



DEPARTMENT OF THE ENVIRONMENT

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William Donald Schaefer
Governor

Martin W. Walsh, Jr.
Secretary

September 6, 1989

Joel Lubenau
State, Local and Indian Tribe Programs
Mail Stop 3-D-23
United State Nuclear Regulatory Commission
Washington, D.C. 20555

RE: Neutron Products, Inc.

Dear Mr. Lubenau:

This is in response to our meeting of August 9, 1989 concerning lessons learned from the Neutron Products, Inc. (NPI) experience. I thought the meeting was very productive and in furtherance of the spirit of cooperation that characterizes the relationship between the Maryland Department of the Environment (MDE) and the NRC. You have my personal assurance that I will strive to keep the relationship mutually productive.

I would also like to reiterate the concern I raised at that meeting regarding channels of communication and points of contact between this department and the NRC. Particularly in the midst of ongoing "events," these communication channels can be at best confusing and at worst, counterproductive. This is well illustrated by an event that occurred at NPI on May 31, 1989. As you may recall, there was a minor electrical fire. In the midst of trying to do our job, Roland Fletcher and I were literally inundated with telephone calls, both from NRC Headquarters and NRC Region 1. It was, for a considerable period of time, impossible to talk either to my own staff or managers at NPI because I was engaged in one phone call after another with NRC representatives. At one point in time, I recall receiving four calls from four different NRC representatives, each asking the same questions, none of which I could answer because I was not free to find the answers.

A related problem, and perhaps more irritating, was the manner of the questioning. Some of the questions were almost insulting. We do have a staff of radiation professionals who were fully capable of handling the situation. Nevertheless, I was besieged with advice of the most elementary nature. The problem was exacerbated by the fact that the questions/advice were coming from NRC Headquarters and Region 1 simultaneously. At times, I literally did not even know whether I was speaking with NRC Headquarters or Region 1.

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I understand and fully appreciate the NRC's interest and role in such events. I will fully honor our obligation to keep the NRC apprised at all times. I also greatly appreciate advice and assistance so long as it is given with the understanding that there are competent professionals at this end. I do believe a single point of contact for MDE would dramatically eliminate both confusion and repetitious telephone calls. In my view, that point of contact should be Region 1 inasmuch as our relationships with staff at Region 1 are well established and familiar. I should expect that Region 1 could and would keep NRC Headquarters adequately posted at all times.

I do not wish the intent of this letter to be negative. The problem mentioned above is minor and I am sure it can be resolved expeditiously and with little fuss. On balance, as I said in opening, our relationships with the NRC are, in my view, superb. Your support and assistance render our job much easier and I am steadfastly committed to presenting a united front to the regulated community.

Sincerely,



Lawrence M. Ward
Deputy Assistant Secretary
Toxics, Environmental Science
and Health

LMW:ks

cc: John R. McGrath