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FILE RULE 20-13(44FR11284)

Secretary of the Commission
US Nuclear Regulatory Commission
ATTN: Docketing and Service Branch
Washington, DC 20555

REF: Docket No. PRM-20-13 Proposed 10 CFR 20.600



Gentlemen:

Recommend the proposed amendment not be adopted for the following reasons:

a. The proposal to have NRC certify radiation protection personnel is unnecessary in view of existing license review procedures. License applicants are required (by the application form) to list the training and experience of its radiation protection officer. This could be expanded to include that of all the applicants' radiation protection personnel. In issuing the requested license, the NRC approves the adequacy of those persons to perform their functions similar to that for leak testing sources.

b. Our experience indicates that as a group there is no material difference between the quality of efforts or evaluations from radiation protection personnel who have been certified by a professional board and those who have not been certified. A better indicator is that the individual has had specialized training and experience commensurate with the program complexity.

c. The latter half of the proposal which would prohibit the licensee (management) from overruling decisions of radiation protection personnel raises several problems and also is unnecessary.

(1) Management would be responsible for the errors of the radiation protection personnel but be unable to control the situation.

(2) Except in the most simple and obvious instances, management would need superior training and experience to recognize "those cases where the health physicist decision(s) are a clear violation of Federal Regulations or will result in a clear and present danger or loss of life."

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(3) Assuming the Commission were to fulfill its improvement responsibilities, the existing safeguards for reporting violations and hazards anonymously (10 CFR 19 and NRC Form 3), provide all employees including radiation protection personnel superior means for assuring safety and compliance without risk of confrontation and dismissal inherent to the proposal.

The objectives of the proposal can be accomplished by the following:

- a. Modification of the license application forms to require training and experience resumes of all radiation protection personnel and limiting radiation protection surveys and evaluations to those listed individuals which the Commission feels have commensurate training and experience. This is similar to the existing constraints on who can do leak testing.
- b. Improved NRC compliance and enforcement to include physical measurements rather than the usual documentation review.
- c. Revision of 10 CFR 21 to remove the ambiguities so that noncompliance and uncorrected safety defects are enforceable.

Sincerely yours,


DARWIN N. TARAS
Chief, Health Physics
Safety Office

CF:

Mr. Jack Bell, Occupational Health Standards Branch, Office of Standards
Development, US Nuclear Regulatory Commission, Washington, DC 20555

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