



April 22, 1980

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NUCLEAR REG. COMM.
ADVISORY COMMITTEE ON
CORE SAFEGUARDS

MEMORANDUM FOR:

Leonard Bickwit, Jr., General Counsel

FROM:

Samuel J. Chilk, Secretary

SUBJECT:

SECY-80-169 - ACRS PARTICIPATION IN
RULEMAKING (COMMISSIONER ACTION ITEM)

This is to advise you that the Commission (with four Commissioners concurring) has approved the general methods proposed for the ACRS to participate in rulemaking. Commissioner Gilinsky did not participate in this decision.

The staff is requested to work with the ACRS and ELD to develop the necessary amendments to Parts 2, 7 and 50.

In connection with his approval Chairman Ahearne commented that:

"The procedures need more development".

- cc:
- Chairman Ahearne
- Commissioner Gilinsky
- Commissioner Kennedy
- Commissioner Hendrie
- Commissioner Bradford
- Commission Staff Offices
- Acting EDO
- ELD
- ACRS ←

CONTACT:
S.J.S. Parry (SECY)
41410

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March 31, 1980

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SECY-80-169

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COMMISSIONER ACTION

REG. COMM. FILE ON
NRC SAFEGUARDS

For: The Commissioners

From: Leonard Bickwit, Jr.
General Counsel

Subject: ACRS PARTICIPATION IN RULEMAKING

Purpose: To propose procedures for ACRS involvement in NRC rulemaking activities.

Discussion: In January this office was requested to develop in consultation with the ACRS, procedures for ACRS participation in NRC rulemaking activities. The procedures proposed below were reviewed and approved by the Committee at its 237th meeting in February. They cover: (1) Initiation of rulemaking by the ACRS, (2) ACRS participation in the development of rules, and (3) ACRS participation in rulemaking hearings. The effect of the Commission's recent decision to delegate substantial rulemaking authority to the Office of Standards Development will be noted below.

1. Initiation of Rulemaking

In its advisory role, the ACRS may recommend that the Commission initiate rulemaking in a particular area. The new procedure would provide that the Commission will respond in writing to such ACRS recommendations within 30 days, noting its intent to implement, study or defer action. In the event the Commission decides to decline or to defer action on the recommendation it will explain its reasons for this action. Both the ACRS recommendation and the Commission's response would be available to the public, and placed in the public document room. Such a response

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DUPLICATE

