

May 23, 1991

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

FROM: Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

SUBJECT: Final Rulemaking - Notification of Incidents
10 CFR Parts 20, 30, 40 and 70

We concur in the final rulemaking package that was transmitted with your memorandum on this subject dated May 6, 1991.

In addition, we offer the following comment for your consideration. In the "Summary and Analysis of Public Comments" (page 12) it is stated that "The NRC maintains that the proposed rule is a clarification of existing requirements ..." (emphasis added). Furthermore, in the "Regulatory Flexibility Certification" (page 46) it is stated that "Since the revised reporting requirements are essentially the same as the current reporting requirements, the impact on licensees should be minimal" (emphasis added). In our opinion, the revised reporting requirements are significantly different from the current requirements.

Original signed by:
Frank J. Miraglia
Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

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OF PAGES 1 AND COVER SHEET

FROM KEVIN RAMSEY PHONE EXT. 20534

Joe,

This is a preliminary draft
of the statement for Beckjord's memo.
We will let you know by Monday (6/3)
if we want any further changes to this.
Kevin
5/29

DRAFT

We agreed with one commenter that the new reporting requirements in this rule should also be added to Part 72. However, because ^{the} proposed rule did not include amendments to Part 72, we decided to address the amendments in a separate rulemaking effort rather than delay this final rule to obtain additional public comments. Basic reporting requirements for overexposures, releases, and lost material will still apply to Part 72 licensees after this rule becomes effective. RES and NMSS staff intend to prepare a rulemaking package proposing amendments to Part 72 and submit it for your approval shortly after this final rule is approved.

DRAFT

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P R I O R I T Y

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Due 6/14/91

7/14/91

NOTE:

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