



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

Mr. Terry Derstine, Chair  
Organization of Agreement States  
Pennsylvania Department of Environmental Protection  
Bureau of Radiation Protection  
Rachel Carson State Office Building  
P.O. Box 8469  
Harrisburg, PA 17105-8469

Dear Mr. Derstine:

I am responding to the petition for rulemaking (PRM 34-6) that the Organization of Agreement States submitted to the U.S. Nuclear Regulatory Commission (NRC) on November 3, 2005 Agencywide Documents Access and Management System (Accession No. ML053190112). The petition requested that the NRC amend its regulations at Title 10 of the *Code of Federal Regulations* Part 34 to require specific amounts of radiation safety training for radiography workers, and to clarify requirements related to the responsibilities of the second individual who is required to be present during radiographic operations at temporary jobsites.

The petition was docketed as PRM-34-6, and the NRC published a notice of docketing and request for public comment in the *Federal Register* (FR) on December 28, 2005 (70 FR 76724). The NRC reviewed your petition and the public comments received concerning the petition and determined that the issues raised in the petition merited consideration in the NRC rulemaking process (73 FR 27771; May 14, 2008).

After review, the NRC concludes that an amendment to the regulations is not necessary to resolve the issues raised in the petition with respect to the responsibilities of the second individual and is issuing the enclosed notice of interpretation, effective upon publication in the FR. The issuing of the notice of interpretation, compatibility change, and guidance update is a more effective and efficient solution than amending the regulations to resolve the underlying issue. This interpretation allows increased flexibility, while continuing to protect public health and safety.

The NRC also reviewed the issue regarding training requirements raised by PRM-34-6. The NRC finds the current requirements prepare individuals conducting radiographic operations with

sufficient knowledge and understanding to safely perform their work. Accordingly, the NRC denies the petition and discontinues further rulemaking on these issues. For further information, see the enclosed FR notice.

You may direct any questions regarding this matter to Gregory Trussell, by calling 301-415-6244 or by emailing [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov).

Sincerely,

Annette L. Vietti-Cook  
Secretary of the Commission

Enclosure:  
*Federal Register* notice