

Department of Human Resources
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August 16, 1984

Norman L. McElroy
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U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. McElroy:

I have reviewed the current draft proposed revision of 10 CFR Part 35 and find that many of the comments prepared and forwarded in the past remain as concerns. The statement is made that the NRC staff has not received any comments that lead them to believe that the basic proposal of Alternative 2 is flawed. The Agreement States representatives to the Task Force and the CRCPD Ad Hoc Committee have certainly endeavored to point out that we feel very strongly that the current approach is not only flawed but unacceptable.

Although the Agreement States support the revision of the regulations it should be made clear that it is felt that significant problems are prevalent with the proposed Alternative 2. Specifically the prelicensing review of radiation safety procedures and the changes to procedures is necessary to ensure a proper degree of safety. Permitting licensees to make changes to procedures without prior review and approval is an unwarranted relaxation of regulatory control. In addition, the new financial burden to industry of 10.8 million dollars is hardly seen as justification for the potential cost savings to NRC of \$60,000 or of \$317,000 to industry.

To assume that inspectors can determine the adequacy of procedures by watching workers on an unannounced basis at the current inspection frequency is bad judgement. Many procedures now submitted for review and approval could not be reviewed in the field by observation, both because of time constraints and/or inspection frequency.

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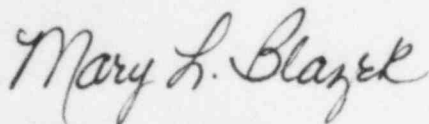
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It has been found that enforcement actions in many Agreement States are the result of lack of management control. The proposed Alternative 2 will place more radiation safety control in the hands of an individual who may be acting as radiation safety officer/authorized user/management.

The objections and effects of the proposed Alternative 2 on Agreement States remain as written in the most current draft. In addition, I again request clarification as to why Alternative 3 has not been more strongly considered by NRC. It is recommended that the Commission publish for public comment a proposed revision of Part 35 as specified in Alternative 3.

Should you have any questions regarding these points, please contact me.

Sincerely,



Mary L. Blazek
Radiation Specialist
Radiation Control Section

MLB:ng

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