

June 29, 2006

MEMORANDUM TO: Chairman Diaz

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

SUBJECT: COMNJD-06-0006 - IMPLEMENTATION OF NRC
RESPONSIBILITIES UNDER THE RONALD W. REAGAN
NATIONAL DEFENSE AUTHORIZATION ACT

This memorandum is to inform you that all Commissioners have responded to your proposal to clarify the staff requirements memorandum for SECY-05-0073. The attached SRM provides staff direction on this issue.

This completes action on COMNJD-06-0006.

Attachment:
As stated

cc: Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
EDO
OGC
CFO

June 29, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS - COMNJD-06-0006 -
IMPLEMENTATION OF NRC RESPONSIBILITIES UNDER THE
RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION
ACT

The Commission has approved the following clarifications to the SRM on SECY-05-0073 regarding implementation of the Ronald W. Reagan National Defense Authorization Act (NDAA) Section 3116 which assigned the Nuclear Regulatory Commission responsibilities for consultation with the Department of Energy (DOE) in DOE's cleanup of the Savannah River Site and Idaho National Laboratory.

The staff, in making its determination on the Department of Energy's waste disposal plans, should ensure that the technical bases for our decisions are transparent, traceable, complete, and as open to the public and interested stakeholders as practicable. The Commission recognizes that there may be a practical need for conducting a limited number of closed meetings. As such, the staff should apply the framework in Management Directive 3.5 to these interactions with DOE. Meetings which do not meet the criteria in Management Directive 3.5 should be open, public meetings.

The staff should inform the Commission how it intends to implement the unique monitoring activities to assess compliance, report findings of noncompliance, and coordinate with affected State representatives. The Commission recognizes that the staff has no authority to enforce compliance in the current consultation role. As the staff begins its monitoring activities to assess DOE's compliance with the performance objectives, it is recognized that the role should be limited to reporting findings as directed by the NDAA.

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