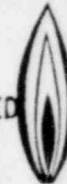


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DOCKET NUMBER
PROPOSED RULE PR-34
(47 FR 19152)

August 30, 1982

Secretary of the Commission
U.S. Nuclear Regulatory Commission
Attn: Docketing and Service Branch
1717 H Street, N.W.
Washington, D.C. 20555

Re: Certification of Industrial Radiographers; 10 CFR
Part 34 - Advance Notice of Proposed Rulemaking

Dear Sir:

In response to the Notice, subject as above, which appeared in the Federal Register of Tuesday, May 4, 1982, the Interstate Natural Gas Association of America (INGAA) wishes to provide the following comments.

INGAA is a non-profit national trade association representing virtually all of the major interstate natural gas transmission companies operating in the United States. INGAA's members operate over 200,000 miles of pipelines and related facilities, and account for over 90 percent of all natural gas transported and sold in interstate commerce. INGAA's members contract for radiographic services during pipeline construction and are, therefore, vitally interested in any regulatory activity which may affect those services or their construction programs.

Although INGAA shares the Nuclear Regulatory Commission's (NRC) concern with the stated problem of radiographic overexposure, we fail to see how the proposed third-party certification program would significantly reduce the incidence of overexposure addressed in this Notice. A good third-party certification program may provide proper training, testing and use of safety equipment, but unless the radiographer is willing to use the safety equipment and follow the proper procedures at the field location, the third-party program will just add cost with little or no safety benefit to be gained.

Our members contract for radiographic services from NRC licensed radiographic companies. They have observed varying degrees of carelessness and operational shortcuts among apparently well trained radiographers.

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add James Jones
5650 NL

Acknowledged by card. 8/31/82 emp

This has created concern within our membership, since improper handling and storage of a radiographic source presents the potential for exposure of our own inspection personnel or personnel of our construction contractors. We believe a third-party certification program would not be effective in stopping or reducing those acts of individual carelessness or willful negligence. Rather, we believe the NRC should establish a procedure to police those licensees which exhibit a questionable safety record with respect to radiographic overexposure.

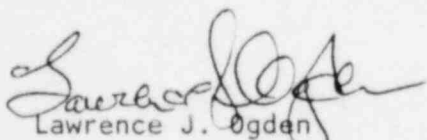
INGAA recommends the NRC investigate the correlation between training requirements, licensees, radiographers, and overexposure incidents before proceeding with development of any alternative to the present system. The NRC may find that only a small number of licensees or radiographers account for the majority of the incidents. If so, increased compliance inspection, warning letters, fines or revocation of licenses may be appropriate and would, we believe, provide greater motivation for improved safety than would any type of third-party certification program.

INGAA notes the NRC's expressed difficulty in controlling the radiographic licensees under the present system. We fail to understand how the NRC would be able to control or guide independent third-party certification agencies any more effectively. In addition, the NRC would have the additional burden of developing an acceptable nationwide certification standard and monitoring implementation of such a standard.

Our responses to the specific 13 questions posed in the Notice are attached for your use. They indicate our strong belief that a third-party certification program would not reduce overexposure incidents, but add another layer of regulatory requirements and additional cost to the public. Accordingly, INGAA recommends the present system be retained with modifications to improve compliance and enforcement.

We appreciate the opportunity to submit comments on your Advance Notice of Proposed Rulemaking.

Sincerely,



Lawrence J. Ogden
Vice President, Construction
and Operations

TLK/jda

Enclosure

INTERSTATE NATURAL GAS ASSOCIATION OF AMERICA

COMMENTS

Responses to the 13 specific questions posed in the advance notice of proposed rulemaking of May 4, 1982, are as follows:

Question 1:

Is the training provided to radiographers under the present system adequate?

Comment:

We believe the present system of radiographer training and qualification is completely adequate if properly administered. The training requirements for the various levels of radiographer are very clearly spelled out in the NRC regulations and individual company training programs are reviewed and approved by the NRC as a part of the licensing procedure. To the best of our members' knowledge, they have not experienced a case of radiation overexposure to their own employees nor to radiographers of contracted radiographic companies.

Question 2:

Would a third-party certification program reduce the number of overexposures in the radiographic industry?

Comment:

A third party certification program might reduce the number of overexposures where those incidents are caused by inadequate training. However, it is our opinion that the primary cause of overexposure incidents is not poor or inadequate training, but rather, properly trained operator's carelessness, procedural short-cutting to save time, or knowingly taking unnecessary risks. It must also be recognized that the ever changing and sometimes adverse environment in which radiographers must work may play an important part in overexposure incidents. Many radiographers do not have the luxury of working in nice stable laboratory-like environments. For these reasons we believe third party certification would not significantly reduce the number of overexposures in the radiographic industry.

Question 3:

Would a third-party certification program motivate radiographers to work more safely?

Comment:

INGAA believes it unlikely that such a program would provide the desired safety motivation. We believe the attitude and compliance program of the radiographer's employer are the key factors in any safety program. Improved safety may be more likely to occur from a procedure by which the NRC would review, for possible revocation, the license of any company which experiences overexposure incidents.

Question 4:

What elements in the present system or in the suggested alternative are particularly desirable or undesirable? Why?

Comment:

One of the most significant advantages of the present system is that it enables each licensee to tailor his program to his own specific needs. This eliminates scheduling inflexibility and the extra cost of unnecessary training in procedures which will not be used. We see no particular advantage to a third party certification program. Safety, in any work situation, depends primarily on proper training and the enforcement of safety procedures. A distinct disadvantage of the third-party certification alternative would be the creation of another organization to administer and operate the program. This would require the establishment of controlling standards by the NRC and, undoubtedly, additional NRC staff to develop and administer them. This would all add up to additional and, we believe, totally unnecessary costs which would ultimately be passed to the recipient of the radiographic services.

Question 5:

If a third-party certification program is adopted, what items should be included in the standard for determining the competence of individuals to act as radiographers?

Comment:

Should such a program be adopted, the standard would have to include periodic observation and rating of an individual's job performance or a recurring examination of some kind, each of which would be time consuming and costly to administer.

Question 6:

If a third-party certification program is adopted, should it apply to individuals presently working as radiographers or only to new radiographers?

Comment:

If a third party certification program is adopted, it should apply to all persons working as radiographers. Any problems which currently exist are related to persons presently working as radiographers and these would not be eliminated by requiring certification only for new radiographers.

Question 7:

If a third-party certification program is adopted, should certificates be issued to individuals for life or should there be periodic renewals of the certification?

Comment:

Certification in any program for radiographers must be periodic if it is going to insure that the individual is capable of performing as a radiographer at an acceptable level of competence. Knowledge of advances in technology could then be incorporated into the recertification testing process. Consideration should also be given to requiring recertification if a radiographer has gone for some period of time, say two years or more, without working as a radiographer.

Question 8:

Would a third-party certification program affect the ability of a licensee to respond to variable manpower needs?

Comment:

Third party certification would affect the ability of a licensee to adapt to variable manpower needs to the extent that additional time would be required to obtain the certification from the third party. Certification time could vary significantly depending upon the scheduling, availability and location of an authorized individual to administer the required testing.

Question 9:

Since a third-party certification program would likely to be based on cost recovery by a fee system, would the cost to the licensees of such a program be warranted?

Comment:

INGAA believes the current system is acceptable, therefore, any increased costs resulting from a fee system would be entirely unwarranted.

Question 10:

Which alternatives of the two discussed (present system, third-party certification) is preferable? Why? Are there other better alternatives? If so, please explain.

Comment:

The present system has several previously stated points that make it the more desirable alternative. The level to which pipeline radiographers must be trained, as referenced by the API 1104, section 8.71, is that required by the American Society for Non-Destructive Testing Recommended

Practice SNT-TC-1A. Furthermore, the API 1104 requires recertification every three years. It is inconceivable to us that anyone, after having undergone the training outlined in the SNT-TC-1A could be ignorant of safe radiation handling practices or the necessity for them.

Question 11:

With respect to the two alternatives, what kind of enforcement action could or should be taken against radiographers who do not operate equipment safely or follow established procedures? What rights should radiographers have with respect to such enforcement actions?

Comment:

Probably the most effective enforcement system would be one in which the radiographer is temporarily or permanently decertified or required to be retrained and recertified for certain safety violations. This system should also be applied to licensees whose employees have an overall unsatisfactory safety record. After a company has been warned or penalized, it would then become their responsibility to exercise control of the errant employee. This method of enforcement would help prevent radiographic companies from loading employees so heavily that they are tempted to short cut safety measures and established practices. Under this method of control, the company stands to lose directly, as well as the employee. Therefore the company becomes the enforcement tool of the controlling agency. The radiographer or licensee should have the right to a hearing and should be allowed to present extenuating or mitigating evidence before any decertification action is taken. It should be recognized that the licensee has the primary responsibility for establishing and enforcing a safe radiography program for those persons which he employees as radiographers.

Question 12:

Would a small licensee, because of its size bear a disproportionate adverse economic impact under a third-party system?

Comment:

INGAA believes the economic impact would be relatively proportional to the size of the licensee since costs would be recovered through a fee system.

Question 13:

For those organizations that are interested in participating in a third-party certification program, what would be the estimated cost in implementing such a program?

Comment:

INGAA is unable to respond to this question on an industry-wide basis. However, one of our members estimated the cost to be \$1200 to \$1800 per individual plus administration and recordkeeping costs. This would include the certification fee and time and travel costs for the individual being certified.