

May 20, 1999

MEMORANDUM TO: William D. Travers
Executive Director for Operations

Dennis K. Rathbun, Director
Office of Congressional Affairs

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-99-107 - POTENTIAL MODIFICATION OF THE DOE/NRC MOU DUE TO CHANGES IN THE HANFORD TANK WASTE REMEDIATION SYSTEM PRIVATIZATION

The Commission has approved the staff's recommendation to negotiate modification of the DOE/NRC Memorandum of Understanding (MOU) related to the NRC's role providing cooperation and support for Phase I of the DOE Hanford Tank Waste Remediation System (TWRS) Privatization activities that will address the changes in the program and include exploring the pros and cons of proposing legislation to clarify NRC's roles and responsibilities.

The NRC staff (after soliciting DOE participation) should seek input from the appropriate Congressional committees before detailed negotiations on the MOU begin to ensure the modified MOU is consistent with the desires of the Congress.

If Congress desires NRC regulation of the TWRS facility, a clear date for transition to NRC regulation should be established. The staff should, while maintaining NRC's independence, ensure that the DOE is informed of any issues that may negate eventual NRC licensing and regulation of the TWRS facility.

The staff should keep the Commission fully and currently informed on these matters and provide periodic status reports on the MOU negotiations and any resource implications.

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