

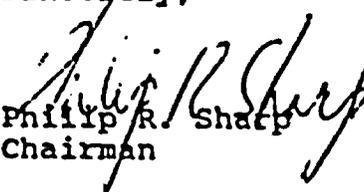
Do you know the basis for his belief that the NRC lacks such authority? If so, how would you respond?

(3)(a) What type of hearing - formal, informal, adjudicatory, legislative, hybrid - or other form of public participation would be provided at each stage of the licensing process under your proposed rule? Site approval? Design approval? CP/OL? Prior to operation?

(b) Please explain the legal and policy reasons why each was chosen.

I would like to have your answers to these questions by July 21, 1988 so that they may be included in the hearing record. I would appreciate it if you would also keep the Subcommittee informed of whatever action the Commission plans to take on your proposal.

Sincerely,


Philip R. Sharp
Chairman

July 11, 1988

The Honorable Philip R. Sharp
Chairman, Subcommittee on Energy and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am pleased to provide my answers to the questions asked in your letter of June 29, 1988 to me.

I will, as requested in your letter, be pleased to keep the Subcommittee informed of the Nuclear Regulatory Commission's (Commission) action on the proposed Standardization Rule.

SHARP: 5520

C	:OGC	:OGC	:OCA	:	:	:
ME	:SCrockett	:Parler	:	:	:	:
TE	:07/11/88	:07/11/88	:07/11/88	:	:	:

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PHILIP S. SPECTOR, CHAIRMAN

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U.S. House of Representatives

Committee on Energy and Commerce

SUBCOMMITTEE ON ENERGY AND POWER

Washington, DC 20515

June 29, 1988

Mr. William C. Parler
General Counsel
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Parler:

I would like to thank you again for your testimony at the Subcommittee's hearing on licensing reform. It was very useful to the members of the Subcommittee.

As you know, we ran out of time before the members could ask all of their questions. I would appreciate it if you could clarify several elements of your testimony by answering the following questions:

(1) You said that the proposed rulemaking prepared by your office would implement the Commission's past legislative licensing reform proposals as much as is possible without new legislative authority.

(a) How does the rulemaking package differ from past legislative proposals?

(b) What changes to the process can the NRC not make because it lacks statutory authority to do so? Please explain in detail.

(2) You said that, in your opinion, the NRC has the legal authority to mandate standardization.

(a) What is the statutory basis for that authority?

(b) Mr. Rowden seemed to challenge this statement. At page 80 of the transcript he said:

"I would not like you to think, Mr. Moorhead, that there is unanimity of opinion that the NRC has the legal authority to mandate standardization. My own view is that I think Congress would have to do that."

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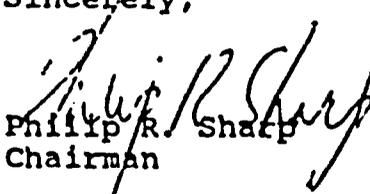
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Philip R. Sharp
Chairman