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PETITION RULE PRM 35-9
(54FR 38239)

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November 14, 1989

OFFICE
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U.S. Nuclear Regulatory Commission
c/o Secretary of the Commission
Docketing and Service Branch
Washington, DC 20555

RE: Docket #PRM-35-9

Dear Mr. Secretary:

We understand that the American College of Nuclear Physicians (ACNP) and the Society of Nuclear Medicine (SNM) recently submitted a Petition for Rulemaking to the Nuclear Regulatory Commission seeking changes in existing 10 CFR Part 35 and license conditions.

We hereby would like to express our strong support for the above Petition. As a practicing nuclear medicine physician and a practicing nuclear medicine technologist we have serious concerns about the 10 CFR 35 regulations which became effective in April, 1987. There are conflicts between Part 35 regulatory provisions and legal and legitimate FDA and State laws.

Some of the NRC regulations are highly restrictive and instead of benefitting the patients, they constrict our work and defeat our efforts. NRC should listen more to the FDA, State Boards of Pharmacy and Medical Quality Assurance, radiation safety committees, practicing nuclear medicine physicians, pharmacists and technologists who are well-trained to work with radiation and who are also very interested in the welfare of the patient.

Since the NRC's primary regulatory focus appears to be based on the unsubstantiated assumption that misadministrations, particularly those involving diagnostic radiopharmaceuticals, pose a serious threat to the public health and safety, we strongly urge the NRC to pursue a comprehensive study by a reputable agency, such as the National Academy of Sciences or the NCRP, to assess the radiobiological effects of misadministrations from Nuclear Medicine diagnostic and therapeutic studies. We firmly believe that such a study will demonstrate that the NRC's efforts to impose more and more stringent regulations are unnecessary and not cost-effective in relation to the extremely low health risks of these studies.

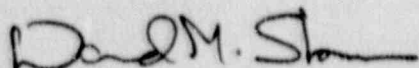
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SISTERS OF PROVIDENCE INSTITUTIONS—ALASKA: PROVIDENCE HOSPITAL, ANCHORAGE—OUR LADY OF COMPASSION CARE CENTER, ANCHORAGE—WASHINGTON: PROVIDENCE CENTRAL MEMORIAL HOSPITAL, TOPPENISH—PROVIDENCE HOSPITAL, EVERETT—PROVIDENCE MEDICAL CENTER, SEATTLE—THE DEPAUL RETIREMENT RESIDENCE AND MOUNT ST. VINCENT NURSING CENTER, SEATTLE—ST. ELIZABETH MEDICAL CENTER, YAKIMA—ST. PETER HOSPITAL, OLYMPIA—ST. JOSEPH HOSPITAL, ABERDEEN—ST. HELEN HOSPITAL, CHEHALIS—OREGON: PROVIDENCE CHILD CENTER, PORTLAND—PROVIDENCE MEDICAL CENTER, PORTLAND—ST. VINCENT HOSPITAL AND MEDICAL CENTER, PORTLAND—SEASIDE GENERAL HOSPITAL, SEASIDE—PROVIDENCE HOSPITAL, MEDFORD—PROVIDENCE MILWAUKIE HOSPITAL, MILWAUKIE—CALIFORNIA: PROVIDENCE HOSPITAL, OAKLAND—PROVIDENCE HIGH SCHOOL, BURBANK—SAINT JOSEPH MEDICAL CENTER, BURBANK.

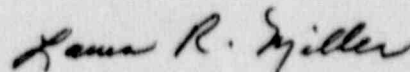
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We strongly urge the NRC to adopt the ACNP and SNM Petition for Rulemaking as soon as possible.

Sincerely,



David M. Shames, M.D.
Director, Nuclear Medicine
Chairman, Radiation Safety Committee



Laura R. Miller, CNMT
Chief Technologist,
Nuclear Medicine
Radiation Safety Officer