

R-2914.

JUL 27 1984

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

FROM: Robert M. Bernero, Chairman
RES Independent Review Board

SUBJECT: MINUTES OF RIRB DELIBERATIONS FOR ONGOING
RULEMAKING SPONSORED BY NMSS

The rulemaking review package received June 1, 1984 (Mail Control RES-841230A), states:

"...the Office of Nuclear Material Safety and Safeguards has reviewed the on-going rulemaking activities listed below. On the basis of our review, we recommend the approval of continued activity on these rules."

Enclosed is the draft independent review package as prepared by responsible RES staff and considered by the RES Independent Review Board.

Also enclosed are the voting sheets of the RIRB members that reflect their deliberations. As indicated, the RIRB members voted 4 to 0 that the NRC should proceed with "Human Uses of Byproduct Material - Revisions to 10 CFR Part 35," sponsored by NMSS. By their concurrence in these minutes, the RIRB members recommend that the RES independent recommendation read, as proposed by one RIRB member, as follows:

Although RES agrees that NRC should proceed with this ongoing rulemaking, the Commission paper and supporting documents such as the regulatory analysis should be modified to state that this consolidation of widely dispersed requirements will result in a greater degree of safety along with cost savings by not requiring a license amendment every time a procedure is changed. The Commission paper, as now written, would indicate that there is little incentive for continuing on with this rulemaking since it states on page 9 of the Commission paper that the effect of

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selecting the recommended alternative would be that the staff does not expect any change in worker or public dose or significant cost or savings.

Robert M. Bernero, Chairman
RES Independent Review Board

Enclosures:

1. Draft independent review package for
"Human Uses of Byproduct Material-
Revisions to 10 CFR Part 35"
2. Voting sheets of RIRB members

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