

August 12, 1999

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-99-159 - RESPONSE TO STAFF REQUIREMENTS MEMORANDUM
(SRM) SECY-97-304, FEBRUARY 5, 1998, "RESPONSE TO SRM: SECY-97-144, 'POTENTIAL POLICY
ISSUES RAISED BY NON-OWNER OPERATORS'"

The Commission has disapproved publication of the draft regulatory guide for public comment on "Criterion for Triggering a Review Under [10 CFR 50.80](#) for Non-Owner Operator Service Companies." The staff should revise the draft regulatory guide to address the following comments and resubmit it to the Commission for approval prior to publication.

(EDO)

(SECY Suspense: 9/20/99)

1. Clarify that there are two types of criteria, those that will automatically trigger a §50.80 review (those that affect licensed activities) and those that can be considered collectively before a §50.80 review is required.
2. Make clear what decision-making activities automatically trigger review under §50.80. Provide any appropriate bounding of the broad statements of pertinent types of licensed activity. Identify and segregate with greater clarity the most important examples of a licensed activity that would individually trigger the need for §50.80 review. Do not intersperse these examples of automatically triggered reviews with examples of collective review.
3. Similar attention should be given to amplification of the areas of activity that will be examined collectively in determining the need for §50.80 review. Provide any appropriate bounding of this criteria. Improve the clarity of the examples. The draft should contain more than 3 such examples. If the staff uses examples such as those presented in SECY 99-159, the examples should be representative and illustrative of the basic principles, should be well articulated, and should contain appropriate caveats for their use.

cc: Chairman Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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