

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

December 1, 1983

OFFICE OF THE  
SECRETARY

MEMORANDUM FOR: Herzl H. E. Plaine, General Counsel  
FROM: <sup>(u) Date</sup> Samuel J. Chilk, Secretary  
SUBJECT: SECY-83-450 - UNITED NUCLEAR CORP.  
V. U.S. EPA, ET AL. CIV. NO.  
83-1602C, D.N.M.

This is to advise you that the Commission has not objected to your proposed letter to the Tenth Circuit Court. Accordingly, you should proceed to notify the Court of the Commission's position.

In addition, as requested by Chairman Palladino (November 30, 1983 memo) and Commissioner Roberts (November 15, 1983 memo) you should review the rulemaking record of the EPA regulations and prepare a paper which discusses the bases for challenging the EPA regulations and which identifies the options for pursuing a challenge.

(OGC) (SECY SUSPENSE: 1/3/84)

cc: Chairman Palladino  
Commissioner Gilinsky  
Commissioner Roberts  
Commissioner Asselstine  
Commissioner Bernthal  
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