

IN RESPONSE, PLEASE  
REFER TO: M930604A

June 29, 1993

MEMORANDUM TO: William C. Parler  
General Counsel

James M. Taylor  
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON STATUS OF  
ENHANCED PARTICIPATORY RULEMAKING  
(SECY-93-152), 10:00 A.M., FRIDAY, JUNE 4,  
1993, COMMISSIONERS' CONFERENCE ROOM, ONE  
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN  
TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on the status of the enhanced participatory rulemaking on radiological criteria for decommissioning and by the EPA staff on EPA's development of site cleanup standards.

The Commission was pleased with the progress and plans described for the parallel rulemaking efforts by the two agencies. The Commission was also pleased with the reaffirmation of the intent to avoid dual or conflicting regulations by following the process established in the March 1992 Memorandum of Understanding between the two agencies and reaffirmed in the NRC and EPA testimony submitted for the September 1992 (cancelled) hearing on decommissioning by the House Subcommittee on Energy and the Environment, Committee on Interior and Insular Affairs.

The Commission expressed concern over the issue of how the concept of "background radiation" will be treated in the draft regulatory analysis and draft GEIS, and requested that the staff include: 1) a thorough discussion of the complexities of "background" including problems of measurement; 2) a discussion of prior use of the term "background" in a regulatory context; and 3) a thorough, objective and creative examination of whether and in what form "background" might be used in the regulatory process.

(OGC/EDO)

(SECY Suspense:

12/30/93)

The Commission expressed a strong desire to keep this rulemaking effort to the original schedule which would forward a proposed rule to the Commission for review in April 1994 and issue the final rule in May 1995.

(OGC/EDO)

(SECY Suspense:

4/29/94)

cc: The Chairman  
Commissioner Rogers  
Commissioner Curtiss  
Commissioner Remick  
Commissioner de Planque  
OGC  
OIG  
Office Directors, Regions, ACRS, ACNW (via E-Mail)  
ASLBP (via FAX)  
PDR - Advance  
DCS - P1-24