



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

*B. H. Walker*

AUG 31 1982

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MEMORANDUM FOR: Richard E. Cunningham, Director  
Division of Fuel Cycle and Material Safety  
Office of Nuclear Material Safety and Safeguards

FROM: Patricia G. Norry, Director  
Office of Administration

SUBJECT: PROPOSED REVISION OF PART 35

Subject to the below comments, the Office of Administration concurs on the proposed revision of 10 CFR Part 35.

The Regulatory Flexibility Act statement contained in the Federal Register Notice states that the proposed licensing system would reduce the economic burden on licensees. Language should be included in the Regulatory Flexibility Act statement that references the value/impact statement containing the cost data and setting forth the rationale leading to the stated conclusion. In addition, because of the widely differing conditions under which medical licensees operate and the somewhat speculative nature of the data contained in the value/impact statement, language should also be added to the Regulatory Flexibility Act statement that specifically solicits comments from small medical licensees on how the revised licensing system presented in the proposed rule would affect their operations.

Finally, the value/impact statement should indicate the cost to the licensee of any information collection requirements that are imposed for the first time by regulation. The costs and benefits of each new information collection requirement should be analyzed separately.

Enclosed is a marked-up copy of the regulations that presents the language necessary to make the needed adjustments in the Regulatory Flexibility Act statement. The mark-up also contains a number of editorial and format changes that are suggested to provide greater clarity in the regulation and to conform the document to the publication requirements of the Office of the Federal Register.

If you have any questions, please contact John D. Philips, Chief, Rules and Procedures Branch, or Michael T. Lesar of his staff on extension 27086.

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*Patricia G. Norry*  
Patricia G. Norry, Director  
Office of Administration

Enclosure: As stated