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OCT 30 1978

MEMORANDUM FOR: R. S. Boyd, Director, DPM
V. Stello, Jr., Director, BOR

FROM: D. F. Bunch, Director, Program Support Staff

SUBJECT: REPORTING INFORMATION ON EXEMPTIONS GRANTED
BY NRC STAFF

The attached plan for routinely reporting information on exemptions granted has been developed by OMPA at the request of Mr. Gossick. As you know, the Commission has requested that the staff keep them informed of all new exemptions granted to 10 CFR Part 50.

The plan calls for providing certain information to OMPA by the 5th of each month on exemptions granted in the previous month. It would be helpful if each of you would designate an individual in your organizations who will interface with Gloria Bennington or Tony Abell (extension 27507) of OMPA each month in providing this information.

OMPA already has information on exemptions granted prior to the first of October. Accordingly, the November 5, 1978 report should only include information on the exemptions granted in October. Please use the form attached to the plan to record information for transmittal to OMPA. As noted in the plan, NRR will continue to notify the Commission via the daily report and weekly highlights when exemptions are granted.

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D. F. Bunch, Director
Program Support Staff

Attachment:
As Stated

533 204

cc: T. Abell
G. Bennington

7908090388

OFFICE	NRR:PSS	NRR:PSS	NRR:PSS		
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DATE	10/26/78	10/.../78	10/.../78		

PLAN FOR REPORTING INFORMATION
ON "EXEMPTIONS GRANTED"

A plan has been developed for collecting and reporting information on 'exemptions granted' to the NRC rules and regulations related to licensing. The plan was developed to meet the following objectives:

- (1) provide routine visibility of the information to NRC top management;
- (2) provide a system for easy retrieval of the information;
- (3) provide a data base for management review to identify possible required changes to rules and regulations, consistency of use of rules and regulations, etc.

The basic plan is to start collecting data on October 1, 1978 and have the first report available in mid-November. Specifically -

- (a) NRR, NMSS and IP will provide MPA by the 5th of each month (or on an acceptable alternative basis), a listing of the 'exemptions granted' during the prior month. The minimum information to be supplied is:
 - (1) Docket Number - License Number
 - (2) Type of Facility (Reactor, Fuel Cycle)
 - (3) Category of Exemption
 - (4) Brief Description of Exemption
 - (5) Specific Section of 10 CFR Exempted
 - (6) Date Exemption Granted
 - (7) Date Exemption Expires.

Negative reports are not required.

MPA will then add the data to the data base and produce a report of at least additions to the file monthly.

- (b) The report will include all the exemptions granted.
- (c) The reports to MPA should include any exemptions extended, or new exemptions granted, when license renewals or amendments are issued.
- (d) The reports to MPA should include the types of exemptions, i.e., Category 1 and 2 exemptions (noted in the L.V. Gossick to Commissioner Ahearne memorandum on exemptions dated August 29, 1978) - outlined below.

Category 1 - A specific exemption from the regulations granted per the general provision which appears in various parts (such as 20, 30, 40, 50, 70 and 110) of the NRC Regulations Title 10 CFR - "The Commission may, upon application of any interested person or upon its own initiative, grant such exemptions from requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest".

Category 2 - An exemption involving granting of relief or exceptions to specific parts of the regulations where the substitution of an option, or alternative, is provided for in the rule. Examples are exemptions granted per 20.106(b), 50.55a(g)(6)(i), and 70.51e(6).

The plan involves:

(1) Reporting to MPA by NRR NMSS and IP

(a) NRR - NRR will record the necessary information upon granting of the exemption. NRR will compile the information and report monthly to the Internal Information Systems Branch, Division of Information, Analysis and Planning, MPA. Both power and non-power reactor licenses are included in the scope of reporting.

(Note - NRR should continue to report exemptions granted for power reactor licenses in the daily report and weekly highlights at the time they are granted.)

(b) NMSS - NMSS will record the necessary information upon granting of the exemption. For facility licenses, the existing computerized data bank may be modified to accumulate the information. For materials licenses, the License Management Branch will record the information manually (at a later date, the Materials Licensing System may be modified to accumulate the information). A monthly report will be forwarded to the IISB, DIAP, MPA.

(Note - NMSS will continue to report in the daily report or the weekly highlights the exemptions granted to Part 50 licensees.)

(c) IP - IP will record the necessary information upon granting the exemption. (Few exemptions are granted and IP expects that a monthly report would be negative most of the time.) The information will be forwarded to IISB, DIAP, MPA.

(2) MPA reporting to others:

- (a) MPA will produce a monthly summary report for distribution to top management (at least to the Commissioners, the EDO and the Directors of the Offices supplying the information).
- (b) A data bank will be maintained so that the information will be easily retrievable on a data element basis.

LIST OF EXEMPTIONS GRANTED
TO LICENSEES DURING _____
(Month, Year)

PAGE ___ OF ___

FROM: _____

DATE: _____

Docket No. License No. Type ¹	Category of Exemption ²	Description of Exemption Granted	10 CFR Section Exempted	Date Exemption Granted	Expiration Date
538 208					

LEGEND:

- 1) Type - A) Production & Utilization Facilities
 1. Power Reactor; 2. Non-Power Reactor; 3. Other Part 50
 B) Materials
 1. Byproduct; 2. Source; 3. SNM; 4. Human Uses; 5. Radiography
 C) Transportation
 D) Import/Export

- 2) Category 1 - Granted per general provisions for exemptions, e.g., 20.501, 30.11, 50.12.
 Category 2 - Relief or exceptions per a specific section of 10 CFR, e.g., 20.106(b), 50.55a(g)(6)(i), and 70.51e(6).