

MEMORANDUM TO: Karen D. Cyr  
General Counsel

L. Joseph Callan  
Executive Director for Operations

Jesse L. Funches  
Chief Financial Officer

FROM: Annette L. Vietti-Cook, Acting Secretary

SUBJECT: STAFF REQUIREMENTS - COMSECY-98-004 - COMBINED LICENSE REVIEW PROCESS

The Commission has approved issuance of the draft SECY paper for public comment. The staff should consider the following questions and provide an analysis of the Commission's options with respect to the duration issue.

- Is there any indication from the legislative history associated with the 1992 amendment to the Atomic Energy Act (AEA) that Congress intended to change 10 CFR Part 52, a rule they were supposedly affirming, with respect to duration?
- Is there any indication in the legislative history that Congress even considered this issue in its deliberations on the amendment?
- Is there any indication that Congress intended licensees to have a shorter period of operation because they received a combined license as opposed to a separate construction permit and operating license.

In addition to the above, the staff should seek to have the Atomic Energy Act changed, perhaps even in the FY 1999 appropriations bill, to make it explicit that holders of a combined license under Part 52 should be able to operate for up to 40 years.

(OGC/EDO/CFO)

(SECY Suspense: 8/15/98)

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
CIO  
OCA  
OIG

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**NOTE:** THIS SRM, COMSECY-98-004, AND THE VOTES OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM. [an error occurred while processing this directive] [an error occurred while processing this directive]