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RECORD #61

TITLE: Guidance Regarding Physicians' Determination For Physical
Qualification of Respiratory Equipment Users

FICHE: 67171-170

FEB 1 1984

MEMORANDUM FOR: Ramon E. Hall, Chief
Technical Program Branch
Division of Vendor and Technical Programs
Region IV

FROM: William L. Fisher, Chief, Section B
Engineering and Generic
Communications Branch
Division of Emergency Preparedness
and Engineering Response
Office of Inspection and Enforcement

SUBJECT: REQUESTED GUIDANCE REGARDING PHYSICIANS DETERMINATION FOR
PHYSICAL QUALIFICATION OF RESPIRATORY EQUIPMENT USERS

As requested in your October 31, 1983 memorandum (copy enclosed), we have reviewed the Region IV licensee's respirator users physical qualification proposal. We cannot support the licensee's proposal. We do support the stated Region IV position that a physician must make the final determination of fitness for each individual. It is not acceptable for a physician to establish criteria for a program and then have the licensee (or any other designee) use these criteria to determine an individual's qualification.

Our position does not mean the physician must personally administer each medical history questionnaire or physical test. Nor should we preclude the physician's medical designee (e.g., a nurse) from signing the medical approval/denial form for the physician, as long as the designee's signature is clearly for administrative convenience and the physician has not relinquished any responsibility for the fitness determination.

We have coordinated this response with Lynnette Hendricks, ORPB, RES. If you have any questions, please contact Jim Wigginton.

William L. Fisher, Chief, Section B
Engineering and Generic
Communications Branch
Division of Emergency Preparedness
and Engineering Response, IE

Enclosure: see page 2

CONTACT: J. E. Wigginton, IE
49-24967

Ramon E. Hall

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FEB 1 1984

Enclosure: Memo R. E. Hall to
L. J. Cunningham dated October 31, 1983

cc: R. R. Bellamy, RI
M. M. Shanbacky, RI
A. F. Gibson, RII
K. P. Barr, RII
C. J. Paperiello, RIII
L. R. Greger, RIII
B. Murray, RIV
F. A. Wenslawski, RV
L. J. Cunningham, IE
R. E. Alexander, RES
L. Hendricks, RES
F. Congel, NRR
O. D. Lynch, NRR
E. B. Blackwood, IE

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

31 OCT 1983

MEMORANDUM FOR: L. J. Cunningham, Chief, Section B, Engineering and Generic
Communication Branch, IE

FROM: R. E. Hall, Chief, Technical Program Branch

SUBJECT: REQUEST IE GUIDANCE REGARDING PHYSICIAN'S DETERMINATION FOR
RESPIRATORY EQUIPMENT USERS

During a recent inspection of a licensee's respiratory protection program, the interpretation of 10 CFR Part 20.103.c.(2) was discussed. 10 CFR Part 20.103.c.(2) states, in part:

. . . "and determination by a physician prior to initial use of respirators and at least every 12 months thereafter, that the individual user is physically able to use the respiratory protective equipment."

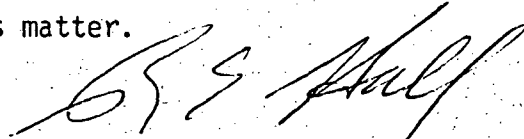
In our case, a physician assisted the licensee in the development of pass/fail acceptance criteria for the personnel screening checklist and pulmonary function tests. The licensee is responsible for actually performing the screening and function tests. The licensee maintains the position that since a physician had input regarding the acceptance criteria, it is not necessary to have a physician directly involved in the review and concurrence of the initial or followup examinations; once the testing parameters have been established, the licensee can independently accept or reject a prospective respiratory user based on the test results.

The Region IV position has been that it is acceptable for the licensee to conduct the initial and followup tests, but a physician must review the results and acknowledge this review by signing the appropriate forms.

L. J. Cunningham

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Please provide IE guidance on this matter.



R. E. Hall, Chief
Technical Program Branch

CONTACT: H. D. Chaney
728-8229

cc:
M. Shanbaky, RI
K. Barr, RII
R. Greger, RIII
F. Wenslawski, RV