

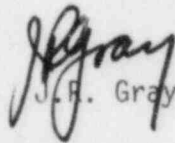
December 23, 1983

Note to: E.S. Christenbury

From: J.R. Gray

SUBJECT: COMMENTS ON PROPOSED FINAL SHOLLY RULE

Pursuant to your request of December 1, 1983, I have reviewed the proposed rulemaking package for the final Sholly Rule. From this review, I have both substantive and editorial comments. Those comments are attached.

  
J.R. Gray

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EDITORIAL COMMENTS ON  
PROPOSED FINAL SHOLLY RULE

1. It is stated on p. 6 of the Supplementary Information that "The Commission noted in its interim final rules that a determination that a proposed license amendment does or does not present 'a significant hazards consideration' has involved the hearing and attendant notice requirements." This sentence is unclear; something seems to be missing from the last part of the sentence after the quote.
2. On p. 36 of the Supplementary Information and p. 6 of the Response to Comments, it is stated that defining "significant" in the abstract is "sisyphean." "Sisyphean" should be capitalized. Even better, replace "sisyphean" with the words "unavailing" or "not particularly useful" as this might be better understood by the public.
3. Supplementary Information, p. 69. In the next to last line in the top paragraph, insert the word "Boards" after "Licensing" and delete the word "Boards" after "officers."
4. Supplementary Information, p. 73. Delete "which" from the seventh line of the first full paragraph.
5. In proposed § 50.91(c), subparagraph (4) does not fit as a separate numbered subparagraph. Rather, it is properly a concluding, unnumbered paragraph to § 50.91(c). Delete the designation "(4)."

6. Response to Comments. Actual pp. 5, 9 and 19 are missing. The pp. 5, 9 and 19 provided in the present "Response to Comments" section are pp. 5, 9 and 19 from the "Supplementary Information."

7. Proposed 10 CFR § 50.91(a)(6)(ii), with regard to receipt of public comments on an amendment in exigent circumstances, provides that the Commission will make available to the public whatever means of communication it can and "make a record of any communications received." The method of making, and the form of, "the record" to be made is not indicated. Would an NRC project manager's handwritten notes of telephoned comments be adequate? Some indication of what would be sufficient in terms of "the record" is needed as a practical matter. If, for example, the intent here is to have recorded or transcribed telephone comments, substantial arrangements will have to be made by the Staff.