

July 13, 2000

MEMORANDUM William D. Travers
TO: Executive Director for Operations
FROM: Annette Vietti-Cook, Secretary /RA/
SUBJECT: STAFF REQUIREMENTS - SECY-99-0011 - DRAFT RULEMAKING PLAN: DOMESTIC LICENSING OF URANIUM AND THORIUM RECOVERY FACILITIES - PROPOSED NEW 10 CFR PART 41

The Commission has approved the staff's recommendation to provide the Rulemaking Plan to the Agreement States for comment, including the identification of a new Part 41 dedicated to the regulation of uranium and thorium recovery facilities as the preferred option. The Rulemaking Plan should be revised before circulation to the Agreement States to reflect the Commission's guidance in [SECY-99-012](#), [SECY-99-013](#), and [SECY-99-277](#), as well as the Commission's decision in International Uranium (USA) Corp., [CLI-00-01](#), 51 NRC 9 (2000). The Agreement States should be informed that, although the Commission has provided guidance to the staff on some matters reflected in the Rulemaking Plan, comments on the entirety of the Plan are welcome and will be carefully considered.

The staff need not submit the final rulemaking plan to the Commission, but should proceed directly with its plans to solicit input from stakeholders through public meetings, workshops, use of the NRC's website, etc., and develop a proposed rule for Commission approval.

Throughout the duration of this rulemaking, the staff should keep the Commission informed of its efforts in a timely manner, including periodic briefings of Commissioners' Assistants. In particular, the Commission should be informed of the results of significant meetings or the identification of areas of significant disagreement with other agencies or our stakeholders.

During the rulemaking process, the staff should be mindful of and consider the potential costs to the industry-both to participate in the rulemaking process and to pay for the staff costs of the rulemaking through their Part 171 annual fees.

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