

ACMUI
OCTOBER 24, 2006

U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF FEDERAL AND STATE MATERIALS AND ENVIRONMENTAL MANAGEMENT
PROGRAMS
ADVISORY COMMITTEE ON MEDICAL USES OF ISOTOPES
BYLAWS

CONTENTS

Preamble.....	1
Scheduling and Conduct of Meetings	2
Minutes/Transcripts	4
Appointment of Members.....	4
Conduct of Members	5
Adoption and Amendments	5

PREAMBLE

These bylaws describe the procedures to be used by the Advisory Committee on the Medical Uses of Isotopes (ACMUI), established pursuant to Section 161a of the Atomic Energy Act of 1954, as amended, in performing its duties, and the responsibilities of the members. For parliamentary matters not explicitly addressed in the bylaws, Robert's Rules of Order will govern.

These bylaws have as their purpose fulfillment of the ACMUI's responsibility to provide objective and independent advice to the Commission through the Office of Federal and State Materials and Environmental Management Programs (FSME), with respect to the development of standards and criteria for regulating and licensing medical uses of byproduct material. The procedures are intended to ensure that such advice is fairly and adequately obtained and considered, that the members and the affected parties have an adequate chance to be heard, and that the resulting reports represent, to the extent possible, the best of which the ACMUI is capable. Any ambiguities in the following should be resolved in such a way as to support those objectives.

BYLAWS-ADVISORY COMMITTEE ON THE MEDICAL USES OF ISOTOPES

1. Scheduling and Conduct of Meetings

The scheduling and conduct of ACMUI meetings shall be in accordance with the requirements of the Federal Advisory Committee Act (FACA), as amended, Title 10 of the *Code of Regulations* (10 CFR) Part 7, and other implementing instructions and regulations as appropriate.

1.1 Scheduling of Meetings:

- 1.1.1 Meetings must be approved or called by the Designated Federal Officer. At least two regular meetings of the ACMUI will be scheduled each year, one in the spring and one in the fall. Additionally, the ACMUI will meet with the Commission, unless the Chair or designated Chair declines or the Commission declines.
- 1.1.2 Special meetings (e.g., teleconferences and subcommittee meetings) will be open to the public, except for those meetings or portions of meetings in which matters are discussed that are exempt from public disclosure under FACA or other appropriate rules or statutes.
- 1.1.3 ACMUI meetings will be open to the public, except for those meetings or portions of meetings in which matters are discussed that are exempt from public disclosure under FACA or other appropriate rules or statutes.
- 1.1.4 All meetings of the ACMUI will be transcribed. During those portions of the meeting that are open to the public, electronic recording of the proceedings by members of the public will be permitted. Television recording of the meeting will be permitted, to the extent that it does not interfere with ACMUI business, or with the rights of the attending public.

1.2 Meeting Agenda:

The agenda for regularly scheduled ACMUI meetings will be prepared by the Chair of the ACMUI (referred to below as "the Chair") in consultation with the FSME staff. The Designated Federal Officer must approve the agenda. The Chair, with the FSME staff's assistance, will query ACMUI members for agenda items prior to agenda preparation. A draft agenda will be provided to ACMUI members not later than thirty days before a scheduled meeting. The final agenda will be provided to members not later than seven days before a scheduled meeting.

Before the meeting, the Chair and the Designated Federal Officer for the ACMUI will review the findings of the Office of the General Counsel (OGC) regarding possible conflicts of interest of members in relation to agenda items. Members will be recused from discussion of those agenda items with respect to which they have a conflict.

1.3 Conduct of the Meeting:

- 1.3.1 All meetings will be held in full compliance with the Federal Advisory Committee Act. Questions concerning compliance will be directed to the U.S. Nuclear Regulatory Commission's (NRC) OGC.
- 1.3.2 The Chair will preside over the meeting. The Vice Chair will preside if the Chair is absent or if the Chair is recused from participating in the discussion of a particular agenda item. The Designated Federal Officer will preside when both the Chair and the Vice Chair are absent and/or recused from the discussion, or when directed to do so by the Commission.
- 1.3.3 A majority of the current membership of the ACMUI will be required to constitute a quorum for the conduct of business at an ACMUI meeting.
- 1.3.4 The Chair has both the authority and the responsibility to maintain order and decorum, and may, at his or her option, recess the meeting if these are threatened. The Designated Federal Officer will adjourn a meeting when adjournment is in the public interest.
- 1.3.5 The Chair may take part in the discussion of any subject before the ACMUI and may vote. The Chair should not use the power of the Chair to bias the discussion. Any dispute over the Chair's level of advocacy shall be resolved by a vote on the Chair's continued participation in the discussion of the subject. The decision shall be by a majority vote of those members present and voting, with a tie permitting continued participation of the Chair in the discussion.
- 1.3.6 When a consensus appears to have developed on a matter under consideration, the Chair will summarize the results for the record. Any members who disagree with the consensus shall be asked to state their dissenting views for the record. Any ACMUI member may request that any consensus statement be put before the ACMUI as a formal motion subject to affirmation by a formal vote. No ACMUI position will be final until it has been formally adopted by consensus or formal vote, and the minutes/transcript written and certified.

2. MINUTES/TRANSCRIPTS

- 2.1 Minutes/transcripts of each meeting will be prepared by the ACMUI Chair, with assistance from the FSME staff, in accordance with the requirements in 10 CFR Part 7. The Commission staff will prepare minutes/transcripts of ACMUI meetings with the Commission.
- 2.2 The ACMUI Chair will certify the minutes/transcripts in accordance with 10 CFR Part 7.
- 2.3 In accordance with the requirements of the NRC's Operating Plan, FSME staff will prepare a meeting summary. The FSME staff will e-mail the meeting summary document or web link to the ACMUI members.
- 2.4 Copies of the certified minutes/transcripts will be made available to the ACMUI members, and to the public, not later than 90 days after the meeting.

3. APPOINTMENT OF MEMBERS

- 3.1 The members of the ACMUI are appointed by the Director, FSME, after consultation with the Commission. The Commission determines the size of the ACMUI. The NRC will solicit nominations by notice in the Federal Register and by such other means as are approved by the Commission. Evaluation of candidates shall be by such procedures as are approved by the Director, FSME. The term of an appointment to the ACMUI is 4 years, and the Commission has determined that no member may serve more than 2 consecutive terms (8 years).
- 3.2 The Chair will be appointed by the Director, FSME, from the membership of the ACMUI. The Chair will serve at the discretion of the Director, FSME.
- 3.3 The Vice Chair will be appointed by the Director, FSME, from the membership of the ACMUI. The Vice Chair will serve at the discretion of the Director, FSME.

4. CONDUCT OF MEMBERS

- 4.1 If a member believes that he or she may have a conflict of interest with regard to an agenda item to be addressed by the ACMUI, this member should divulge it to the Chair and the Designated Federal Officer as soon as possible, but in any case before the ACMUI discusses it as an agenda item. ACMUI members must recuse themselves from discussion of any agenda item with respect to which they have a conflict of interest.
- 4.2 Upon completing their tenure on the ACMUI, members will return any privileged documents and accountable equipment (as so designated by the NRC) provided for their use in connection with ACMUI activities, unless directed to dispose of these documents or equipment.
- 4.3 Members of the ACMUI are expected to conform to all applicable NRC rules and regulations, and are expected to attend meetings regularly and perform all assigned duties.

5. ADOPTION AND AMENDMENTS

- 5.1 Adoption or approval of an amendment of these bylaws shall require an affirmative vote of two-thirds of the current ACMUI membership and the concurrence of the Director, FSME.
- 5.2 Any member of the ACMUI or FSME staff may propose an amendment to these bylaws. The proposed amendment will be distributed to the members by the Chair and scheduled for discussion at the next regular ACMUI meeting.
- 5.3 The proposed amendment may be voted on as early as the next ACMUI meeting after distribution to the members.
- 5.4 The ACMUI shall consult with OGC regarding conflicts that arise from the interpretation of the bylaws. After consultation, the ACMUI shall resolve interpretation issues by a majority vote of the current membership of the ACMUI.