

August 27, 1996

MEMORANDUM TO: James M. Taylor
Executive Director for Operations

FROM: David L. Morrison, Director /s/ David L. Morrison
Office of Nuclear Regulatory Research

SUBJECT: AGREEMENT STATE COMMENTS ON DRAFT RULEMAKING PLAN--SELF-GUARANTEE FOR NON-PROFIT AND NON-BOND ISSUING LICENSEES

In accordance with the Staff Requirements Memorandum issued for SECY-96-091, dated May 24, 1996, the draft rulemaking plan was provided to the Agreement States for review and comment. The 45 day comment period has now closed, and only two comment letters were received, from the States of Washington and Illinois.

The State of Washington makes the general point that because financial assurance mechanisms are not a radiation safety issue, Agreement States should not be forced to set similar standards for financial assurance. They favor making financial assurance regulation a Division III matter of compatibility. We believe this point does not require any changes in the basic thrust of the rulemaking plan as submitted to you, particularly in view of the fact that both letters support the proposed rulemaking. Furthermore, we propose to air this issue by specifically requesting comment on the matter in the proposed rule.

Attachments:

1. SRM
2. Comment letters

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* See previous concurrence.

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

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Executive Director for Operations

FROM: David L. Morrison, Director
Office of Nuclear Regulatory Research *David L. Morrison*

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Approved:

James M. Taylor
James M. Taylor
Executive Director
for Operations

Date:

9/4/96

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OFFICE OF THE
SECRETARY

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

May 24, 1996

Action: Morrison, RES

Cys: Taylor
Milhoan
Thompson
Blaha
Bangart, SP
CPrichard, RES

MEMORANDUM TO: -- James M. Taylor
Executive Director for Operations
FROM: John C. Hoyle, Secretary
SUBJECT: STAFF REQUIREMENTS - SECY-96-091 - RULEMAKING
PLAN: SELF-GUARANTEE FOR NON-PROFIT AND NON-
BOND ISSUING LICENSEES

This is to advise you that the Commission has not objected to providing the draft Rulemaking Plan to the Agreement States for input. Provided the Agreement States suggestions are not substantive, the EDO should approve the Rulemaking Plan without resubmitting it to the Commission.

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cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
OGC
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)

SECY NOTE: THIS SRM AND SECY-96-091 WILL BE MADE PUBLICLY
AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

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