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Tel. 301-504-2240

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# NRC REVISES ENFORCEMENT POLICY STATEMENT

The Nuclear Regulatory Commission has revised its Policy Statement dealing with policy and procedure for enforcement actions. The purpose of the revision is to update and clarify the Policy Statement so that is easier to use and understand.

The more significant modifications and changes to the policy:

- reflect the enforcement functions of the agency's two Deputy Executive Directors for Operation and clarify the enforcement functions of the Office of Enforcement and of all other offices conducting inspection activities;

- provide additional guidance and expand existing guidance regarding the categorization of violations by severity level;

- propose base civil penalties for violations meeting the civil penalty criteria at Severity Level IV and eliminate civil penalties for violations categorized as Severity Level V (Severity Level I categorizes the most serious violations of NRC requirements and Severity Level V the least serious).

- modify the civil penalty adjustment factors used in developing civil penalties including additional guidance on when such factors need not be considered;

- establish minimum civil penalties for certain overexposures to radiation, loss of licensed radioactive material and release of licensed radioactive material;

- provide for expanded use of discretion to either increase or decrease the amount of a proposed civil penalty arrived at after application of the normal guidance, such as civil penalty adjustment factors, to ensure that the proposed penalty reflects the appropriate level of concern and conveys the appropriate message;

- provide for expanded use of discretion to encourage licensee identification and correction of violations including

certain Severity Level II violations and willful violations committed by low-level employees as well as not issuing enforcement actions for certain licensee-identified and corrected violations involving old design, engineering or installation failures;

- provide additional examples in those sections of the Policy Statement dealing with reactor operations, fuel cycle and materials operations and emergency preparedness;

- and substantially revise the examples in the section dealing with safeguards to better focus on safety significance.

The revisions to the Policy Statement were effective on February 18, 1992; however, the Commission is inviting written comments on them which should be received by April 3, 1992. Comments should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

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