

IN RESPONSE, PLEASE
REFER TO: M930803B

August 10, 1993

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary \s\

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., TUESDAY, AUGUST 3,
1993, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

I. SECY-93-191 - Amendments to 10 CFR Part 73, to Require Annual
Physical Fitness Performance Testing and Updated Day Firing
Qualifications for Tactical Response Team Members, Armed
Response Personnel, and Guards at Fuel Cycle Facilities
Possessing Formula Quantities of Special Nuclear Material

The Commission, by a 4-0 vote, approved the final rule that amends 10 CFR Part 73 to update the day firing requirements at fuel cycle facilities possessing formula quantities of special nuclear material.

The final rule should be returned for signature and publication in the Federal Register following review by the Rules Review and Directives Branch, ADM.

(EDO)

(SECY Suspense: 8/27/93)

The Commission has also approved republishing for comment proposed requirements for physical fitness training programs. The staff should review the following requirements in the proposed rule during the publication period to determine if modifications are warranted:

1. The proposed rule requires a 4 month general fitness assessment interval for licensees who choose the criteria based physical fitness test method, and a 3 month testing interval for licensees who choose the site specific content-based physical fitness test method. Would a less aggressive testing requirement (e.g. annual testing) be adequate to ensure physical fitness is maintained?

2. 10 CFR 73.46(b)(11)(iv) indicates that individuals in the remedial physical fitness training program (for the criteria based physical fitness approach) have a maximum of 3 months to meet or exceed the qualification criteria. Should the NRC determine the maximum length of time to return an individual to adequate physical fitness? If so, should the criteria be applied, for consistency, to the site specific content-based physical fitness approach? In addition, what should be done if an individual doesn't meet or exceed the criteria in 3 months?

The proposed rule should be forwarded for signature and publication in the Federal Register following review by the Rules Review and Directives Branch, ADM.

(EDO)

(SECY Suspense: 9/24/93)

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