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35.404 Radiation surveys.

(a) Immediately after implanting sources in a patient or a human research subject the licensee shall make a survey of the patient or the human research subject and the adjacent area of use to confirm that no sources have been misplaced. The licensee shall make a record of each survey.

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Gentlemen,

As the radiation safety officer of the University Hospitals of Cleveland, I have read through the revised version of 10CFR35. It deserves high praise for its methodical and rational organization. I do have a comment on one of the rules and wish to suggest a modification that I believe will result in making it clearer and more reasonable.

The regulation in 35.404 (a), under "Radiation surveys", pertains to implanting sealed sources in a patient or human research subject during a brachytherapy procedure. The licensee is required to make a survey of the individual treated and the "adjacent area" to confirm that no sources have been misplaced.

This rule should be clarified to explicitly indicate that "adjacent area" DOES NOT categorically include "contiguous restricted and unrestricted areas". This latter wording appears in the current version of 10CFR35 in Section 35.415 (a)(4), has little rationale to recommend it, and has been deservedly been removed in the revised version. I wholeheartedly approve of having done away with it, and look forward to an end to the endless annoyance of nursing personnel in those contiguous areas, the alarm induced in their patients, and the frustration of radiation safety personnel. I definitely do not want to see it invidiously coming back under a new guise because of the wording in the new rule.

May I therefore suggest that the regulation in 35.404 (a) be amended as follows. The amendment appears in ALL CAPITALS:

"Immediately after implanting sources in a patient or a human research subject the licensee shall make a survey of the patient or the human research subject and the adjacent area of use to confirm that no sources have been misplaced. THE CONTIGUOUS RESTRICTED AND UNRESTRICTED AREAS SHALL ALSO BE SURVEYED, UNLESS A PRIOR SURVEY HAS BEEN PERFORMED AND RECORDED FOR AN EQUAL OR GREATER TOTAL SOURCE ACTIVITY, SHOWING THAT DOSE RATES THEREIN ARE IN COMPLIANCE WITH THE REQUIREMENTS OF PART 20 OF THIS CHAPTER. The licensee shall make a record of each survey."

Thank you for this opportunity to comment on the revised regulations.

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