UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V
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WALNUT CREEK, CALIFORNIA 94596

JUL 27 1984

Memorandum For: Richard E. Cunningham, Director
Division of Fuel Cycle and Material Safety

From: Ross A. Scarano, Director
Division of Radiological Safety
and Safeguards Programs

Subject: Concurrence and Comments on Proposed Revision of 10 CFR Part 35

We concur on the proposed revision of 10 CFR Part 35 with the following comments:

1. 35.75, "Release of patients containing radiopharmaceuticals or permanent implants" and 35.404, "Release of patients treated with temporary implants" state that the licensee shall not authorize "release from confinement for medical care..." patients who have received radiopharmaceutical or brachytherapy treatments unless certain conditions are met. We feel that this section should be clarified so that urgent treatments requiring that the patient be moved from his or her private room (such as emergency surgery) are not hampered by this regulation. This may be accomplished by defining the term "confinement" in the regulation.

2. 35.315(g) requires that each individual who helped prepare a therapeutic dosage of iodine-131 shall have a bioassay conducted within three days. Currently, bioassays are not required when iodine-131 is administered in capsule form and the capsule is not dropped or crushed.

3. We believe that a typographical error was made in 35.31(b)(1). It should read as follows: "Investigate overexposures, accidents, spills, losses, thefts, unauthorized receipts, uses, transfers, and disposals, and other deviations of approved radiation safety practice and implement corrective actions as necessary;".

We appreciated the opportunity to comment on this proposed regulation.

Ross A. Scarano, Director
Division of Radiological Safety
and Safeguards Programs