



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

The Honorable Dan Schaefer, Chairman  
Subcommittee on Energy and Power  
Committee on Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

In the near future, the Nuclear Regulatory Commission (NRC) intends to publish in the Federal Register the enclosed final amendments to the Commission's rules in 10 CFR Parts 20 and 35. The amendments revise Parts 20 and 35 to make clear that the dose to an individual from a medical administration of radiation or radioactive materials, even to an individual not supposed to receive an administration, is regulated by Part 35 of NRC's regulations, not by Part 20.

Sincerely,

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure:  
Federal Register Notice

cc: Representative Frank Pallone

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United States House of Representatives  
Washington, DC 20515

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Sincerely,

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosure:  
Federal Register Notice

cc: Representative Frank Pallone

Distribution:  
RPHEB R/F  
FCostanzi  
LRiani

\*See previous concurrences

Offc:	RPHEB:DRA	RPHEB:DRA	D:DRA	D:RES	D:OCA
Name:	SMcGuire*	JGlenn*	BMorris	DMorrison	DRathbun
Date:	6/14/95	6/29/95	6/15/95	/ /95	/ /95
Copy:	Yes - No	Yes - No	Yes - No	Yes - No	Yes --No

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

The Honorable Lauch Faircloth, Chairman  
Subcommittee on Clean Air, Wetlands, Private  
Property and Nuclear Safety  
Committee on Environment and Public Works  
Washington, DC 20510

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Enclosure:  
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cc: Senator Bob Graham

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Distribution:  
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\*See previous concurrences

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Name: SMcGuire*	JGlenn*	BMorris	DMorrison	DRathbun
Date: 6/14/95	6/29/95	7/1/95	/ /95	/ /95
Copy: Yes - No	Yes - No	/ Yes - No	Yes - No	Yes - No

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3. Note:

- a. The rule will be effective 30 days following publication in the Federal Register;
- b. The appropriate Congressional committees will be notified of the final rule change; (Attachment 2)
- c. The Chief Counsel for Advocacy of the Small Business Administration will be informed of the certification regarding economic impact on small entities and the reasons for it as required by the Regulatory Flexibility Act;
- d. The final rule contains no information collection requirements that are subject to review by OMB.
- e. Because this is a clarifying amendment with no significant impact, a public announcement will not be issued.
- f. Copies of the Federal Register notice of final rulemaking will be distributed to all Commission medical licensees and each Agreement State. The notice will be sent to other interested parties upon request.

SCHEDULING:

If scheduled on the Commission agenda, I recommend this paper be considered at an open meeting. No specific circumstance is known to staff which would require Commission action by any particular date in the near future.

James M. Taylor  
Executive Director  
for Operations

Attachments: As Stated (2)

**RECORD NOTE:** A draft of the final rule was sent to OIG for information on May 30, 1995.

**\*See previous concurrences**

Document name: g:/mcguire/wrongpat/cp.frm

Offc:	RPHEB:DRA*	RPHEB:DRA*	D:RES	D:NMSS*	D:SP*	ADM*
Name:	SMcGuire	JGlenn	BMorris	CPaperiello	RBangart	PNorry
Date:	6/14/95	6/29/95	7/5/95	6/25/95	6/13/95	6/19/95
Copy:	Yes - No	Yes - No	Yes - No	Yes - No	Yes - No	Yes - No

Offc:	D:IRM*	OGC*	D:OE*	D:RES	EDO
Name:	GCranford	KCyr	JLieberman	DMorrison	JMTaylor
Date:	6/12/95	6/16/95	6/06/95	7/6/95	7/ /95
Copy:	Yes - No	Yes - No	Yes - No	Yes - No	Yes - No

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Offc:	RPHEB:DRA	RPHEB:DRA	D:DRA:RES	D:NMSS	D:SP	ADM <sup>Dreyer</sup>
Name:	SMcGuire	UGlenn	BMorris	CPaperiello	RBangart	PNorry <sup>for</sup>
Date:	6/14/95	6/29/95	1/95	6/25/95	6/13/95	6/9/95
Copy:	Yes - No	Yes - No	Yes - No	Yes - No	Yes - No	Yes - No
	attached	attached	attached	attached	attached	attached
Offc:	D:IRM <sup>B. Shelton</sup>	OGC <sup>Streby</sup>	D:OE <sup>attached</sup>	D:RES	EDO	
Name:	GCranford	KCyr <sup>for</sup>	JLieberman	DMorrison	JMTaylor	
Date:	6/12/95	6/16/95	6/6/95	1/95	1/95	
	attached					



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

June 25, 1995

cc: Morris  
McGuire  
Glenn  
File

dm

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

FROM: Carl J. Papermaster, Director  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: FINAL RULE - MEDICAL ADMINISTRATION  
OF RADIATION AND RADIOACTIVE MATERIALS

The Office of Nuclear Material Safety and Safeguards reviewed the final rule <sup>2</sup> "Medical Administration of Radiation and Radioactive Material" as requested in your memorandum dated May 30, 1995. This rule focuses upon the clarification that medical administration of radiation or radioactive materials to individuals, even individuals not supposed to receive a medical administration, is the province of 10 CFR Part 35. We concur with the attached revised version dated June 14, 1995.

Attachment: Rulemaking dtd 6/14/95

CONTACT: Sally L. Merchant, NMSS  
(301) 415-7909





OFFICE OF THE  
GENERAL COUNSEL

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

June 16, 1995

T-10F12  
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

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 done 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





UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 13, 1995

cc: Glenn  
McGuire  
Morris  
File

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