



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

January 28, 1997

The Honorable James Inhofe, Chairman
Subcommittee on Clean Air, Wetlands, Private
Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Enclosed for the information of the Subcommittee is a final amendment to 10 CFR Parts 20 and 35 dealing with criteria for the release of patients administered radioactive materials. Roughly 8 to 9 million medical diagnostic and therapeutic administrations of radioactive material are performed in the United States each year.

The rule is largely in response to three petitions for rulemaking that were submitted by the medical community because of concerns that the NRC's recent amendments of its regulations in Part 20, "Standards for Protection Against Radiation," would require medically unnecessary hospitalization of patients administered radioactive materials for the treatment of disease and would thus increase national health care costs.

The rule makes it clear that the release of patients administered radioactive materials continues to be regulated by the requirements in NRC's Part 35, "Medical Use of Byproduct Material." Thus, the more restrictive requirements in Part 20 do not apply to release of patients. While the comments of the medical community on the proposed rule were generally supportive, they objected strongly to one of the recordkeeping requirements contained in the proposed rule. Upon reconsideration, the NRC has deleted the recordkeeping requirement in question after concluding that the records were not necessary to provide for adequate protection of public health and safety.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis K. Rathbun", is written over a horizontal line.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
As Stated

cc: Senator Bob Graham

9703030289 970128
PDR PR
20 59FR30724 PDR

ccs2 1/1



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

January 28, 1997

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

Dear Mr. Chairman:

Enclosed for the information of the Subcommittee is a final amendment to 10 CFR Parts 20 and 35 dealing with criteria for the release of patients administered radioactive materials. Roughly 8 to 9 million medical diagnostic and therapeutic administrations of radioactive material are performed in the United States each year.

The rule is largely in response to three petitions for rulemaking that were submitted by the medical community because of concerns that the NRC's recent amendments of its regulations in Part 20, "Standards for Protection Against Radiation," would require medically unnecessary hospitalization of patients administered radioactive materials for the treatment of disease and would thus increase national health care costs.

The rule makes it clear that the release of patients administered radioactive materials continues to be regulated by the requirements in NRC's Part 35, "Medical Use of Byproduct Material." Thus, the more restrictive requirements in Part 20 do not apply to release of patients. While the comments of the medical community on the proposed rule were generally supportive, they objected strongly to one of the recordkeeping requirements contained in the proposed rule. Upon reconsideration, the NRC has deleted the recordkeeping requirement in question after concluding that the records were not necessary to provide for adequate protection of public health and safety.

Sincerely,

A handwritten signature in dark ink, reading "Dennis K. Rathbun", is written over a horizontal line.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
As Stated

cc: Rep. Ralph Hall