

DSI-14

(25)

From: Kate Roughan <kate.roughan@amersham.com>
To: WND1.WNP2(jch)
Date: 12/2/96 7:25pm
Subject: Comments on Rebaselining

Please see attached comments from Amersham, SENTINEL on Issues number 21 and 14. Thank you for your consideration.



December 2, 1996

Mr. John C. Hoyle
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Attn: Chief of Docketing Service Branch
Washington, DC 20555-0001

**RE: U.S. Nuclear Regulatory Commission Strategic Assessment and Rebaselining Initiative:
Direction Setting Issue No. 14 - Public Communication Initiatives**

These comments are submitted on behalf SENTINEL, Amersham Corporation. SENTINEL manufactures industrial radiography sealed sources and devices for both national and international distribution. We are particularly concerned about NRC's current and future activities and the way NRC communicates with the regulated community as well as the public. Past NRC public communication activities have directly impacted Amersham and these activities have included information notices concerning specific companies and/or their products, public workshops and enhance participatory rulemaking in which we have participated.

Amersham strongly supports the NRC initiative to determine which strategy and direction the agency should take to meet current and future challenges. As an affected licensee, we appreciate the opportunity to submit these written comments.

1. What, if any, important considerations may have been omitted from the issue paper?

While we realize the importance of the need for NRC to maintain an arm's length relationship with industry or any other special interest in the process of public communication, NRC should consider the need to protect commercially sensitive information in a forum where the public has access. Another consideration is the need to involve industry, to the allowable practical and legal extent, in the process of developing information notices and other public information prior to its dissemination. Failure to do this has on occasion resulted in overreaction or confusion of the regulated community or the public, needless wasted effort on the part of licensees to provide corrected or clarifying information and needless utilization of NRC resources in response to concerns from the licensee, industry or the public. We have participated in the review of an information notice that directly related to our product and found it to greatly increase the accuracy of the

information disseminated and allowed for us to be prepared with appropriate information when the receivers of the information notice called with questions.

We agree that public participation, particularly in the rulemaking process, is an essential component of good regulation and allows for consistent interpretation once the rule is finalized.

2. How accurate are the NRC's assumptions and projections for internal and external factors discussed in the issues paper?

While we believe the assumptions and projections for factors discussed are generally accurate, we provide the following specific comments.

As we have been involved in and impressed with NRC workshops and enhanced participatory rulemaking, we agree with the assumption that enhanced participation be considered by the agency in its rulemaking plans. We are grateful for past opportunities to participate in these events and would like to see these continue.

The NRC should play a more active role in the communication of positive information on industry performance in areas where efforts have been successful in reducing dose, reducing environmental impact, and safely transporting radioactive materials and providing valuable products that improve the quality of life in ways that the public may not either recognize or be willing to accept.

3. Do the Commissioner's preliminary views associated with each issue paper respond to the current environment and challenge?

The views do not fully address the current environment and challenge, as the current regulatory environment seems to be overly concerned about issues with insignificant safety risks.

The NRC should exercise its responsibility to promptly communicate information for which the public needs to be concerned. However, too often a wrongful sense of urgency is established when information is provided in a reactionary mode or when too much emphasis is placed on events or concerns with relatively insignificant risks.

4. Which option do you endorse?

Without endorsing any one of the options presented in DSI 14 specifically, we recommend

the Commission move forward with the following objectives in its public communication initiatives:

- Identify and address public concerns while responding in a way that is commensurate with the level of risk involved. Also, take the opportunity when ever possible to inform the public of industry and agency achievements in the use and regulation of ionizing radiation and radioactive materials.
- Both interactive and noninteractive methods should be available as modes of communication. The use of the Internet should be used to its full capability to make available documents previously only available through Freedom of Information, the PDR, GPO and other less convenient routes. We appreciate the progress NRC has made thus far in this effort.
- Facilitated meetings have worked very well in the past and should be the primary method of communication in significant rulemaking efforts. In addition there should be followup meetings during implementation of the final rule to allow for consistent interpretation of a new rule. Agency documents should be available in a written format with the opportunity for licensees and other interested parties to obtain these electronically.
- The content of public communication should include information that needs to be communicated in the interests of health and safety. Information regarding issues of relative insignificance, if communicated, should be made available to the public without unnecessary alarm or media attention. Communication of information that directly affects a particular company or industry should be coordinated with the affected party to ensure accuracy and to prepare the party for subsequent inquiries. Information of commercially sensitive nature should be treated accordingly.

Amersham appreciates the opportunity to provide comments on this important direction setting issue. Please contact myself at 617-272-2000, extension 210 if you have any questions concerning these comments or if additional information is required.

Sincerely,

Cathleen Roughan
Regulatory Affairs Manager