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THE UNIVERSITY OF CHICAGO

The Department of Radiology

Section of Nuclear Medicine

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Mr. Samuel Shilk  
Secretary, U.S. Nuclear Regulatory Commission  
Washington, DC 20555Attn: Docketing and Service Branch  
Docket #PRN-170-3  
56 FR 31472, Published July 10, 1991

Dear Mr. Secretary:

I am adding my voice to those physicians, scientists and support staff working in nuclear medicine in support of the American College of Nuclear Physicians and The Society of Nuclear Medicine's response to your final rule noted above. I, my faculty, and staff support unequivocally and completely the objections emphasized by the American College of Nuclear Physicians and The Society of Nuclear Medicine's petition that the NRC amend 10 CFR Parts 170 and 171 in order to modify the significant adverse effects we are experiencing because of the recent increase in the NRC's license and annual fees. The full effects of this rule making are magnified further by the effect on our suppliers so that not only do our costs increase directly, but also through increased costs of supplies and services, all of which are essentially unrecoverable from our patients. Although we are a not-for-profit educational institution, we do not qualify for an exemption under your definition of a "small entity".

Specifically, we support the four issues addressed in the petitioner's response and request that you (1) provide an exemption for medical service similar to the exemption provided for a non-profit institution; (2) provide for uniform consideration of each licensee's individual circumstances; (3) consider adopting a sliding scale of fees depending on the size of an entity; and (4) allow licensees, federal and state, a greater voice in the NRC's decision-making process for developing new programs where the development costs could have a substantial economic effect.

In all activities, the NRC should remain aware and consider that it is important to be convinced that a proposed new or modified regulation not only improves the protection of the public's health and safety, but that the benefits significantly outweigh the costs and associated burdens of implementing those proposed new or modified regulations. We are disheartened to learn that the increased costs to NRC licensees have resulted in the non-renewal of almost 2000 licensees, of which about one-third are medical licensees. It is particularly disheartening when the NRC ignores independent and outside opinion, even

from the federal Office of Management and Budget and imposes requirements that the OMB concludes have "limited practical utility....on the regulated community (and) do not justify their burden." Is it unreasonable to ask - or rather, expect - that logic and plain common sense prevail?

This is an important issue and we ask that you revise your final ruling to incorporate those concerns and recommendations in the American College of Nuclear Physicians and The Society of Nuclear Medicine's petition.

Thank you.

Sincerely yours,



Richard C. Reba, M.D.  
Professor of Radiology  
Chief, Section of Nuclear Medicine

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