

IN RESPONSE, PLEASE
REFER TO: M920601C

June 16, 1992

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

William C. Parler
General Counsel

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - STATUS REPORT ON
ENHANCED PARTICIPATORY RULEMAKING
(SECY-92-191), 3:00 P.M., MONDAY, JUNE 1,
1992, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

The Commission was briefed by OGC and EDO staff on the status of the enhanced participatory rulemaking process on the radiological criteria for decommissioning.

The Commission made the following suggestions concerning matters to be addressed in the detailed paper on the participatory process expected later in June or to be considered as the participatory process proceeds:

- 1) In the paper and notice, the staff should address how the separate but related generic compatibility effort ties into the participatory rulemaking effort. As discussed in the March 11, 1992 briefing on the participatory process, broad State and public input has already been solicited on the generic compatibility effort, and, because of other pending matters, such as the Pennsylvania agreement, the Commission desires to proceed as quickly as possible on the generic compatibility effort as a separate initiative.
- 2) The staff should contact a broader range of non fuel cycle interest groups such as the National Organization of Test, Research, and Training Reactors concerning potential participation.
- 3) Staff should get as much facilitator input into the process as possible before it is finalized and ensure that the facilitator has the technical and background briefings or support needed for the task.

- 4) The risk underpinnings for the current EPA initiatives on levels below which regulatory attention would not be required under RCRA should be tracked and included.
- 5) Provisions in the pending energy legislation concerning EPA development of standards and compatibility should be tracked for any changes in statutory requirements. Absent changes, the effort should proceed as planned.
- 6) Staff should specifically investigate the pros and cons (assuming a one time event) of providing travel funding for workshop participants including criteria for selecting recipients for travel funds.

(EDO/OGC)

(SECY Suspense:

6/30/92)

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
OGC
OCAA
OIG
ACRS
PDR - Advance
DCS - P1-24