

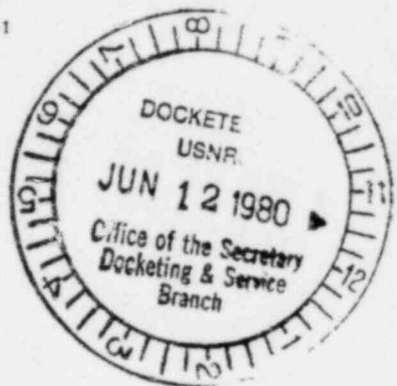
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WESTERN NUCLEAR, INC.

EXECUTIVE OFFICE - SUITE 640
134 UNION BOULEVARD - LAKEWOOD, COLORADO 80228 - (303) 986-4571

April 28, 1980
PROPOSED RULE NUMBER PR-19 (55)
(45 FR 19564)



Mr. Robert B. Minogue, Director
Office of Standards Development
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: 10 CFR 19:
Informal Conference During
Inspection; Notice of
Proposed Rulemaking
(45 FR 19564, 26 March 1980)

Dear Mr. Minogue:

Pursuant to your letter of April 10, 1980 requesting comments on Notice of Proposed Rulemaking cited above, we respectfully submit the following comments:

While the supplementary information incorporated with the Federal Register notice regarding the proposed rule indicates "the proposed rule is not intended to open inspection conferences to the general public", neither the language as proposed in 10 CFR 19.14(h) explicitly sets forth the position restricting access to the meeting by any member of the general public nor does the language define "individuals with legitimate interests in matters pertaining to the inspection."

In addition, the proposed §19.14(h) conflicts with other subsections of §19.14 in the following ways:

- (1) Section 19.14(a)-(f) limit the accompaniment of NRC inspectors by a worker representative to inspection of physical working conditions. The proposed §19.14(h) provides for discussion of "tentative inspection findings, complaints of individuals involved in the licensed activities concerning radiological working conditions, safety, safeguards, and environmental impacts and resolution of matters pertaining to inspection findings". Specific issues to be discussed in the informal meetings should be reviewed as to merit by NRC and license management prior to the meeting. Other findings revealed by the inspection will

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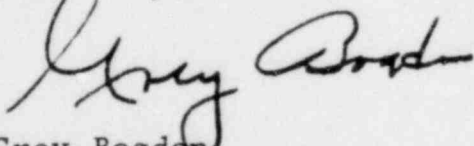
be available in correspondence and will become part of the public record.

- (2) Section 19.14(c) provides only one workers' representative may accompany NRC inspectors at any one time. The proposed §19.14(h) in no way limits the number of individuals with legitimate interests in the inspection who may participate.
- (3) Section 19.14(f) requires the approval of both the licensee and the workers' representative for an individual, such as a consultant, who is not routinely engaged in licensed activities under control of the license to accompany NRC inspectors during an inspection. The proposed §19.14(h) should include language to the effect the NRC inspector and the licensee should not only discuss the need for inviting, but also approve the individual with legitimate interests who are chosen to be invited to attend the informal meeting.

In summary, we feel §19.14(h) as proposed is not necessary. However, we believe informal conferences with licensee management during NRC inspections could both facilitate the inspection proceedings and allow licensees the opportunity to more immediately initiate actions to mitigate potential hazards.

We appreciate the opportunity to comment on the proposed rulemaking. Should you have any questions regarding the above, please contact me immediately.

Sincerely,



Grey Bogden
Director Environmental
& Industrial Safety

GB:bt