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PROPOSED RULE PR 34 (59FR 9429)

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May 31, 1994

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

Attn: Docketing and Service Branch

Re: Comments on proposed 10 CFR Part 34

Dear Sirs:

As an industrial radiography licensee we are submitting the following comments regarding the proposed 10 CFR Part 34:

34.21(b)
The title of 34.21 is "Limits on levels of radiation for radiographic exposure devices, storage containers, and source changers", yet 34.21(b) states "...Section 34.21 applies only to storage containers.". This rule is confusing as written. Please clarify.

34.23(b)
The wording "...from one location to another" should be clarified. Often is the case, such as pipeline and lay-down yard radiography, when the radiographer is required to relocate from one weld to another that may be between 20 and 100 feet apart. Will this relocation require a complete break-down and securing of equipment? If so, the rule should be clarified to insure the rule's intent. We believe the removal of the associated equipment should be applicable only to the relocation (transporting) from one temporary jobsite to another.

34.31(b)
If the record requirement specified in this rule is inclusive for daily visual checks, 34.31(a), then the requirement should have a separate section designation such as 34.31(c), consequently changing proposed 34.31(c) to 34.31(d). Clarification is needed.

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34.42(a)(1)
This rule requires the RSO to complete the training and testing requirements of 34.43(a). Regarding this rule we believe the Commission should address the following questions:

1. What individual within the licensee's organization will be responsible for providing the instructions referenced in 34.43(a)(3) and evaluating the demonstrations referenced in 34.43(a)(5) and (a)(6)?

2. What qualifications will the Commission require of this individual?

34.42(a)(2)
We believe this rule should be more specific about the 2000 hours (approx. 1 year) of documented experience in industrial radiography operations. If the documented experience must be as either a radiographer or radiographer's assistant then this requirement will forever close the door for licensees wanting to hire a safety professional, health physics technician graduate, or anyone with the appropriate regulatory employment experience to assume the responsibilities of an RSO. While we understand the Commission's intent is to ensure qualified people are named as RSOs we believe it to be a mistake to narrow the scope to only those individuals who have actively performed radiography for at least a year. We agree that is does take at least a year for an individual to master the technical aspects of radiography, such as producing an image on a film that meet code requirements. But we must not lose sight of the fact, especially with the new January 10, 1995 equipment safety feature requirements, that the mechanics of performing radiography are fairly basic and redundant. It should not take any longer that a week to learn how to properly calculate and post restricted areas or how to perform the proper surveys. It is more important for todays RSO to have a "safety first" attitude and a thorough knowledge of the rules and regulatory process. As an individual who went from working for a major radiography equipment/source manufacture, where I received extensive training and work experience in handling sources,

34.42(a)(1) - cont.
performing surveys, and later being employed and approved as an industrial radiography RSO by various regulatory agencies, including the Commission, for 15 years without performing day-to-day radiography for a year I am personally concerned about this rule. If it goes into effect I and those in my similar situation may have to consider a new career. Those RSOs who, for what ever reason, cannot currently document 2000 hours of field experience and are administering large programs will not be able to devote a year of time, while trying to simultaneously maintain effective control of their programs, to meet the requirements of this rule. We believe the Commission could better ensure RSOs are qualified by requiring them to pass a certification exam specifically designed to test RSOs' knowledge of rules and radiation safety matters that are specifically applicable to industrial radiography and the administering of a radiography radiation safety program. The exam could be administered in conjunction with the "radiographer certification program" and current RSO's be given one or two years from the effective date of such a rule to comply.

Regarding the 40 hour formal classroom training the rule should indicate that the training be specific to industrial radiography. We believe the majority of RSO courses available are for other industries. While and individual may receive the appropriate training for 10 CFR Part 20 is unlikely that the requirement of Parts 31 and 71 are reviewed.

34.43(c)
This rule should be more specific about what is to be included in the annual safety reviews.

34.89
Many licensees have a main office where their Radiation Safety Officer is located and where all records pertaining to licensed activities are maintained. It is not unusual for a licensee to have multiple field offices which are staffed by a limited number of personnel. The RSO often

34.89(cont.)
coordinates the generation of records for each field office and requires the records to be submitted to the main office for review and maintenance. We believe there should be a means to allow the licensee the make a commitment that could be included in a condition of the license that would permit the licensee to maintain all records at a main office for inspection by the Commission. While we believe it to be appropriate to maintains records referenced in 34.89(a),(b),(c),(d),(g),(i) and (k) at field stations for licensed activity pertaining to the filed station we think that maintaining the records referenced in 34.89(e),(f),(h),(j),(l), and (m) at the main office for inspection by the Commission should be sufficient. It has been our experience that once copies of exams and answers leave the direct control of the RSO the integrity of the testing system is jeopardized. If records are to be maintained at field stations we believe the rule should be clear to indicate that only records generated as the results of licensed activity pertinent to the field station are maintained at the field stations.

We appreciate the Commission considering our comments.

Respectfully,

Norman P. Lanier
Radiation Safety Director
NRC Lic. 42-25214-01

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