



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV

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ARLINGTON, TEXAS 76011-8064

AE07-1027

PDR

JUN 8 1993

MEMORANDUM FOR: Donald O. Nellis, RPHEB/DRA/RES
Mary L. Thomas, RPHEB/DRA/RES

THRU: L. J. Callan, Director
Division of Radiation Safety and Safeguards

FROM: Charles L. Cain, Chief
Nuclear Materials Inspection Section

SUBJECT: COMMENTS ON PART 34 RULEMAKING

6/8/93

I have reviewed the subject rulemaking provided to us in the memorandum from C. J. Heltemes, Jr., dated May 24, 1993, and provide the following comments based on a cursory review.

1. In the past 15 years, Region IV has been involved in reviewing a significant portion of the major incidents involving industrial radiography in this country. The presence of a second radiographer (or an assistant) at the job site, in those cases where there was only one person present, would not appear to have had a significant impact on the outcome of these documented major incidents. The statement in the draft memorandum to the Commissioners that as a result of this provision "there will be a significant increase in assurance that operational safety measures and emergency procedures will be implemented effectively" appears to be unsupported by our experience.

The memorandum also states that "if an incapacitating injury to a radiographer should occur at a remote location the presence of a second individual could be an important factor in preventing unnecessary radiation exposures." Although this conditional statement is no doubt true, I am not aware of any incident within the last 15 years in Region IV where such was the case. That is, there has been no instance to my knowledge where unnecessary radiation exposure was received because a second person was not available to render aid.

This provision will have a serious financial impact on many radiography licensees without any proven benefit to safety; therefore, I would recommend reconsideration of the inclusion of a new requirement in Part 34 that requires two radiography personnel at each worksite.

2. The second comment relates to Section 34.27(f) which requires exposure device testing for DU contamination. I recommend that this section allow use of a "method approved by the Commission or an Agreement State" as in § 34.27(c). Many licensees will want to perform this test themselves rather than rely upon a leak test vendor or the manufacturer. Also, there should be a prescribed acceptability limit, such as 0.005 uCi, as in § 34.27(c).

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In other respects, the modifications that have been made to the regulation appear to be improvements, particularly the clarification of radiation safety officer duties.

If you have any questions in regard to these comments, I may be contacted at (817) 860-8186.

Charles L. Cain

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