

December 8, 1982



SECY-82-482

ADJUDICATORY ISSUE

(Affirmation)

For: The Commissioners

From: Martin G. Malsch, Deputy General Counsel

Subject: SAN ONOFRE MEMORANDUM AND ORDER ON THE CERTIFIED ISSUES REGARDING SCOPE OF ARRANGEMENTS FOR MEDICAL SERVICES

Purpose: To forward a draft memorandum and order responding to the two issues directed to be certified by the Commission concerning the scope of advance arrangements for medical services for members of the general public required by 10 CFR 50.47(b)(12).

Discussion: On September 24, 1982, the Commission (CLI-82-27) directed the Appeal Board to certify the interpretation of 10 CFR § 50.47(b)(12) pertaining to "arrangements for medical services for contaminated injured individuals" to the Commission, because the Licensing Board and Appeal Board had interpreted the provisions in a different manner. In essence, the Licensing Board interpreted the above language to require applicants and offsite jurisdictions to develop arrangements for medical services for members of the general public who may be contaminated and injured, and/or receive large radiation doses, in a serious accident. The Appeal Board, on the other hand, interpreted "contaminated injured" to mean contaminated and traumatically injured so

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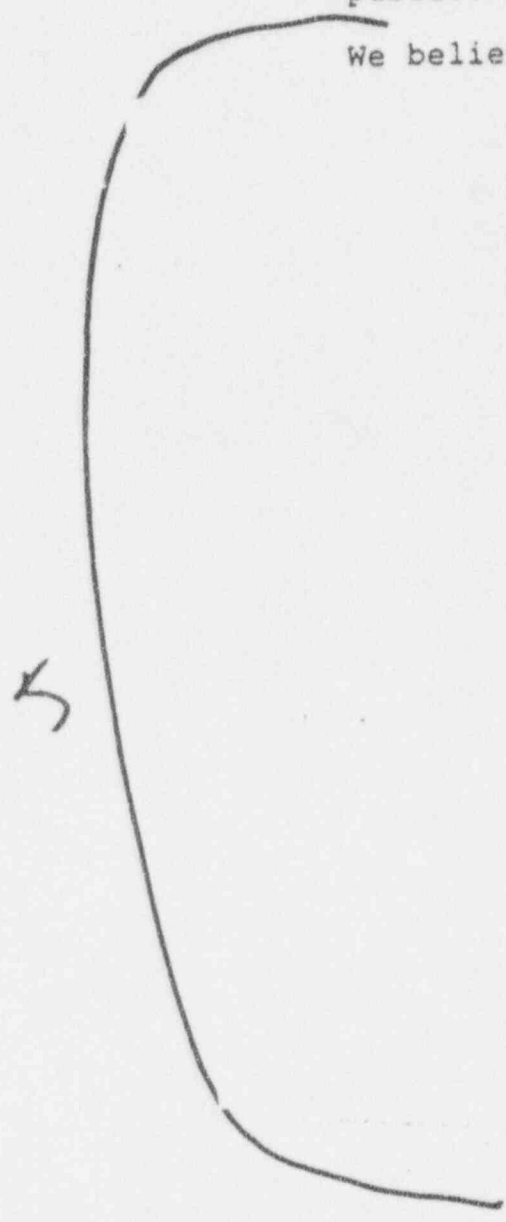
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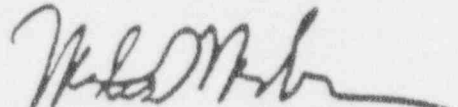
that emergency plans need to develop arrangements for medical services only for the few people (one to 25) expected to be so affected in a serious accident.

In light of these differing interpretations of 10 CFR § 50.47(b)(12), the Commission directed certification of two issues regarding: (1) the appropriate interpretation of the phrase "contaminated injured individual" as used in 10 CFR § 50.47(b)(12), and (2) the extent and scope of arrangements for medical services for "contaminated injured" members of the general public.

We believe that



Recommendation:



Martin G. Malsch
Deputy General Counsel

Attachment:
Draft Memorandum and Order

Commissioners' comments should be provided directly to the Office of the Secretary by c.o.b. Wednesday, December 22, 1982.

Commission Staff Office comments, if any, should be submitted to the Commissioners NLT Wednesday, December 15, 1982, with an information copy to the Office of the Secretary. If the paper is of such a nature that it requires additional time for analytical review and comment, the Commissioners and the Secretariat should be apprised of when comments may be expected.

This paper is tentatively scheduled for affirmation at an Open Meeting during the Week of January 3, 1983. Please refer to the appropriate Weekly Commission Schedule, when published, for a specific date and time.

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