

August 26, 1999

MEMORANDUM TO: William D. Travers
Executive Director for Operations

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

SUBJECT: STAFF REQUIREMENTS - BRIEFING ON IMPLEMENTATION OF THE LICENSE TERMINATION
RULE AND PROGRAM ON COMPLEX DECOMMISSIONING CASES, 2:05 P.M., THURSDAY,
JULY 29, 1999, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff on implementation of the license termination rule and program on complex decommissioning cases.

The Commission requested that the staff provide the following additional information:

1. Prepare a detailed report on the status of the remaining active SDMP sites including plans and schedules for each site. As an attachment to the detailed report, the staff should prepare a summary report on all sites currently in the SDMP. The summary report should identify key attributes of the program including (1) criteria for inclusion in the SDMP, (2) criteria for removal from the SDMP, (3) status of all active SDMP sites relative to the criteria for license termination and removal from the SDMP, and (4) currently expected schedule for completion of activities needed to remove the site from the program. The summary report should be presented in a format that is targeted for external stakeholders not already familiar with the SDMP program (using for, instance, easily read tables or other enhanced presentation techniques). The summary report should be geared toward demonstrating to those stakeholders the role the SDMP plays in meeting the NRC's fundamental mission of protecting the public health and safety and the environment.
2. As part of the SDMP summary report described in item a, the staff should include the following:
 - a. A list of SDMP sites removed from the SDMP. The list should be categorized by State and include the date of license termination and the date the site was removed from the list, if different. If readily available, information on the current or projected use of the site should also be included in the report.
 - b. A list of SDMP sites transferred to Agreement States and the status of those sites. Specifically, the date of license termination, whether the site was released for unrestricted use as defined by the State, and information on the current or projected use of the site, if available. For existing licenses, when the State expects to terminate the license and any unforeseen factors that have delayed license termination.

In the future, the staff should inform prospective Agreement States (where SDMP sites are located) that: 1) for NRC "tracking" purposes, the State should notify NRC when it terminates the license of an SDMP site and indicate whether the site was released for unrestricted use as defined by the State; and 2) the decommissioning status of SDMP sites transferred to the State will be obtained periodically as part of NRC's "Integrated Management Performance Evaluation Program."

Consistent with the Commission's recent direction on SECY-99-193 regarding NRC's formerly-licensed site program, the staff should forward a paper that describes and analyzes the issues that need to be considered before the Commission could propose legislation aimed at facilitating the cleanup of sites in non-Agreement States. The staff should explore various options to make such funds available to complete remediation at those few sites where adequate funding is not available and the site would not qualify for cleanup by the Environmental Protection Agency.

(EDO/OGC)

(SECY Suspense: 3/31/00)

cc: Chairman Dicus
Commissioner Diaz

Commissioner McGaffigan

Commissioner Merrifield

OGC

CFO

CIO

OCA

OIG

OPA

Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)

PDR - Advance

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