



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

March 26, 2020

Mr. Peter Crane
6545 27th Avenue NW
Seattle, WA 98117

Dear Mr. Crane:

I am writing in response to your March 11, 2020, email to several U.S. Nuclear Regulatory Commission (NRC) senior managers in which you expressed doubts that aspects of a March 11, 2020, meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) complied with the letter and/or spirit of the Federal Advisory Committee Act. Your email also suggested that the meeting be rescheduled with the draft report attached.

The NRC staff and I appreciate your longstanding interest and interactions on patient release issues, including those related to the revisions to Regulatory Guide (RG) 8.39, "Release of Patients Administered Radioactive Materials" that were the subject of this ACMUI meeting. Your insights on these regulatory matters strengthens our products. We also appreciate that you forward information to others. The NRC staff will continue to consider your comments and those of others received, as we evaluate this patient release guidance.

I find no justification to reschedule the meeting or to reissue the meeting documents. The March 11, 2020, ACMUI meeting was noticed in the *Federal Register* (85 FR 4343) on January 24, 2020 and was also the subject of a Medical List Server courtesy email on January 29, 2020. The NRC staff has verified that your email (specifically Kinderhook46@yahoo.com) was among the email addresses to which we sent the January 29, 2020, Medical List Server notification. Further, the ACMUI Subcommittee's draft report, which served as the meeting material for the ACMUI public teleconference on March 11, 2020, was made available to members of the public on February 26, 2020, through the NRC's public meeting notice system and on the ACMUI Meetings and Related Documents webpage. Finally, at the meeting, the ACMUI Chair opened the floor for public comment.

Your email does not fairly portray *that* the ACMUI and the NRC staff's actions, in this circumstance, not only followed the established process for informing its stakeholders, but they were consistent with NRC values and the principles of good regulation (including the openness principle) and provided sufficient opportunity to inform the NRC's decision making.

In accordance with 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any future concerns or questions regarding the NRC staff's outreach efforts, please feel free to contact me or Mr. Kevin Williams, Deputy Director, Division of Materials Safety, Security, State and Tribal Programs, at (301) 415-3340.

Sincerely,

Michael C. Layton, Director
Division of Materials Safety, Security,
State and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

SUBJECT: LTR-20-0089 NRC Staff response to Peter Crane re: ACMUI Meeting and FACA
DATED: MARCH 26, 2020

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