

July 31, 2001

MEMORANDUM TO: Chairman Meserve  
Commissioner Dicus  
Commissioner McGaffigan  
Commissioner Merrifield

FROM: Dennis K. Rathbun, Director **/RA/**  
Office of Congressional Affairs

SUBJECT: COMMITTEE REPORT ON H.R. 2620, FOR DEPARTMENTS OF  
VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002

On July 30, 2001, the House of Representatives passed H.R. 2620, the FY 2002 appropriations bill for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies including the Environmental Protection Agency (EPA). The accompanying Appropriations Committee Report, House Rpt. 107-159, contains the following language relating to license termination decision-making:

"The Committee remains concerned that any reversal of the long-standing policy of the EPA to defer to the NRC for cleanup of NRC licensed sites is not a good use of public or private funds. The interaction of the EPA with the NRC, NRC licensees, and others with regard to sites being remediated under NRC regulatory requirements--when not specifically requested by the NRC--has created stakeholder concerns regarding the authority and finality of NRC licensing decisions, the duration and costs of site cleanup, and the potential future liability of parties associated with affected sites. However, the Committee recognizes that there may be circumstances at specific NRC licensed sites where the Agency's expertise may be of critical use to the NRC. In the interest of ensuring that sites do not face dual regulations, the Committee has previously encouraged both agencies to enter into an MOU which clarifies the circumstances for EPA's involvement at NRC sites when requested by the NRC. To date, such an MOU has not been concluded. As this area is of interest to the Committee, to other agencies, and State governments, the Committee directs the Administrator to undertake a review of EPA action on this matter with the intent of concluding an MOU with NRC as soon as practical. The EPA and NRC are directed to provide a report to the Committee on the status of the MOU no later than November 30, 2001, and every three months thereafter until an MOU is adopted."

This language is similar to that contained in prior years bills. The Senate passed version of the bill, S. 1216, contains no comparable language. The bills will now go to conference.

Attachment:  
As stated

cc: OEDO	RES	OIG	NMSS
OGC	NRR	ACNW	SECY
OGC (Cyr)	OPA	OCFO	OCAA

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