



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

OFFICE OF THE  
SECRETARY

June 14, 1993

Mr. Harry W. Swainston  
Deputy Attorney General  
State of Nevada  
1802 N. Carson St.  
Carson City, NV 89710

Dear Mr. Swainston:

As I informed you in my letter of October 9, 1992, the Nuclear Regulatory Commission (NRC) has been examining ways to have an effective LSS, reduce its overall cost, and achieve a more workable alignment of LSS responsibilities between the NRC and the Department of Energy (DOE). When that examination was complete, the NRC staff developed an options paper for consideration by the Commission. Last week, after completing its review of the staff's report and considering the significant cost avoidance which the staff has projected, the Commission directed the staff to pursue discussions with DOE and the LSSARP on a modified approach for development and operation of the LSS. A copy of the staff's options paper, the individual Commissioner vote sheets, and the Commission's decision memorandum are attached for your information.

Among other benefits, the modified approach is intended to reduce costs by developing and operating the LSS as part of DOE's INFOSTREAMS system rather than designing and developing it as a completely separate system. It is estimated that 90% of the documents to be included in the LSS will be DOE documents which will have already been entered into DOE's system. DOE's estimates indicate that this approach should result in a cost avoidance of approximately \$63 million. In selecting this option, the Commission has strongly emphasized the importance of establishing the necessary control mechanisms whereby NRC's LSS Administrator can establish a high confidence level in all LSS participants that DOE will comply with the requirements of the LSS rule. The design, scope, and effectiveness of LSSA's Compliance Assessment Program will therefore become one of the most important elements of the revised LSS program.

As mentioned in my earlier letter and in the Commission's June 4, 1993 decision memorandum, the Commission is very interested in obtaining the views of the LSSARP on this revised approach and on ways to implement it. In order to do so, I have been asked to

schedule a meeting in Nevada at which the NRC and DOE can provide a briefing and the Panel can provide comments and suggestions. I believe this meeting should be held in Las Vegas, but before making final arrangements I would like your views on timing. In order to provide adequate preparation time and avoid existing schedule conflicts in July and August, the meeting is being tentatively set for September 21 and 22. Please let me have your thoughts.

Although this general subject will be the main topic for the meeting, I encourage each of you to provide your views on specific issues and elements of the program which NRC and DOE should be particularly prepared to address. Other agenda items may be proposed as well. I plan to have a program outline for your comment about 30 days before the meeting.

As a follow-up to our previous consideration of NRC's proposed changes to the Topical Guidelines for submission of material to the LSS, I am pleased to advise you that in response to the Panel's letter of February 21, 1991, the additional topics of "Transportation" and "Environmental Information" have been included in the body of the draft regulatory guide. The NRC staff is now preparing the revised draft for publication for public comment.

I look forward to your early response. If you wish to phone, I can be reached on (301) 504-1968.

Sincerely,

  
John C. Hoyle, Chairman  
LSS Advisory Review Panel

Attachments  
As Noted