



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 9, 1996

Action: Morrison, RES

Cys: Taylor
Milhoan
Thompson
Blaha
Paperiello, NMSS
Miraglia, NRR
Norry, ADM
Riana, RES

MEMORANDUM TO: James M. Taylor
Executive Director for Operations

FROM: John C. Hoyle, Secretary

SUBJECT: STAFF REQUIREMENTS - SECY-96-176 - PROPOSED
RULEMAKING ACTIVITY PLAN

This is to advise you that the Commission has not objected to the staff continuing with implementation of the Rulemaking Activity Plan as provided in Attachment 2 to the subject paper except as noted below.

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While the Commission does not object to moving forward with the rulemaking plan to shorten or eliminate the 30-day period in loading spent fuel after preoperational testing (RES-C3HP-10), it was noted that continued vigilance is needed in the development of staff and industry guidance in the area of dry cask storage. Specific emphasis should be placed on assuring that loading and unloading procedures for both normal and abnormal occurrences are in place and appropriate.

Since the Commission has approved the final rule changes to 10 CFR Part 35 involving, among other things, radiation therapy patient confinement (SECY-96-100), the NRC should be in a position to address PRM-20-24 without further delay. The staff should modify the Proposed Rulemaking Activity Plan with regard to PRM-20-24 and proceed to act on that petition for rulemaking.

In regard to the dry cask storage issue, the staff should continue to provide extensive oversight presence during preoperational testing to examine acceptance criteria and test results in real time.

SECY NOTE: THIS SRM AND SECY-96-176 WILL BE MADE PUBLICLY
AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
OGC
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)