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PROPOSED RULE **PR 34**  
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# CHERNE CONTRACTING CORPORATION

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OFFICE OF SECRETARY  
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BRANCH

January 29, 1990

Secretary  
U.S. Nuclear Regulatory Commission  
Docketing and Service Branch  
2120 I Street NW (Lower Level)  
Washington, D.C. 20555

Reference: INDUSTRIAL RADIOGRAPHER CERTIFICATION PROPOSED RULEMAKING

Gentlemen:

Cherne Contracting Corporation supports the proposed rule changes to 10CFR Part 34 regarding recognition of ASNT Certification of radiographers as an alternative to the training and qualification activities as is currently required. Third party certification of radiographers has the potential to significantly improve safety awareness and performance in the radiography industry. This proposed rulemaking will provide the radiography industry, users of radiography services, and the NRC the opportunity to more accurately define the costs and benefits of third party certification towards radiation safety performance. The NRC initiative to provide this option to the industry is commendable.

Cherne Contracting Corporation is a national construction firm, performs radiography under a NRC license, and is also a user that subcontracts radiography to independent testing firms on many projects. We expend significant resources to ensure that our radiographers, and those of our subcontractors, are properly trained, understand their duties, and are motivated to perform their safety duties in the manner prescribed. We believe that this expenditure of resources has contributed to our record of no radiation incidences in the 10 years that we have had a license.

We are of the opinion that third party certification will provide a higher level of assurance that radiographers seeking employment with us, or working for our subcontractors, have received the required training and, more importantly, understand the basic radiation safety principles and importance of individual conduct. In addition, the ASNT Certification will provide a level of assurance that the radiographers will subscribe to the company values for personal conduct and individual ethics.

The cost impact, as estimated and presented in the proposed rulemaking, appears to be excessive in view of the current status and direction of the ASNT program. Should ASNT be able to utilize its volunteer members as examination monitors

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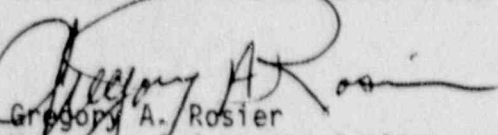
and conduct the examinations at its local sections, the costs for administration, travel, and lodging could be significantly less than that stated. Accordingly, we believe that a cost analysis of the certification program is premature at this time and that this proposed rulemaking, if accepted, will allow for an accurate assessment of the costs should a future rulemaking requiring third party certification be forthcoming.

A study of cost impacts should address the costs to the users of radiography services. After all, they are the organizations who will eventually pay the identifiable certification costs of the licensees and they also bear costs as a result of radiation incidents. In addition the direct and indirect costs to both the licensee and the user associated with a radiation incident (including but limited to lost production, insurance, and loss of image) should be considered. The costs of a radiation incident borne by a user of radiography services are probably as severe, if not more severe, than the costs experienced by the licensee.

Should the proposed rulemaking pass the public comment, Cherne Contracting Corporation will encourage its radiographers to obtain the ASNT Certification and will encourage our radiography subcontractors to do the same for their radiographer employees.

Sincerely,

CHERNE CONTRACTING CORPORATION



Gregory A. Rosier  
Manager, Safety and Quality

GAR:pa