

September 23, 1997

MEMORANDUM TO: John T. Greeves, LSS Senior Management Team  
Arnold E. (Moe) Levin, LSS Senior Management Team  
William J. Olmstead, LSS Senior Management Team

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-154 - RESOLUTION  
OF LICENSING SUPPORT SYSTEM (LSS) ISSUES AND  
DRAFT PROPOSED RULE, 10 CFR PART 2, SUBPART J

The Commission has approved Option 4 subject to the comments provided below. The LSS Senior Management Team (SMT) should incorporate these comments and submit the proposed rule for publication in the Federal Register and public comment.

(SMT) (SECY Suspense: 10/31/97)

The Commission preliminarily supports the proposal to introduce an informal users group as an alternative to a modified LSS Advisory Review Panel (LSSARP). The informal users group should make use of current LSSARP members with knowledge and experience of the LSS process, if feasible and appropriate. Public comments should be sought on these alternatives, including specific response from potential parties to the HLW repository licensing proceeding on their interest and support for the informal users group alternative. The Commission reserves final judgment on this proposal until after review of the comments on the proposed rule.

The definition of "documentary material" to be included in the system should be modified by adding the following at the end of the first sentence in the definition in Section 2.1001 (page 11):

and all reports and studies, prepared by or on behalf of the potential party, interested governmental participant or party, including all related "circulated drafts," relevant to the issues set forth in the Topical Guidelines in Regulatory Guide 3.69, regardless of whether they will be

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SECY NOTE: THIS SRM, SECY-97-154, AND THE COMMISSION VOTING RECORD CONTAINING THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

relied upon and/or cited by a party.

The same addition should be made to the paragraphs discussing documentary material on page 4 (third full paragraph) and on page 5 (third full paragraph).

In addition, the following editorial changes should be incorporated in the Federal Register notice.

1. On page 2, first full paragraph, line 15, delete the comma after 'process.'
2. On page 3, paragraph 1, line 2, insert 'pursuant to its agreement' after the semicolon.
3. On page 4, third full paragraph, line 2, replace 'and' with a comma.
4. On page 5, third full paragraph, line 2, replace 'and' with 'and/or.' In line 3, replace 'and' with a comma.
5. On page 7, in the paragraph on Section 2.1011, line 1, insert 'to' after 'revised.' In the paragraph on Section 2.1012(a), insert 'it' after 'if.'
6. On page 10, in the heading for Part 2, replace 'ND' with 'AND.'
7. On page 11, in the paragraph under 'Definitions,' line 2, replace 'and' with 'and/or.' In line 4, replace 'and' with a comma.
8. On page 17, item (6), line 6, insert 'of 1954' after 'Act.' In line 14, insert 'the entity in violation' before 'may.'

After receipt and analysis of public comments, the SMT should submit the proposed final rule for Commission review before it is finalized.

(SMT)

(SECY Suspense:

5/15/98)

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
EDO  
OGC  
CIO  
CFO  
OCA  
OIG

Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR  
DCS