



**EDWARDS
PIPELINE
TESTING, INC.**

DOCKETED
USNRC

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DOCKET NUMBER
PROPOSED RULE **PR 34**
(54FR 47089)

OFFICE OF SECRETARIES, 1990
DOCKETING & SERVICE
BRANCH

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

Attn: Docketing and Service Branch

Re: Proposed Rules 10 CFR Part 34
RIN 3 150-AD35 (ASNT Certification
of Industrial Radiographers)

The changes proposed in this rule will cause many drastic changes in our industry as well as an additional expense. A burden many nondestructive testing companies cannot endure.

I conceived the idea of "3rd Party Certification". In fact, I endorsed the letter to the NRC from ASNT. As strongly as I support third party certification, it is very difficult for me to accept your proposal as it is written. Our original and main purpose was to have the NRC and the various state agencies unite and form ONE radiation safety program. As of this date this has not happened. There is no agreement between ASNT/NRC and the Texas Health Department or any other state agency. There is no agreement between ASNT and any agency for written or practical exams. It is apparent to the companies that do business in Texas that the Texas Health Department have no forthcoming plans of changing their program.

To continue to push ahead with your proposal as it is written could cause havoc in the nondestructive testing industry. As it stands, any agreement state could decide to instigate their own program. Nondestructive testing companies could end up testing radiographers any number of times. As I previously stated, I am strongly in favor of third party certification. But, only on basis of that certification being honored irregardless of what state a radiographer is working in. It is not feasible for a radiographer to be certified by the NRC and again by the state of Texas and again by every other state that decides this is a good source of revenue. The cost to test in the state of Texas is approximately \$300.00 per person. It does not require a degree in mathematics to realize the revenues involved in the testing 1000 or more radiographers.

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I am totally against third party training being mandatory. Irregardless of where a radiographer is trained, he would still be required to pass specified certification test. Our company has utilized third party training for our last four training programs. However, I still have a choice.

In reference to your articles on page 47091, A - E, I have some specific comments.

A. No small company can survive \$1,000.00 per man the first year. The cost may be spread over several years but you win or lose on the financial statement each year. I would estimate the average small company hires between 50 and 75 employees each year. \$50,000 to 75,000 is a huge burden, even if spread over several years.

B. A small company has fewer actual working days (on job sites) to expense the cost to. Their only choice is to raise their rates and let the oil companies absorb a large portion of this burden. A small company that doesn't have the equipment to compete on the large extended projects will have to increase their rates to the extent many could be out of business.

C. My comments are contained in my letter.

D. My comments are contained in my letter.

E. If a radiographer is tested utilizing an adequate program it would be of no consequence which agency's name is on the certification. The benefit to the safety of the public would remain the same. The difference would be the cost of \$1,000 to test with ASNT or \$300 to test with the state of Texas.

Basically, I would say this proposed rule was probably hastened along and not adequately contemplated because of the anticipation of the potential revenues. Whatever agency ultimately performs the certification stands to profit considerably. This, however, is no justification to adopt an ill prepared regulation.

Please consider the following;

1. Do the Agreement and Non-agreement states have any type of agreement to work together or accept certification from each other?
2. Does ASNT and the state of Texas have any type of agreement to work together or accept certification from each other?
3. Has ASNT's written test, practical test and a feasible testing location been determined?
4. Will the Texas certification and ASNT's certification be transferable and acceptable in all the states without any changes in their present programs?

5. No amount of training and certification is going to force any radiographer that is lackadaisical in his practice of safety requirements to be thorough. The ONLY way to insure public safety is for the individual to be responsible for his incontinence. This would include fining the individual for infractions and if necessary the removal of his card.

In summary, let the companies decide on who trains the radiographers. Let there be only one certification required. One certification that will be honored in both agreement and non-agreement states. In addition, don't force companies to test with the ASNT at the cost of \$1,000.00 per person when they can already test in the state of Texas for \$300.00. And, let the individual radiographer suffer some of the consequences of his own behavior.

As you can easily see, I feel there is much work left to be done on this proposal. It's main purpose is admirable but it's design is inadequate.

Very truly yours,

Don Earl Edwards

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DEE/ml