

St. Michael's

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Comments on Discussion Paper DIS-13-02 Proposed Amendments to Regulations Made Under the Nuclear Safety and Control Act

The following are comments on the comments relating to Discussion Paper DIS-13-02 Proposed Amendments to Regulations Made Under the Nuclear Safety and Control Act. The format they follow is a specific comment (*in Italics*) that is identified by the commenter and page number of the comment from the Comments on DIS13-02. . Our Comment follows in relation to our support or not of it in relation to the specific proposal it refers to.

2.2 Inclusion of human performance and fitness for duty requirements in regulations

The comments below are in specifically in reference to proposal 2.2.3

2.2.3 Proposal

The CNSC is therefore proposing to include a requirement within the *General Nuclear Safety and Control Regulations* to ensure that licence applicants and licensees address human performance and fitness for duty in a safe and reliable manner, in order to prevent unreasonable risk to the health and safety of persons and the environment.

All licensees would be expected to have measures in place to support the performance of workers in carrying on the licensed activities, and to ensure workers are physically, physiologically and psychologically fit to fulfill their duties at the required levels of safety.

Comment on the Comments of

1. David Veronesi Manager of Diagnostic Imaging Grace Hospital (page 40 of Feedback on Comments DIS 13-02 document)

David Veronesi writes:

“Public healthcare institutions in Canada are heavily regulated in regards to the fitness and wellbeing of our employees and my concern is that these requirement will conflict or be redundant with the endless requirements we are already under due to provincial and federal legislation. I struggle to identify why there would be different requirements for the human performance and fitness for duty regarding physical, physiological and psychological fitness of an employee at our facility simply due to the

fact that they work with radioactive material. Is this wellbeing any different than what would be required for their other duties such as medication administration, personal health information confidentiality, patient care etc. I believe that publically funded healthcare institutions already have rigorous processes to accomplish the intention of this change and would worry that the specific requirements developed by the CNSC would be another layer of regulation that may inhibit hiring practices and in the end affect patient care if this were to be the case.

2. Of Dr. Anne Peterdy FRCPC(NM), FRCPC(Diag Radiol)
Chair, Radionuclide Safety Committee, Winnipeg Regional Health Authority (page 48-49
Feedback on Comments DIS 13-02 document)

Dr. Anne Peterdy writes:

a) *“Risk of harm is negligible when the “work” performed in a low level laboratory uses kBq*

quantities of an isotope such as tritium, compared to handling fuel rods in a nuclear reactor.

Encompassing all situations in one sweeping statement is not justifiable.”

b) *“In preliminary investigations, a psychological assessment performed by a psychologist costs about \$250 per individual per instance. If this is to be implemented, the cost would be enormous if one had to perform a psychological assessment on every radioactive and ancillary worker every year. Cost of a medical physical examination, with hematological and biochemical testing (“physiological monitoring”) is not covered by government health insurance when done for employment purposes, therefore this is an additional cost (per person per year).”*

c) *“If section 2.2 applied to all workers (directly handling or controlling radioactive substances, ancillary and support staff, and management who are by definition in an organizational chart responsible for this activity), and to all types and quantities of radioactive materials, and CNSC would require a complete physical/physiological/psychological assessment by a trained professional, I cannot support this proposal. The complexity and time involved does not justify any benefit. The cost would be prohibitive.”*

St. Michael’s Comment:

We agree with the above comments of David Veronesi that imposing this requirement in the already heavily regulated medical sector would impose a needless heavy additional administrative burden and would not be commensurate with risk. At St. Michael’s new employees are already subject to criminal records checks and there is a third party employee

support program. In addition many of the workers who would handle radioactive materials such as medical lab and nuclear medicine technologists are already subject to stringent standards of practice and codes of conduct through their professional colleges as a condition of maintaining their professional qualifications that allow them to work in the field. To require an additional layer of testing leads to needless overlap and redundancy. If as Dr. Anne Peterdy writes the requirement will involve formalized testing across a variety of areas such as psychological assessment or biochemical substance abuse testing then this will lead to huge additional cost to hospitals already under severe financial strain. The range of workers that would be tested is also not clear. If a wide ranging net is cast to not only workers who work directly with low amounts of nuclear substances (such as research or medical lab workers) but as Dr. Peterdy notes above to include everyone from management to support staff and other ancillary workers who do not work directly with radioactive materials, than this represents an unjustifiable strain on hospitals and their affiliated research programs. This would take away desperately required financial and human resources for patient care and health research for no definable benefit.

In summary we cannot support the inclusion of proposal 2.2.3 in the proposed regulations on the grounds it would impose needless huge additional administrative burden and costs that are not justified given relative low use and risk of unsealed nuclear substance use in the healthcare and research fields.

Submitted by

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