

September 18, 1997

SECY-97-211

FOR: The Commissioners

FROM: L. Joseph Callan
Executive Director for Operations

SUBJECT: MILESTONES FOR REVISING 10 CFR PART 70

PURPOSE:

To inform the Commission of the staff's planned schedule for completion of the subject rulemaking.

BACKGROUND:

A staff requirements memorandum (SRM) dated August 22, 1997, requested the staff to keep the Commission informed of its rulemaking activities and provide the Commission with a set of milestones and an anticipated completion date for the subject rulemaking.

In addition, the SRM requested that the staff give careful consideration to whether the term "unresolved safety issue" should be used in the proposed rule language, in contrast to the term "unreviewed safety question," which is currently contained in 10 CFR 50.59(c). The SRM also requested that staff closely coordinate its rulemaking activities with the rulemaking effort on 10 CFR 50.59.

DISCUSSION:

As directed in the SRM, the staff intends to provide the Commission with the proposed rule, supporting guidance documents, and regulatory analysis by July 31, 1998. Milestones and an anticipated completion date for the rulemaking are as follows:

CONTACT: Theodore S. Sherr, NMSS/FCSS
(301) 415-7260

- Proposed rule package to Commission, consistent with the approach recommended in SECY-97-137 - 7/31/98
- Publish proposed rule in Federal Register - After Commission approval
- Public comment period ends - 75 days after publication in the Federal Register
- Final rule package to CRGR - 4 months after end of public comment period
- Final rule package to Commission - 2 months after CRGR review completed

With respect to the development of the proposed rule language, staff plans not to use the term "unreviewed safety issue" in order to avoid confusion with the similar term, "unreviewed safety question" used in 10 CFR 50.59 (c). At this time, development of 10 CFR Part 70 is at a preliminary stage and no further representation can be made as to what terms will be proposed as rule language. In addition, staff will coordinate its efforts with the rulemaking effort on 10 CFR 50.59.

COORDINATION:

The Office of the General Counsel has reviewed this paper and has no legal objection. Additionally, the Office of the Chief Financial Officer has reviewed this Commission Paper for resource implications and has no objections.

L. Joseph Callan
Executive Director
for Operations