



OFFICE OF THE SECRETARY

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

April 29, 1998

RELEASED TO THE PDR 12/16/99 [initials] date initials

MEMORANDUM TO: L. Joseph Callan Executive Director for Operations

Jesse L. Funches Chief Financial Officer

Anthony J. Galante Chief Information Officer

FROM: [Signature] John C. Hoyle, Secretary

SUBJECT: STAFF REQUIREMENTS - SECY-98-010 - PETITION FOR ENVIROCARE OF UTAH TO POSSESS SPECIAL NUCLEAR MATERIAL IN EXCESS OF CURRENT REGULATORY LIMITS

The Commission has not approved the staff's proposal to send a letter to Envirocare requesting additional information regarding Envirocare's 1992 petition and 1997 exemption request at this time. Instead, the staff should focus its limited resources on Envirocare's Part 70 license application and inform Envirocare of the Commission's decision on this matter.

The Commission has approved the staff's plans to develop guidance on emplacement criticality safety which could be used by Agreement States for existing and proposed low-level waste (LLW) disposal facilities. The staff should also investigate whether emplacement criticality requirements should be an item of compatibility, in accordance with the Commission's policy on adequacy and compatibility and based on realistic scenarios, and inform the Commission of its findings.

(EDO) (SECY Suspense: develop guidance: 7/30/99 compatibility determinations: 1/31/99)

After the Oak Ridge report is issued in final, the staff should review it and inform the Commission of its findings and of the staff's recommendations for resolution of whether the NRC research work on post disposal criticality of LLW should continue.

(EDO) (SECY Suspense: 7/31/98)

Based on the new policy and technical issues, the Executive Council should consider program adjustments in FY 1998 and FY 1999 to commit resources for the LLW program to ensure that this program can meet its current demands. The Executive Council should inform the

10 CFR PT 9-7 PDR COMMISS NRC

DF03

Commission of the impact of this decision on the Strategic Plan, Strategic Goals, and existing programs.

(EDO/CFO/CIO)

(SECY Suspende:

7/15/98)

The staff should address any future year requirements in its FY 2000 budget submission.

(EDO)

(SECY Suspende:

7/15/98)

The staff should consult with the Advisory Committee on Nuclear Waste on generic issues associated with the Envirocare facility and other LLW sites, and consult with and obtain the Commission's approval on policy proposals necessary to resolve these issues.

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
OGC  
OCA  
OIG