

February 21, 2001

MEMORANDUM TO: William D. Travers
Executive Director for Operations

Karen D. Cyr
General Counsel

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-01-0010 - COORDINATION
WITH THE U.S. ARMY CORPS OF ENGINEERS ON CERTAIN
DECOMMISSIONING SITES

This is to advise you that the Commission has not objected to the staff's proposal to 1) send a letter to the U.S. Army Corps of Engineers (USACE) explaining that NRC would suspend Stepan's license while the USACE decommissions the site, 2) develop an MOU with USACE, and 3) use the license suspension approach as an acceptable alternative for future similar cases involving the USACE remediation of FUSRAP sites licensed by the NRC. The staff should note the corrections to SECY paper in the attachment.

Without delaying action to suspend the license for the Stepan site, OGC in consultation with the staff should perform an analysis of the viability of using an administrative stay and/or enforcement discretion as an acceptable alternative when a federal government agency is responsible for site clean-up at NRC licensed sites with the potential for dual regulation.

(OGC/EDO)

(SECY Suspense:

4/9/01)

Attachment: Corrections to the SECY Paper

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

SECY Note: To be made publicly available 5 business days after the letter is dispatched.

Attachment

Corrections to the SECY Paper

1. In attachment 1, page 3, 2nd bullet from the top, change 'sievert' to 'millisievert'.
2. In attachment 5, the response to Question 2, line 2, change 'license' to 'licensed'.