



OFFICE OF THE SECRETARY

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

RELEASED TO THE PDR 6/17/93 date initials

June 4, 1993

MEMORANDUM TO: James M. Taylor Executive Director for Operations FROM: Samuel J. Chilk, Secretary SUBJECT: SECY-93-107 - LICENSING SUPPORT SYSTEM PROGRAM AND BUDGET RESPONSIBILITIES

The Commission has approved the staff's proposal to pursue Alternative 3 for assignment of Licensing Support System (LSS) program and budget responsibilities, including a meeting with the LSS Advisory Review Panel (LSSARP), subject to the following exceptions:

- 1. The Commission (with all Commissioners agreeing) has determined that the proposal to require access to the LSS three years before DOE files its application for the HLW repository is unnecessarily stringent. The LSS rules should be modified to require access no later than one year before DOE files its application which would provide roughly three years of pre-litigation discovery using the LSS. 2. The Commission (with The Chairman and Commissioners Curtiss, Remick and de Planque agreeing) has agreed that the rules should not be changed to preclude the NRC's acceptance of DOE's application if the LSS has not been developed and made available prior to the time the application was filed. Commissioner Rogers would have preferred this rule change.

The Commission (with all Commissioners agreeing) has approved the staff's proposal contained in Option 3 to retain funding of the NRC LSS activities as part of the High Level Nuclear Waste Regulation Program within the NRC budget.

SECY NOTE: THIS SRM, SECY-93-107, AND THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE AFTER APPROPRIATE NOTIFICATIONS HAVE BEEN PROVIDED, AS DETERMINED BY THE OFFICE OF THE SECRETARY.

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The staff should be thorough in its implementation of the controls necessary to gain the confidence of LSS participants and ensure the success of the LSS under this option. In discussions with the LSSARP, every reasonable attempt should be made to accommodate suggestions that could further assure the integrity of DOE's capture of non-DOE data and operation of the LSS.

The staff should assure that remote terminal access to the LSS will be available at UNLV.

(EDO)

(SECY Suspense:

12/21/93)

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
OGC
OIG
Office Directors, Regions, ACRS, ACNW (via E-Mail)
ASLBP (via FAX)