



OFFICE OF THE SECRETARY

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

February 1, 1980

Minogue/Stello/Brady - Action

- Cys: Acting EDO Cornell Smith Rehm Shapar Harmon Grammer Thompson Denton Donoghue NMSS Barry Kerr Felton Shea Haller Singer

MEMORANDUM FOR: William J. Dircks, Acting Executive Director for Operations James J. Cummings, Director, Inspector & Auditor Carlton Kammerer, Director, Congressional Affairs Joseph J. Fouchard, Director, Public Affairs FROM: Samuel J. Chilk, Secretary SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION 80-4, 3:25 P.M., THURSDAY, JANUARY 31, 1980, COMMISSIONERS' CONFERENCE ROOM, D. C. OFFICE (OPEN TO PUBLIC ATTENDANCE)

I. SECY-79-667 - Licensing Requirements for Uranium Mills (CONSENT CALENDAR ITEM)

The Commission, by a vote of 5-0, approved for publication in the Federal Register a notice of immediately effective rule changes to 10 CFR Parts 40 & 150 which revokes direct NRC licensing authority over uranium mill tailings already licensed by Agreement States.

The Commission requested that the appropriate Congressional committees be notified of this action. (OCA) (Suspense: 2/15/80) SD

II. SECY-79-644 - Immediate Reporting of Significant Events at Operating Power Reactors (CONSENT CALENDAR ITEM)

The Commission, by a majority vote, approved as revised for publication in the Federal Register a Final Rule which amends 10 CFR Parts 20 & 50 to require timely and accurate information from licensees to NRC following significant events at operating nuclear power plants. Commissioner Kennedy noted that he preferred that the draft rule be published allowing 30 days for public comment and 20 days for staff revision of the draft for Commission action. Commissioner Hendrie approved subject to the rule changes becoming effective 45 days after publication.

In taking this action the Commission requested that:

- 1. the revised Final Rule be published in the Federal Register, effective on the day of publication; 2. the appropriate Congressional committees be informed; (OCA) IF 3. a public announcement be issued; (OPA) 4. a letter be sent to each licensee affected by the rule informing it of the requirements of the rule; (IE) 5. Part 50, 3(a) of the rule should be amended to read:

"(a) Each licensee of a nuclear power plant licensed under §50.21 or §50.22 shall notify the NRC Operations Center as soon as possible and in all cases within one hour by telephone of the occurrence of any of the following significant events and shall identify that event as being reported pursuant to this section:"

6. Part 50, 3(b) of the rule should be amended to read:

"With respect to the events under subparagraphs (1), (2), (3) and (4) of paragraph (a) each licensee, in addition to prompt telephone notification, shall also establish and maintain an open, continuous communication channel with the NRC Operations Center, and shall close this channel only when notified by NRC.";

7. Item #13 of Part 50, 3(a) of the rule be deleted. Commissioner Gilinsky noted that he preferred to retain this item in the rule. (Suspense 2/15/80)

III. SECY-79-676 - Publication as Final Rules - 10 CFR Parts 25 & 95 Governing, Respectively, Access to and Safeguarding of National Security Information and Restricted Data (CONSENT CALENDAR ITEM)

The Commission, by a vote of 4-0, approved for publication in effective form, in the Federal Register, final rules governing access to and protection of National Security Information and Restricted Data. Commissioner Gilinsky did not participate in this action.

In taking this action, the Commission requested that:

1. these rules be effective 75 days after publication in the Federal Register;
2. appropriate Congressional committees be informed; (OCA) ^{ADW}
3. in accordance with the Federal Reports Act, these rules be submitted to the General Accounting Office for review; (OIA)
4. a public announcement be issued; (OPA) ^{ADW}
5. the last sentence of §95.61 Violations (pg. 36 of the final rules) be modified to read, "In addition any person who willfully violates these provisions may be guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both, as provided by law." (Suspense 2/15/80)

IV. SECY-79-283 - Export of Certain Minor Quantities of Nuclear Material (CONSENT CALENDAR ITEM)

This paper was not deemed ready for affirmation.

V. Delegations of Authority in Exports and Related Areas(see 1/18/80 SECY memorandum (C))

This paper was not deemed ready for affirmation.

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

ROUTING AND TRANSMITTAL SLIP

Date *2/15/80*

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1.		
2.		
3.		
4.		
5.		

Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

To: N
Central Files
for inclusion in FP 903-2

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
<i>D Harmon</i>	Phone No. <i>35910</i>

5041-102

☆ U. S. GPO: 1978-0-261-847 3334

OPTIONAL FORM 41 (Rev. 7-76)
 Prescribed by GSA
 FPMR (41 CFR) 101-11.206