

January 22, 1997

MEMORANDUM FOR: Hugh L. Thompson, Jr.
Acting Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 11:30 A.M., MONDAY, JANUARY 13, 1997, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-96-258 - Direct Final Rulemaking: USEC Privatization Act - Conforming Changes and Revision to the NRC Enforcement Policy (NUREG-1600)

The Commission approved a direct final rule which amends 10 CFR Parts 2, 40, 70, and 76 to bring these regulations into conformance with the new statutory requirements of the USEC Privatization Act. The Commission also approved an associated revision to the NRC Enforcement Policy (NUREG-1600).

The staff should inform the Senate Energy and Natural Resources Committee and the Senate Appropriations Subcommittee on Energy and Water of this final rulemaking. In implementing these changes, the staff should communicate with and obtain the executive branch views on USEC privatization issues, particularly on the privatized-USEC entity's role as the executive agent for the U.S.-Russia HEU agreement in determining whether the USEC meets the three criteria in the statute which are now incorporated in 10 CFR 40.38 and 10 CFR 70.40.

On page 22, in 2.205 Civil Penalties, the Deputy Executive Director's title should be replaced with the "Executive Director for Operations or his designee." Conforming changes to reflect the new EDO reorganization should also be made, as needed, throughout that section of the regulations. In addition, conforming changes should be made to NRC's Enforcement Policy.

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)

(SECY Suspense:02/28/97)

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
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