

April 17, 1997

MEMORANDUM TO: L. Joseph Callan  
Executive Director for Operations

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - SECY-97-045 - FINAL RULE  
- REPORTING REQUIREMENTS FOR UNAUTHORIZED USE  
OF LICENSED MATERIAL AND REVISION TO THE NRC  
ENFORCEMENT POLICY

The Commission has disapproved the proposal to republish the revised rule for a short public comment period and instead has approved Option 1 — withdrawal of the proposed rule.

Given adequate resources, the Commission is willing to consider any proposal the staff may make to impose a requirement that licensees investigate allegations of intentional misuse and report to the NRC any confirmed cases of intentional misuse. The reports would allow the NRC to consider enforcement actions against individuals involved in confirmed intentional misuse and to evaluate the effectiveness of a licensee's corrective actions. The user offices should assign a priority consistent with the rule's potential for risk reduction, if it is decided that such a rule is to be recommended to the Commission.

cc: Chairman Jackson  
Commissioner Rogers  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
OGC  
CIO  
CFO  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR

---

SECY NOTE: THIS SRM, SECY-97-045, AND THE COMMISSION VOTING RECORD CONTAINING THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 5 WORKING DAYS FROM THE DATE OF THIS SRM.

DCS