



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

Ref: SA/LAB

① REC
② Dr. Walker
Walker

SEP 12 1983

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

FROM: G. Wayne Kerr, Director
Office of State Programs

SUBJECT: REVISION OF 10 CFR PART 35

In response to your memo dated August 26, 1983 regarding Part 35, I am designating Lloyd Bolling to serve as a point of contact for this project.

We agree with the concept of having the license applicant submit a radiological safety plan which contains those procedural steps essential to complying with the NRC regulations. The plan would be reviewed and approved by NRC and any changes to the plan would require a license amendment. Operating procedures to implement the plan would also be established and followed by the licensee but these could be modified only to the extent they were consistent with the plan. Changes in the operating procedures would not require a license amendment. In your proposal it is not clear whether a description of the plan or the plan itself would be submitted for review. We believe the plan itself should be submitted.

In view of the strong agreement State interest in this matter, we request you include a 45 day comment period in your schedule for obtaining State comments. This is in keeping with manual chapter 0401. Based on a phone conversation between Bill Walker and Lloyd Bolling of my staff we are sending your memo of August 26, 1983 and enclosures to the Agreement States for their input on the concept proposed. In addition, Bill Walker could present this concept in his discussion of Part 35 at the All Agreement State meeting later this month.

G. Wayne Kerr
G. Wayne Kerr, Director
Office of State Programs

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