

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

June 28, 1990

MEMORANDUM FOR: James M. Taylor
Executive Director for OpERations

FROM: Samuel J. Chilk, Secret

SUBJECT: SECY-90-160 - PROPOSED NUCLEAR
POWER PLANT LICENSE RENEWAL

The Commission (with Chairman Carr and Commissioners Rogers, Curtiss and Remick* agreeing) has approved SECY-90-160 including publication in the Federal Register the proposed rule for nuclear power plant license renewal, incorporating the attached changes and the following comments. Commissioner Roberts did not participate in this item.

The Commission believes that formalizing licensee commitments in order to make them enforceable should be accomplished outside the license renewal process. Therefore, the following changes have been made:

- a. The heading of Section 54.33 has been revised to read "Continuation of current licensing bases-and conditions of renewed license."
- b. Section 54.33 (a)(1) has been deleted and new Section 54.33(d) added to read "The licensing basis for the renewed license shall include the current licensing basis,, as defined in Section 54.3(a); the inclusion in the licensing basis of matters such as licensee commitments does not change the legal status of those matters unless specifically so ordered pursuant to paragraphs (b) or (c) of this Section."

The staff should verify the industry position is accurately reflected in the statement of considerations (pg. 78).

Commissioner Remick voted to approve SECY-90-160 but was unavailable, due to foreign travel for Commission business, to provide final comments on this SRM and the Federal Register

publication.

SECY NOTE: THIS SRM, SECY-90-160, AND THE VOTE SHEETS FROM COMMISSIONERS CURTISS AND REMICK ARE TO BE MADE PUBLICLY AVAILABLE IN 10 WORKING DAYS FROM THE DATE OF THIS SRM.

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The comment analysis and regulatory analysis should be reviewed by the staff for conformity with the indicated changes prior to submittal for publication.

The staff should complete the above actions as soon as possible in order to get the rule published for review and comment.

(EDO) (SECY Suspense: ASAP)

After the proposed rule has been forwarded for publication, the staff should consider and report back to the Commission on how it expects the design basis and CLB to be compiled and managed and the extent to which the CLB should be physically assembled to be in an auditable and retrievable form?

The commission believes that if licensees already have a system in place for tracking commitments that include the CLB, such a system should be sufficient to satisfy the rule and a new system of tracking and documentation should not be required. The rule should clearly require licensees to identify their methodology in determining what documents constitute their CLB.

(EDO) (SECY Suspense: 9/28/90)

The staff should ensure that license renewal considerations are addressed within the context of ongoing, related activities such as the maintenance rulemaking.

cc: Chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC
GPA