

November 16, 2010

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

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

SUBJECT: STAFF REQUIREMENTS – SECY-10-0114 –  
RECOMMENDATION TO EXTEND THE PROPOSED  
RULEMAKING ON SECURITY REQUIREMENTS FOR  
FACILITIES STORING SPENT NUCLEAR FUEL AND HIGH-  
LEVEL RADIOACTIVE WASTE

The Commission has approved expanding the rulemaking to include spent nuclear fuel and high-level radioactive waste stored at monitored retrievable storage installations, and disapproved extending the timeline for the rulemaking. The Commission also believes it is premature to change the technical approach for the rule or determine which policy issues previously evaluated should be reassessed.

The staff should continue to follow the direction given in the Staff Requirements Memorandum on SECY-07-0148 and fully engage stakeholders to understand the basis for their comments on the technical basis. The staff should evaluate the comments received, and as appropriate, provide briefings for stakeholders that have a need-to-know to help develop further insight into stakeholder concerns.

The staff should provide the Commission a paper within twelve months providing an analysis of the stakeholder comments, and making any recommendations, if justified, for modifying the direction contained in the SRM on SECY-07-0148, accompanied by a fully developed basis for doing so. This analysis should also include the staff's recommended timeline for the rule.

The staff should provide the Commission with Draft Guide 5033 with its recommendation on the technical approach for the rule.

To the extent possible, the staff should consider the distinctions between monitored retrievable storage installations and independent spent fuel storage locations which may be relevant to this rulemaking.

(EDO)

(SECY Suspense:

11/16/2011)

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