

PUBLIC SUBMISSION

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Docket: NRC-2017-0159

Naturally-Occurring and Accelerator-Produced Radioactive Materials

Comment On: NRC-2017-0159-0002

Naturally Occurring and Accelerator-Produced Radioactive Materials; Petition for Rulemaking; Notice of Docketing and Request for Comment

Document: NRC-2017-0159-DRAFT-0012

Comment on FR Doc # 2017-17690

Submitter Information

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Organization: American College of Radiology (ACR)

General Comment

Please see the attached comments of the American College of Radiology.

Attachments

acr_comments_oas-narm-prm_11-6-2017



November 6, 2017

ATTN: Rulemakings and Adjudications Staff
Secretary, U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: (PRM-30-66; NRC-2017-0159) Naturally-Occurring and Accelerator-Produced Radioactive Materials; Organization of Agreement States' Petition for Rulemaking; Comments of the American College of Radiology

The American College of Radiology (ACR)—a professional organization representing more than 35,000 radiologists, radiation oncologists, interventional radiologists, nuclear medicine physicians, and medical physicists—appreciates the opportunity to comment regarding the U.S. Nuclear Regulatory Commission's (NRC) request for comments on the petition for rulemaking filed by the Organization of Agreement States (OAS) regarding Naturally-Occurring and Accelerator-Produced Radioactive Materials or NARM (PRM-30-66; NRC-2017-0159). The following input was compiled by the ACR's Commission on Medical Physics-Government Relations Committee.

10 CFR 30.35 references Part 30 Appendix B to determine the need for a decommissioning funding plan and the amount of financial assurance required for sealed and unsealed sources. The table in Part 30 Appendix B was not adequately updated when NRC's regulatory authority was expanded in 2005 to include NARM. The result of this discrepancy was the need for redundant and time intensive case-by-case special exemptions for new accelerator products (such as Germanium-68/Gallium-68 generators) to avoid unduly burdensome financial assurance obligations.

Many accelerator-produced materials are used in medical and scientific applications. The misalignment of Appendix B with NRC's authority over NARM has placed an administrative hardship on certain licensees without providing an offsetting radiation safety benefit. This has potentially discouraged aggressive development of new and beneficial accelerator products.

Therefore, ACR supports PRM-30-66 and agrees with OAS that NRC action should resolve apparent inefficiencies caused by an incomplete 10 CFR Part 30 Appendix B by adding appropriate radionuclides and corresponding activities to the list of "Quantities of Licensed Material Requiring Labeling." We recommend that NRC staff work with the Advisory Committee on the Medical Uses of Isotopes (ACMUI) to identify the necessary revisions.

Thank you in advance for your consideration of these comments. As always, the American College of Radiology welcomes the opportunity for continued dialogue with NRC. Should you have any questions on the points addressed herein, or if we can otherwise be of assistance, please do not hesitate to contact Gloria Romanelli, ACR Senior Director of Government Relations, at 703-716-

7550 / gromanelli@acr.org, or Michael Peters, ACR Director of Legislative and Regulatory Affairs, at 703-716-7546 / mpeters@acr.org.

Sincerely,

A handwritten signature in cursive script, reading "James Brink". The signature is written in black ink on a white background.

James A. Brink, MD, FACR
Chair, Board of Chancellors
American College of Radiology