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VIRGINIA POWER

February 1, 1993

Secretary
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555
Attention: Docketing and Service Branch

Serial No. 92-807
NL&P/RBP

Gentlemen:

**COMMENTS ON INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL NO. 2
FILING OF A PETITION FOR RULEMAKING**

In the December 4, 1992 Federal Register, the NRC requested comments on a petition for rulemaking. As stated in this notice, the International Union of Operating Engineers (IUOE), Local No. 2, requested that the Nuclear Regulatory Commission (NRC) amend its regulations regarding licensees for radiography and radiation safety requirements for radiographic operations, as necessary, to require a minimum of two radiographic personnel when performing industrial radiography with licensed materials at temporary job sites. The petitioner believed that the suggested change was necessary to ensure a safe working environment. The purpose of this letter is to provide our comments regarding this petition for rulemaking.

Virginia Power has reviewed the petition and the existing 10 CFR Part 34 regulation and concluded that the need to amend 10 CFR Part 34 to require a minimum of two radiographic personnel to perform industrial radiography with licensed materials at temporary job sites is not justified at NRC licensed facilities. The attached information is submitted for consideration in this rulemaking.

If you have any questions, please contact us.

Very truly yours,

for W. L. Stewart

Attachment

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**COMMENTS ON INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL NO. 2
FILING OF A PETITION FOR RULEMAKING**

The following information is submitted for consideration in this rulemaking:

1. Licensees responsible for individual exposures received at their facilities implement radiological controls such as Radiation Work Permit requirements, review and authorization of "approved" radiographic procedures, and assignment of Health Physics technicians. These controls are established to ensure that the radiography operations are performed in a safe, efficient, and quality manner. The additional requirement of another radiographer is not necessary to ensure safety at licensed facilities with these other protective measures in place.
2. The types of problems identified by the petitioner in the proposed rulemaking are the result of non-compliance with existing regulations and weaknesses in a Health Physics program and not as a result of deficiencies in regulation. Each of the listed deficiencies used in the petitioner's arguments, including inadequate work surveillance and emergency assistance, are addressed by the radiation protection controls required to support radiographic activities for licensed facilities.
3. The presence of an additional radiographer does not guarantee improved work performance or personnel safety. An additional radiographer does, however, result in the potential for additional unnecessary personnel exposure contrary to existing ALARA philosophy.
4. A significant number of incidences related to overexposure or industrial accidents are due to equipment malfunctions. An amendment to the regulation requiring two radiographers to perform radiography would not eliminate equipment malfunction generated incidents.

In summary, the petitioner's request to amend 10 CFR Part 34 is not justified for NRC licensed facilities and, therefore, should be specifically excluded from any consideration at NRC licensed facilities as contrary to ALARA practices.