



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

Red Dec 24

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MEMORANDUM FOR: James H. Sniezek, Chairman
Committee to Review Generic Requirements

FROM: Robert F. Burnett, Director
Division of Safeguards, NMSS

SUBJECT: CRGR REVIEW OF LICENSING GUIDANCE ON NEW RULES

We have found it necessary to develop a number of questions and answers for use by our reviewers in responding to questions from reactor licensees who are required to develop and submit amendments to their physical protection plans in response to two new regulations, Search Requirements and Miscellaneous Amendments Rule (51 FR 27822, 51 FR 27817).

Problems on the part of licensees in submitting the plans by December 2, 1986 in response to these regulations were unanticipated since the final rules accommodated all comments received during the public comment period. In recognition of this problem we requested approval to extend the required plan submittal date by six months (see enclosed memorandum dated October 20, 1986 to John Philips from Robert F. Burnett). We were informed by SECY that this extension could not be granted in this manner and that a Commission Paper would be required to solicit Commission approval. Since there is insufficient time to resolve this matter in this fashion, we are going ahead with the December 2nd submittal date.

We consider the answers to the questions, as spelled out in the enclosure, to reflect the intent of the rules and to accurately reflect what has been the intended Commission policy in these matters. It is requested that CRGR review the questions and answers to determine whether or not the positions expressed therein could be considered as logical expressions of staff's intent relative to implementation of the regulations or if they require CRGR review as an expression of new policy.

Expeditious action is requested since we are going ahead at this time using the positions indicated in the package responding to questions from licensees.

It should be noted that both of these rules were previously approved by the CRGR. The guidance has been concurred in at Division level by the Offices of Inspection and Enforcement and Nuclear Reactor Regulation; the Office of the General Counsel has reviewed the package and concurs.

Robert F. Burnett, Director
Division of Safeguards, NMSS

Enclosures:

1. Memo to J. Philips fm
R. Burnett dtd 10/20/86
2. Q's and A's

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