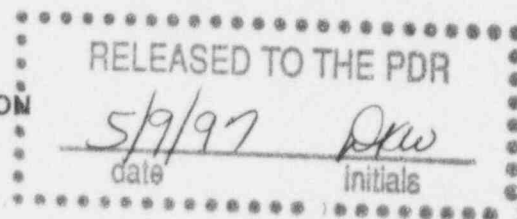




UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001



April 24, 1997

MEMORANDUM TO: L. Joseph Callan
Executive Director for Operations

FROM: *John C. Hoyle*
John C. Hoyle, Secretary

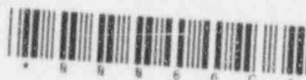
SUBJECT: STAFF REQUIREMENTS - SECY-97-069 - RULEMAKING
PLAN : MISCELLANEOUS CHANGES TO 10 CFR PART
72 AND AMENDMENT TO 10 CFR PART 40 TO REMOVE
NATURAL OR DEPLETED URANIUM USED IN STORAGE
CASK SHIELDING FROM PART 40 LICENSING
REQUIREMENTS

This is to advise you that the Commission has not objected to the implementation of the proposed Rulemaking Plan subject to the following comments.

1. The draft rule language for Section 72.44(d)(3) deleted the requirement to submit the report within 60 days after January 1 of each year, but retains the use of the term "annual" and "previous 12 months." This revision allows for flexibility in submitting the reports, but does not address the phase-in period. Additionally, it opens up the possibility that licensees may submit the report later than 12 months (for the first time after the effective date) or overlap data if trying to get on the same schedule as the reactor effluent report. Staff should clarify this in the Statement of Considerations for the rule, indicating that licensees may submit reports for a shorter time period for the first report after the effective date of the rule, if they are trying to get on the same reporting schedule for the reactor effluent report. In addition, on page 2 of the Rulemaking Plan, paragraph 1., add to the suggested language of Section 72.44(d)(3) the following sentence: "The time between submission of reports must be no longer than 12 months."
2. On page 7 of the Rulemaking Plan for Section 72.140(d), paragraph 1.(d), line 6, insert the word "also" after the word "must." In line 7, insert "for recordkeeping" after

SECY NOTE: THIS SRM AND SECY-97-069 WILL BE MADE PUBLICLY
AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

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"Section 72.174."

3. The staff has deleted Section 72.75(d)(2)(vi), which asks for assessment of the extent of exposure of individuals to radiation or to radioactive materials without identification of individuals by name. An equivalent section has not been included in the proposed revision to Section 72.75 for reporting requirements, and should be added.

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
OGC
CIO
CFO
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR
DCS