government Agency: Department of Health Services

General Comment

See attached file(s)

Attachments

10 CFR 35 Draft Proposal Final

Rulemaking Comments

From: Gallagher, Carol
Sent: Friday, September 09, 2011 12:25 PM
To: Rulemaking Comments
Subject: Comment on Part 35 Draft Rule Language
Attachments: NRC-2008-0175-DRAFT-0005.pdf

Van,

Attached for docketing is a comment on the Part 35 draft rule language (76 FR 29171) published on May 20, 2011.

Thanks,
Carol