



OFFICE OF THE  
SECRETARY

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

IN RESPONSE REFER  
TO: M840725A

July 27, 1984

REVISED

MEMORANDUM FOR: William J. Dircks, EDO  
Herzel H. E. Plaine, General Counsel

FROM: *for* Samuel J. *JCH* 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,  
DC 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 re-examination of the exemption process should be undertaken with the goal of providing the Commissioners with an analysis and proposed changes in approximately 30 days. (ELD/OGC/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.  
(ELD/OGC/NRR) (SECY SUSPENSE: 8/1/84)

cc. Chairman Palladino  
Commissioner Roberts  
Commissioner Asselstine  
Commissioner Bernthal  
Commissioner Zech

OPE  
ASLBP  
ASLAP  
PDR

8408060437 840727  
PDR 10CFR  
PT9.7 PDR