



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

Action: Collins, NRR
Cys: Travers
Knapp
Miraglia
IN RESPONSE, PLEASE
REFER TO: M990618C

June 22, 1999

Norry
Blaha Revised
Lieberman, OE
Shelton, CIO
Meyer, ADM
Schroll, SECY
Cyr, SECY
Lohaus, SP
Correia, NRR
Tovmassian, NRR

MEMORANDUM FOR:

Karen D. Cyr
General Counsel

William D. Travers
Executive Director for Operations

John F. Cordes, Acting Director
Office of Commission Appellate Adjudication

FROM:

Annette Vietti-Cook, Secretary

SUBJECT:

STAFF REQUIREMENTS - AFFIRMATION SESSION, 11:30 A.M.,
FRIDAY, JUNE 18, 1999, COMMISSIONERS' CONFERENCE
ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-99-133 - Final Revision to 10 CFR 50.65 to Require Licensees to Perform Assessments Before Performing Maintenance

The Commission approved a final rule, subject to the changes in attachment 1, amending 10 CFR 50.65 to require that power reactor licensees, before performing maintenance, assess and manage the increase in risk that may result from the maintenance activities.

Following incorporation of these changes, the Federal Register notice should be reviewed by the Rules Review and Directives Branch in the Office of Administration and forwarded to the Office of the Secretary for signature and publication.

(EDO) (NRR)

(SECY Suspense:

7/16/99)

199700091

The Commission agrees with the staff that, given the importance of the regulatory guidance to our licensees and inspectors, the final rule should not become effective until the final regulatory guide is in place for 120 days. While the final rule is an important first step, the staff has a great deal of work remaining on the development of acceptable regulatory guidance. This should include careful consideration of stakeholder comments and a very thorough review of the operational implications of such guidance. As directed in the Staff Requirements Memorandum from the briefing on the maintenance rule dated May 13, 1999, the draft regulatory guide should be provided to the Commission for information.

(EDO) (NRR)

(SECY Suspense:

~~7/13/99~~
7/6/99)

199800032

Prior to issuing the final regulatory guide, the staff should provide it to the Commission for review and approval.

(EDO) (NRR)

(SECY Suspense:

11/15/99)
11/8/99

199800032

II. SECY-99-145 - Kansas Gas & Electric Co., et. al. (Wolf Creek Generating Station, Unit 1), Docket No. 50-482 (Antitrust Issues)

The Commission approved a Memorandum and Order, subject to the changes in attachment 2, rejecting a petition for review of the antitrust issues in the license transfer application for the Wolf Creek nuclear power reactor. It also directs the NRC staff to initiate a rulemaking to remove any implication in current rules that the NRC would conduct antitrust reviews of license transfers. Further, the Order solicits the parties' views on how best to handle the Wolf Creek license conditions, and gives non-parties an opportunity to comment.

The staff should initiate a rulemaking to remove any implication in current rules that the NRC would conduct antitrust reviews of license transfers and clarify Regulatory Guide 9.3 and NUREG-1574.

(OGC/EDO)
NRR)

(SECY Suspense:

8/27/99)

The staff should publish this Order in the Federal Register and place it on the NRC's Web site.

(SECY)

(SECY Suspense:

6/25/99)

(Subsequently, on June 18, 1999, the Secretary signed the Memorandum and Order.)

Attachment:
As stated

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
CIO
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-17