From:
To: <oemail@nrc.gov>
Date: Sun, Oct 1, 2000 9:58 AM
Subject: General Comments on Enforcement Program or Enforcement Policy (NUREG-1600)

Below is the result of your feedback form. It was submitted by

Affiliation: Self

Comments: As a method of promoting licensee responsibility for investigating and correcting alleged acts of dicrimination, the NRC should consider the following revisions to the regulations:

The NRC should consider a revision to §50.54 'Conditions of licenses' to establish a mandatory independent reporting chain at a licensed facilities for alleged employment discrimination under 10CFR50.7. The independence would require that the 'chain' does not in any manner report to any individual responsible for day to day NUCLEAR human resource, QA, or management. NRC review and acceptance of the program, and any changes to the program, would be required.

During the Chattanooga Task Force Meeting, it was asked 'When would it be appropriate for the NRC to refer alleged discrimination to a licensee for investigation. Under the current system and regulation, I would say NEVER.

The NRC should consider a new regulation under 'Inspections, Records, Reports, Notifications' of 10CFR50. As an example, a new 10CFR50.76 '10CFR50.7 Employment Discrimination Allegations' could be created. Such a new requirement would require the licensee to notify the NRC of any alleged act of employment discrimination under 10CFR50.7 within a reasonably short period of time (24 hrs?). Following initial notification to the NRC, the LICENSEE would be tasked with performing an investigation into the matter. The LICENSEE would be responsible for completing an investigation and a report into the matter. The LICENSEE would be responsible for providing NRC/DOL with the results of it's investigation and report within 30 days of the initial violationing the allegation within 30 days of the notification. Such an arrangement would shift discrimination allegation resource issues to the licensee, providing motivation to minimize discrimination allegations through training and appro!
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priate management practices, thus serving the public interest in timely response to safety issues and minimizing the dollar impact on government resources. If an alleger is not satisfied at this point, 10CFR50.7 would be implemented, the NRC and/DOL ALJ portion of the process would begin (no more OSHA investigation). Resources are shift to the licensee. Government money is saved. Timely resolution is achieved.

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