

April 1, 1997

MEMORANDUM TO: L. Joseph Callan  
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-041 - PROPOSED  
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 Commission has approved publication of the Notice of Proposed Rulemaking in the Federal Register subject to the comments and editorial changes noted below.

(EDO) (SECY Suspense: 5/2/97)

The staff should provide additional explanation in the rule as to the intent in making it a Division II level of compatibility and specifically address whether Agreement States, by being more restrictive, would not have to develop a rule allowing self-guarantee.

The staff should ensure that all regulations that will require amendments to encompass this rule have been identified. The staff should also ensure that the regulatory guidance needed to encompass this rule is identified and modified before the rule is finalized.

The following editorial comments should be incorporated prior to publication:

1. In the public announcement, page 1, line 3, delete 'themselves' and replace it with 'self-.'
2. In the public announcement, page 1, line 6, insert '(other than electric utilities)' after 'licensees.'

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SECY NOTE: THIS SRM, SECY-97-041, 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.

3. In the public announcement, page 1, line 9, delete the extra 's' at the end of licensees.
4. In the Federal Register notice, page 15, last paragraph, line 4, insert 'if they meet the regulatory criteria' after 'self-guarantee.'

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