

DEC 07 1987

NOTE TO: Don Nellis, RES/RPHEB
FROM: Ronald M. Smith, OGC
SUBJECT: PROPOSED AMENDMENTS OF PART 34

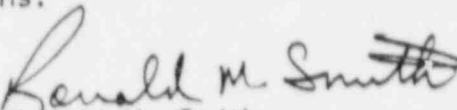
As requested by you on December 2, 1987, I have reviewed the latest version of the proposed radiography rule concerning safety requirements for industrial radiographic exposure devices and offer the following comments/suggestions:

1. The location of the environmental assessment should be included under the ADDRESSES caption of the preamble of the Federal Register notice, page 2. See section 3.13(d), NUREG/BR-0053, Regulations Handbook.
2. Page 5, Enclosure A has a typo in the footnote in that it is identified as footnote 1 rather than 2.
3. At page 16, Enclosure A, within the discussion of Section 34.20(c) at paragraph a, the design of the coupling is described in part to "be highly unlikely to come apart." Recognizing that the desired standard is difficult to describe, in our opinion a better description was contained in an earlier version reviewed by this office. Within that version, the design was described to be "such that it cannot be unintentionally disconnected." This second approach is more precise and, therefore, establishes a more realistic standard should enforcement action be necessary.
4. At page 29, Enclosure A, within paragraph (b)(2), second line, the word "meet" is included twice.
5. At page 30, Enclosure A, within paragraphs (c)(1) and (2), like comment 3 above, the standard of "highly unlikely" is established for both coupling disconnections and false indications of the position of the source. The suggested change to paragraph (1) was addressed in comment 3 above. It is suggested that paragraph (2) might be modified to read as follows:
 - "(2) The device must be equipped with a readily visible source position indicator which, under normal and reasonably foreseeable abnormal conditions, will not falsely indicate the position of the source."

6. At page 32, Enclosure A, the new paragraph (b) being added to § 34.21 should be modified by changing the second sentence to read as follows:

"Five years after the effective date of this paragraph, this section will cease to be operative and all radiographic equipment will be subject to the requirements of § 34.20 of this part."

7. Finally, the changes in items 3 and 6 of the proposed notice are not in the correct format as specified in the Regulations Handbook, e.g., the use of asterisks to indicate material unchanged by the amendment of particular sections.


Ronald M. Smith