



CONFERENCE OF RADIATION CONTROL PROGRAM DIRECTORS, INC.
4210 East 11th Avenue
Denver, CO 80220
(303) 320-8333

March 29, 1984

*rec'd 4/2/84
mlm
CRCPD*

Mr. Norman McElroy
Materials Licensing Branch
Mail Stop SS 396
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. McElroy:

This is in reference to the Draft of the proposed changes to 10 CFR Part 35, as contained in the February 8, 1984 version. Although the Conference of Radiation Control Program Directors, Inc., was not specifically requested to comment, we feel our comment is warranted, since our organization represents both Agreement and Non-Agreement States. Any changes in NRC regulation will not only impact Agreement States, but may affect Non-Agreement States that license the medical use of radioactive materials not under the Atomic Energy Act. ✓

Our organization has been very interested in the progress of proposed amendments to 10 CFR Part 35, and has established an Ad Hoc Committee to review and comment on such proposals. Ms. Mary Lou Blazek (Oregon) is Chairperson of this Ad Hoc Committee, with other members being Kirksey Whatley (Alabama), Carol Connell (Georgia), and Paul Eastvold (Illinois).

Reference is made to Ms. Blazek's comments contained in her letter to you, dated March 23, 1984. Ms. Blazek has informed me that all members of the Ad Hoc Committee have been contacted, and all fully agree with the comments contained in her letter. Additionally, approximately ten (10) other states have been contacted on this issue, and those contacted also support the comments contained in her letter.

Her comments have been reviewed by our Executive Board, which are: Maury Neuweg (Illinois), Heyward Shealy (South Carolina), Eddie Fuente (Mississippi), Larry Lloyd (Montana), Charles Tedford (Arizona), and Aubrey Godwin (Alabama). This Executive Board also concurs with the comments contained in Ms. Blazek's letter.

The proposed changes to 10 CFR Part 35 represent a significant change in radiation protection philosophy regarding the licensing procedures for the medical use of radioactive materials. Ms. Blazek has objected to the statement that two (2) Agreement States helped

prepare the proposed changes, and she further implied that active participation by Agreement States had not occurred. Since the Agreement States issue approximately 66% of radioactive material licenses in the United States, it is imperative that the experience and knowledge of the state radiation control programs be thoroughly considered prior to implementation of the proposed changes. Such changes will impact these states since it is likely that the medical community will demand similar regulation changes by the states for consistency throughout the nation. ✓

As Chairman of the Conference, and as expressed by the Executive Board, I urge the NRC to give careful consideration to the concerns expressed in Ms. Blazek's letter, which have concurrence of several other states, both Agreement and Non-Agreement. We further urge that careful consideration be given to the specific comments of Ms. Blazek and Mr. Whatley, that were attached to her March 23rd letter, and to any other state comment you may receive.

Should you have any questions, please give me a call.

Yours very truly,



Albert J. Hazle, Chairman
Conference of Radiation Control
Program Directors, Inc.

AJH/CMH/pch

cc: Nunzio Palladino, NRC Commissioner
G. Wayne Kerr, NRC
10 CFR Part 35 Ad Hoc Committee
Executive Board and Federal Liaisons
Michael Mobley, Chairman, NRC Agreement States Programs