March 31, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary ***/RA/***

SUBJECT: STAFF REQUIREMENTS - SECY-06-0056 - IMPROVING TRANSPARENCY IN THE 10 CFR 20.2002 PROCESS

The Commission has approved the staff's recommended Option 2 for improving transparency in the 10 CFR 20.2002 low-level waste disposal process. This option would increase the background information available to the public on 10 CFR 20.2002 disposals, and apply resources for additional public outreach to case-specific requests based on defined criteria.

In its Communication Plan and the website, staff should discuss how 10 CFR 20.2002 authorized on-site disposals at operating facilities are again addressed at the time of license termination. Staff also should provide a basis and justification of why some 10 CFR 20.2002 disposals are authorized by letter and why some are authorized by license amendment.

In its forthcoming paper on how 10 CFR 20.2002 approvals are granted and whether any changes may be appropriate, staff should also address what happens when a decommissioning power reactor is transferred from NRR to NMSS. Staff should present a range of reasonable options in a risk informed manner. It should not be solely focusing on an all or nothing approach (i.e., all NRR approvals must be by letter and all NMSS approvals must be by amendment). Under a risk informed approach, it may be possible that some approvals are by letter and other approvals are by amendments, regardless of which office has the lead. Staff should address the pros and cons of such an approach.

Staff should inform the Commission when it receives a 10 CFR 20.2002 disposal request it deems "significant".

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OIG
OPA
PDR