



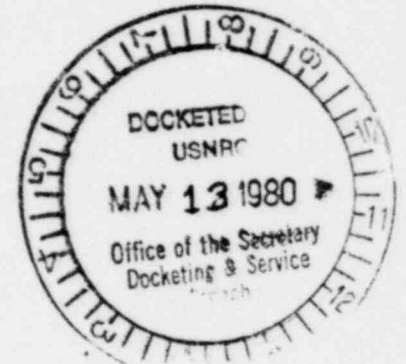
KERR-McGEE NUCLEAR CORPORATION

KERR-McGEE CENTER • OKLAHOMA CITY, OKLAHOMA 73125

May 9, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DOCKET NUMBER **PR-19(23)**
PROPOSED RULE **(45 FR 19564)**



Secretary of the Commission
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Docketing and Service Branch

Subject: Proposed Rule - Informal Conference During Inspection; 10 CFR Part 19, 45 Federal Register 19564, March 26, 1980

Dear Secretary:

Kerr-McGee Nuclear Corporation submits the following comments on the subject proposed rule.

Licensees should receive advance notice of the identities of "individuals with legitimate interests" who will be invited to attend informal conferences, and they should have the right to object to their presence on reasonable grounds. If the licensee and the NRC cannot resolve an objection before the inspection date, a limited informal conference should be held without the presence of the invitees while the licensee appeals the matter to an Administrative Law Judge. If the judge determines that the invitees have a legitimate interest in attending the conference, they may then be present at the subsequent meeting between the NRC inspectors and the licensee.

Further, good management practices dictate that invitees be excluded from the conference when the following subjects are discussed:

1. possible violations caused by identified employees. Discussions revealing employees' identities and the reprimands to be imposed would be counterproductive and could constitute an invasion of privacy;
2. proprietary data and trade secrets. Should an invitee hear privileged information, he would be free to use this information however he chooses. Forcing licensees to consent to the presence of third parties conflicts with the many laws designed to protect trade secrets and proprietary data; and

Acknowledged by card. 5/13/80..mdx

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