

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

July 26, 1984



OFFICE OF THE
SECRETARY

MEMORANDUM FOR: William J. Dircks, Executive Director
for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - DISCUSSION OF THE
NEED AND STANDARDS FOR EXEMPTIONS (SECY
84-290/290A) 10:00 A.M, WEDNESDAY, JULY
25, 1984, COMMISSIONERS' CONFERENCE ROOM,
D.C. OFFICE (OPEN TO PUBLIC ATTENDANCE)

The Commission met to discuss the need and standards for exemptions from the regulations in light of the Commission's Shoreham decision CLI-84-8.

The staff discussed the problems that they have in interpreting the Commission's Shoreham decision and in applying it on a generic basis to other situations. (SECY 84-290/290A).

The Commission, by a 4-1 vote (Commissioner Asselstine dissenting) directed that:

- 1) For the near term the staff read the Shoreham decision as applying to Shoreham only and thus continue with its past practice in authorizing exemptions and imposing license conditions on licensees in accordance with existing regulations.
- 2) For the longer term, an intensive program of reexamination of the exemption process should be undertaken with the goal of providing the Commissioners with an analysis and proposed changes in approximately 30 days.
(OGC/ELD/NRR) (SECY SUSPENSE: 8/25/84)

- 3) A brief analysis of any problems that would be caused by adoption of Commissioner Asselstine's proposal (that the exemption process would not apply to schedular changes for operating licenses and that "as safe as" be read as "substantially as safe as") be provided to the Commission within seven (7) days.

(OGC/ELD/NRR) (SECY SUSPENSE: 8/1/84)

cc: Chairman Palladino
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
Commissioner Zech
OPE
ASLAP
ASLBP
PDR