

June 15, 1994

MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

William C. Parler, General Counsel

Stephen G. Burns, Director  
Office of Commission Appellate Adjudication

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

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 11:30 A.M., THURSDAY, JUNE 9, 1994,  
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE  
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO  
PUBLIC ATTENDANCE)

I. SECY-94-112 - LICENSEE SUBMITTAL OF DATA IN COMPUTER-  
READABLE FORM

The Commission by a 4-0 vote approved final amendments to its regulations in 10 CFR to require certain licensees who transfer, receive, or adjust their inventories of uranium or thorium source material of foreign origin and each specific licensee who transfers or receives 1 gram or more of contained uranium-235, uranium-233, or plutonium to submit data to the NRC in computer-readable format.

The Federal Register Notice should be modified to delete the word "immediate" when referring to the availability of the modem transmission option on page 4 of the final rule. The revised FRN should be reviewed by the Rules Review and Directives Branch, Adm., and forwarded for signature and publication.

(EDO)

(SECY Suspense: 6/30/94)

IRM should be consulted in the development of the modem transmission option to assure that security of the data is adequately addressed.

II. SECY-94-131 - ADVANCED MEDICAL SYSTEMS, INC. -- APPEAL OF LBP-90-17 (SUSPENSION ORDER PROCEEDING)

The Commission by a 4-0 vote approved an order denying an appeal by Advanced Medical Systems, Inc. (AMS) from an Atomic Safety and Licensing Board decision (LBP-90-17) which sustained the NRC staff's imposition of an immediately effective suspension order on AMS for alleged violations of its license.

(Subsequently on June 9, 1994 the Secretary signed the order.)

III. SECY-94-144 - INTERVENTION PETITIONS CHALLENGING PROPOSED FUEL SHIPMENTS TO TEMELIN REACTORS IN THE CZECH REPUBLIC

The Commission by a 3-0 vote approved an order responding to three petitions for leave to intervene and for a hearing on the license application filed by Westinghouse Electric Corporation to export nuclear fuel to the Czech Republic for use in the nuclear facility at Temelin.

Commissioners Rogers, Remick, and de Planque approved the order denying the petition because, as petitioners conceded, the petitions were late filed and the Commission did not find a good cause or other justification to warrant overlooking their lateness. Moreover, the Order concluded that the petitioners lacked standing and did not establish any right to a hearing, and that a discretionary hearing would not be in the public interest.

Chairman Selin recused himself from participating in this matter on April 26, 1994.

(Subsequently on June 9, 1994 the Secretary signed the order.)

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