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DOCKET NUMBER PR-19 (38)
PROPOSED RULE (45 FR 19564)

May 9, 1980

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

Attention: Docketing and Service Branch

Subject: Proposed change to 10 CFR 19.

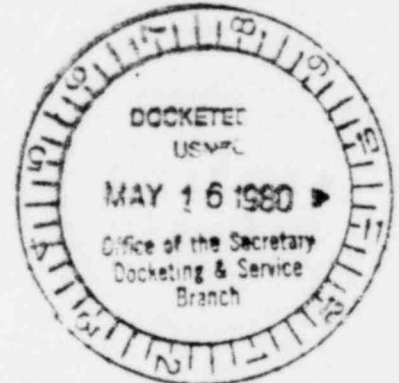
Gentlemen:

This letter is in response to the proposed changes in 10 CFR 19 as published in the Federal Register, Volume 45, Number 60, Wednesday, March 26, 1980, on pages 19564 and 19565.

3M concurs that entrance and exit meetings between NRC and licensee representatives are important for an orderly and complete inspection process and, in principle, we agree that they should be codified. However, it appears that the proposed rule making has not been limited to the codification of this existing practice; one of the reasons listed for the change.

Proposed paragraph 19.14 (h) does not refer to entrance and exit meetings, but instead refers to a conference at any time an NRC inspector requests it. This is in contrast with the wording in the Supplemental Information section of the notice which specifically refers to codification of the current practice of entrance and exit meetings. In addition, the wording in proposed 19.14 (h) would permit only the NRC inspector to request a conference and does not afford the same privilege to the licensee.

3M believes that any meetings held during, immediately before, and immediately after an NRC inspection should be limited to NRC and licensee representatives. Currently, paragraphs 19.15 (a) and (b) of 10 CFR 19 afford privacy privileges with respect to meetings between NRC representatives and the licensee's workers. This same privacy privilege should exist for meetings between NRC and licensee representatives. As proposed, paragraph 19.14 (h) would eliminate any such private meetings.



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ACKNOWLEDGED by card... 5/16/80 mdv..

U.S. Nuclear Regulatory Commission

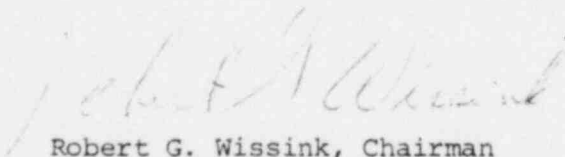
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The main reason why we believe only NRC and licensee representatives should be present at meetings is to provide the licensee every opportunity, without the involvement of others, to correct deficiencies which may have been discovered during the inspection. If there are worker related problems, these should be resolved by the workers and/or their representative and licensee's management at a separate meeting; especially if a union contract is involved.

Another aspect of proposed paragraph 19.14 (h) which concerns 3M is that it does not restrict the number or nature of the consultants the NRC may invite to a meeting. These could come from the private sector and be individuals who are competitors or likely competitors of the licensee. These individuals would have access to the licensee's proprietary information and trade secrets. Therefore, we believe the NRC should not use consultants during inspections.

Sincerely,



Robert G. Wissink, Chairman
3M Isotope Committee

RGW:fmp