

May 13, 1998

MEMORANDUM FOR: L. Joseph Callan
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - Affirmation Session, 10:30 A.M., WEDNESDAY, MAY 13, 1998,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. **SECY-98-046 - Final Rule: Amendments to 10 CFR Parts 30, 40, 50, 70, AND 72 -- Self-Guarantee of Decommissioning Funding by Non-Profit and Non-Bond Issuing Licensees**

The Commission⁽¹⁾ approved a final rule amending 10 CFR Parts 30, 40, 50, 70, and 72 to allow additional materials licensees and non-electric utility reactor licensees who meet certain financial criteria to self-guarantee funding for decommissioning. This rule allows nonprofit licensees, such as colleges, universities, and hospitals, as well as some commercial licensees who do not issue bonds, to self-guarantee funding provided they meet similarly stringent financial criteria. Allowing additional qualified licensees to use self-guarantee reduces licensee costs while providing adequate assurance that funds for decommissioning will be available when needed.

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: 6/26/98)

The staff should revise the next update of Regulatory Guide 3.66 to include guidance for licensees on utilization of the new criteria.

(EDO)

(SECY Suspense: 3/26/99)

II. **SECY-98-060 - Final Rule: Revision of 10 CFR 32.14(d) to Place Timepieces Containing Tritium Light Sources on the Same Regulatory Basis as Timepieces Containing Tritium Paint**

The Commission⁽²⁾ approved a final rule amending 10 CFR Part 32 in response to a petition for rulemaking submitted by mb-microtec, Inc. The rule change will allow distribution of timepieces that contain less than 25 mCi of gaseous tritium light sources to be regulated according to the same requirements that regulate timepieces containing tritium paint.

The final rule should be revised to incorporate the attached changes. 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: 6/26/98)

Attachment: As stated

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
EDO
OGC
CIO
CFO
OCAA
OCA
OIG

Editorial Changes to the Rulemaking Package in SECY-98-060

1. Changes to the Federal Register notice:
 - a. On page 4, last line, insert an 'r' at the beginning of the first word.
 - b. On page 7, Section IV., line 3, place quotation marks around 'NRC.'
2. Changes to the letters to Inhofe and Schaefer:
 - a. Change the last sentence to read: "This amendment simplifies the licensing process, facilitates the use of a new and safer technology in self-illuminated timepieces, and results in significant savings to licensees and the NRC."
 - b. Add a new last sentence to read: "Guidance for license applicants will be issued, for use, by the effective date of the rule."
3. Changes to the Press Release:
 - a. Insert at the end of the second paragraph: "In fact, the dose to the public from timepieces using GTLS is expected to be less than that from timepieces using the same quantity of tritium as paint, because the tritium leak rate from sealed glass tubes is significantly lower than from paint."
 - b. In paragraph 3, line 3, delete the comma.
 - c. In paragraph 3, line 5, delete 'gaseous tritium' and remove the parentheses around 'GTLS.'
 - d. On page 2, last paragraph, line 1, delete the 's' on 'removes' and in line 2, delete the 'es' on 'does.'
 - e. In line 4, replace 'the NUREG' with 'a guidance' and insert '(NUREG-1562)' after 'document.'
 - f. Add a new sentence to the end of the paragraph: "The NUREG will be issued for use by the effective date of the rule."
 - g. Add a new paragraph at the end: "This amendment simplifies the licensing process for timepieces containing GTLS, facilitates the use of a new technology in self-illuminated timepieces, and results in significant savings to licensees and the NRC."
4. Changes to the letters to Murphy, Gore, and Gingrich:
 - a. In paragraph 2, line 3, insert 'and associated costs' after 'burdens.'

1. Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Jackson and Commissioners Dicus and McGaffigan were present in the Conference Room. Commissioner Diaz participated in the meeting via speakerphone.

2. Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Jackson and Commissioners Dicus and McGaffigan were present in the Conference Room. Commissioner Diaz participated in the meeting via speakerphone.