

September 22, 2008

ALL AGREEMENT STATES, MICHIGAN, NEW JERSEY, VIRGINIA

**OPPORTUNITY TO COMMENT ON NRC ENFORCEMENT POLICY REVISION
(FSME-08-073)**

Purpose: To inform Agreement States about the opportunity to provide comments on the final draft of the U.S. Nuclear Regulatory Commission (NRC) Revised Enforcement Policy.*

Background: The Enforcement Policy was first published in the Federal Register on October 7, 1980 in order to promote NRC safety mission through potential enforcement actions and procedures in response to apparent violations to NRC requirements. The Policy has been revised and modified a number of times to address enforcement issues that were not included in the Policy. A notice was published on January 25, 2007, announcing that the NRC was undertaking a major revision of the Enforcement Policy.

Discussion: On September 15, 2008, a notice of availability of the NRC Enforcement Policy Revision draft was published in the Federal Register (73 FR 53286). The goal of this revision is to ensure that the Policy continues to reflect the NRC safety and security mission in areas that were not directly addressed before by encouraging prompt identification and prompt correction of violations. As part of the proposed revisions to the Table of Base Civil Penalties, the Policy proposes to include fines related to the Yucca Mountain high level waste repository and gas centrifuge uranium enrichment facilities, and modify fines for uranium conversion facilities.

The Policy final draft is enclosed with this letter and it is available online through the NRC website ADAMS public library with accession number ML082520457 at <http://www.nrc.gov/reading-rm/adams.html>. Also enclosed is the Federal Register notice which includes supplementary information about the Enforcement Policy Revision.

*This information request has been approved by OMB 3150-0029, expiration 08/31/2010. The estimated burden per response to comply with this voluntary collection is approximately 8 hours. Send comments regarding the burden estimate to the Records and FOIA/Privacy Services Branch (T-5F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202 (3150-0029), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Comments about the final draft of the Policy should be submitted by November 14, 2008. Information about methods for submitting your comments is available in the Federal Register notice.

Point of Contact: If you have any questions regarding this correspondence, please contact the individual named below.

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Robert J. Lewis, Director

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Office of Federal and State Materials

and Environmental Management Programs

Enclosures:

1. Federal Register Notice (73 FR 53286)
2. Final Draft Revised Enforcement Policy

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ML082620623

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