

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

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NRC CONSIDERS APPLYING FEDERAL WRONGDOING
GUIDELINES TO AGREEMENT STATES

The Nuclear Regulatory Commission is seeking public comment on a proposal to require Agreement States, as part of their commitment to have a compatible regulatory program to protect public health and safety, to establish requirements that address deliberate misconduct of licensees similar to those of NRC.

Issues which would be addressed in misconduct requirements include concerns such as wrongdoing by Agreement State licensees. The proposal was prompted by a situation involving allegations of secret cash payments by the former president of Envirocare of Utah, a low-level radioactive waste facility, to the former director of the Utah Bureau of Radiation.

Agreement States are states which have entered into agreements with the NRC to assume regulatory authority over certain radioactive materials. NRC periodically reviews Agreement State programs to insure they are adequate to protect public health and safety, and compatible with NRC regulations.

Agreement States are currently not required to have special standards of conduct for their employees beyond those already existing under state law in order for their program to be found adequate and compatible by the NRC. Although NRC at present does not systematically review any Agreement State codes of conduct which might exist, the agency will refer to appropriate state authorities any information it receives suggesting a particular integrity concern could affect radiation safety.

The new proposal would require the states, as part of their agreement, to adopt deliberate misconduct requirements similar to those of NRC, and would enable the NRC to review those requirements in order to find the state's program compatible.

Copies of the proposal are available at the NRC's Public Document Room, 2120 L Street, N.W., Washington, D.C., 20037, or

from Spiros Droggitis, 301-415-2367. Comments may be submitted to Mr. Droggitis at the Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555.

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