

IN RESPONSE, PLEASE
REFER TO: M931209C

December 13, 1993

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary \s\

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., THURSDAY, DECEMBER 9,
1993, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

I. SECY-93-284 - Final Rule, 10 CFR Parts 30, 40, 50, 70, and
72, "Self-Guarantee as an Additional Financial Assurance
Mechanism"

The Commission, by a 4-0* vote, approved a final rule amending its regulations to allow certain non-electric utility licensees to use self-guarantee as a means of financial assurance of the adequacy of funding for decommissioning costs.

The Federal Register Notice should be reviewed by the Regulatory Publications Branch, ADM and forwarded for signature and publication.

(EDO)

(SECY Suspense: 12/30/93)

The Commission also agreed that the staff should study the development of alternative financial criteria which can be used by non-bond issuing licensees seeking to use the self-guarantee option and report to the Commission when it reports on its study of the development of alternative criteria for non-profit entities (reference Commissioner de Planque's vote, attached).

(EDO)

(SECY Suspense: TBD)

* 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." Commissioner Remick was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Remick, however, had previously indicated that he

would approve this paper and had he been present he would have affirmed his prior vote.

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Attachment:

As stated

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