



AA61-2

PDR

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

1/5
8:30A

SET UP MEETING - WED AM?

Cunningham presenter to discuss issue

Denton
McC, Steele, Rubin

December 30, 1982

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Call
TOM
It might be a good idea for Guy to come down - go through the well in Harold shared a photo
file

MEMORANDUM FOR: William J. Dircks
Executive Director for Operations

FROM: Guy H. Cunningham, III
Executive Legal Director

SUBJECT: REVISED REGULATIONS TO IMPLEMENT LEGISLATION ON
(1) TEMPORARY OPERATING LICENSING AUTHORITY AND
(2) NO SIGNIFICANT HAZARDS CONSIDERATION
(THE "SHOLLY AMENDMENT")

Enclosed please find the subject paper. The legislation has been signed by the President. It would, among other things, authorize the NRC (1) to issue temporary operating licenses and (2) to issue a requested operating license amendment, involving no significant hazards consideration, before the conduct of any hearing. This paper supersedes SECY-81-366A (August 28, 1981), which contained the previous draft regulations and which is pending before the Commission. Please note that there are two versions of the public notice and comment procedures (Enclosures 4A and 4B) and that we are proposing Version B described in the Commission paper and in Enclosure 4B. We propose these two alternatives because we believe that the resource impacts of implementing the legislation are significant and that Version B may lighten the burden somewhat.

Sometime ago NRR had informally indicated a preference for Version B. However, discussions yesterday with NRR about the package reflect unease with the resource impacts of either version and a reluctance to formally endorse Version B. They are reassessing resource impacts and plan to arrive at a final position early next week. The General Counsel and the Chairmen of the Atomic Safety and Licensing Appeal Board and the Atomic Safety and Licensing Board Panel reviewed the previous draft (circulated after the conferees agreed on the final language this August) and concurred in it, except that the comments of B. Paul Cotter, Jr. are appended at Enclosure 10. They have not had an opportunity to review Enclosure 4B of the paper.

What does this mean need to arrive at a final position?

Wed PM

[Signature]
Guy H. Cunningham, III
Executive Legal Director

Enclosure:
As stated

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