

December 22, 2014

MEMORANDUM TO: Mark A. Satorius  
Executive Director for Operations

FROM: Rochelle C. Bavol, Acting Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – SECY-14-0082 – JURISDICTION  
FOR MILITARY RADIUM AND U.S. NUCLEAR REGULATORY  
COMMISSION OVERSIGHT OF U.S. DEPARTMENT OF  
DEFENSE REMEDIATION OF RADIOACTIVE MATERIAL

The Commission has approved the staff's recommendation to finalize and implement the key provisions of a Memorandum of Understanding (MOU) with the Department of Defense (DOD) for remediation of DOD sites containing radioactive materials subject the NRC's regulatory authority. The staff should provide the Commission the Final Draft of the MOU for information before it is signed.

The Commission has approved the use of a graded approach, as described in enclosure 6 to SECY-14-0082, to implement NRC's involvement under the MOU. The staff should periodically monitor the effectiveness of the MOU, particularly for dispute resolution.

The staff should report the outcome of the periodic monitoring of the effectiveness of the MOU to the Commission. If the MOU is found to be ineffective in resolving disputes, or if the staff encounters challenges in implementing the MOU, it should not hesitate to come back to the Commission for further direction.

The Commission has approved the establishment of a new fee relief category for the regulatory activities for the monitoring of DOD unlicensed sites under the MOU.

The Commission has approved completion and publication of the Regulatory Information Summary (RIS), entitled 2011-XX, "NRC Regulation of Military Operational Radium-226." The staff should work with DOD while developing the planned "Radium [and other radiological materials] Implementation Plan" as requested by DOD in their submitted comments to the RIS. The timeline for developing this plan should coincide with the finalization of the Regulatory Information Summary associated with these activities.

cc: Chairman Macfarlane  
Commissioner Svinicki  
Commissioner Ostendorff  
Commissioner Baran  
Commissioner Burns  
OGC  
CFO  
OCA  
OPA