



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

WCS  
IN RESPONSE, PLEASE  
REFER TO: M840607C

June 13, 1984

OFFICE OF THE  
SECRETARY

MEMORANDUM FOR: Herzog H.E. Plaine, General Counsel  
FROM: Samuel J. Chilk, Secretary  
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 4:30 P.M., THURSDAY, JUNE 7, 1984,  
COMMISSIONERS' CONFERENCE ROOM, D.C. OFFICE  
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-84-116 - UCLA Reactor License Renewal Proceeding and  
Staff Request to Initiate Rulemaking on the Interpretation  
of 10 CFR 73.40(a)

The Commission approved a proposed order that declines the NRC staff's request to initiate a rulemaking proceeding to modify two decisions by the Atomic Safety and Licensing Board presiding over the UCLA research reactor proceeding. The ASLB decisions held that 10 CFR 73.40(a) requires UCLA to take some measures to protect the reactor from potential sabotage. The extent of the measures is the issue that was before the Board.

Commissioners Roberts, Asselstine and Bernthal approved the proposed order as attached to SECY-84-116. Chairman Palladino disapproved; his separate views are attached to the order. Commissioner Gilinsky did not participate.  
(OGC)

(Subsequently, the Secretary signed the Order on June 8, 1984.)

II. SECY-84-182 - Sua Sponte Issue Raised in the Matter of  
Duke Power Company

The Commission approved a proposed order that terminates the consideration by the Atomic Safety and Licensing Board of a contention, raised sua sponte by the Board, to consider the site-specific problems experienced with Catawba's diesel generator manufactured by Transamerica Delaval, Inc. (TDI).

8406200426 840613  
PDR 10CFR  
PT9.7 PDR

50-142

Chairman Palladino and Commissioners Roberts and Bernthal approved the proposed order as enclosed in SECY-84-182. Commissioners Gilinsky and Asselstine disapproved; their separate views are attached to the order.

(OGC)

(Subsequently, the Secretary signed the Order on June 8, 1984.)

III. SECY-84-218 - Shoreham - Suffolk County Motion to Clarify CLI-84-8

The Commission approved a proposed order that responded to a motion by Suffolk County and supported by the State of New York for clarification of the Commission's Order of May 16 (CLI-84-8).

The order indicates in part that Suffolk has demonstrated no practical consequences from the Commission's use of the word "resume" to characterize the hearing; and the State of New York's concern that a resumed hearing would deny procedural rights is speculative.

Commissioners Roberts, Asselstine, and Bernthal have approved the proposed order with the modifications drafted by OGC to identify other pertinent and similar motions.

Commissioner Gilinsky did not participate. Chairman Palladino abstained; his separate statement is attached to the order.

(OGC)

(Subsequently, the Secretary signed the Order on June 8, 1984.)

cc: Chairman Palladino  
Commissioner Gilinsky  
Commissioner Roberts  
Commissioner Asselstine  
Commissioner Bernthal  
Commission Staff Offices  
EDO  
PDR - Advance  
DCS - 016 Phillips