

UTAH INTERNATIONAL INC.

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PETITION RULE PRM - 20-13(44FR11284)

April 30, 1979



Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attn: Docketing and Service Branch

Re: Certification of Health Physics Personnel - Petition  
for Rulemaking

Dear Sirs:

Utah International, Inc. is a diversified mining company with surface mining operations in the western United States. A wholly owned subsidiary, Pathfinder Mines Corporation, operates two uranium mills under license by the NRC.

We oppose the Petition for Rulemaking filed by Victor E. Anderson (44 Fed Reg 11284) recommending that 10 CFR Part 20 be amended to require certification of health physics personnel for the following reasons:

1. Proposed NRC Certification of Health Physicists

The American Board of Health Physics and the National Registry of Radiation Protection Technologists offer examinations for the certification of health physicists and radiation technicians. The NRC must approve the qualifications and experience of radiation protection personnel before issuing a Source Material License and during periodic reviews after the license is issued. We believe that certification by professional societies, formal health physics training and previous job experience provide sufficient information for the NRC to determine whether health physics personnel are qualified to perform their particular jobs. NRC certification of health physics personnel is not necessary because there are existing methods to ensure that persons responsible for the administration of radiation protection programs possess the level of health physics knowledge required to perform their jobs.

Acknowledged by card... 5/22

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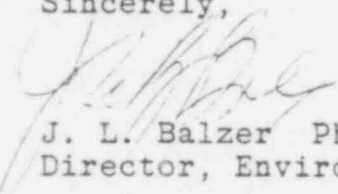
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2. Proposed Authority of NRC Certified Health Physicists

Prohibiting the licensee from overriding the radiation protection decisions of health physicists certified by the Commission gives the health physicists inappropriate authority over management. The health physicist should oversee radiation monitoring and surveys, evaluate results, and make decisions related to radiation protection. However, major radiation protection decisions must be made by management based on information provided by the health physicist and an objective evaluation of other factors involved. Although the health physicist has day-to-day responsibility for radiation safety, the overall responsibility for the health and safety of the licensee's employees lies with the management of the facility.

Utah International appreciates the opportunity to comment on this Petition for Rulemaking. We will be glad to provide the NRC with detailed comments on this matter if proposed rulemaking is issued.

Sincerely,



J. L. Balzer Ph.D.  
Director, Environmental Quality

cc: E.L. Nugent  
M.I. Ritchie  
J.E. Russell

JLB:sv