



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

NOV 2 1981

NOTE TO: John G. Davis

FROM: Richard E. Cunningham

SUBJECT: REVIEW OF CRBRP CONSTRUCTION PERMIT APPLICATION
REFERENCE MEMO DATED OCTOBER 20, 1981 FROM PAUL S. CHECK

The reference memo was answered by Homer Lowenberg on October 23, 1981 (copy enclosed). That memo noted that NMSS estimated it could meet the key milestone dates of:

- o Issuance of the draft supplement - March 5, 1982
- o Issuance of the final supplement - September 17, 1982
- o Complete environmental hearings - March 1, 1983

This was reflected in our task work sheet dated October 19, 1981 (copy enclosed). However, the intermediate schedule dates that were required due to the cumbersome infrastructure of internal reviews were not possible to meet.

Since P. S. Check's memo of October 23, 1981, there have been several meetings with Paul Check and his staff on this matter. At these meetings, we provided several suggestions for alternatives to handle this matter as noted below:

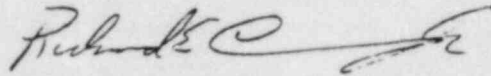
1. Questioned the need for an environmental review of the fuel cycle for one demonstration reactor project when there is a generic statement covering the fuel cycle for the entire program by AEC and ERDA. Several arguments were provided for deleting NRC's CRBR fuel cycle environmental review from the present CRBR licensing action.
2. In the event that it is required, phasing the environmental supplement into the overall program at a later date than the reactor supplement. This could be coupled with phasing the coverage of the environmental aspects of the fuel cycle into the proceeding near the end of the hearing. This type of handling could allow for adequate efforts and proceeding coverage without necessarily delaying the completion of the environmental hearing. There is precedence for such methods of subdividing a project. Similar procedures were carried forward in the GESMO matter and the U.S. Court of Appeals for the Second Circuit found that the Commission had the discretion to employ such methods.

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During these meetings, it was apparent that NRR is under considerable pressure to compress its schedule very significantly beyond that included in P. S. Check's memo of October 23, 1981. In view of this, we are awaiting word from P. S. Check concerning the status of the overall project and when information will be forthcoming from DOE on their plans for handling the CRBRP fuel cycle.



Richard E. Cunningham

Enclosures:

1. Memo fm Lowenberg to Check dtd October 23
2. Task Work Sheet dtd October 19

cc: Homer Lowenberg