

A F F I R M A T I O N V O T E

R E S P O N S E S H E E T

RELEASED TO THE PDR  
12/27/90  
date initials

TO: SAMUEL J. CHILK, SECRETARY OF THE COMMISSION

FROM: COMMISSIONER ROGERS

SUBJECT: SECY-90-387 - TRANSMITTAL OF REVISED PART 20

APPROVED XX KOL DISAPPROVED \_\_\_\_\_ ABSTAIN \_\_\_\_\_

NOT PARTICIPATING \_\_\_\_\_ REQUEST DISCUSSION \_\_\_\_\_

COMMENTS:

I concur with Chairman Carr's comments and edits, which I believe incorporate the comments of Commissioners Curtiss and Remick as well. I have added two minor edits as indicated on the attachment.

The staff should be complimented for their persistence in bringing this final version to term and for doing a very thorough and technically competent job. *KOL*

9101020401 901211  
PDR CD 3 NRCC  
CORRESPONDENCE PDR

Kenneth C. Rogers  
SIGNATURE

RELEASE VOTE

December 11, 1990  
DATE

WITHHOLD VOTE

ENTERED ON "AS" YES  No \_\_\_\_\_

QF02  
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Applicants seeking new licenses and holders of existing licenses filing for renewal for the effective date also have the option of complying with either the revised Part 20 with the previous version of Part 20 until January 1, 1993.

### V. Implementation and Existing License Conditions

Section 20.8 of the rule provides that NRC licensees must implement the revised Part 20 rule on or before January 1, 1993. ~~Licensees that adopt the provisions of this rule prior to the required implementation date are required to notify the NRC.~~ Early implementation may benefit applicants for new licenses or license renewals as they could avoid having to adopt and implement one version of Part 20 for only a short period of time prior to the required implementation date of this revision. ~~Licensees choosing early implementation must adopt the entire revised Part 20.~~ Compliance will be required with the version of 10 CFR Part 20 codified in the Code of Federal Regulations on January 1, 1991 until January 1, 1993, or until the licensee notifies the Commission of early implementation of the revised Part 20.

Licensees (or applicants) that adopt the provisions of this rule prior to the required implementation date are required to notify the NRC and to adopt Part 20 in its entirety.

License conditions and reactor technical specifications may contain citations to portions of the existing 10 CFR Part 20. After adoption of the revised Part 20 by the licensee or after January 1, 1993, the applicable section of the revised Part 20 that corresponds to the same topic should be used in place of any section of the Part 20 in effect on or before January 1, 1991 that is cited in the technical specifications or license conditions. When there is no corresponding section in the revised Part 20 to these cited provisions, the current license condition based on the Part 20 in effect on or before January 1, 1991 shall remain in force until there is a technical specification change, or license amendment or renewal. If a license condition or technical specification exempted a licensee from a provision of Part 20, it will be assumed to also exempt the licensee from the applicable provision of the revised Part 20. If the license condition or technical specification is more restrictive than the revised Part 20, it shall remain in force until it is modified by a technical specification change or license amendment or renewal.

The NRC will issue a regulatory guide that provides the section and paragraph identifiers in the revised Part 20 and the corresponding sections or paragraphs in the earlier Part 20. This document will be issued shortly after the publication of this rule and will enable licensees to locate sections of the revised Part 20 that correspond to sections of the earlier Part 20 cited in license conditions and technical specifications.

[Add proposed FP by Comm. Curtiss here]