

March 31, 2000

MEMORANDUM TO: Joseph R. Gray, Associate General Counsel
for Licensing and Regulation
Office of the General Counsel

Paul H. Lohaus, Director
Office of State Programs

Jesse L. Funches
Chief Financial Officer

R. William Borchardt, Director
Office of Enforcement

Brenda Jo. Shelton, Chief
Records Management Branch
Information Management Division
Office of the Chief Information Officer

David L. Meyer, Chief
Rules and Directives Branch
Division of Administrative Services
Office of Administration

FROM: Donald A. Cool, Director
Division of Industrial and /RA/
Medical Nuclear Safety, NMSS

SUBJECT: FINAL RULES - 10 CFR PART 35, "MEDICAL USE OF
BYPRODUCT MATERIAL," AND 10 CFR PART 20,
"STANDARDS FOR PROTECTION AGAINST RADIATION"

Your concurrence is requested on the attached draft Commission Paper. The Commission Paper and associated Federal Register notices (FRN) were developed in partial fulfillment of SRM- SECY-99-201, Draft Final Rule - 10 CFR Part 35, "Medical Use of Byproduct Material," which directed the staff to submit the final Part 35 rulemaking package, including the guidance document to the Commission. This final rule also includes resolution of a petition for rulemaking filed by the University of Cincinnati, dated April 7, 1996 (PRM 20-24).

CONTACTS: Cathy Haney, NMSS/IMNS
(301) 415-6825

Diane Flack, NMSS/IMNS
(301) 415-5681

The following is a summary of this request:

1. Title: FINAL RULES - 10 CFR PART 35, "MEDICAL USE OF BYPRODUCT MATERIAL," AND 10 CFR PART 20, "STANDARDS FOR PROTECTION AGAINST RADIATION"

2. Task Leader: Cathy Haney (415-6825)

3. Cognizant Individuals:

Working Group

OSP	L. Bolling
OGC	M. Rothschild
OE	J. DelMedico
RI	P. Lansizera
NMSS	D. Flack
NMSS	S. Jones
NMSS	T. Young
AL	D. Walters
OH	M. Howard

Steering Group

OSP - P. Lohaus
OGC - S. Treby
OE - B. Borchardt
GA - T. Hill

4. Compatibility for Agreement States: Yes

5. Requested Action: Review and concur on the Commission Paper and the FRNs.

6. Requested completion Date: Three weeks from the date of this memorandum. Note, the final rulemaking package must be provided to the Commission by May 31, 2000 (Commission tracking memorandum and WITS item). In order to meet this date, it is important that we receive concurrence on schedule. A meeting will be scheduled during the week of April 17 to discuss any major unresolved issues.

Attachment:
Commission Paper

cc: w/att
H. T. Bell, IG
W. F. Kane, NMSS
M. Virgilio, NMSS
H. Miller, Region I/ORA
L. Reyes, Region II/ORA
J. Dyer, Region III/ORA
E. Merschoff, Region IV/ORA

The following is a summary of this request:

1. Title: FINAL RULES - 10 CFR PART 35, "MEDICAL USE OF BYPRODUCT MATERIAL," AND 10 CFR PART 20, "STANDARDS FOR PROTECTION AGAINST RADIATION"

2. Task Leader: Cathy Haney (415-6825)

3. Cognizant Individuals:

Working Group

OSP L. Bolling
 OGC M. Rothschild
 OE J. DelMedico
 RI P. Lansizera
 NMSS D. Flack
 NMSS S. Jones
 NMSS T. Young
 AL D. Walters
 OH M. Howard

Steering Group

OSP - P. Lohaus
 OGC - S. Treby
 OE - B. Borchardt
 GA - T. Hill

4. Compatibility for Agreement States: Yes

5. Requested Action: Review and concur on the Commission Paper and the FRNs.

6. Requested completion Date: Three weeks from the date of this memorandum. Note, the final rulemaking package must be provided to the Commission by May 31, 2000 (Commission tracking memorandum and WITS item). In order to meet this date, it is important that we receive concurrence on schedule. A meeting will be scheduled during the week of April 17 to discuss any major unresolved issues.

Attachment:

Commission Paper

cc: w/att

H. T. Bell, IG

W. F. Kane, NMSS

M. Virgilio, NMSS

H. Miller, Region I/ORA

L. Reyes, Region II/ORA

J. Dyer, Region III/ORA

E. Merschoff, Region IV/ORA

DISTRIBUTION: NMSS Ticket No. 20000094/EDO WITS No. 9700065

NRC Central f/c RGB r/f IMNS rf Working and Steering Group

DMendiola

PHolahan NMSS rf MLandau JPiccone CPoland

CCarpenter, NRR

JHickey LJacobs-Baynard MLesar FCameron

File Name: (g:\haney\35-ocm.wpd)

OFC	RGB:IMNS		D/IMNS				
NAME	CHaney		DCool				
DATE	3/30/00		3/31/00				