

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle, Secretary

FROM: COMMISSIONER MCGAFFIGAN

SUBJECT: SECY-97-002 - MEMORANDUM OF UNDERSTANDING
BETWEEN THE NUCLEAR REGULATORY COMMISSION
AND THE DEPARTMENT OF ENERGY FOR COOPERATION
AND SUPPORT OF THE DEPARTMENT OF ENERGY
HANFORD TANK WASTE REMEDIATION SYSTEM
PRIVATIZATION ACTIVITIES

Approved X Disapproved _____ Abstain _____

Not Participating _____ Request Discussion _____

COMMENTS:

Note the attached edits.

Edward M. McGaffigan Jr.

SIGNATURE

Release Vote /X/

1/14/97

DATE

Withhold Vote / /

Entered on "AS" Yes X No _____

Nuclear Regulatory Commission

The Director of Nuclear Materials Safety and Safeguards (NMSS) will be responsible for implementing the terms of this agreement. The Chief of the responsible Branch within NMSS will be the NRC point of contact for all communications related to carrying out the provisions of this agreement.

B. General Provisions

1. At the foundation of the DOE privatization approach is a predictability and reliability feature embedded in DOE's contracts with the TWRS Privatization Contractors — namely contractual commitments for DOE regulatory actions within specific time periods. Essential to timely and orderly DOE regulatory actions is the awareness by NRC of these contractual commitments and the need for timely interaction between DOE and NRC at all levels.
2. If an issue arises in the implementation of this MOU which cannot be resolved at the agency point-of-contact level, the NRC and DOE agree to refer the matter within 30 days to the Director, NMSS, and the Manager, Richland Operations Office, for appropriate action. n
by 8
3. It is the intent of both parties to conduct the TWRS Regulatory Program in an open, public, and professional manner. NRC and DOE recognize the importance of providing timely and accurate information to the public regarding regulatory matters that may affect the protection of workers, the general public, and the environment. Meetings between NRC and DOE staff in connection with this MOU shall be governed by NRC policy on open meetings (59 FR48340; September 20, 1994). NRC will participate with DOE in public meetings and other public interactions, as appropriate. All transmittals between DOE and NRC regarding TWRS Privatization activities shall be made publicly available, consistent with NRC and DOE policies and requirements, at an established local public document room.
4. Each agency recognizes that it is responsible for the protection, control, and accounting of classified, proprietary, and procurement-sensitive information; Safeguards Information (SGI); and Unclassified Controlled Nuclear Information (UCNI).
5. Each agency will be responsible for processing, under its established program(s), allegations -- declarations or statements or assertions of impropriety or inadequacy whose validity has not been established -- associated with the regulated TWRS Privatization activities covered by this Memorandum of Understanding. Each agency will keep the other agency informed, as appropriate, of such allegations, the



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON D.C. 20555

January 28, 1997

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

FROM: John C. Hoyle, Secretary

SUBJECT: STAFF REQUIREMENTS - SECY-97-002 - MEMORANDUM
OF UNDERSTANDING BETWEEN THE NUCLEAR
REGULATORY COMMISSION AND THE DEPARTMENT OF
ENERGY FOR COOPERATION AND SUPPORT OF THE
DEPARTMENT OF ENERGY HANFORD TANK WASTE
REMEDIATION SYSTEM PRIVATIZATION ACTIVITIES

The Commission has approved the Memorandum of Understanding (MOU) subject to the following editorial comment. In the paragraph at the top of page 5, delete the commas in the last sentence.

The staff should report to the Commission, as soon as it is feasible, the estimated and actual costs of carrying out Phase I under this MOU.

(EDO)

(SECY Suspense: TBD)

cc: Chairman Jackson
Commissioner Rogers
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
OGC
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)

SECY NOTE: THIS SRM, SECY-97-002, AND THE COMMISSION VOTING
RECORD CONTAINING THE VOTE SHEETS OF ALL
COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5
WORKING DAYS FROM THE DATE OF THIS SRM.

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