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PETITION RULE PRM-20-13 (44 FR 11284)

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

NRC PUBLIC DOCUMENT ROOM

Attn: Docketing and Service Branch

Dear Sir:

Commonwealth Edison Company submits the following comments with respect to the Victor E. Anderson Petition for Rulemaking.

To assure that health physics workers meet NRC standards and to prevent management from placing pressure on health physicists to engage in bad practices, Mr. Anderson proposes an amendment which requires all health physics workers to be certified by the Commission and that the licensee may not override the decision(s) of a certified health physicist except where decision(s) are in clear violation of federal regulations.

Certification should be established and awarded by a peer group of professionals rather than by a regulatory agency. Just as the AMA certifies doctors and the ABA certifies lawyers, a professional group of health physicists should certify health physicists.

The portion of the proposal which states "A licensee may not override the decision of a certified health physicist except in cases where the health physicist's decision(s) are a clear violation of federal regulations or will result in a clear and present danger of loss of life", creates unreasonable responsibility for the health physicist and erodes the licensee's control of the facility. Ultimately, the licensee, not the health physicist, is responsible and accountable for the operation of the facility. Health physicist's decisions are a contributing factor to the operations of a licensee but certainly not the only factor.

In closing, there has not been a significant number of occurrences of bad practices of health physicists due to lack of qualifications or conflict of interest. Therefore, rulemaking is not warranted.

The regulatory guide system allows the licensee the flexibility of meeting the intent of the regulatory guide with substitute qualification. A regulation could cause a decrease in the quality of health physics work at the facilities due to a shortage of certified health physics workers.

If we can be of further assistance in connection with this matter, please contact this office.

Yours truly,

C. Reed

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Cordell Reed
 Assistant Vice President

Acknowledged by card... *6/11/79*

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