

September 20, 1999

MEMORANDUM TO: William D. Travers
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS - SECY-99-214 - OPTIONS FOR
PROCEEDING WITH NRC'S EFFORTS REGARDING THE
RELEASE OF SOLID MATERIALS

The Commission has approved option 1 of SECY-99-214, directing the staff to proceed with the enhanced participatory rulemaking plan and schedule already established, supplemented with the following guidance.

The Executive Director for Operations (EDO) shall keep the Commissioners fully and currently informed of the status and progress of the enhanced participatory rulemaking process, especially of interactions with stakeholders. Under the supervision of the EDO, the Deputy Executive Director for Operations for Materials, Research, and State Programs (DEDMRS) will have direct oversight over activities related to this sensitive rulemaking process. The DEDMRS shall establish direct and frequently used lines of communication with the responsible NMSS management and staff.

In March 2000, concurrent with the staff's submission of the Commission Paper, mentioned in SECY-99-028, on the results of public meetings and the status of the technical analyses, the staff should brief the Commission on stakeholder reactions and concerns, the staff's recommendation on whether to proceed with rulemaking or other staff actions regarding release of solid materials, and the schedule for future staff actions on this effort.

The staff should continue using the current workshops as the scoping process for the draft Generic Environmental Impact Statement (GEIS), as noted in the June 30, 1999, Federal Register notice that announced the workshops.

If the Commission decides to proceed with rulemaking on the release of solid materials, after considering the March 2000 Commission Paper and briefing, the staff should plan to issue a preliminary version of the draft GEIS (through the Federal Register, the rulemaking web site, and other available means) and hold 1 or 2 stakeholder informational meetings to discuss the preliminary version of the draft GEIS. This will provide stakeholders with the necessary technical information, in advance, similar to the Part 35 revision effort, to allow for meaningful participation when the draft GEIS is formally issued for comment.

cc: Chairman Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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