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Radiation Safety

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November 27, 1996

John C. Hoyle, Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

DOCKET NUMBER
PROPOSED RULE **PR 33**
(61 FR 58346)

Dear Mr. Hoyle:

I would like to offer some comments with respect to the proposed rule making of 10 CFR Part 33. In reference to the draft text of 33.2: "Management means the chief executive officer (or equivalent) or the person's delegate or delegates.", I see a loophole that makes the effort to define management's relationship to the radiation safety program a meaningless exercise. In the case of academic broad licenses, you must define very clearly who is considered management; ie. the president, the provost or an individual at the level of vice president (perhaps research, administration, business and finance). To allow an administration the wiggle room to go any lower in the management chain seriously weakens the program. I have observed many radiation safety programs at academic institutions in the Southeast that are ineffective because management has not placed them in a strong enough administrative position. In my opinion, they should be forced to do so by regulation.

I have struggled with this issue at my institution for the past several years. With the assistance of our radiation safety committee, we have tried to educate the administration that the radiation safety officer, in order to be effective, must have a direct line of communication with senior management. The administration treated this proposal with a certain degree of hostility and named the health and safety director and the director of business affairs as senior management. The problem with this decision is that the health and safety director has never met with the president of the university and the director of business affairs is several layers of management below the chief executive officer. This arrangement is a sham and, in my opinion, is not what the Commission would view as ideal management oversight.

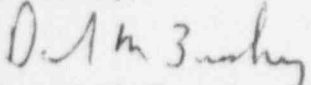
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I hope that the Commission will seriously consider a rewording of paragraph 33.2 so that there will be no misunderstanding of what it considers appropriate concerning this matter. For years, academic radiation safety programs have been struggling to be taken seriously by their management but the efforts have been frustrated by having no clearly defined regulations to help us in this area.

Your consideration of this proposal will be greatly appreciated. If this comment is to be published, please do not use my name or institution.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. M. Zurosky", written in a cursive style.

Daniel M. Zurosky, Ph.D.
Director, Radiation Safety