



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 10 1979

Mr. James H. Taylor
Manager, Licensing
Babcock and Wilcox
P.O. Box 1260
Lynchburg, Virginia 24506

Dear Mr. Taylor:

Enclosed for your information is a copy of the notice of denial of PRM 7-1 filed by Mr. Walter P. Peebles on behalf of the Non Destructive Testing Management Association.

The petitioner requested the Commission to form a review board made up of responsible members of the industry to review all pertinent regulations and to clarify positions of the industry prior to issuance of all new regulations.

The petition was denied on the grounds that NRC policy and procedures for direct distribution of proposed and effective amendments of NRC regulations to licensees and other interested persons: (1) Fully satisfy the objectives of the petition; and (2) Assure that affected licensees and applicants are aware of all proposed and effective regulations of a substantive nature, without the need to form a review board as requested in the petition.

In view of your interest in PRM 7-1, I have placed your name on the NRC's mailing list to receive proposed and effective regulations.

Sincerely,

A handwritten signature in cursive script that reads "James J. Henry".

James J. Henry
Transportation and Product Standards Branch
Office of Standards Development

Enclosure:
44 FR 45496

7909040661

304136



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 10 1979

Mr. David A. Bossen, President
Measurex Corporation
One Results Way
Cupertino, California 95014

Dear Mr. Bossen:

Enclosed for your information is a copy of the notice of denial of PRM 7-1 filed by Mr. Walter P. Peebles on behalf of the Non Destructive Testing Management Association.

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James J. Henry
Transportation and Product Standards Branch
Office of Standards Development

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WASHINGTON, D. C. 20555

AUG 10 1979

Mr. E. L. Thomas
Assistant Vice President, Engineering
Air Transport Association
1709 New York Avenue, Northwest
Washington, D.C. 20006

Dear Mr. Thomas:

Enclosed for your information is a copy of the notice of denial of PRM 7-1 filed by Mr. Walter P. Peebles on behalf of the Non Destructive Testing Management Association.

The petitioner requested the Commission to form a review board made up of responsible members of the industry to review all pertinent regulations and to clarify positions of the industry prior to issuance of all new regulations.

The petition was denied on the grounds that NRC policy and procedures for direct distribution of proposed and effective amendments of NRC regulations to licensees and other interested persons: (1) Fully satisfy the objectives of the petition; and (2) Assure that affected licensees and applicants are aware of all proposed and effective regulations of a substantive nature, without the need to form a review board as requested in the petition.

In view of your interest in PRM 7-1, I have placed your name on the NRC's mailing list to receive proposed and effective regulations.

Sincerely,

A handwritten signature in cursive script that reads "James J. Henry".

James J. Henry
Transportation and Product Standards Branch
Office of Standards Development

Enclosure:
44 FR 45496

304138



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

AUG 10 1979

Mr. John I. Riesland, PE
10 Rice Court
Rockville, Maryland 20850

Dear Mr. Riesland:

Enclosed for your information is a copy of the notice of denial of PRM 7-1 filed by Mr. Walter P. Peeples on behalf of the Non Destructive Testing Management Association.

The petitioner requested the Commission to form a review board made up of responsible members of the industry to review all pertinent regulations and to clarify positions of the industry prior to issuance of all new regulations.

The petition was denied on the grounds that NRC policy and procedures for direct distribution of proposed and effective amendments of NRC regulations to licensees and other interested persons: (1) Fully satisfy the objectives of the petition; and (2) Assure that affected licensees and applicants are aware of all proposed and effective regulations of a substantive nature, without the need to form a review board as requested in the petition.

In view of your interest in PRM 7-1, I have placed your name on the NRC's mailing list to receive proposed and effective regulations.

Sincerely,

A handwritten signature in cursive script that reads "James J. Henry".

James J. Henry
Transportation and Product Standards Branch
Office of Standards Development

Enclosure:
44 FR 45496

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[Docket No. PRM-7-1]

Non Destructive Testing Management Association; Denial of Petition for Rule Making

By letter dated July 19, 1978, Mr. Walter P. Peeples, Jr., on behalf of the Non Destructive Testing Management Association, filed with the Nuclear Regulatory Commission a petition for rule making (PRM 7-1).

The Petition

The petitioner requested the Commission to form a review board made up of responsible members of the industry to review all pertinent regulations and to clarify positions of the industry prior to issuance of all new regulations. The petitioner stated that the petition is related to all regulations that directly affect users of byproduct materials in the field of nondestructive testing. The petitioner stated also that since the field of nondestructive testing is large in scope, the members of the review group should be selected from the manufacturers and users of byproduct materials representing industrial radiography, gauging, and oil well logging industries.

Basis For Request

As the basis for the petition, the petitioner stated:

Within the past few years, it has become obvious that certain regulations are placed upon the industry which are deemed unnecessary. It is the consensus of the industry that this is caused by certain individuals within the bureaucracy writing

regulations and not being familiar with the industry.

We feel that this petition is necessary and that this approach will serve to educate both the industry and the U.S. Nuclear Regulatory Commission.

The industry's objective is to maintain a liaison with the U.S. Nuclear Regulatory Commission and to indicate to the U.S. Nuclear Regulatory Commission what is considered necessary and unnecessary in relationship to regulations.

Request for Comments on Petition

A notice of filing of petition for rule making was published in the Federal Register on September 14, 1978 (43 FR 41100). The comment period expired November 13, 1978. Four letters of comment were received in response to the notice. Two letters endorsed the petition as submitted. One letter agreed with the petitioner's reasons for the need to review regulations but indicated that establishing a Commission review board is an unnecessary addition to the increasing staff of the Commission and should not be employed. One letter stated a few members of its association do not believe the proposed review board would be productive, but a majority feel that such a review board would be beneficial.

NRC Staff Actions

The NRC strongly encourages public participation and input throughout the NRC's rule making process. The NRC publishes Federal Register notices, issues public announcements, holds public meetings if deemed advisable, and takes other actions designed to notify and invite all interested persons who desire to submit written comments or suggestions for consideration in connection with a proposed regulation to send them to the NRC.

In addition, the NRC staff has adopted procedures expected to result in a broader spectrum of public comment on proposed amendments to NRC regulations and better assurance of licensee awareness of and compliance with effective NRC regulations.

The procedures carry out NRC policy established November 20, 1978, that all substantive proposed and effective regulations will be mailed to affected licensees and other known interested persons. "Interested persons" include, for example, standards writing groups, trade associations, trade publications likely to be read by affected licensees, public interest groups, persons who commented on a proposed rule, and other persons who have expressed an interest in the regulation being issued, amended, or rescinded.

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Under this policy, the NRC contact listed in the Federal Register notice of proposed or final rule making will be responsible for designating the addresses to whom the notice will be mailed and coordinating the mailing of the notice.

In keeping with this NRC policy, all interested persons who desire to receive proposed and effective regulations are invited to send their names, addresses, and areas of interest to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Distribution Services Branch (ADM/DSB), DDC.

All persons who submit substantive comments on a proposed regulation can identify their comments and the NRC staff responses to their comments in the comment analysis prepared in connection with the effective regulation. This public comment procedure provides ample opportunity for all interested persons, including industry, to submit to the NRC their views on the values, impacts administrative burdens, costs, and other aspects of proposed regulations.

Only after thorough consideration of relevant matter presented does the NRC publish in the Federal Register notices of adoption of effective regulations that include responses to the substantive comments received.

Grounds for Denial

The Commission has given careful consideration to this petition for rule making (PRM 7-1) and has decided to deny the petition on the grounds that NRC policy and procedures for direct distribution of proposed and effective amendments of NRC regulations to licensees and other interested persons: (1) Fully satisfy the objectives set forth in the petition; and (2) Assure that affected licensees and applicants are aware of all proposed and effective regulations of a substantive nature, without the need to form a review board as requested in the petition.

A copy of the petition for rule making and copies of the letters of comment and the Commission's letter of denial are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Maryland this 18th day of July 1979.

For the Nuclear Regulatory Commission,
Lee V. Gossick,

Executive Director for Operations.

(PR Doc. 79-2386 Filed 8-1-79; 8:45 am)

BILLING CODE 7590-01-M

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