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NRC PLANS TO OPEN SOME
ENFORCEMENT CONFERENCES ON TRIAL BASIS

The Nuclear Regulatory Commission has issued a Policy Statement which will open, on a trial basis, some staff meetings at which apparent violations of NRC regulations are discussed with licensees. Historically, these meetings have been closed.

Under the terms of the Policy Statement, selected enforcement conferences will be open to public observation but not participation. The results will be used by the staff to provide the Commission with a recommendation on whether to establish a policy for the use of open enforcement conferences.

During the trial program, approximately 25 percent of all eligible enforcement conferences conducted by the staff will be open and at least one open enforcement conference will be held in each of the Commission's five regional offices. The NRC staff will select every fourth eligible conference involving one of three categories of licensees--operating reactors, hospitals and other types of licensees--to be open to avoid potential bias in the selection process. However, in cases where there is an ongoing adjudicatory proceeding with one or more intervenors, enforcement conferences related to the subject matter of the proceeding also may be opened.

Enforcement conferences involving possible action against an individual or significant personnel failure where the staff has requested that the individuals involved be present; and those based on a NRC Office of Investigations' report or involving safeguards information, Privacy Act information or other information which could be considered proprietary will not be opened as part of the trial period.

Enforcement conferences to be opened during the trial period normally will be held in the appropriate regional office and will be announced in advance. Recorded information on upcoming open enforcement conferences also will be available by dialing 301/492-4732. To assist the NRC staff in making appropriate arrangements, persons interested in observing will be asked to

advise the staff in advance. Observers will be reminded that apparent violations discussed at such conferences are subject to further review and may be subject to change and that statements of views or expressions of opinion made by individual members of the NRC staff, or the lack thereof, are not intended to represent final agency determinations or beliefs. In addition, observers will be provided an opportunity to submit comments, anonymously if they wish, on the trial program to the NRC.

The criteria to be used for assessing the results of the trial program include: the impact on the NRC's ability to conduct a meaningful enforcement conference and/or implement the enforcement program; the impact on licensees' participation in such conferences; the amount of NRC resources expended in making the conference public; and the extent of public interest in opening enforcement conferences.

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