

February 21, 2001

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

Karen D. Cyr  
General Counsel

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

SUBJECT: STAFF REQUIREMENTS - SECY-01-0010 - COORDINATION  
WITH THE U.S. ARMY CORPS OF ENGINEERS ON CERTAIN  
DECOMMISSIONING SITES

This is to advise you that the Commission has not objected to the staff's proposal to 1) send a letter to the U.S. Army Corps of Engineers (USACE) explaining that NRC would suspend Stepan's license while the USACE decommissions the site, 2) develop an MOU with USACE, and 3) use the license suspension approach as an acceptable alternative for future similar cases involving the USACE remediation of FUSRAP sites licensed by the NRC. The staff should note the corrections to SECY paper in the attachment.

Without delaying action to suspend the license for the Stepan site, OGC in consultation with the staff should perform an analysis of the viability of using an administrative stay and/or enforcement discretion as an acceptable alternative when a federal government agency is responsible for site clean-up at NRC licensed sites with the potential for dual regulation.

(OGC/EDO)

(SECY Suspense:

4/9/01)

Attachment: Corrections to the SECY Paper

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

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SECY Note: To be made publicly available 5 business days after the letter is dispatched.

**Corrections to the SECY Paper**

1. In attachment 1, page 3, 2<sup>nd</sup> bullet from the top, change 'sievert' to 'millisievert'.
2. In attachment 5, the response to Question 2, line 2, change 'license' to 'licensed'.