

**U.S. Nuclear Regulatory Commission
Advisory Committee on the Medical Uses of Isotopes**

**Subcommittee on the Decommissioning Financial Assurance for Sealed and Unsealed
Radioactive Materials Draft Proposed Rule**

Final Report

Submitted on May 17, 2023

Subcommittee Members:

Rebecca Allen (Healthcare Administrator)
Richard Harvey, DrPh (Radiation Safety Officer; Chair)
Hossein Jadvar, MD, PhD (Nuclear Medicine Physician)
Josh Mailman (Patients' Rights Advocate)
Melissa C. Martin (Medical Physicist, Nuclear Medicine)
Megan L. Shober (Agreement State Representative)

NRC Staff Resource: Cindy Flannery

Subcommittee Charge: The subcommittee on the Decommissioning Financial Assurance (DFA) for Sealed and Unsealed Radioactive Materials Draft Proposed Rule was established by Dr. Darlene Metter at the Fall meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) meeting on December 5, 2022. The subcommittee was charged to review and comment on the draft proposed rule for the Decommissioning Financial Assurance for Sealed and Unsealed Radioactive Materials rulemaking.

Background: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations for decommissioning financial assurance for sealed and unsealed radioactive materials. The rulemaking would revise NRC's decommissioning funding requirements for radioactive material based on the relative risk to public health and safety from different radioisotopes, including naturally occurring and accelerator-produced radioactive material. The potentially affected licensees are those authorized to possess radioactive material licenses.

Discussion: The language in the regulations in 10 CFR 30.35, Financial assurance and recordkeeping for decommissioning, will remain unchanged but the table in Appendix B to Part 30—Quantities of Licensing Material Requiring Labeling will have updated values for the radionuclides listed. The current values in the table in Appendix B to Part 30 will be updated to those of Appendix C to Part 20—Quantities of Licensed Material Requiring Labeling for radionuclides with a half-life greater than 120 days. These new values will provide relief to licensees and values for some previously unlisted radionuclides. The proposed changes will be a benefit to licensees and are not expected to negatively impact the practice of medicine.

In addition, the ACMUI report regarding Germanium-68 (Ge-68) Decommissioning Funding Plan (DFP) Final Report from August 12, 2015 was reviewed and proposed values are not anticipated to be a significant factor in the practice of medicine using these generators.

Subcommittee Recommendations: The ACMUI subcommittee on the Decommissioning Financial Assurance for Sealed and Unsealed Radioactive Materials Draft Proposed Rule recommends that the proposed rule with the changes to the table in Appendix B to Part 30 be accepted as proposed.

References:

1. Draft Decommissioning Financial Assurance for Sealed and Unsealed Radioactive Materials Proposed Rule [NRC-2017-0031] - RIN 3150-AK52
2. Germanium-68 (Ge-68) Decommissioning Funding Plan (DFP) Final Report by the ACMUI dated August 12, 2015

Respectfully submitted on May 17, 2023,

Subcommittee on the Decommissioning Financial Assurance for Sealed and Unsealed
Radioactive Materials Draft Proposed Rule
Advisory Committee on the Medical Uses of Isotopes (ACMUI)
U.S. Nuclear Regulatory Commission (NRC)

The ACMUI unanimously approved this report as presented during its public meeting on May 15, 2023.