

May 13, 1998

MEMORANDUM FOR: L. Joseph Callan
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 10:30
A.M., WEDNESDAY, MAY 13, 1998, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-98-046 - Final Rule: Amendments to 10 CFR Parts 30, 40, 50, 70, AND 72 --
Self-Guarantee of Decommissioning Funding by Non-Profit and Non-Bond Issuing
Licensees

The Commission¹ approved a final rule amending 10 CFR Parts 30, 40, 50, 70, and 72 to allow additional materials licensees and non-electric utility reactor licensees who meet certain financial criteria to self-guarantee funding for decommissioning. This rule allows nonprofit licensees, such as colleges, universities, and hospitals, as well as some commercial licensees who do not issue bonds, to self-guarantee funding provided they meet similarly stringent financial criteria. Allowing additional qualified licensees to use self-guarantee reduces licensee costs while providing adequate assurance that funds for decommissioning will be available when needed.

The Federal Register notice should be reviewed by the Rules Review and Directives Branch in the Office of Administration and forwarded to the Office of the Secretary for signature and publication.

(EDO) (SECY Suspense: 6/26/98)

The staff should revise the next update of Regulatory Guide 3.66 to include guidance for licensees on utilization of the new criteria.

(EDO) (SECY Suspense: 3/26/99)

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Jackson and Commissioners Dicus and McGaffigan were present in the Conference Room. Commissioner Diaz participated in the meeting via speakerphone.

- 4.
 - 3.
 - 2.
 - 1.
- a. Changes to the letters to Murphy, Gore, and Gingrich. Changes to the Press Release to the letters to the Federal

In paragraph 1, delete the following text: "The Commission is currently reviewing the proposed rulemaking package in SECY-98-060 and will issue a decision by the end of the year."

Editorial Changes to the Rulemaking Package in SECY-98-060