



OFFICE OF THE  
SECRETARY

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

January 11, 1996

RELEASED TO THE PDR

1/23/96

date

initials

MEMORANDUM TO: James M. Taylor  
Executive Director for Operations

FROM: John C. Hoyle, Secretary

SUBJECT: STAFF REQUIREMENTS - SECY-95-298 - FINAL  
RULEMAKING - REVISION TO 10 CFR PARTS 20, 30,  
40, 61, 70, AND 72, TERMINATION OF TRANSFER  
OF LICENSED ACTIVITIES: RECORD RETENTION  
REQUIREMENTS

This is to advise you that the Commission (Chairman Jackson, exercising delegated authority pursuant to a delegation from the Commission\*, in accordance with NRC Reorganization Plan No. 1 of 1980) has not objected to your approval of the Final Rulemaking for publication in the Federal Register with the minor changes indicated in the attachment.

Attachment:  
As stated

cc: Chairman Jackson  
Commissioner Rogers  
OGC  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)

\* This decision was made after consultation with Commissioner Rogers, who has not indicated an objection to this negative consent item.

SECY NOTE: THIS SRM AND SECY-95-298 WILL BE MADE PUBLICLY  
AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

9601250241 960111  
PDR 10CFR  
PT9.7 PDR

250151

QF02  
1/0

Regulatory Analysis to reflect that, for licenses authorized under Parts 30 or 40, the rule only affects those licensees authorized to possess unsealed byproduct material with half-lives greater than 120 days or unsealed source material. Licensees that use and possess sealed sources, or unsealed byproduct material with short half-lives, are no longer affected by this rule. As a result of this change, most medical licensees will not need to transfer records in the event of license transfer, or re-assignment. Final records disposition for these licensees and others excluded by this rule will still be determined on a case-by-case basis by the NRC at the time of license termination.

(c) The purpose of this rulemaking is to assure that adequate records are available to provide historical information on previous licensed operations in the event significant offsite contamination is detected after a licensee has ceased operation of their facility. To provide flexibility to the Agreement States, the sections of the final rule requiring transmittal of records to the NRC at license termination have been designated Division 3 compatibility level. Because the NRC's ~~has discontinued its~~ regulatory authority ~~has been relinquished to~~ in the Agreement States for this material, it is appropriate that the Agreement States, rather than the NRC, both determine which Agreement State licensee records should be retained at license termination, and maintain those records.

(d) Records of waste disposals allowed by § 20.2005 currently are required by § 20.2108(b) to be retained until the Commission terminates each pertinent license requiring the record. The Commission is currently evaluating a petition for rulemaking that requests a revision to § 20.2005 pertaining to waste disposal. This petition is currently on hold until