



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

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AF-10-2
#5.2

June 12, 1995

MEMORANDUM TO: Michael T. Lesar, Chief
Rules Review Section
Rules Review and Directives Branch
Division of Freedom of Information and
Publications Services
Office of Administration

FROM: *Brenda Jo. Shelton*
Brenda Jo. Shelton, Chief
Information and Records Management Branch
Office of Information Resources Management

SUBJECT: REQUEST FOR COMMENT AND CONCURRENCE ON A FINAL RULE
ENTITLED, "MEDICAL ADMINISTRATION OF RADIATION AND
RADIOACTIVE MATERIALS" (10 CFR PARTS 20 AND 35)

In response to your subject request, the Information and Records Management Branch (IRMB) provides the following:

- ☒ The Paperwork Reduction Act Statement (PRAS) is correct.
- ☐ Change the PRAS to Attachment 1.
- ☒ The "Information Collection Requirements: OMB Approval" section is correct.
- ☐ Do not publish the "Federal Register Notice" until further notice.
- ☒ The "Federal Register Notice" can be published.
- ☐ Enclosed is a copy of the IRMB memorandum to the program office addressing our concerns.
- ☐ A copy of the IRMB memorandum to the program office addressing our concerns will be forwarded at a later date.
- ☒ An IRMB memorandum to the program office is not required.

cc: S. McGuire, RES ✓

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

June 13, 1995

cc: Glenn
McGuire
Morris
File

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dm

MEMORANDUM TO: David L. Morrison, Director
Office of Nuclear Regulatory Research

FROM: Richard L. Bangart, Director
Office of State Programs

Richard L. Bangart

SUBJECT: OFFICE REVIEW AND CONCURRENCE ON A FINAL RULE - MEDICAL
ADMINISTRATION OF RADIATION AND RADIOACTIVE MATERIALS

This is in response to your May 30, 1995, memorandum on the subject document. We have reviewed the final rule as it applies to the Agreement States through compatibility requirements. We concur without comment.

CONTACT: LLOYD BOLLING, OSP
415-2327

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OFFICE OF THE
GENERAL COUNSEL

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

June 16, 1995

T-10F12 PDR
AF-10-2
#5.4
Morris
cc: Glenn
Schneider
McGuire
File

dm

MEMORANDUM TO: David L. Morrison, Director
Office of Nuclear Regulatory Research

FROM: Stuart A. Treby
Associate General Counsel for Rulemaking and Fuel Cycle *Stuart A. Treby*

SUBJECT: COMMENTS ON DRAFT FINAL RULE - ADMINISTRATION OF RADIATION
AND RADIOACTIVE MATERIALS (WRONG PATIENT RULE)

We have reviewed the Commission paper and final amendments to 10 CFR Parts 20 and 35 which address administration of radiation and radioactive materials, including administration to the incorrect individual. One typographic error is noted on page 9 of the Federal Register Notice (page 9 attached). OGC has no legal objection to the final rule subject to the change noted above.

Attachment: As stated

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by part 35 rather than part 20. The ACMUI stated that notification of an individual of an error in administration below the misadministration threshold is the current medical practice and should not be regulated. A transcript of the meeting has been placed in and is available for examination at the NRC Public Document Room, 2120 L St. NW. (Lower Level), Washington, DC.

VI. Coordination with and Issue of Compatibility for Agreement States.

This rulemaking was discussed with representatives of Agreement States at a meeting in Portland, ME, on October 24, 1994. The States were polled on how they regulated an administration to the wrong individual, and it was found that they appear to regulate such administrations consistent with this rule. Two States commented on the rule, and both fully supported the rule.

The NRC believes that the modification of part 20 should be a Division 1 matter of compatibility consistent with past practice of requiring basic definitions to be essentially identical for effective communication of basic radiation concepts. One Agreement State commenting on the compatibility issue supported a Division 1 level. Another Agreement State supported Division 1 compatibility "provided that Division 1 compatibility means the intent, but not the language must be identical."

VII. Finding of No Significant Environmental Impact.

The NRC has determined under the National Environmental Policy Act of 1969, as amended, and the Commission's regulations in Subpart A of part 51, that this rule is not ~~be~~ a major Federal action significantly affecting the