



RATION OF STATE HEALTH SECTION

U.S. NUCLEAR REGULATORY COMMISSION, 1200 E. 17th St., N.E., Atlanta, Georgia 30316-0004

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2 April 1984

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Donald A. Nussbaumer
Assistant Director for State Agreements Program
Office of State Programs
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Nussbaumer:

After reviewing the latest proposed revision of 10 CFR Part 35, I feel I must express the following reservations:

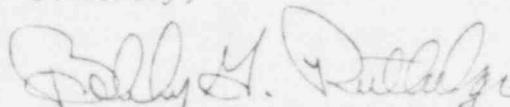
- 1) When an agency authorizes someone to do something in a safe manner through issuance of a license, doesn't that agency assume a responsibility to the general public or whoever else might be affected? What is the extent of our responsibility as a "controlling" agency under this new policy? How can we be true to our responsibilities if we only accept the licensees "certification" that he is meeting all regulatory requirement? Is such "certification" going to relieve states of responsibilities until an on-site review can be made? I don't think so! ✓
- 2) Under the new concept, if the inspectors are expected to perform quality inspections, I would anticipate the new concept to cost more in both time and money. In order to feel comfortable with a new program, the initial inspection would need to be performed almost immediately after the "license" was issued. Since procedures, equipment and facilities could change anytime without notifying the licensing authority, inspections would need to be performed more frequently in order for states to remain aware of licensed programs. But most of all, if the inspections were quality inspections, the time spent on-site would have to be substantially increased. As anyone in this business knows, time in the field is much more expensive than time in the office. ✓

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I am not familiar with the problems NRC is having in licensing; however, the pre-licensing review as done by Georgia and other states seems to be working fine, and we feel it is a necessary part of the licensing process with the responsibilities we hold as a licensing agency.

If you should have any questions, do not hesitate to contact me.

Sincerely,


Bobby G. Rutledge, Director
Radiological Health Section

BGR/cc;d

cc: Mike Mobley
Chuck Hardin