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JAN 6 1984

MEMORANDUM FOR: John G. Davis, Director  
Office of Nuclear Material Safety and Safeguards

FROM: Richard E. Cunningham, Director  
Division of Fuel Cycle and Material Safety

SUBJECT: PROGRESS REPORT ON PART 35

This is in response to your memorandum of December 20, 1983 that requested a Part 35 progress report by January 5, 1984. The revision of Part 35 is on schedule.

With regard to current status, a meeting was held December 9, 1983 with Headquarters cognizant individuals and John Glenn of Region I, representing the five Regions. ELD advised cognizants to be sure to inform their division and office directors of both the content of the package and its potential effect on their respective operations so that any impact on office programs or policy can be discussed early on in the rulemaking process. SP said the package must contain an executive summary of the impact on Agreement State operations and their views on the policy and technical content of the package. (During this meeting, NMSS reviewed the Commission's directives in response to SECY-83-62, and the planned response and target dates.) Cognizants were told to look for missing safety measures, unclear wording, and inadequate technical bases for proposed requirements. None of the cognizants expressed any reservations with the direction of the planned response. In a later NMSS meeting, it was decided that any office that does not concur with the package will be invited to submit a memorandum explaining the basis for its non-concurrence which will be included in the Commission paper as an enclosure.

The first draft of the regulation, preamble, commission paper, and Regulatory Guide 10.8 are complete. A table that describes enforcement under the current regulatory program and under the proposed program has been prepared.

Original Signed by  
Richard E. Cunningham

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Richard E. Cunningham, Director  
Division of Fuel Cycle and  
Material Safety

\*See previous concurrence

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