

ACMUI  
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U.S. NUCLEAR REGULATORY COMMISSION  
OFFICE OF FEDERAL AND STATE MATERIALS AND ENVIRONMENTAL MANAGEMENT  
PROGRAMS

ADVISORY COMMITTEE ON MEDICAL USES OF ISOTOPES

BYLAWS

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## PREAMBLE

These bylaws describe (1) the procedures to be used by the Advisory Committee on the Medical Uses of Isotopes (ACMUI), established pursuant to Section 161a of the Atomic Energy Act of 1954, as amended, in performing its duties; and (2) the responsibilities of the members. For parliamentary matters not explicitly addressed in the bylaws, Robert's Rules of Order will govern be followed. Certain issues that come before the ACMUI have legal implications and may, as recommended by NRC staff, require input from Legal Counsel for their ultimate resolution.

These bylaws have as their purpose fulfillment of the ACMUI's responsibility to provide objective and independent advice to the Commission through the NRC staff in the Division of Materials Safety and State Agreements (MSSA), Office of Federal and State Materials and Environmental Management Programs (FSME), with respect to the development of standards and criteria for regulating and licensing medical uses of byproduct material. The procedures are intended to ensure that such advice is fairly and adequately obtained and considered, that the ACMUI members and the affected parties have an adequate ~~chance to be heard~~ opportunity to express their opinions, and that the resulting reports represent, to the extent possible, the best of which the ACMUI is capable. Any ambiguities in the following should be resolved in such a way as to support those objectives.

## BYLAWS-ADVISORY COMMITTEE ON THE MEDICAL USES OF ISOTOPES

### 1. Scheduling and Conduct of Meetings

The scheduling and conduct of ACMUI meetings shall be in accordance with the requirements of the Federal Advisory Committee Act (FACA), as amended, 10 CFR Part 7, and other implementing instructions and regulations as appropriate.

#### 1.1 Scheduling of Meetings:

- 1.1.1 ACMUI Meetings must be approved or called by the Designated Federal Officer (DFO). At least two regular meetings of the ACMUI will be scheduled each year, one in the sSpring and one in the fFall. Additionally, the ACMUI will meet with the Commission annually, unless the Chair or designated Chair of the ACMUI declines or the Commission declines such a meeting.
- 1.1.2 ~~Special-ACMUI~~ meetings (~~e.g., teleconferences and subcommittee meetings~~) will be open to the public, except for those meetings or portions of meetings in which matters are discussed that are exempt from public disclosure under FACA or other appropriate rules or statutes.
- ~~1.1.3 ACMUI meetings will be open to the public, except for those meetings or portions of meetings in which matters are discussed that are exempt from public disclosure under FACA or other appropriate rules or statutes.~~
- 1.1.34 All ACMUI meetings, open or closed, ~~of the ACMUI~~ will be transcribed. During ~~those~~ portions of the meeting that are open to the public, electronic recording of the proceedings by members of the public will be permitted. Television recording of the meeting will be permitted, to the extent that it does not interfere with ACMUI business, or with the rights of the attending public.
- ~~1.1.4 Portions of ACMUI meetings that are open to the public should be broadcast or otherwise electronically disseminated (eg webcast)webcast whenever possible, with closed captioning in accordance with the Americans Disabilities Act.~~
- ~~1.1.5 All available meeting handouts should be electronically transmitted to the ACMUI members no later than two weeks prior to the meeting.~~
- ~~1.1.6 All publicly available meeting handouts should be posted on the ACMUI public website no later than three business days prior to the meeting.~~

## 1.2 Meeting Agenda:

The agenda for regularly scheduled ACMUI meetings will be prepared by the Chair of the ACMUI (referred to below as "the Chair") in consultation with ~~the Office of Federal and State Materials and Environmental Management Programs (FSME)~~ ~~the FSME~~ staff. The ~~Designated Federal Officer~~DFO must approve the agenda. The Chair, with the ~~FSME~~ ~~FSME~~ staff's assistance, will query ACMUI members for agenda items prior to agenda preparation. A draft agenda ~~will~~ ~~should~~ be provided to ACMUI members ~~not later~~ ~~no later~~ than thirty days ~~before~~ ~~prior to~~ a scheduled meeting. The final agenda ~~will~~ ~~should~~ be provided to members ~~not later~~ ~~no later~~ than seven days ~~before~~ ~~prior to~~ a scheduled meeting.

Before the meeting, the Chair and the ~~Designated Federal Officer~~DFO ~~for the ACMUI~~ will review the findings of the Office of the General Counsel regarding possible conflicts of interest of members in relation to agenda items. Members will be recused from discussion of those agenda items with respect to which they have a conflict.

## 1.3 Conduct of the Meeting:

1.3.1 All ACMUI meetings will be held in full compliance with the ~~Federal Advisory Committee Act~~FACA. Questions concerning compliance will be directed to the NRC Office of the General Counsel.

1.3.2 The Chair will preside over the meeting. The Vice Chair will preside if the Chair is absent or if the Chair is recused from participating in the ~~discussion of a particular agenda item~~. The ~~Designated Federal Officer~~DFO will preside when both the Chair and the Vice Chair are absent and/or recused from the discussion, or when directed to do so by the Commission.

1.3.3 A majority of the current membership of the ACMUI will be required to constitute a quorum for the conduct of business at an ACMUI meeting.

1.3.4 The Chair has both the authority and the responsibility to maintain order and decorum, and may, at his or her option, recess the meeting if these are threatened. The ~~Designated Federal Officer~~DFO will adjourn a meeting when adjournment is in the public interest.

1.3.5 Decisions shall be by a majority vote of those members present and voting.

1.3.65 The Chair may take part in the discussion of any subject before the ACMUI, and may vote. The Chair should not use the power of the Chair to bias the discussion. Any dispute over the Chair's level of advocacy shall be resolved by a vote on the Chair's continued participation in the discussion of the subject. ~~The decision shall be by a majority vote of those members present and voting, with a tie permitting continued participation of the Chair in the discussion.~~

1.3.76 When a consensus appears to have developed on a matter under consideration, the Chair will summarize the results for the record. Any members who disagree with the consensus shall be asked to state their dissenting views for the record. Any ACMUI member may request that any consensus statement be put before the ACMUI as a formal motion subject to affirmation by a formal vote. No ACMUI position will be final until it has been formally adopted by consensus or formal vote, and the ~~minutes~~/transcript written and certified.

## 2. ~~MINUTES~~/TRANSCRIPTS

2.1 ~~Minutes/~~~~T~~ranscripts of each meeting will be prepared by the ACMUI Chair, with assistance from the FSME staff, in accordance with the requirements in 10 CFR Part 7. The Commission staff will prepare ~~minutes~~/transcripts of ACMUI meetings with the Commission.

2.2 ~~The ACMUI Chair will certify the minutes/transcripts i~~In accordance with 10 CFR Part 7.13(c), ~~the ACMUI Chair or other individual who presided over the meeting in place of the ACMUI Chair will certify the transcripts.~~

2.3 Copies of the certified transcripts will be made available to the ACMUI members, and to the public, no later than 90 days after the meeting.

2.3 In accordance with the requirements of the NRC's Operating Plan, FSME staff will prepare a meeting summary. ~~The FSME staff will e-mail the meeting summary document or web link to the ACMUI members. W~~hich will be made available to ACMUI members and to the public no later than 30 business days after the meeting.

2.4 ~~Copies of the certified minutes/transcripts will be made available to the ACMUI members, and to the public, not later~~no later than 90 days after the meeting.

## 3. APPOINTMENT OF MEMBERS

- 3.1 ~~The ACMUI members of the ACMUI~~ are appointed by the Director, FSME, after consultation with the Commission. The Commission determines the size of the ACMUI. The NRC will solicit nominations by notice in the Federal Register and by such other means as are approved by the Commission. Evaluation of candidates shall be by such procedures as are approved by the Director, FSME. The term of an appointment to the ACMUI is four years, and the Commission has determined that no member may serve more than two consecutive terms (eight consecutive years). ~~unless directed otherwise by the Commission, unless directed otherwise by the Commission.~~
- 3.2 The Chair will be appointed by the Director, FSME, from the membership of the ACMUI. The Chair will serve at the discretion of the Director, FSME.
- 3.3 The Vice Chair will be appointed by the Director, FSME, from the membership of the ACMUI. The Vice Chair will serve at the discretion of the Director, FSME.

#### 4. CONDUCT OF MEMBERS

- 4.1 If a member believes that he or she may have a conflict of interest with regard to an agenda item to be addressed by the ACMUI, this member should divulge it to the Chair and the ~~Designated Federal Officer~~DFO as soon as possible, ~~but in any case and~~ before the ACMUI discusses it as an agenda item. ACMUI members must recuse themselves from discussion of any agenda item ~~with respect to~~in which they have a conflict of interest.
- 4.2 ACMUI members should submit their hours of work, as they relate to official ACMUI business, on the Thursday prior to the close of the pay period, unless noted otherwise. The hours shall be reported via the appropriate reporting method established by the DFO.
- 4.3 For meetings requiring travel, ACMUI members should submit travel authorizations by the travel reporting procedure as directed by FSME staff in the eTravel system no later than three weeks prior to the meeting date. ACMUI members should submit vouchers for reimbursement by the travel procedure as directed by FSME staff in the eTravel system no later than 5 business days after the meeting.
- 4.42 Upon completing their tenure on the ACMUI, members will return any privileged documents and accountable equipment (as so designated by the NRC) provided for their use in connection with ACMUI activities, unless directed to dispose of these documents or equipment.

- 4.3 ~~ACMUI M~~members ~~of the ACMUI are expected to~~should conform to all applicable NRC rules and regulations, and are expected to attend meetings regularly and perform all assigned duties.

## 5. ADOPTION AND AMENDMENTS

- 5.1 Adoption or approval of an amendment of these bylaws shall require an affirmative vote of two-thirds of the current ACMUI membership and the concurrence of the Director, ~~FSME of the Office of Federal and State Materials and Environmental Management Programs~~.
- 5.2 Any member of the ACMUI or FSME staff may propose an amendment to these bylaws. The proposed amendment will be distributed to the members by the Chair and scheduled for discussion at the next regular ACMUI meeting.
- 5.3 The proposed amendment(s) may be voted on as early as the next ACMUI meeting after distribution to the members.
- 5.4 The ACMUI shall consult with the Office of the General Counsel regarding conflicts that arise from the interpretation of the bylaws. After consultation, the ACMUI shall resolve interpretation issues by a majority vote of the current membership of the ACMUI.