From: Karen Fitch
To: Richter, Brian
Date: Mon, Nov 22, 1999 9:32 AM
Subject: CFO concurrence - Decommissioning Trust Provisions

Brian,

OCFO concurs in the paper entitled, "Part 50 Rulemaking for Decommissioning Trust Provisions," with the changes discussed in numbers 1 and 2 below.

- Karen

Ref: DBA# 99-335
OC# 99-408
DBA File# NML-2.9 "Decommissioning Issues"

>>> Brian Richter 11/19 1:31 PM >>>
Karen,

I have added comments following yours -

>>> Karen Fitch 11/19 1:06 PM >>>
I have reviewed the paper, "Part 50 Rulemaking for Decommissioning Trust Provisions." I think the resource paragraph needs to be clearer and I have a couple of minor questions on the rulemaking plan.

Resources -

1. I would like to change the paragraph to something along the lines of:

The resources to conduct this rulemaking effort and develop guidance (approximately 0.5 FTE spread over a 2-year period) are not currently budgeted. Because this is a low priority item, these resources will be reprogrammed as staff resources become available,

The key phrases are "not currently budgeted" and "reprogrammed"

We'll make the change.

Rulemaking Plan -

2. The rulemaking plan offers two options but it doesn't ask the Commission to pick one or offer the staff's preference. When and where should this happen?

We'll add Option 1 as being the recommended one in the Recommendation in the Commission paper. I guess it wasn't clear that option 1 was the preferred one given its need to revise Reg Guide 1.159 as a supporting document.

3. The rulemaking plan states that unnecessary licensing burden will be reduced because they will be able to use a standard approach in development their decommissioning agreements. I assume this means that it reduces the time to figure out what to do and how to do it? Later, in the impact section, it says it would have no significant impact. What am I misunderstanding here?

The first statement you quote is referring to the need for a rule as opposed to no rule. The second statement is comparing the 2 options for rulemaking and their impact on licensees.

Please let me know if you have any additional questions.

Thanks, Brian

CC: Dietz, Thomas , Herr, Linda, McKelvin, Sheila, ...