

October 5, 2006

MEMORANDUM TO: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons

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

SUBJECT: RESPONSE TO OIG AUDIT OF NRC'S PROCESS
FOR RELEASING COMMISSION DECISION DOCUMENTS
(OIG-06-A-22)

The OIG performed an Audit of NRC's Process for Releasing Commission Decision Documents dated September 8, 2006. A draft response to that report is before the Commission as Correspondence 06-133. If the Commission agrees with the proposed response, I propose the following revision to the Internal Commission Procedures, Chapter III, Record of Votes, Staff Requirements Memorandum (new number 7 on page III-10):

After the Commission issues a Staff Requirements Memorandum that has not been designated for public disclosure, SECY will review the Staff Requirements Memorandum, as well as the underlying SECY Paper or Commission Action Memorandum (COM), to determine whether the document must be released, in whole, or in part, in accordance with the disclosure provisions of 5 U.S.C. 552 (a)(1) or (a)(2). The Office of the General Counsel, and NRC staff as appropriate, will participate in this review when requested by SECY. These shall include all instances where SECY believes the documents could fall within the purview of one of those subsections.

Please provide your concurrence/comments by October 20, 2006 and I will make the revision to the Procedures. This document is marked Official Use Only--Sensitive Internal Information because it contains predecisional information that is part of the deliberative process. Once the changes are made, the Internal Commission Procedures will be made public.

cc: OGC
EDO