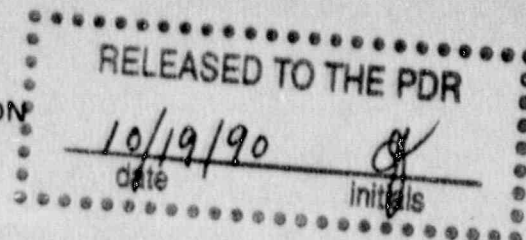




OFFICE OF THE
SECRETARY

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



October 2, 1990

MEMORANDUM FOR: James M. Taylor
Executive Director of Operations

William C. Parler
General Counsel

FROM: *K. B. [unclear]* Samuel J. Chilk, Secretary

SUBJECT: SUPPORT FOR REVIEWS OF CANDU 3 AND PIUS
DESIGNS (Reference: SECY-90-055,
SECY-90-067, COMKR-90-004, COMJC-90-006, and
Collegial Discussion of 8/16/90)

This is to inform you that the Commission has considered the issue of authorizing resources for the initiation of staff reviews for the CANDU 3 and PIUS reactor designs and has reached the following decisions:

1. The Commission agreed to add resources to the FY1992-1993 budget request to OMB and the FY1992 - FY1995 Five Year Plan to support CANDU and PIUS review activities. Subsequently, the Commission approved COMKC-90-016 regarding FY1992 - FY1995 funding and FTE for these reviews.

In FY1991, the staff should assign, as appropriate, up to 2 FTE each to the CANDU and PIUS design reviews. The EDO should overhire, if necessary, rather than impact existing programs. The purpose of this effort would be to serve as points of contact with the vendors, coordinate the receipt and handling of preapplication submittals, define as early as possible significant policy issues for Commission consideration, provide the vendor early input on potential licensing issues, and coordinate resolution of the

SECY NOTE: THIS SRM, SECY-90-055 WITH THE VOTE SHEETS OF COMMISSIONERS ROGERS, CURTISS AND REMICK, AND SECY-90-067 WITH THE VOTE SHEETS OF COMMISSIONERS CURTISS AND REMICK WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM

9010260084 901002
PDR 10CFR
PT9.7 PNU

government-to-government research and/or certification review funding questions. This effort should also continue to assess what NRC resources will be required to support the applicants' design certification programs in FY1992 and beyond.

(EDO) (SECY Suspense: 10/26/90)

2. To ensure there is mutual understanding on matters such as when, in what detail, and at what pace the vendors will be prepared to have their respective designs reviewed, the staff should discuss with the vendors the assumptions that the staff has made in estimating the review process and confirm that those assumptions are consistent with the vendors' plans and schedules for design submittals requiring staff review.

(EDO) (SECY Suspense: 10/26/90)

3. The staff should continue to evaluate the need for a prototype in order to certify the CANDU 3 design and provide the Commission with a recommendation when the staff has reached a final conclusion on this matter. The staff should address the prototype issue for the SBWR, AP-600, and the PIUS designs in a similar manner.

(EDO) (SECY Suspense: 11/16/90)

4. a. Once the Commission has made a decision on the level of detail, the staff is directed to identify the schedule and resources anticipated to be necessary to conduct the reviews of all submittals for advanced reactor design certification.

(EDO) (SECY Suspense: 11/30/90)

- b. The General Counsel and the staff are directed to explore the possibility of obtaining direct funding from the Canadian government for retention by NRC without offset in appropriations to support CANDU 3 design reviews. If the staff and the General Counsel conclude that funding from the Canadian government can be accepted directly by the NRC and applied without offset in appropriations, staff should present a recommendation as to whether and for what activities such direct funding might be considered. Such recommendations should include

considerations which assure that the design certification reviews of other vendors receive equitable treatment.

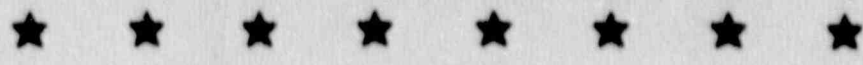
(EDO/OGC)

(SECY Suspense: 11/16/90)

- c. After reviewing the responses in 4.a. through 4.c., the Commission will consider what further action it may take with regard to funding alternatives. Commissioner Curtiss believes that, in addition to the actions specified in 4.b. above, an opinion should be solicited from the Comptroller General in order to definitively resolve the question of whether or not the NRC's appropriations act permits the NRC to retain funds provided by foreign governments for NRC licensing review costs without any offset against the NRC's lump sum appropriations, as proposed in COMKR-90-004 and COMJC-90-006. Commissioner Remick does not object to contacting the Comptroller General if the Commission is uncertain as to the bounds permitted by the NRC's appropriations act.

Upon completion of action on the above issues, no further action will be required on SECY-90-055, SECY-90-067, COMKR-90-004, and COMJC-90-006.

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick



TRANSMITTAL TO: X Document Control Desk, P1-24
 ADVANCE COPY TO: _____ Public Document Room*
 DATE: 10/19/80
 FROM: SECY, Operations Branch *U. B. S.*

Attached are copies of SECY papers and related documents. They are being forwarded for entry on the Daily Accession List and placement in the Public Document Room. No other distribution is requested or required.

- | | |
|--|---|
| 1. <u>Secy-90-055</u> | 11. <u>Com. Remicki note sheet on 90-067</u> |
| 2. <u>Arm on 90-055 & 90-067 dtd 10/2/90</u> | 12. <u>Secy-90-288</u> |
| 3. <u>Com. Rogert's note sheet on 90-055</u> | 13. <u>Revised arm on 90-288 dtd 10/5/90</u> |
| 4. <u>Com. Rogert's revised note sheet on 90-055</u> | 14. <u>arm on 90-288 dtd 10/4/90</u> |
| 5. <u>Com. Curtiss' revised note sheet on 90-055</u> | 15. <u>Com. Curtiss' note sheet on 90-288</u> |
| 6. <u>Com. Curtiss' note sheet on 90-055</u> | 16. _____ |
| 7. <u>Com. Remicki's note sheet on 90-055</u> | 17. _____ |
| 8. <u>Secy-90-067</u> | 18. _____ |
| 9. <u>Com. Curtiss' revised note sheet on 90-067</u> | 19. _____ |
| 10. <u>Com. Curtiss' note sheet on 90-067</u> | 20. _____ |

* PDR is advanced two copies of each SECY paper and one copy of each related document.

000201

DF02
11

