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201 Briarcliff Dr.
San Antonio, TX
78213

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Secretary of the Commission
U.S. Nuclear Regulatory Commission
Docketing and Service Branch
Docket #PRM-35-9
Washington, DC 20555

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BRANCH

Dear Mr. Secretary:

I am a practicing physician in Nuclear Medicine and Diagnostic Radiology. I have been certified by the American Board of Nuclear Medicine since 1979 and by the American Board of Radiology since 1986. I am presently the chief of the Radiology Department of Brooke Army Medical Center and have been the chief of Nuclear Medicine of that same hospital. The opinions expressed here are my own as an experienced Nuclear Medicine physician, and not necessarily those of the U.S. Army.

The purpose of this letter is to most strongly support the Petition for Rulemaking filed by the American College of Nuclear Physicians (ACNP) and the Society of Nuclear Medicine (SNM). I believe that the present position of the NRC is very wrong and restrictive with regard to Part 35 on medical use of radiopharmaceuticals.

The NRC, I believe, has sided with commercial manufacturers of radiopharmaceuticals, much to the detriment of patient care and common sense. This is the 'easy way out' for the NRC, but very expensive for the patients and practitioners. It is needlessly restrictive. The "hazard" posed to the patient by diagnostic misadministrations falling under lack of adherence to the excessively specific FDA regulations has been blown far out of proportion by the NRC. The NRC assumes that there is a serious threat to patients. While this may be well-intended by the NRC, it is absolutely unsubstantiated.

I strongly recommend that the NRC adopt the Petition for Rulemaking brought forward by the ACNP and SNM.

Sincerely,

Robert J. Telepak MD

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