



May 9, 1980

*Docketing & Services
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DOCKET NUMBER
PROPOSED RULE **PR-19 (46)**
(45 FR 19564)
CERTIFIED MAIL

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



RE: Notice of Proposed Rulemaking/
Proposed Amendment to 10 CFR
Section 19.14

Dear Sir:

You have solicited comments regarding a Proposed Amendment to 10 CFR Section 19.14. The amendment, adding new subsection (h), would permit the NRC and licensee to invite, at their option, "individuals with legitimate interests in matters pertaining to the (NRC) inspection." You state that such amendment responds to requests of organized labor seeking involvement in NRC inspections.

Newport News Shipbuilding and Dry Dock Company opposes the amendment. We believe that informal conferences between the NRC and licensee above most effectively facilitate exchange of information during and after inspections and expedite resolution of matters arising in the course of such inspections. The amendment obviously contemplates that organized labor will become directly involved in the inspection process. This may cause the informal conference to become adversarial in nature and therefore tend to frustrate the ultimate purpose of the Atomic Energy Act of 1954, as amended.

The NRC and licensees are charged with rendering nuclear worksites safe from radiological hazards. Clearly the NRC has, at its disposal, scientific expertise to make determination with regard to possible health hazards. The proposed amendment will only interfere with the NRC's objective by interjecting a third party advocating a particular point of view. That position not only unnecessarily encumbers the inspection process, but may interject matters, including underlying labor disputes into such process.

Acknowledged by card. 5/20/80. mde...

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The proposed amendment, as drafted, is unfortunately vague and does not address issues which will immediately arise should the amendment be enacted, for example; must the licensee release employees who may be "individuals with legitimate interests" from work in order to participate in the inspection process? If so, how many employee(s) must the licensee release from work? Must the licensee compensate an employee who desires to be released from work to participate in the inspection? What guarantee of confidentiality or other security is to be imposed upon such third-person or party for any information gained as a result of participation in the inspection process?

For the foregoing reasons, we respectfully urge the NRC to reject the proposed amendment.

Very truly yours,

F. H. Creech
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Special Counsel

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