

January 26, 2007

Mr. David Lochbaum
Union of Concerned Scientists
1616 P Street, Suite 310
Washington, DC 20036-1495

Dear Mr. Lochbaum,

The U.S. Nuclear Regulatory Commission (NRC) is examining its Enforcement Policy (Policy). The Office of Enforcement maintains the current policy statement on the NRC's public web site at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. The Policy contains the enforcement policy and procedures that the NRC uses to initiate and review enforcement actions in response to violations of NRC requirements. The primary purpose of the Policy is to support the NRC's overall safety mission, i.e., to protect the public health and safety and the environment, and to assure the common defense and security. Because it is a policy statement and not a regulation, the Commission may deviate from this statement of policy as appropriate under the circumstances of a particular case.

The Commission plans a major revision of the Policy to clarify use of enforcement terminology and address enforcement issues in areas the Policy does not currently address specifically, including, for example, the agency's use of Alternative Dispute Resolution in enforcement cases. A notice (enclosed) was published in the *Federal Register* on January 25, 2007 (72 FR 3429), soliciting written comments from interested parties including public interest groups, states, members of the public and the regulated industry, i.e., both reactor and materials licensees, vendors, and contractors. This request is intended to assist the NRC in its review of the Policy, and points out that the NRC does not intend to modify its emphasis on compliance with NRC requirements. The comment period will expire on March 26, 2007, which allows for the public to respond to the specific questions posed in the notice as well as the opportunity to provide general comments on the revision of the Policy.

Sincerely,

/RA/

Cynthia A. Carpenter, Director
Office of Enforcement

Enclosure: As stated

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