



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

AUG 30 1982

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

FROM: Robert B. Minogue, Director
Office of Nuclear Regulatory Research

SUBJECT: PROPOSED REVISION OF 10 CFR PART 35

I have reviewed the proposed revision of 10 CFR Part 35 that accompanied your August 17 memo. I concur in this proposed rulemaking with the following condition. While I realize that there are not many persons who are currently general licensees because most require the higher possession limits provided in Groups I through III, I do believe that these licensees are the only group which may be significantly affected by this rulemaking which proposes to combine the general license with the lowest risk use group of the proposed specific license. Therefore I suggest the following:

- (1) Either 'grandfather' the current general licensees so they are not affected by the proposed rulemaking; or
- (2) Since the general licensees currently submit a registration form, notify them of this proposed rulemaking and request that they reply if they are interested in maintaining the level of use afforded by the general license. They would then be put into the proposed General/Group I Class. Failure to reply would indicate no interest in maintaining general licensee status.

Richard E. Cunningham
J. Higgins
Walker H. Elroy
August 23 1982
mlm

I believe that either of these alternatives would be acceptable to accommodate any impact felt by the current general licensees. With such a clarification, I concur in this proposed revision to 10 CFR Part 35.

Robert B. Minogue
Robert B. Minogue, Director
Office of Nuclear Regulatory Research

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