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Mail Stop: TWB-05-B01M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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RE: Docket ID NRC-2009-0485

Michael Lesar;

In response to a notice published in the *Federal Register* (74 FR 57525), I am providing comments regarding the draft safety culture policy statement. I believe the information provided in the *Federal Register* notice adequately defines safety culture, however, I also believe that several key points should be addressed in greater detail.

Based on my 30 years experience as a radiation protection professional, a positive safety culture begins with upper level management support. Without this support, mid-level managers and supervisors may not feel compelled to fully endorse a positive safety culture or recommendations from the radiation safety officer (RSO). Weak safety cultures exist not only for the reasons identified in Section (1), pg 57526 of the notice, but start with lack of upper level management support. Management must fully understand that nuclear safety and security receive 'the highest priority in the organization's and individuals' decision-making' especially 'when faced with a conflict with other organizational or individual goals'. As a medical broad scope licensee in the State of Florida, our CEO was required to sign a document identifying the RSO as the individual responsible for managing the radiation safety program; identifying radiation safety problems; initiating, recommending or providing corrective actions, and ensuring compliance with ionizing radiation regulations. This would include immediate termination of activities deemed detrimental to life and safety even without prior management approval. I am uncertain if this statement is required for all licensees but it certainly alerts leaders that safety and security are overriding priorities.

I am also of the opinion that during difficult economic times, safety and security groups within organizations are at risk. Individuals performing radiation safety-related activities are usually also being asked to perform a myriad of other functions, thus

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diluting their focus and attention to safety matters. In addition, facilities with multiple use locations may cut safety and security staff, allowing individuals less time to perform safety related activities. Although it is not in NRC's mandate to require certain staffing levels for a particular use or amount of radioactive material, suggested staffing levels, based on the size and scope of the operation, would be useful. In association with staffing levels, educational and experience requirements for individuals performing radiation-safety related job activities should be more closely scrutinized. The *Federal Register* notice mentions that personnel 'meet professional standards commensurate with the potential impacts of their work on safety and security', and '[t]he organization ensures that the personnel, equipment, tools, procedures and other resources needed to assure safety and security are available'. Recommendations from either individuals that are not properly trained or do not have appropriate educational experience, are less likely to be followed. This could result in inadequate procedures; decision-making that does not ensure that safety and security are maintained, and ineffective problem identification, evaluation and resolution. Management is less likely to take these individuals seriously. Just as training and experience requirements exist for RSO's involved in the use of radionuclides in the healing arts, I believe similar type requirements for RSO's in other areas would improve the safety culture.

If you have any questions, I can be reached at 904/953-8978. Thank you.

Regards,



Kevin L. Nelson, Ph.D.

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