

October 24, 2000

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-00-0168 - PUBLICATION OF
FINAL REGULATORY GUIDE ON CRITERION FOR
TRIGGERING A REVIEW UNDER 10 CFR 50.80 FOR NON-
OWNER OPERATOR SERVICE COMPANIES

The Commission has disapproved the staff's recommendation to publish the final regulatory guide on criterion for triggering a review under 10 CFR 50.80 for non-owner operator service companies. Instead, the Commission directs the staff to convert the proposed final regulatory guide into a Regulatory Issue Summary (RIS). The RIS should incorporate lessons learned arising from the various non-owner operator business arrangements that have been reviewed to date.

The RIS should discuss the various factors that the staff considers in assessing whether arrangements involving non-owner service companies require NRC approval, including authority over site security programs. The RIS should not distinguish between "automatic triggers" and "collective triggers." The staff should ensure that the RIS clearly conveys that the areas of consideration associated with staffing and organizational changes apply only to licensed positions and positions described in the Technical Specifications.

(EDO)

(SECY Suspense:

02/28/01)

The staff should endeavor to more clearly define the term "final decision making authority" and the responsibilities and competencies that must be maintained by a licensee to effectively carry out this authority. As more experience is gained in reviewing non-owner operator business arrangements, the staff should periodically consider the need to update the RIS and whether further development of a regulatory guide would be appropriate.

(EDO)

(SECY Suspense:

1/12/02)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CIO

CFO

OCA

OIG

OPA

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

PDR