



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

June 5, 1985

MEMORANDUM FOR: Robert B. Minogue, Director  
Office of Nuclear Regulatory Research

FROM: Frank P. Gillespie, Director  
Division of Risk Analysis and Operations  
Office of Nuclear Regulatory Research

SUBJECT: STATUS OF RULEMAKING ACTIVITIES

Below is an updated highlight report on the status of major rulemaking actions and regulated activities underway in the Office of Nuclear Regulatory Research as of June 5, 1985.

1. Decommissioning Rule Amendments

On May 30, 1985, the Commission indicated in a Federal Register notice that the comment period on the proposed rule had been extended to July 12, 1985. To date, 117 comment letters have been received (50 from the public, 46 from industry, 18 from State governments and 3 from Federal government agencies).

2. Appendix J

CRGR meeting was held on June 3, 1985, results were inconclusive. CRGR indicated they will request more work on (1) containment leak monitoring, and (2) broader safety issues associated with reduced source term. A meeting with ACRS to review the rule and reg. guide was held on June 4, 1985.

3. Appendix K

A meeting was held Tuesday, June 4, 1985 between RES, NRR and ELD to resolve questions concerning the technical approach to be used in the regulatory guide that is to be referenced in the rule.

4. GDC-4

Interim Rule is still being considered by Commission. Roberts and Zech have concurred. The extended rule is in ELD for concurrence.

5. HEU/LEU

All Offices except NMSS have or have indicated willingness to concur in the Commission paper. A meeting was held with J. Davis, NMSS on May 28, 1985 to discuss comments on the proposed Commission paper and the forthcoming (6/19) Commission meeting. At that time, a rescheduling of the Commission meeting was indicated to accommodate NMSS on "threat briefing" and presentation, concurrent with the HEU/LEU issue, of NMSS' position on security at non-power reactors.

On 5/31, Burnett, NMSS, indicated that the Commission briefing would not be delayed. The first three pages of the Commission paper were revised to attempt to accommodate NMSS views. This change has been distributed to other involved Offices. The acceptability of this change may be discussed with Dircks at a meeting scheduled for 6/5/85.

## Other Related Issues.

6. Status of RES Independent Reviews

- a. Rulemakings Reviewed and approved/disapproval by EDO is appended as Attachment 1.
- b. The Status Report of RES Independent Reviews is appended as Attachment 2.

7. Severe Accidents

The EDO and Office Directors were briefed by Dr. Ross on the status of work on May 30, including the slippage that has occurred due to the need for running more sequences on the BCL source term code package. Mal Ernst briefed the IDCOR steering group (made up of about 20 utility vice-presidents) on May 31 as to the schedule slippage, and personally committed to achieving the new schedule. IDCOR promised utility support in gaining plant access for the accident sequence rebaselining effort.

The priority of plants was agreed to in a meeting between Ernst, Speis, and Bernero. The priority is Surry, Peach Bottom, Grand Gulf, Sequoyah, and Zion. It is believed that the detailed results of the Surry and Peach Bottom analyses should provide NRR with sufficient information to assess the IDCOR methodology for extrapolating to other PWR's and BWR's. In effect, this would partially compensate for the slip in schedules and still permit NRR to interact effectively with IDCOR on about the same schedule as before.

One open question is the detailed schedule for rebaselining the five reference plants, which will include plant visits. It is possible that the detailed schedule will impact the final dates somewhat, but such impact should be minimal. Schedules will be a major agenda item for the upcoming meeting with all contractors at SNL the week of June 17.

Frank P. Gillespie, Director  
Division of Risk Analysis and Operations  
Office of Nuclear Regulatory Research

Attachments:  
As stated

DATE: JUN 3 1985

STATUS OF RES INDEPENDENT REVIEWS

\* RES HAS 24 RULEMAKINGS IN HAND FOR INDEPENDENT REVIEW

| <u>TITLE</u>  | <u>STATUS</u>                                 |
|---|---|
| Exemption of DOE Smelted Alloys (RES)   | memo RES to EDO being further revised.        |
| Human Factors Criterion (RES)   | memo RES to EDO being prepared.               |
| Emergency Planning for Fuel Cycle and Other Radioactive Material Licensees (RES)                      | Revised memo RES to EDO in concurrence chain. |
| Searches of Individuals at NPP (NMSS)   | memo RES to EDO being revised.                |
| Explanation to Table S-3: U Fuel Cycle Environmental Data (NMSS)                                      | RIRB voting in progress.                      |
| Certification of Industrial Radiographers (NMSS)  | being readied for RIRB voting.                |
| *Physical Protection Req. for Nonpower Reactor Licensees Possessing Formula Quantities of SSNM (NMSS) | memo RES to EDO dispatched 5/31/85.           |
| Update of Table S-4, Part 51 (RES)  | memo RES to EDO being revised.                |

\* RES independent review completed week of May 31, 1985.

ATTACHMENT 1

A87

## TITLE

## STATUS

Safety Requirements for Industrial Radiography Exposure Devices (RES)

Protection of Contractor Employees (RES)

Accreditation of Personnel Dosimeter Processors (RES)

Operators' Licenses, Part 50 (NRR)

Technical Specifications for NPP, Part 50 (NRR)

Deletion of the Unusual Event Emergency Classification - Part 50 (RES)

Adjustment to Fee Schedule - Part 25 (ADM)

NRC Acquisition Regulations - 48 CFR (ADM)

Acceptance Criteria for ECCS for Light-Water-Cooled NPP - Part 50 (RES)

Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors - Part 50 (RES)

Access to and Protection of National Security Information and Restricted Data (RD)

Extension of Criminal Penalties (RES)

Mandatory Property Insurance for Decontamination of Nuclear Facilities - Part 50 (SP)

Nondiscrimination on the Basis of Handicap (SDBU)

Nondiscrimination on the Basis of Age (SDBU)

Nondiscrimination on the Basis of Sex (SDBU)

Miscellaneous Amendments to Part 110 (IP)

memo RES to EDO with DIR, RES, for signature.

RIRB meeting of 5/21/85 suggested that posting be done under 10 CFR Part 21.

memo RES to EDO with DIR, RES, for signature.

To RIRB for voting 5/20/85.

Assigned to RRB.

memo RES to EDO signed 5/29/85.

RIRB voting in progress.

memo RES to EDO signed.

memo RES to EDO signed 5/31/85.

RIRB voting in progress.

Assigned to HFSB.

RIRB meeting of 5/21/85 suggested that posting be done under 10 CFR Part 21.

Assigned to DET for RES independent review.

Being assigned to RRB staff member listed as an EEO counselor.

Being assigned to HFSB.

June 3, 1985

**RULEMAKINGS REVIEWED AND APPROVED/DISAPPROVED BY EDO**

As of this date, RES has received 76 rulemakings for independent review and RES independent recommendations to the Executive Director for Operations.

The following table lists the rulemakings by number (#) in the order received, the title of the rulemaking (sponsoring office), status of approval, and date of EDO approval/disapproval.

This table will be updated and reissued each time RES receives a copy of the memorandum from the EDO to Office Director(s) setting out the EDO's review and approval of one or more rulemakings.

| <u>#</u> | <u>Title of Rulemaking (Sponsoring Office)</u>                       | <u>Status of Approval</u>    | <u>Date of EDO Approval</u> |
|----------|--|------------------------------|-----------------------------|
| 1.       | Revision of 10 CFR Part 35 (NMSS)                                    | Continuation Approved by EDO | 11/6/84                     |
| 2.       | Radon and Technetium Estimates for Table S-3 (NMSS)                  | Continuation Approved by EDO | 12/28/84                    |
| 3.       | Reporting Requirements for Safeguards Events (NMSS)                  | Continuation Approved by EDO | 2/15/85                     |
| 4.       | Physical Protection Requirements for ISFSIs (NMSS)                   | Continuation Approved by EDO | 11/26/84                    |
| 5.       | Material Control & Accounting Req. for LEU Facilities (NMSS)         | EDO signed SECY-84-362       | -                           |
| 6.       | Clarification of General Physical Protection Requirements (NMSS)     | Rulemaking terminated        | N/A                         |
| 7.       | Communication Procedures, 10 CFR Part 50 (ADM)                       | Continuation Approved by EDO | 11/6/84                     |
| 8.       | Post-CP Change Rule (IE)   | Transferred to IE 9/5/84     | -                           |
| 9.       | Revision of Consumer Product Approval Criteria and Regulations (RES) | Termination Approved by EDO  | 2/6/85                      |
| 10.      | Financial Responsibility of Materials Licensees (NMSS)               | Continuation Approved by EDO | 12/18/84                    |

Contact: J. Henry  
443-7614

ATTACHMENT 2. A87

# RULEMAKINGS REVIEWED AND APPROVED/DISAPPROVED BY EDO

| #   | Title of Rulemaking (Sponsoring Office)  | Status of Approval              | Date of EDO Approval/Disapproval |
|-----|--|---------------------------------|----------------------------------|
| 11. | Licenses and Radiation Safety Req. for Well-logging Operations (RES)                         | Continuation Approved by EDO    | 11/6/84                          |
| 12. | General Design Criteria for Fuel Reprocessing Plants (RES)                                   | Termination Approved by EDO     | 1/22/85                          |
| 13. | Copying of Records and Retention Period for Security Records (RES)                           | Termination Approved by EDO     | 11/6/84                          |
| 14. | Periodic and Systematic Review of Parts 30 and 32 (RES)                                      | Termination Approved by EDO     | 11/6/84                          |
| 15. | Implementation of Convention on Phys. Protection of Nuclear Material (NMSS)                  | Continuation Approved by EDO    | 12/18/84                         |
| 16. | Exemption of DOE Smelted Alloys (RES)  | RES independent review underway | -                                |
| 17. | Codifying Inventory Reporting Requirements (RES)   | Continuation Approved by EDO    | 11/6/84                          |
| 18. | Material Balance Reports (NMSS)  | Continuation Approved by EDO    | 12/12/84                         |
| 19. | Modification to GDC-4 in Appendix A, 10 CFR Part 50 (RES)                                    | Initiation Approved by EDO      | 12/12/84                         |
| 20. | Transportation of Low Specific Activity Material (RES)                                       | Continuation Approved by EDO    | 4/30/85                          |
| 21. | Use of Certain Radiopharmaceuticals (Part 35) (NMSS)   | Initiation Approved by EDO      | 2/20/85                          |
| 22. | Human Factors Criterion 65 in Appendix A, 10 CFR Part 50 (RES)                               | RES independent review underway | -                                |
| 23. | Prenotification, QA, and Package Monitoring (RES)  | Continuation Approved by EDO    | 2/6/85                           |
| 24. | Emergency Preparedness for Fuel Cycle and Other Radioactive Material Licensees (RES)         | RES independent review underway | -                                |
| 25. | Revisions to the Criteria and Procedures for the Reporting of Defects and Noncompliance (IE) | Continuation Approved by EDO    | 3/29/85                          |

RULEMAKINGS REVIEWED AND APPROVED/DISAPPROVED BY EDO

| #   | Title of Rulemaking (Sponsoring Office)  | Status of Approval               | Date of EDO Approval |
|-----|--|----------------------------------|----------------------|
| 26. | Codes and Standards for Nuclear Power Plants (RES)   | Continuation Approved by EDO     | 2/20/85              |
| 27. | Lower Radiation Exposure Levels for Fertile Women (RES)  | Termination Approved by EDO      | 2/12/85              |
| 28. | Changes in Radiation Dose Limiting Standards (RES)   | Termination Approved by EDO      | 2/12/85              |
| 29. | Performance Testing of Bioassay Labs (RES)   | Termination Approved by EDO      | 2/12/85              |
| 30. | Severe Accident Design Criteria (RES)  | Termination Approved by EDO      | 2/12/85              |
| 31. | Disposal of High Level Waste in the Unsaturated Zone (RES)   | Continuation Approved by EDO     | 3/22/85              |
| 32. | Refinement of Emergency Planning Regulations (RES)   | Continuation Approved by EDO     | 4/30/85              |
| 33. | Standards for Protection Against Radiation - Part 20 (RES)   | Continuation Approved by EDO     | 3/18/85              |
| 34. | Definition of High-Level Waste in 10 CFR Part 60 (RES)   | Continuation Approved by EDO     | 4/10/85              |
| 35. | Disposal of High-Level Wastes in Geologic Repositories: Procedural Amendments (RES)                  | Continuation Approved by EDO     | 4/10/85              |
| 36. | Independent Storage of Spent Fuel and High-Level Radioactive Waste (RES)                             | Continuation Approved by EDO     | 4/30/85              |
| 37. | Part 51 Conforming Amendments (RES)  | Continuation Approved by EDO     | 4/30/85              |
| 38. | Radiation Surveys and In-House Inspection Systems in Radiography (RES)                               | RES independent review completed | -                    |
| 39. | Revised Criteria and Procedures for Determining Eligibility for Access to or Control Over SNM (NMSS) | Continuation Approved by EDO     | 5/14/85              |
| 40. | Financial Responsibility Standards for Long-Term Care of LLW Disposal Sites - 10 CFR Part 61 (NMSS)  | Continuation Approved by EDO     | 5/20/85              |

# RULEMAKINGS REVIEWED AND APPROVED/DISAPPROVED BY EDO

| #   | Title of Rulemaking (Sponsoring Office)  | Status of Approval                             | Date of EDO Approval |
|-----|--|--|----------------------|
| 41. | Searches of Individuals at Power Reactor Facilities - 10 CFR Part 73 (NMSS)  | RES independent review underway                | -                    |
| 42. | Uranium Mill Tailings Regulations: Groundwater Protection and Other Issues - 10 CFR Part 40 (NMSS)                                     | Continuation Approved by EDO                   | 5/29/85              |
| 43. | Miscellaneous Amendments Concerning Physical Protection of Nuclear Power Plants - 10 CFR Part 73 (NMSS)                                | Continuation Approved by EDO                   | 4/29/85              |
| 44. | Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards - 10 CFR Part 40 (NMSS)                                | Continuation Approved by EDO                   | 5/20/85              |
| 45. | Explanation to Table S-3 Uranium Fuel Cycle Environmental Data - 10 CFR Part 51 (NMSS)   | RES independent review underway                | -                    |
| 46. | Modification of Protection Requirements for Spent Fuel Shipments - 10 CFR Part 73 (NMSS)   | Continuation Approved by EDO                   | 5/24/85              |
| 47. | Shallow Land Disposal of Low-Level Radioactive Waste - PRM-20-7 (NMSS)   | EDO signed FR notice of denial 3/29/85.        | -                    |
| 48. | Certification of Industrial Radiographers - 10 CFR Part 34 (NMSS)  | RES independent review underway                | -                    |
| 49. | Physical Protection Requirements for Nonpower Reactor Licensees Possessing Formula Quantities of SSNM - 10 CFR Parts 50, 70, 73 (NMSS) | RES independent review completed               | -                    |
| 50. | Material Control and Accounting Requirements for Facilities Possessing Formula Quantities of SSNM - 10 CFR Part 70 (NMSS)              | RES independent review completed               | -                    |
| 51. | Criteria for an Extraordinary Nuclear Occurrence - 10 CFR Part 140 (RES)   | Continuation Approved by EDO (review deferred) | 3/15/85              |
| 52. | Update of Table S-4, Part 51 (RES)   | RES independent review underway                | -                    |

... RULEMAKINGS REVIEWED AND APPROVED/DISAPPROVED BY EDO

| #   | Title of Rulemaking (Sponsoring Office)   | Status of Approval                         | Date of EDO Approval |
|-----|---|--|----------------------|
| 53. | Safety Requirements for Industrial Radiographic Exposure Devices (RES)                                      | RES independent review underway            | -                    |
| 54. | Protection of Contractor Employees - Part 50 (RES)  | RES independent review underway            | -                    |
| 55. | Accreditation of Personnel Dosimeter Processors (Part 20) (RES)   | RES independent review underway            | -                    |
| 56. | Station Blackout - Part 50 (NRR)  | EDO signed SECY-85-163                     | -                    |
| 57. | Operators' Licenses - Part 50 (NRR)   | RES independent review underway            | -                    |
| 58. | Technical Specifications for NPP - Part 50 (NRR)  | RES independent review underway            | -                    |
| 59. | Deletion of the Unusual Event Emergency Classification - Part 50 (RES)                                      | RES independent review underway            | -                    |
| 60. | Adjustment to Fee Schedule Publication - Part 25 (ADM)  | RES independent review underway            | -                    |
| 61. | National Security Decision Directive 84; Implementation - Part 25 (ADM)                                     | Continuation Approved by EDO               | 5/20/85              |
| 62. | NRC Acquisition Regulations - 48 CFR (ADM)  | RES independent review underway            | -                    |
| 63. | Decommissioning Criteria for Nuclear Facilities (RES)   | Deferral of initial review approved by EDO | 4/10/85              |
| 64. | Modification of the Policy and Regulatory Practice Governing the Siting of Nuclear Power Reactors (RES)     | Deferral of initial review approved by EDO | 4/10/85              |
| 65. | Licensing and Regulatory Policy and Procedures for Environmental Protection: Alternative Site Reviews (RES) | Deferral of initial review approved by EDO | 4/10/85              |
| 66. | Reports of Theft or Loss of Licensed Material - Part 20 (RES)   | Termination Approved by EDO                | 5/6/85               |
| 67. | Acceptance Criteria for ECCS for Light-Water-Cooled NPP (RES)   | RES independent review underway            | -                    |
| 68. | Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors (Part 50) (RES)                 | RES Independent review underway            | -                    |

# RULEMAKINGS REVIEWED AND APPROVED/DISAPPROVED BY EDO

| #   | Title of Rulemaking (Sponsoring Office)   | Status of Approval              | Date of EDO Approval |
|-----|---|---------------------------------|----------------------|
| 69. | Access to and Protection of National Security Information and Data (Parts 25 and 95) (SEC:ADM)  | RES independent review underway | -                    |
| 70. | Extension of Criminal Penalties (RES)   | RES independent review underway | -                    |
| 71. | Mandatory Property Insurance for Decontamination of Nuclear Facilities (SP)                     | RES independent review underway | -                    |
| 72. | Nondiscrimination on the Basis of Handicap in NRC Programs - Part 4 (SDBU)                      | RES independent review underway | -                    |
| 73. | Nondiscrimination on the Basis of Age in Federally Assisted Commission Programs - Part 4 (SDBU) | RES independent review underway | -                    |
| 74. | Nondiscrimination on the Basis of Sex - Part 4 (SDBU)   | RES independent review underway | -                    |
| 75. | Export Control of Trigger List - Part 110 (IP)  | EDO signed SECY-85-123          | -                    |
| 76. | Miscellaneous Amendments to Part 110 (IP)   | RES independent review underway | -                    |