

NOTATION VOTE

RESPONSE SHEET

RELEASED TO THE PDR

6/14/93

date

initials

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ROGERS

SUBJECT: SECY-93-067 - FINAL POLICY STATEMENT ON
TECHNICAL SPECIFICATIONS IMPROVEMENTS

APPROVED ^{IN PART} KCK DISAPPROVED ^{IN PART} KCK ABSTAIN _____

NOT PARTICIPATING _____ REQUEST DISCUSSION _____

COMMENTS: See attached comments.
KCK

Kenneth C. Rogers
SIGNATURE

RELEASE VOTE ☒

April 19, 1993
DATE

WITHHOLD VOTE ☐

ENTERED ON "AS" YES X No 150011

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PDR COMMS NRCC
CORRESPONDENCE PDR

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Commissioner Rogers Comments on SECY-93-067

I agree with the Chairman's commendation of the staff, not only for their excellent efforts in developing the criteria for selecting technical specifications but also for their efforts to reasonably interact with both industry and the public to achieve the best consensus. I also share with the Chairman the belief that the staff should pursue the rulemaking option. Besides providing a clear and predictable process, both to industry and the staff, rulemaking should reduce the likelihood of unnecessary litigation. However, if rulemaking is pursued, the rule should not be limited to only the prescription of the four criteria. There are numerous other areas in the regulations related to technical specifications that can be improved. Witness our recent SRM dated April 16, 1993 on the Regulatory Review briefing, where the staff was directed to explore possible mechanisms for achieving legal and administrative efficiencies in the processing of amendments to technical specifications.

A rulemaking, by its nature, will require about two years before a final rule can be promulgated. In order to benefit from the significant effort already expended by the staff, I propose that the staff be directed to publish the policy statement as it currently exists - not as a draft policy statement for 90 days comment - with appropriate modifications based on the SRM. Included in the Federal Register notice should be a statement to the effect that the Commission is initiating a rulemaking action to address technical specifications that is intended to be consistent with the policy statement. The statement should also indicate that comments on the policy statement are welcomed and that they will be considered and addressed during preparation of the proposed rule.

By issuing the policy statement now the Commission is serving advance notice concerning its position on technical specifications thus allowing industry to get an early start on implementation. The Commission would be getting the benefits of both a policy statement and a rulemaking procedure.

KCR

4/17/93