

IN RESPONSE, PLEASE  
REFER TO: M110208

February 18, 2011

MEMORANDUM TO: R. W. Borchardt  
Executive Director for Operations

FROM: Richard J. Laufer, Acting Secretary */RA/*

SUBJECT: STAFF REQUIREMENTS – BRIEFING ON THE  
IMPLEMENTATION OF PART 26, 9:00 A.M., TUESDAY,  
FEBRUARY 8, 2011, COMMISSIONERS' CONFERENCE ROOM,  
ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN  
TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff and a panel of stakeholders on the implementation of, and requested changes to, 10 CFR Part 26, Subpart I. The stakeholder panel included Anthony Pietrangelo, Senior Vice President and Chief Nuclear Officer, Nuclear Energy Institute (NEI); Mitch Taggart, President, Professional Reactor Operator Society; Erik Erb, Security Officer, Nine Mile Point Nuclear Station; David Dinges, PhD, University of Pennsylvania School of Medicine; and David Lochbaum, Director, Nuclear Safety Project, Union of Concerned Scientists.

SECY-11-0003 states that the staff will provide the Commission a paper in March 2011 with recommendations on a response to NEI's request for enforcement discretion. The information provided by external stakeholders during the Commission meeting on February 8, 2011, regarding unintended consequences resulting from the rule is cause for concern. The Commission considers the resolution of this issue to be a high priority. Therefore, the staff shall submit the above referenced paper as a notation vote paper with options for responding to industry's request for enforcement discretion by February 28, 2011.

cc: Chairman Jaczko  
Commissioner Svinicki  
Commissioner Apostolakis  
Commissioner Magwood  
Commissioner Ostendorff  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ASLBP (via E-Mail)  
PDR