



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

SEP 22 1983

MEMORANDUM FOR: E. Case, Deputy Director, NRR

FROM: John T. Collins, Regional Administrator

SUBJECT: REVISION 1 TO DELEGATION AND ASSIGNMENT TO REGION IV OF
CERTAIN LICENSING FUNCTIONS FOR THE FORT ST. VRAIN NUCLEAR
GENERATING STATION

This is regard to a memorandum I recently received, for concurrence, which would transmit the subject Revision 1 from W. Dirks and H. Denton. I have not concurred in this memorandum because I feel the authority and responsiveness of Region IV could be detrimentally affected. My comments on the changes and my suggested rewording of the revision are contained in Attachment 1.

I would appreciate your consideration of my comments prior to taking action on this subject.

"Original Signed by:
J. T. COLLINS"

John T. Collins
Regional Administrator

Attachments:

1. Comments on Delegation Revision
2. (Forwards Revision Memo)

cc:

V. Stello, DEDROGR
H. Denton, DNRP
J. Gagliardo, RIV
D. Eisenhower, DDL/NRR
C. Trammell, ORB3/NRR
P. Wagner, RIV
W. Brown, RIV

RPB1 *ew*
PWagner/dsm
9/19/83

RPB1 *W.Brown* *JGagliardo*
GMadsen *W.Brown* *JGagliardo*
9/19/83 9/19/83 9/20/83

RA *RIV*
JCollins
9/20/83

NOOS
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REGION IV COMMENTS ON THE PROPOSED REVISION 1
TO THE DELEGATION AND ASSIGNMENT FOR FORT ST. VRAIN

- A. We disagree with replacing paragraph 8 under "Specific Delegations and Assignments to Region IV" with the proposed paragraph for the following reasons:
1. Region IV will continue to issue items such as Orders, which require publication in the Federal Register (FR); therefore, some indication of our interaction with other organizations to accomplish this should remain in the delegation; and
 2. Region IV disagrees that all FR Notices for Fort St. Vrain license amendments should be approved and issued by NRR. We would continue to provide appropriate inputs for the monthly FR Notices to NRR, however, we must retain the ability to issue those FR Notices for actions involving emergency or exigent circumstances. (These procedures are outlined in DLOP 228.) It would be unnecessarily time consuming to require NRR to approve and issue a FR Notice for an action which requires prompt resolution. In addition, we feel that Region IV is in a better position to evaluate the possibility of an action involving a significant hazard consideration (SHC) because of our boarder expertise of this unique facility.

We, therefore, recommend that no change be made to paragraph 8.

- B. This additional responsibility is acceptable to Region IV.
- C. Although we question the necessity of any change related to FR Notices, for the same reasons given in A., above, we would propose the following as the new paragraph 4 under "Specific Authorities and Responsibilities Retained by NRR:"

"4. Issue all monthly Federal Register Notices for license amendments including those related to FSV."

- D. Region IV has been, and agrees to continue, following the guidance provided for NSHC determinations, FR noticing and state consultation contained in DLOP 228. We, therefore, find this proposed change acceptable but recommend the following two clarifications.
1. Replace the last sentence with: "Whenever this guidance is revised, NRR will provide the latest revision to Region IV."
 2. Add the clarifying sentence: "The signature authority and referenced approval positions contained in the provided guidance should be interpreted to reflect comparable Region IV positions rather than the stated NRR positions."

We feel that these two changes more clearly reflect the intent of the provided guidance and remove any confusion on how that guidance should be implemented.

- E. The inclusion of this previously, inadvertently omitted paragraph is acceptable; however, we recommend the inclusion of the same two clarifications contained in D. above to avoid any future implementation confusion.