

IN RESPONSE, PLEASE  
REFER TO: M921027

November 2, 1992

MEMORANDUM FOR: James M. Taylor  
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 10:30 A.M., TUESDAY, OCTOBER 27,  
1992, COMMISSIONERS' CONFERENCE ROOM, ONE  
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN  
TO PUBLIC ATTENDANCE)

I. SECY-92-288 - Final Rule, 10 CFR Part 20, "Disposal of Waste  
Oil by Incineration" - Response to Petition for Rulemaking  
from Edison Electric Institute and the Utility Nuclear Waste  
Management Group

The Commission, by a 5-0\* vote, approved the final amendments to 10 CFR Part 20. The changes in the October 15, 1992, memo to the Secretary and the attached edits to the Regulatory Analysis should be incorporated into the rulemaking package. The staff should review the recently enacted Energy Legislation and ensure that there is nothing in the rule, the Statements of Consideration, the supporting regulatory analysis, or the environmental assessment, which conflicts with the new law.

The FRN should be reviewed by the Regulatory Publications Branch, ADM, and forwarded for signature and publication.

(EDO)

(SECY Suspense: 11/30/92)

II. SECY-92-323 - Final Rule on "Licenses and Radiation Safety  
Requirements for Irradiators"

The Commission, by a 5-0\* vote, approved a new Part 36 which establishes safety and licensing requirements for the use of licensed radioactive materials in irradiators. The regulations apply to panoramic irradiators and underwater irradiators.

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\* Section 201 of the Energy Reorganization Act, 42 U.S.C. §5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioners Rogers and Remick were not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioners Rogers and Remick, however, had

previously indicated that they would approve this paper and had they been present they would have affirmed their prior votes.

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The Federal Register Notice and supporting analysis should be revised to include the editorial changes contained in the attached comments from Commissioners.

The FRN should be reviewed by the Regulatory Publications Branch, ADM, and returned for signature and publication.

(EDO)

(SECY Suspense: 11/30/92)

Attachments:

As stated

cc: The Chairman  
Commissioner Rogers  
Commissioner Curtiss  
Commissioner Remick  
Commissioner de Planque  
OGC  
PDR - Advance  
DCS - P1-24  
Office Directors, Regions (via E-Mail)  
OP, SDBU/CR, ASLBP (via FAX)