

January 5, 1995

MEMORANDUM TO: James M. Taylor  
Executive Director for Operations  
  
Karen D. Cyr, General Counsel

FROM: John C. Hoyle, Acting Secretary /s/

SUBJECT: SECY-94-283 - PROPOSED REVISION TO 10 CFR  
PART 50, APPENDIX J, "CONTAINMENT LEAKAGE  
TESTING," TO ADOPT PERFORMANCE-ORIENTED AND  
RISK-BASED APPROACHES  
and  
STAFF REQUIREMENTS - BRIEFING ON PROPOSED  
RULE - REVISION TO APPENDIX J TO 10 CFR PART  
50 (SECY-94-283), 2:00 P.M., THURSDAY,  
DECEMBER 8, 1994, COMMISSIONERS' CONFERENCE  
ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,  
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission (with all Commissioners agreeing) has approved publication of the Notice of Proposed Rulemaking (NPR) in the Federal Register, as requested in SECY-94-283, provided that the staff adds supporting discussion for making the rule even less prescriptive than is being proposed.

The staff should also evaluate the implications of making the proposed optional requirements mandatory, and if staff analysis concludes that it is feasible, a discussion of this topic should be included in the FR notice for public comment. The FR notice should be written so that it would not be necessary to republish the proposed rule for public comment if the Commission decides to take either of these approaches.

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SECY NOTE: SECY-94-283 WAS RELEASED TO THE PUBLIC AT THE COMMISSION BRIEFING ON DECEMBER 8, 1994. THIS SRM AND THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE UPON ISSUANCE OF THIS SRM.

Once the above change(s) have been incorporated in the NPR, it should be reviewed by the Rules Review and Directives Branch, ADM, and forwarded to the Secretary for signature and publication in the Federal Register.

(EDO/OGC)

(SECY Suspense:

2/24/95)

cc: The Chairman  
Commissioner Rogers  
Commissioner de Planque  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR - Advance  
DCS - P1-24