

United States Nuclear Regulatory Commission  
Office of Public Affairs  
Washington, DC 20555  
Phone 301-415-8200 Fax 301-415-2234  
Internet: opa@nrc.gov

No. 96-132

FOR IMMEDIATE RELEASE  
(Friday, October 4, 1996)

NRC PROPOSES TO BROADEN SCOPE  
OF DELIBERATE MISCONDUCT RULE

The Nuclear Regulatory Commission is proposing to broaden the scope of its regulation which prohibits individual misconduct that could cause violations of NRC requirements.

The proposed changes would extend the coverage of what is known as the NRC Deliberate Misconduct Rule to include applicants for licenses or certificates, as well as their employees or consultants. At present, the rule, adopted in 1991, applies only to current licensees and their employees.

NRC moved to make this change as the result of an enforcement action taken shortly after the Deliberate Misconduct Rule took effect. In that case, the NRC staff found that a materials license had been granted based on false information in a license application prepared by the applicant's consultant. NRC revoked the license, but lacked authority to take additional enforcement action against the individuals involved.

The NRC believes that false information submitted by an applicant could have serious safety consequences. For example, a spent fuel cask that is certified by the NRC on the basis of falsified data could pose a threat to public health and safety.

Proposed amendments would subject the following additional individuals to the Deliberate Misconduct Rule:

- All applicants for licenses;
- Applicants for or holders of early site permits, certified designs, and combined licenses for nuclear power plants;
- Applicants for and holders of certificates of compliance, certificates of registrations, and quality assurance program approvals; and

- Employees, contractors, subcontractors and consultants of all the above.

The public has 75 days to comment on the proposed amendments which were published in the October 4 edition of the Federal Register. Comments may be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attn: Docketing and Service Branch. Comments may be hand-delivered to 11555 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on federal workdays.

###