

Newport News Shipbuilding

A Tenneco Company

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PROPOSED RULE PR 34-150
(59FR 9429)

May 27, 1994

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTENTION: Docketing and Service Branch
Dr. Donald O. Nellis or Mary L. Thomas
Office of Nuclear Regulatory Research

RE: Licenses for Radiography and Radiation Safety Requirements
for Radiographic Operations; Proposed rule; 59 Federal
Register 9429, dated February 28, 1994

Dear Sirs:

Newport News Shipbuilding and Dry Dock Company (NNS)
appreciates the opportunity to submit comments on the proposed
rule, as announced by the Nuclear Regulatory Commission in the
above-referenced notice.

NNS is engaged in ship building and ship repair for the U.S.
Navy and for commercial ship owners. For over 100 years, NNS has
built or repaired almost every type of ship, including the
nuclear aircraft carriers and submarines currently under
construction and repair for the Navy. NNS employs approximately
21,000 employees and is the nation's shipyard, occupying over 500
acres and 2.5 miles of waterfront on the James River in Newport
News, Virginia.

As one of the primary shipbuilders for the Naval Nuclear
Propulsion Program for over 30 years, NNS has considerable
experience in the areas of radiation safety and workplace
procedures for radiological control. In addition to its work
directly under the Naval program, NNS holds NRC licenses for
industrial radiography, which is utilized in its shipbuilding and
metal fabrication operations. In both areas, NNS has established
effective and thorough training programs and work procedures,
which are tailored to the unique demands of the shipbuilding
industry and which protect employees and the public from
potential hazards due to NNS operations.

NNS has the following comments on the proposed regulations:

1. The proposed changes to 10 CFR Part 34.43 would require
radiographers to be certified by an independent certifying entity
in accordance with the criteria specified in Appendix A. This

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requirement would result in organizations which have established formal training and certification programs having to participate in a duplicative program (to obtain third party certification) with no benefit to the existing safety program. For example, since shipyard working conditions are unique to the industry, NNS would have to continue its own program, with the additional burden of obtaining third party certification.

Suggested Change - Part 34.43(a)(2) add at end of 1st sentence "or equivalent as authorized by NRC."

An example of such case is Newport News Shipbuilding (NNS), which has a large contingent of radiographers whose activities are limited to a single site. NNS' size and structure dictate formal training, safety, and quality assurance programs which are superior to those of most "third party" certifying organizations. Additionally, the structural organization of shipbuilding, the interactions of radiography with Naval nuclear controls and requirements, and the unique problems associated with our complex industrial site all require specific training interlocked with the basics of radiography. The addition of third party certification provides no net benefit, as it cannot effectively replace any element of our existing program.

NNS is probably not unique in this regard. Therefore, we recommend consideration be given to those organizations with existing formal programs, particularly when their radiographic activities are restricted to a single site. The suggested change would allow NRC consideration of a formal program when requested.

2. The proposed change to 10 CFR Part 34.42 would require "2000 hours of documented experience in industrial radiographic operations." This requirement would effectively preclude any persons who are not qualified and experienced radiographers from becoming Radiation Safety Officers (RSOs).

Suggested Change - Reword Part 34.42(a)(2) to read, "2000 hours of documented experience in industrial radiographic operations, or equivalent training and/or experience appropriate to his/her specific organizational duties, with at least 40 hours of formal classroom training with respect to the establishment and maintenance of a radiation protection program."

Newport News Shipbuilding recognizes the need for a specified level of experience in the day-to-day oversight of radiographic activities; however, RSOs in a large and complex organization may be responsible for license, safety, and/or audit activities, but not active supervision of radiographic operations. For such cases, there may be a valid rationale for appointment of an RSO who is not a radiographer. We believe that equivalent background, experience, training, and/or education be considered in those cases.

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In conclusion, while we acknowledge the rationale behind uniform, broad-based training and certification of radiographers, we also submit that there are organizations and/or circumstances where in-house programs may be equally or more effective in meeting the NRC objectives.

Very truly yours,

Ann L. Pharr

Ann L. Pharr
Assistant General Counsel

ALP:bac