



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

MAY 19 1992

Handwritten:
AE07-1011
PDR

MEMORANDUM FOR: C. J. Heltemes, Jr., Deputy Director
for Generic Issues and Rulemaking
Office of Nuclear Regulatory Research

FROM: Guy A. Arlotto, Deputy Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: REVISION OF 10 CFR PART 34

This refers to your memorandum dated April 27, 1992, requesting our review, comments, and/or concurrence on the Issues Paper and Additional Items enclosed with the memorandum. The limited approach proposed in the Issues Paper is inappropriate considering this was to be an overall revision of Part 34. As a result, we are unable to concur at this time.

Your memorandum notes that our January 3, 1991, request suggested the revision attempt⁶ to remove ambiguities and make 10 CFR Part 34 more compatible with Part E of the Suggested State Regulations (SSR) and Part 31 of Texas' regulations. In a Staff Requirements Memorandum dated February 15, 1991, the Commission directed the staff to undertake an overall revision of Part 34 following that format. The Executive Director for Operations' response to the Commission also indicated that the staff would proceed with this objective in mind.

As we indicated earlier, what has been proposed in the Issues Paper is far different from the rulemaking we had requested. Enclosed is a list of items for consideration which was provided to your project manager some time ago. The items marked with an asterisk were not addressed in the Issues Paper. Rather than attempt to identify and justify the numerous additional items we believe should be considered in the rulemaking, we believe it may be best for our respective staffs to meet to discuss the basic direction of the rule. Please contact Bruce Carrico (504-2634) of my staff to discuss arranging a meeting or if you have any questions.

Guy A. Arlotto, Deputy Director
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated