

September 16, 1997

MEMORANDUM TO: L. Joseph Callan
Executive Director for Operations

Karen D. Cyr
General Counsel

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-167 - D

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IMPLEMENTATION (ROLE OF THE OFFICE OF
RESEARCH)

The Commission directs that the staff expeditiously transfer all rulemaking functions and responsibilities to the program offices. Likewise, most confirmatory research activities now in the program offices should move to the Office of Research (RES).

The Commission has disapproved the proposed plan which would retain certain rulemakings in RES. Where RES develops the technical bases for a particular rule, whether by confirmatory research or technical review, RES should provide technical guidance to the program office which has the lead and primary responsibility for the rulemaking (including associated regulatory guides). Similarly, the Program Office(s) should determine the need for RES concurrence on rulemaking matters based on the degree of technical guidance provided by RES in each case. The Commission should be informed of progress in this regard in the September 30, 1997 update.

(EDO)(SECY Suspense:9/30/97)

The Commission also disagreed with the proposal that RES include provisions for short term technical assistance in its research contracts to assist the program offices in the performance of "technical studies," in that it should be the responsibility of the Program Offices to adequately plan for such situations.

The staff expressed a desire to retain some rulemaking infrastructure in one organization. The staff should propose a responsible organization, such as the Office of the General Counsel or the Office of Administration. The staff also proposed the consolidation of certain highly specialized technical expertise into one office to assure maintenance of a "critical mass" of knowledge. The Commission questioned this proposal. The staff should provide a discussion of the advantages and disadvantages of their recommendation to the Commission for consideration.

(EDO)(SECY Suspense:10/17/97)

With regard to the generic safety issue program, the staff should

follow an approach such that when the research and analysis on an issue have been completed and a resolution approach has been developed, implementation of the action to resolve the issue, whether it involves rulemaking, issuing a generic letter, or other regulatory action, will be performed by the program office.

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
OGC
CIO
CFO
OCA
OIG
Office Directors, Regions, ACRS, ACN

W, ASLBP

(via E-Mail)

PDR
DCS