

POLICY ISSUE NOTATION VOTE

August 26, 2003

SECY-03-0149

FOR: The Commissioners

FROM: William D. Travers
Executive Director for Operations

SUBJECT: PROPOSED AMENDMENT TO THE CHARTER OF THE
ADVISORY COMMITTEE ON THE MEDICAL USES OF
ISOTOPES

PURPOSE:

This memorandum requests Commission approval of the staff's proposed amendment to the charter of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) so that staff may utilize the ACMUI as consultants on medical related matters.

BACKGROUND:

The ACMUI advises U.S. Nuclear Regulatory Commission on technical issues that arise regarding the medical uses of byproduct material. The Committee provides information to the NRC concerning the potential impact of regulations on the medical community and regulatory matters that may affect the treatment of patients.

Periodically, the staff encounters issues related to the medical use of byproduct material for which it would be useful to have timely input from a consultant with relevant expertise. For example, the staff occasionally receives licensee requests for exemption from the training and experience requirements in 10 CFR Part 35 that the licensee normally must meet in order to be

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granted recognition as an Authorized Medical Physicist. Because of the complexity of issues that are encountered while reviewing these applications, the staff may require timely expert advice on resolving these issues, to maintain safety while not impeding necessary health care delivery.

DISCUSSION:

During its May 20-21, 2003, public meeting, the ACMUI expressed a desire to assist the staff in resolving matters related to the medical use of byproduct material. The Committee reiterated its willingness to assist the staff during the Commission briefing on May 28, 2003. Since the ACMUI is comprised of professional clinicians, who routinely apply the medical regulations in 10 CFR Part 35 to their professional activities, the staff believes that the ACMUI can provide valuable advice and insights as consultants on medical issues.

The ACMUI's charter currently restricts its role to that of advisors to the staff regarding the application of 10 CFR Part 35 to the regulated medical community. The staff believes it is necessary to amend the charter to enable ACMUI members to serve as consultants, to assist in resolving issues, when the staff determines such assistance is necessary. Attached is a copy of the revised charter and a redline-strike out version showing the proposed changes.

In addition to amending the charter so that ACMUI's scope of service is expanded, other small editing updates are necessary. For example, the name of the Director, Industrial and Medical Nuclear Safety, was updated to reflect the current Director, Charles L. Miller, PhD.

COORDINATION:

The Office of the General Counsel has no legal objection.

RECOMMENDATION:

The staff recommends Commission approval of the proposed modification of the ACMUI charter as indicated in the attachment, to allow for the use of ACMUI members as consultants on an as-needed basis.

/RA/

William D. Travers
Executive Director
for Operations

Attachments:

1. Amended ACMUI Charter
2. Redline-Strike Out Version

**UNITED STATES NUCLEAR REGULATORY COMMISSION
CHARTER FOR THE ADVISORY COMMITTEE ON MEDICAL USES OF ISOTOPES
(Pursuant to Section 9 of Public Law 92-463)**

1. **Committee's Official Designation:**

Advisory Committee on the Medical Uses of Isotopes

2. **Committee's objectives, scope of activities and duties are as follows:**

The Committee provides advice, as requested by the Director, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Materials Safety and Safeguards, on policy and technical issues that arise in regulating the medical use of byproduct material for diagnostic and therapeutic nuclear medicine. The Committee may provide consulting services as requested by the Director, IMNS

3. **Time period (duration of this Committee):**

From March 20, 2002, to March 20, 2004

4. **Official to whom this Committee reports:**

Charles L. Miller, Director
Division of Industrial and Medical Nuclear Safety
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

5. **Agency responsible for providing necessary support to this Committee:**

U.S. Nuclear Regulatory Commission

6. **The duties of the Committee are set forth in Item 2 above.**

7. **Estimated annual direct cost of this Committee:**

- a. \$160,000.00 (includes travel, per diem, and compensation)
- b. Total staff-year of support: 1.5 Full Time Equivalent

8. **Estimated number of meetings per year:**

Three meetings per year, except when active rulemaking is conducted, then five meetings per year.

Charter, ACMUI

9. **The Committee's termination date.**

April 4, 2004

10. **Filing date:**

March 20, 2002

Andrew L. Bates
Advisory Committee Management
Officer
Office of the Secretary of the
Commission

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~~Donald A. Cool~~ **Charles L. Miller**, Director
Division of Industrial and Medical Nuclear Safety
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
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