



PRM-26-7  
(76FR61625)

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 30, 2011

DOCKETED  
USNRC

October 5, 2011 (5:11pm)

SECRETARY

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Cheri Swensson  
Executive Director  
American Academy of Health Care Providers  
in the Addictive Disorders  
314 West Superior Street, Suite 508  
Duluth, MN 55802-1868

Dear Ms. Swensson:

I am responding to your correspondence to the U.S. Nuclear Regulatory Commission (NRC) dated May 5, 2011, and supplemented on August 3, 2011, regarding Title 10 of the *Code of Federal Regulations* (10 CFR), Section 26.187, "Substance abuse expert." In your correspondence, you request that the NRC amend its regulations at 10 CFR 26.187(b) to include the American Academy of Health Care Providers in the Addictive Disorders at Section 26.187(b)(5). The NRC has determined that the petition meets the NRC's requirements in 10 CFR 2.802, "Petition for rulemaking," for docketing of a petition for rulemaking. Your petition has been assigned Docket Number PRM-26-7.

The enclosed notice acknowledging receipt of the petition and requesting public comment will be published in the *Federal Register*. As staff review progresses on your petition, it may be necessary to request additional information. Please reference the assigned docket number on any correspondence you may have concerning the petition. Upon expiration of the comment period, you may view any comments that have been received in response to the notice of receipt for your PRM at <http://www.regulations.gov> under Docket Identification Number NRC-2011-0220.

You may direct any questions you may have concerning the petition process, the status of your petition, or the ability to view comments to Cindy Bladey at 301-492-3667 (e-mail: [Cindy.Bladey@nrc.gov](mailto:Cindy.Bladey@nrc.gov)) or to Leslie Terry at 301-492-3679 (e-mail: [Leslie.Terry@nrc.gov](mailto:Leslie.Terry@nrc.gov)).

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook".

Annette L. Vietti-Cook,  
Secretary of the Commission.

Enclosure:  
Notice of receipt for PRM-26-7

Template = SECY-067

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**NUCLEAR REGULATORY COMMISSION**

**10 CFR Part 26**

**[Docket No. PRM-26-7; NRC-2011-0220]**

**Cheri Swensson; Certification of Substance Abuse Experts**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Petition for rulemaking; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is publishing for public comment a notice of receipt of a petition for rulemaking (PRM), dated May 5, 2011, and supplemented on August 3, 2011, which was filed with the NRC by Cheri Swensson (the petitioner), on behalf of the American Academy of Health Care Providers in the Addictive Disorders (the Academy). The petition was docketed by the NRC on September 9, 2011, and has been assigned Docket No. PRM-26-7. The petitioner requests that the NRC amend its regulations to include the Academy as one of the organizations authorized to certify a substance abuse expert.

**DATES:** Submit comments by **[insert date that is 75 days after publication in the *FEDERAL REGISTER*]**. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** Please include Docket ID **NRC-2011-0220** in the subject line of your comments. For additional instructions on submitting comments and instructions on accessing documents

related to this action, see "Submitting Comments and Accessing Information" in the **SUPPLEMENTARY INFORMATION** section of this document. You may submit comments by any one of the following methods:

- **Federal rulemaking Web site:** Go to <http://www.regulations.gov> and search for documents filed under Docket ID **NRC-2011-0220**. Address questions about NRC dockets to Carol Gallagher, telephone: 301-492-3668; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).
- **Mail comments to:** Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.
- **E-mail comments to:** [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at 301-415-1677.
- **Hand deliver comments to:** 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 am and 4:15 pm Federal workdays. (telephone: 301-415-1677).
- **Fax comments to:** Secretary, U.S. Nuclear Regulatory Commission at 301-415-1101.

**FOR FURTHER INFORMATION CONTACT:** Cindy Bladey, Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-492-3667.

## SUPPLEMENTARY INFORMATION:

### **Submitting Comments and Accessing Information**

Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site, <http://www.regulations.gov>. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

You can access publicly available documents related to this document using the following methods:

- **NRC's Public Document Room (PDR):** The public may examine and have copied, for a fee, publicly available documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** Publicly available documents created or received at the NRC are available online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of the NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

- **Federal Rulemaking Web Site:** Public comments and supporting materials related to this petition for rulemaking can be found at <http://www.regulations.gov> by searching on Docket ID **NRC-2011-0220**.

### **Background**

Cheri Swensson, on behalf of the Academy, submitted a petition for rulemaking dated May 5, 2011, and supplemented on August 3, 2011. The petitioner requested that the NRC amend Title 10 of the *Code of Federal Regulations* (10 CFR), Section 26.187, "Substance abuse expert," by including the Academy at Section 26.187(b)(5). The petitioner is the Executive Director for the Academy, which is an international credentialing body composed of psychologists, medical doctors, nurses, social workers, and counselors that provides care in areas such as alcohol and gambling addiction. In 2010, the Academy received its accreditation from the National Commission for Certifying Agencies (NCCA). The NRC has determined that the petition meets the threshold sufficiency requirements for a petition for rulemaking under 10 CFR 2.802, "Petition for rulemaking," and the petition has been docketed as PRM-26-7. The NRC is requesting public comment on the petition for rulemaking.

### **Discussion of the Petition**

The petitioner states that the Academy "is very interested in working alongside the NRC to ensure its substance abuse experts are qualified and adhere to the NRC's code of professionalism and ethical conduct through [the Academy's] Certified Addiction Specialist [CAS] certification." The petitioner states that the Academy's CAS certification was accredited by the NCCA in 2010 and is a comprehensive credential offered by the Academy which includes competencies in alcohol addiction, drug addiction, sex addiction, eating disorders and gambling

addiction. The petitioner claims that its certification requirements meet or exceed the NRC's requirements. The petitioner requests that the NRC amend § 26.187(b)(5) to include the Academy as one of the organizations authorized to certify a substance abuse expert.

Dated at Rockville, Maryland, this 30<sup>th</sup> day of September, 2011.

For the Nuclear Regulatory Commission.

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Annette Vietti-Cook,  
Secretary of the Commission.