

LSSARP MEETING

STATUS OF ARRANGEMENT FOR LSS OPERATION

**Fielden Dickerson
March 22-23, 1995**

MEMORANDUM OF UNDERSTANDING

- **An MOU cannot be used to transfer money**
- **A documentation of procedures and understandings**

INTERAGENCY AGREEMENT

- **Transfers funds**
- **Responsibility for the activity remains with DOE**
- **Terms and conditions set by DOE must be identified in the document**

GRANTS

- **Have been used with State and Counties**
- **DOE fixes terms and conditions**

DIRECT PAYMENT

- **Achieved through an Appropriations Bill**
- **Terms and conditions are funds shall be expended for activities as defined in the Nuclear Waste Policy Act, as amended**

**ENERGY AND WATER DEVELOPMENT
APPROPRIATION ACT, 1992
NUCLEAR WASTE DISPOSAL FUND
PUBLIC LAW 102-104 - AUGUST 17, 1991
105 STAT. 527**

***Provided*, That of the amount herein appropriated, within available funds, not to exceed \$5,000,000 may be provided to the State of Nevada, for the conduct of its oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than \$4,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds**

**ENERGY AND WATER DEVELOPMENT
APPROPRIATION ACT, 1992
NUCLEAR WASTE DISPOSAL FUND
PUBLIC LAW 102-104 - AUGUST 17, 1991
105 STAT. 527 (cont'd)**

herein provided among the affected units of local government shall be determined by the Department of Energy (DOE) and made available to the State and affected units of local government by direct payment: *Provided further,* That within 90 days of the completion of each Federal fiscal year, each entity shall provide certification to the DOE, that all funds expended from such direct payment moneys have been expended for activities as defined in Public Law 97-425, as amended.

MILESTONES

- **Obtaining approval of Senior DOE management to proceed with the direct payment concept for NRC operations of the LSS**
 - **Draft decision memorandum has been generated for Senior DOE management**
- **No MOU has to be developed between NRC and DOE for operation of the LSS**