



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

October 26, 1979

OFFICE OF THE
SECRETARY

MEMORANDUM FOR: Lee V. Gossick, Executive Dir for Operations
Carlton Kammerer, Director, Congressional Affairs
Joseph Fouchard, Director, Public Affairs

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - DISCUSSION OF SECY-79-503 - PROPOSED
AGREEMENT BETWEEN THE STATE OF RHODE ISLAND AND THE NRC,
1:45 P.M., TUESDAY, OCTOBER 22, 1979, COMMISSIONERS'
CONFERENCE ROOM, D. C. OFFICE (OPEN TO PUBLIC ATTENDANCE)

1. The Commission, by a vote of 3-2, with Commissioners Gilinsky and Bradford dissenting*:
 - a. found that the proposed Rhode Island program for control of radiation hazards with respect to byproduct materials, as defined in section 11e(1) of the Atomic Energy Act, source materials, and special nuclear materials in quantities not sufficient to form a critical mass, is compatible with the Commission's program for the regulation of like materials;
 - b. found that the Rhode Island program is adequate to protect the public health and safety within the state with respect to the materials covered by the proposed section 274 agreement; and
 - c. approved, pursuant to Section 274 of the Atomic Energy Act, the proposed section 274b agreement between the State of Rhode Island and the Nuclear Regulatory Commission. (SP)
2. The Commission requested that:
 - a. the Governor of Rhode Island be informed of this action by letter, which is to be prepared for the Chairman's signature; (SP) (SECY Suspense: 10/26/79)
 - b. the appropriate Congressional Committees be informed and an appropriate press release be issued; and (SP/OCA)(OPA) (SECY Suspense: 10/26/79)
 - c. the section 274b agreement be published in the Federal Register within thirty days after the agreement has been signed by both parties. (SP) (SECY Suspense: 11/26/79)

cc:
Chairman Hendrie
Commissioner Gilinsky
Commissioner Kennedy
Commissioner Bradford
Commissioner Ahearne
Commission Staff Offices

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*Commissioner Gilinsky did not specifically object to the the proposed Agreement with Rhode Island or to the compatibility of the Rhode Island program to current NRC criteria, but rather would have preferred that no new agreements be signed with any state until the criteria for determining adequacy and compatibility have been reevaluated. Commissioner Gilinsky earlier had proposed that such a reevaluation be the subject of a rulemaking proceeding. Commissioner Bradford agreed with Commissioner Gilinsky that no new agreements should be signed pending criteria reevaluation, but he also had reservations regarding the qualifications of the personnel who will conduct the Rhode Island program.