

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: John C. Hoyle, Secretary

SUBJECT: STAFF REQUIREMENTS - SECY-98-275 - REPORT TO
CONGRESS ON THE GASEOUS DIFFUSION PLANTS
LOCATED NEAR PADUCAH, KENTUCKY, AND PORTSMOUTH,
OHIO

The Commission has approved the "Report to Congress for the Gaseous Diffusion Plants Located Near Paducah, Kentucky, and Portsmouth, Ohio." The staff should make the corrections and changes indicated in the attachment and forward the Congressional letters for the Chairman's signature.

(EDO)

(SECY Suspense:

1/8/99)

Attachment:
As stated

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CIO
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR
DCS

SECY NOTE: THIS PAPER WILL BE MADE PUBLICLY AVAILABLE AFTER THE
REPORT IS SENT TO CONGRESS.

**Changes and Editorial Comments to be Incorporated
in the Report in SECY-98-275**

The following editorial changes and comments should be made in the Report prior to forwarding it to Congress.

Changes to the Executive Summary

1. In paragraph 1, line 4, add a new sentence after 'specified' as follows: "The first report, covering the period from March 3, 1997 to September 30, 1997 was sent to the Congressional oversight committees on January 5, 1998."
2. In paragraph 2, line 5, end the sentence after 'requirements' and replace 'including' with 'Such requirements include' to begin the next sentence.
3. In paragraph 3, line 2, after 'protection of' insert 'the public' and after 'health' delete the comma and insert 'and.' At the end of line 2, insert 'the.' In line 3, replace 'environmental' with 'environment' and delete 'conditions.'
4. In paragraph 4, line 10, add a new sentence after '1999' as follows: "The NRC understands that USEC will propose another date for completion of the necessary seismic modifications."

Changes to the Report

5. On page 1, paragraph 1, line 12, insert 'the' after 'requires.'
6. On page 2, delete the first line since it is repeated from the bottom of page 1.
7. On page 14, insert a blank line above 'Nuclear Safety:'.
8. On page 16, paragraph 2, indent the first line.
9. On page 18, paragraphs 2 and 3, indent the first line.
10. On page 19, paragraph 3, indent the first line.
11. On page 23, paragraph 1, last line, replace 'ends' with 'ended' and add a new sentence at the end as follows: "NRC will consider the comments received in developing the final rule."
12. On page 24, add a new paragraph at the end:

Current law (section 193(b) of the Atomic Energy Act) requires the Commission to conduct "a single adjudicatory hearing on the record with regard to the licensing of the construction and operation of a uranium enrichment facility" such as the proposed AVLIS facility. The Commission in a September 4, 1998 staff requirements memorandum stated that "the NRC should consider seeking legislation that would modify section 193's inflexible approach to hearings." The Commission directed the

staff “to review and advise the Commission on legislative and rulemaking options that would further enhance the Commission’s ability to utilize informal procedures in any proceeding in which formalized trial type procedures are currently used.” That staff report is due on December 31, 1998. The Commission will report to Congress on its decision whether to seek an amendment to section 193 as part of its FY 2000 legislative program.

Changes to the Congressional letters

13. In paragraph 1, line 4, add a new sentence after ‘Ohio’ as follows: “The first report, covering the period from March 3, 1997 to September 30, 1997 was sent to the Congressional oversight committees on January 5, 1998.” Move the first sentence in paragraph 2 up to follow this new sentence in paragraph 1. The second paragraph should now begin with ‘In addition, the ...’

December 17, 1998

MEMORANDUM TO: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield

FROM: Annette L. Vietti-Cook, Assistant Secretary /s/

SUBJECT: STAFF REQUIREMENTS MEMORANDUM

Attached is the staff requirements memorandum on SECY-98-275. The SRM will be issued to the staff by COB Tuesday, December 22, 1998, unless I hear otherwise.

The attached SRM, the Voting Record, and the subject SECY paper are considered to be "final Commission decisions" and as such will be released to the public once the final report has been forwarded to Congress.

Attachment:
As stated

cc: EDO
OGC