

APR 28 1994

PG 1-07

MEMORANDUM FOR: Those on Attached List

FROM: Carl J. Paperiello, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: CLARIFICATION ON MEMORANDUM DATED MARCH 17, 1994, "REISSUE
OF COVER LETTER: POLICY AND GUIDANCE DIRECTIVE FC 83-20,
REV. 2; STANDARD LICENSE CONDITIONS"

The purpose of this memorandum is to clarify one of the changes that was made by the March 17, 1994, memorandum to the cover letter used to transmit Policy and Guidance Directive FC 83-20. A copy of that memorandum is enclosed for your reference.

One of the changes made in the March 17, 1994, memorandum was to require that license reviewers **coordinate** use of non-standard license conditions with the inspection staff and licensees to ensure that all parties have the same understanding of all license conditions, especially those unique to a particular licensee. It is expected that license reviewers will **call** the licensee before issuing a license with a non-standard license conditions.

Any questions regarding this clarification should be directed to Cathy Haney at (301) 504-2628.

Original signed by

Carl J. Paperiello, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

Enclosure:
Memo dtd March 17, 1994

DISTRIBUTION:

NMSS r/f
IMNS r/f
IMOB r/f
NRC File Center
JPiccone
BCarrico

OFC	IMOB	E	IMOB	IMAB	C	IMOB	DD/IMNS	D\IMNS
NAME	CHaney:11	ck	CJones	JStenn	FCombs	EWBrach	CJPaperiello	
DATE	04/26/94		04/ /94	04/27/94	04/28/94	04/28/94	04/28/94	

C=COPY E=COVER/ENCLOSURE N=NO COPY OFFICIAL RECORD COPY g:\p&gd83-20.cxx

APR 28 1994

MEMORANDUM DATED: _____

SUBJECT: REVISION 2 TO COVER LETTER: POLICY AND GUIDANCE DIRECTIVE
FC 83-20, REV. 2; STANDARD LICENSE CONDITIONS

Those on Attached List:

Charles W. Hehl, Director
Division of Radiation Safety and Safeguards, RI

J. Philip Stohr, Director
Division of Radiation Safety and Safeguards, RII

William L. Axelson, Director
Division of Radiation Safety and Safeguards, RIII

Samuel J. Collins, Director
Division of Radiation Safety and Safeguards, RIV

John E. Glenn, Chief
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

Charles J. Haughney, Chief
Storage and Transportation
Systems Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

Frederick C. Combs, Chief
Operations Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

Robert L. Baer, Chief
Source Containment and
Devices Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

MAR 17 1994

MEMORANDUM FOR: Those on Attached List

FROM: Carl J. Paperiello, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: REISSUE OF COVER LETTER: POLICY AND GUIDANCE DIRECTIVE
FC 83-20, REV. 2; STANDARD LICENSE CONDITIONS

The final report of the Independent Review Team (IRT), "Independent Review of the Adequacy of Inspection and Related Activities Associated with Allegations Concerning Nuclear Energy Services," dated November 30, 1992, contained a series of recommendations. Two of those recommendations are:

Recommendation 2.3.1 C

Guidance should be considered addressing the benefits of calling new licensees to review unique license conditions prior to license issuance.

Recommendation 2.3.1 D

Guidance addressing the extent to which standard license conditions can be modified should be considered.

The most appropriate location for guidance on these matters is in Policy and Guidance Directive (P&GD) FC 83-20, which was most recently updated with the issuance of Revision 2 on October 8, 1993. The enclosed revises the cover memorandum of P&GD FC 83-20 to address the recommendations of the IRT and differs from the October 8, 1993, memorandum by making the following points:

- 0 Use of standard license conditions should not substitute for obtaining information from applicants and licensees;
- 0 Reviewers should use standard conditions to the extent possible in order to maintain consistency throughout the Nuclear Regulatory Commission;
- 0 Proposed revisions to standard license conditions or proposed special conditions should be coordinated through Headquarters prior to use;
- 0 Before issuing a license with non-standard conditions, reviewers should coordinate with the inspection staff and licensees to ensure that all parties have the same understanding of all license conditions, especially those unique to a particular licensee.

Earlier versions of P&GD FC 83-20 contained the first three points. The last point is similar to guidance contained in P&GD FC 90-01.

Enclosure

MAR 17 1994

Those on Attached List

- 2 -

Please discard the October 8, 1993, cover memorandum for P&GD FC 83-20 and replace it with the enclosed memorandum. Do **NOT** discard the list of standard license conditions that were an enclosure to the October 8 memorandum.

Any questions regarding this matter should be directed to John E. Glenn at (301) 504-3418.

15/

Carl J. Paperiello, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

Enclosure:

Memo dtd MAR 17 1994

DISTRIBUTION CLOSES IMNS643 & IMNS646

NMSS r/f IMNS Central File IMAB r/f NRC File Center

OFC	IMAB <i>10</i>	IMAB <i>C</i>	IMAB <i>E</i>	IMAB <i>A</i>	OGC <i>E</i>	DD/IMNS	D/IMNS
NAME	JBCarrico:jc	JAPiccone	JEGlenn	FCombs	RConner	EWBrach	CJPaperiello
DATE	02/17/94	02/22/94	02/22/94	02/17/94	02/22/94	02/17/94	02/17/94

-COPY E=COVER/ENCLOSURE N=NO COPY OFFICIAL RECORD COPY g:\imns646.jbc

BAR 17 1994

MEMORANDUM FOR: Those on Attached List

FROM: Carl J. Paperiello, Director
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: POLICY AND GUIDANCE DIRECTIVE FC 83-20, REV. 2;
STANDARD LICENSE CONDITIONS

The enclosed Revision 2 to the Policy and Guidance Directive FC 83-20; "Standard License Conditions" provides an updated list of standard material license conditions. The previous list dated November 20, 1985, is superseded and should be discarded.

The use of standard conditions should not substitute for obtaining information from applicants and licensees. Reviewers should try to obtain commitments from applicants and licensees about their programs to minimize the number of conditions which need to be put on licenses.

In order to maintain consistency throughout NRC, reviewers should use standard conditions to the maximum extent possible. Proposed revisions to standard conditions or proposed special conditions should be coordinated through Headquarters prior to use.

In addition, before issuing a license with non-standard conditions, reviewers should coordinate with the inspection staff and licensees to ensure that all parties have the same understanding of all license conditions, especially any conditions unique to a particular licensee. The cover letter accompanying the licensing package should identify and bring to the licensee's attention any unique conditions on the license. Further information about cover letters may be found in Policy and Guidance Directive FC 84-6.

The Standard License Conditions were revised and transmitted to the regions in Draft in February 1991 and April 1992. In April 1992, the regional offices were advised they could use the conditions for licensing actions. However, we have been advised that those conditions that contain recordkeeping and reporting requirements must receive clearance from the Office of Management and Budget (OMB). Until such time that the clearance is received, the license conditions have been modified to allow their use by maintaining the requirement, but eliminating the reporting and/or recordkeeping component. In addition, some conditions have been deleted from the draft because they are no longer necessary and are addressed specifically in the regulations. The revised standard license conditions are enclosed for your use.

1. The recordkeeping requirements for the following license conditions have been deleted until they have received clearance from OMB: Conditions 25, 26, 36F, 111, 120B, 125C, and 155. The recordkeeping requirements for these conditions impose new recordkeeping requirements on licensees and therefore must receive OMB clearance prior to use. However, they may be reinstated when approved by OMB.

- *COPY E=COVER/ENCLOSURE N=NO COPY OFFICIAL RECORD COPY g:\mns643.jbc