



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

May 17, 1985

MEMORANDUM FOR: William J. Dircks, Executive Director
for Operations
FROM: *for* Samuel J. Chilk, *JEH* Secretary
SUBJECT: COMMISSION OPTIONS TO RESPOND TO REMAND OF
GUARD V. NRC

In order to respond to the U.S. Court of Appeals decision in Guard v. NRC, 753 F.2d 1144 (D.C. Cir. 1985) the Commission would like your views on the following options:

1. Reinterpret the phrase "contaminated injured individuals" to eliminate exposed individuals from the scope of the planning standard(b)(12).
2. Determine what additional arrangements are necessary for exposed individuals.
3. Amend the planning standard(b)(12) to make a list of medical facilities the sole planning requirement for exposed individuals.

In providing your views you should include the technical bases supporting them, FEMA's views on them, and the policy consideration appropriate for choosing from among them.

(EDO)

(SECY Suspense: 30 days)

cc: Chairman Palladino
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
Commissioner Zech
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OPE