



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

AUG 23 1994

4-11-1
PDR
MORRIS
COOL
TROTTER
THOMAS
FILE 020

MEMORANDUM TO: Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

FROM: James Lieberman, Director
Office of Enforcement

SUBJECT: OFFICE CONCURRENCE ON PARTS 30, 40, 70, AND 72, TERMINATION
OR TRANSFER OF LICENSED ACTIVITIES: RECORDKEEPING
REQUIREMENTS

I do not concur with your August 17, 1994 draft regulation on the above subject. I offer the following comments based on Part 30, the comments apply equally to the other parts.

1. Section 30.51(d) is ambiguous. It says retain records until license termination, but then says send records to NRC before termination. What do we mean? Within how many days must the licensee transfer the records to us. I would recommend that Section 30.36(f) be modified to provide that the license shall not be terminated until the records are received by the NRC. Otherwise we maybe creating a compliance problem. If it is appropriate to get the records after termination, which I strongly object to, then the enforcement policy should be amended to specify what action NRC will take when violations occur.
2. Section 30.35(g) should state that the records be transferred prior to license transfer.
3. Will the reference to the new provisions of Part 20 in 30.51(d) be adequate? Will licensee's interpret this provision to just records after the new Part 20 went into effect. I would add reference to old Part 20 provisions. *see back*
4. Do we want an index of the records? Are we ready to accept just a lot of records thrown into a shipping box? The licensee has no interest to take care of packing as it is terminating activities.
5. Is the 1 hour established to pack the material and ship it to NRC reasonable?

cc: R. Bernero, NMSS
M. Malsch, OGC
R. Bangart, OSP
W. Beecher, OPA
D. Meyer, ADM
G. Cranford, IRM
R. Scroggins, OC
D. Williams, IG
R. Cooper, RI
J. Stohr, RII
C. Norelius, RIII
S. Collins, RIV

→ 1 to 4 hrs

to include
Typing an index
of records in each box.