

**From:** William Beckner  
**To:** James Bongarra; John Munro *> WPK*  
**Date:** 9/10/03 7:43AM  
**Subject:** Fwd: Draft SRM - SECY-03-0100 (Post-Fire Operator Manual Actions)

Any comments on the attached SRM? If so, please feed them back through Bruce. Our threshold for comments should be very high and I see nothing that would be a problem except if we know of some unique reason for the rulemaking effort to be so costly.

**CC:** Bruce Boger

HHH-1

SECY

**From:** Darlene Wright  
**To:** Andrew Bates; Annette Vietti-Cook; Antoinette Waller; Atanasia (Nancy) Fragoyannis; Cathy Jaegers; Christopher Jackson; CHRTEMP1; CHRTEMP2; Clara Sola; Clare Kasputys; David Gamberoni; Diane Flack; DiazTEMP; Gary Holahan; Heather Astwood; Jacob Zimmerman; Jacqueline Silber; James Beall; Jeffry Sharkey; John Thoma; Joseph Shea; Karen Cyr; Kathryn Winsberg; Ken Hart; Kia Jackson; Linda Herr; Linda Lewis; Lorna Pini Kipfer; Margaret Doane; Maria Lopez-Otin; McGaftmp McGaftmp; Merrtemp; R. Michelle Schroll; Rick Croteau; Robert McOsker; Roger Davis; Sharon Hudson; Spiros Droggitis; Timothy Pulliam; Tojuana Fortune; Vicki Bolling  
**Date:** 9/9/03 2:08PM  
**Subject:** Draft SRM - SECY-03-0100 (Post-Fire Operator Manual Actions)

The attached file contains a draft SRM which is being circulated for the normal 3-day period for Commission review. As provided in the Internal Commission Procedures, the staff is "...afforded an opportunity to review the SRM to ensure that the Commission decision is clear and understandable and that resource, scheduler, and legal constraints are properly considered." Please provide any responses to Ken Hart (KRH), Dave Gamberoni (DLG2) and Michelle Schroll (RMS1).

September 9, 2003

MEMORANDUM TO: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield

FROM: Annette L. Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS MEMORANDUM  
SECY-03-0100 - RULEMAKING PLAN ON POST-FIRE  
OPERATOR MANUAL ACTIONS

Attached is the staff requirements memorandum on SECY-03-0100. The SRM will be issued to the staff by COB Friday, September 12, 2003, unless I hear otherwise.

The attached SRM, the subject SECY paper, and the individual Commissioner votes are considered to be "final Commission decisions" and as such will be released to the public upon issuance of the final SRM.

Attachment:  
As stated

cc: EDO  
OGC

MEMORANDUM TO: William D. Travers  
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary

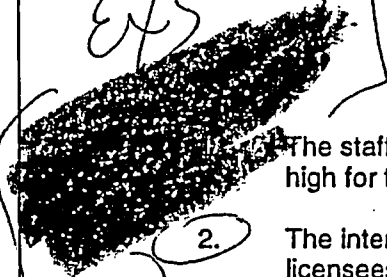
SUBJECT: STAFF REQUIREMENTS - SECY-03-0100 - RULEMAKING  
PLAN ON POST-FIRE OPERATOR MANUAL ACTIONS

The Commission has approved the staff's recommendation to proceed with rulemaking, as described in Option 3, to revise fire protection program requirements contained in Appendix R of 10 CFR Part 50 and the associated guidance. In addition, the Commission has approved the staff's plan to develop an interim enforcement policy to deal with these compliance issues until the rulemaking is processed and the regulations and guidance are formally revised. The staff should leverage its past experience to develop the general acceptance criteria and expedite this rulemaking effort.

cc: Chairman Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR

**Additional Commissioner Comments to be Included in the SRM  
If Agreed to by a Majority of the Commission**

Ex 5



The staff estimate of 3 FTE to conduct the rulemaking and associated activities appears high for this relatively straightforward rule change. [NJD]

2.

The interim enforcement policy should be clear that it in no way obviates the need for licensees to continue documenting the technical feasibility of their operator manual actions. Likewise, the revised inspection guidance should ensure that inspections conducted during the interim period are done in an objective and consistent manner. Clearly, communications will be an essential component throughout this effort. [JSM]



Ex 5



Ex 5