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The Honorable Ivan Selin
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Selin:

SUBJECT: PROPOSAL FOR MODIFYING THE NRC RULEMAKING PROCESS

During the 409th and 410th meetings of the Advisory Committee on Reactor Safeguards, May 5-7 and June 9-10, 1994, we discussed SECY-94-141 which proposes extensive revision of the rulemaking process superseding the traditional method in several key areas. This SECY paper is in response to the several initiatives to streamline the rulemaking process throughout the Federal Government and within the NRC. During the May meeting, we had the benefit of discussions with representatives of the NRC staff. We also had the benefit of the documents referenced.

We find that the provisions of SECY-94-141 address shortcomings of the present rulemaking process. We believe that the proposed revision of the rulemaking process is an overdue step in the right direction and urge its approval for implementation. We will work with the EDO to revise our Memorandum of Understanding to reflect these provisions.

Sincerely,

T. S. Kress
Chairman

References:

1. SECY-94-141 dated May 23, 1994, from William C. Parler, General Counsel and James M. Taylor, Executive Director for Operations, for the Commissioners, Subject: Improvement of the Rulemaking Process
2. Memorandum dated December 15, 1993, from William C. Parler, General Counsel, for the Commissioners, Subject: Industry Suggestions for Streamlining NRC Rulemaking Procedures
3. Letter dated December 7, 1993, from Joe F. Colvin, Nuclear Management and Resources Council, for The Honorable Ivan Selin, NRC Chairman, Subject: NRC Rulemaking Process
4. Memorandum of Understanding dated May 19, 1988, between the Advisory Committee on Reactor Safeguards - ACRS Chairman and the Nuclear Regulatory Commission Staff - EDO, Subject: ACRS Participation in the Development of NRC Rules, Policy Matters, and Safety-Related Guidance