September 9, 2005

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - COMSECY-05-0033 - STAFF PLAN TO ADDRESS SUPPLEMENTAL STAFF REQUIREMENTS MEMORANDUM (M050419A-SUPP) - DISCUSSION OF ENFORCEMENT ISSUE

The Commission has approved the staff's plan to address Commission direction on the conduct of enforcement proceedings and the proposed changes should replace all steps related to the tracking of future enforcement cases outlined in the supplemental SRM (SRM-M050419A-SUPP). The staff should provide the database report to the Commission for information on a quarterly basis, preferably following OI's communication with DOJ regarding status of any cases that have been accepted for prosecution, commencing in January 2006.

The staff should come to the Commission for approval prior to any agreement with DOJ that the NRC will seek a waiver of the statute of limitations from the party under investigation.

The staff should continue to be mindful that all enforcement actions are not equal and that for those cases with heightened visibility or increased stakeholder interest, the staff should be particularly vigilant about initiating actions as soon as possible and communicating relevant information to the Commission.

The Commission encourages the staff to continue to find ways to minimize any impact on NRC's enforcement actions resulting from statute of limitations issues.

cc: Chairman Diaz
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
DOC
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR