

October 26, 2000

Daniel F. Stenger  
Perry D. Robinson  
Sheldon L. Trubatch  
Counsel to the Nuclear Regulatory Services Group  
Hopkins & Sutter  
888 Sixteenth Street, N.W.  
Washington, D.C. 20006-4103

SUBJECT: Comments on Revised Enforcement Policy

Dear Gentlemen:

Thank you for your comments on the May 1, 2000, revision of the Nuclear Regulatory Commission's (NRC's) Enforcement Policy, NUREG-1600. We are pleased that the Nuclear Regulatory Services Group (NRSRG) views this revision as a significant improvement that provides licensees with a more predictable, reliable, and understandable enforcement process. Your comments also presented a specific suggestion for changing the Enforcement Policy with respect to the NRC's current practice of holding licensees responsible for acts by employees or contractors. You recommended that the Enforcement Policy be revised to clarify the circumstances under which the NRC would refrain from citing a licensee for violations resulting from unsanctioned or deliberate acts by employees or contractors. You also recommended that an Enforcement Guidance Memorandum (EGM) be issued to provide near-term clarification in this area.

I appreciate your interest and comments on this area of the Enforcement Policy. Enforcement actions involving individuals is an area that the agency takes very seriously. The NRC will consider your comments as we continue to evaluate and consider future revisions to the Enforcement Policy.

The Office of Enforcement (OE) is striving to provide greater opportunities for public interaction in the development of enforcement program revisions. OE recently expanded its web site (<http://www.nrc.gov/OE>) to include a "Public Participation," web page that addresses the various ways the public may get involved in the enforcement program. OE intends to use this site and on-line comment forms to highlight issues that the agency is seeking stakeholder input on, such as the recently established Discrimination Task Group. New policy and guidance initiatives will show up here, as well as being referenced on the "What's New," feature on OE's home page.

Please feel free to contact me (301-415-2741) or Renée Pedersen of my staff (301-415-2742) if you have any questions.

Sincerely,

/RA/  
Richard Borchardt, Director  
Office of Enforcement

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