

AC45-1

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## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8706050046 Forwards regulatory history package on proposed rules 10CFR30,40,50,55,60,71,72,110 & 150 re: completeness & accuracy of info. All documents Central Files available, per M Wagner & designated as AC45-1.  
 FROM: BARTLETT, J. NRC - No Detailed Affiliation Given  
 TO: Technassociates, Inc.  
 ISSUED: 870527 AVAIL: CF 1p. DOCUMENT TYPE: CLNTG FPAC: 8706050046\*  
 TASK: ODID: AC45-1 01 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 001 68906 351 RIDS:
- 8706050054 Forwards index to regulatory history package re proposed rule on completeness & accuracy of info & two sets of listed documents. Encls should be transmitted to appropriate ofc for entry into Document Control Sys.  
 FROM: WAGNER, M. NRC - No Detailed Affiliation Given  
 TO: BARTLETT, J. NRC - No Detailed Affiliation Given  
 ISSUED: 870522 AVAIL: CF 8pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 02 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 002 68904 009 RIDS:
- 8706050077 Forwards rev to 840222 draft Commission paper re matl false statements, for concurrence or comment by COB 840326.  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: STELLO, V. Regional Operations & Generic Requirements (Pre 870413)  
 ISSUED: 840320 AVAIL: CF 34pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 03 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 010 68904 043 RIDS:
- 8706050084 Handwritten response on GH Cunningham 840320 memo re rev to 840222 draft Commission paper on matl false statements. Option 5 accomplishes little & continues to put off dealing w/issues in forthright manner. Fundamental change needed.  
 FROM: STELLO NRC - No Detailed Affiliation Given  
 TO: LIEBERMAN NRC - No Detailed Affiliation Given  
 ISSUED: 840321 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 04 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 044 68904 044 RIDS:
- 8706050098 Forwards Commission paper on matl false statements, for review & comment. Concurrences of IE, NRR, NMSS & Regions I, III, IV & V re paper obtained. V Stello & J O'Reilly differing opinions on need for more fundamental changes discussed.  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: DIRCKS, W.J. Office of the Executive Director for Operations  
 ISSUED: 840329 AVAIL: CF 23pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 05 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 045 68904 068 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8706050104 Comments on draft Commission paper re matl false statements. Former definition of matl false statement, as used in VEPCO decision, questioned. Specific comments encl.
- FROM: O'REILLY, J.P. Region 2, Office of Director  
 TO: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 ISSUED: 840326 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 06 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 069 68904 070 RIDS:
- 8706050128 Forwards addl options for Commission paper on matl false statements, per 840403 telcon. New Option 6 (near term) utilizes elements of Options 4 & 5 & designed to better attack problems w/definitions of matl false statements.
- FROM: O'REILLY, J.P. Region 2, Office of Director  
 TO: REHM, T.A. Office of the Executive Director for Operations  
 ISSUED: 840405 AVAIL: CF 4pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 07 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 071 68904 094 RIDS:
- 8405010298 Provides options for Commission consideration on issue of matl false statements. Changes to way NRC deals w/problem of inaccurate, omitted or incomplete info addressed.
- FROM: DIRCKS, W.J. Office of the Executive Director for Operations  
 TO:  
 ISSUED: 840416 AVAIL: CF 22pp. DOCUMENT TYPE: TRSECY FPAC: 8405010298  
 TASK: SE PICM ODID: AC45-1 08 FORMAL REPT NO: SECY-84-159  
 DOCKET NO: FICHE: 67297 019 67297 040 RIDS:
- 8706050156 Forwards draft Commission paper re matl false statements, for comments or concurrence by COB 840720. Paper incorporates definition of matl false statement & recommendation that definition be presented in rev to enforcement policy.
- FROM: DEYOUNG, R.C. Office of Inspection & Enforcement, Director (820201-87)  
 TO: DENTON, H.R. Office of Nuclear Reactor Regulation, Director (pre-851)  
 ISSUED: 840718 AVAIL: CF 44pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 09 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 095 68904 138 RIDS:
- 8706050162 Concurs w/matl false statement options paper, per 840718 memo. Provisions for enforcement actions for false statements not rising to level of being materially false recommended. Author: 840622 memo re options encl.
- FROM: COLLINS, J.T. Region 4, Office of Director  
 TO: DEYOUNG, R.C. Office of Inspection & Enforcement, Director (820201-87)  
 ISSUED: 840720 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 10 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 139 68904 139 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8706050169 Discusses Commission paper re matl false statements options, per 840618 memo. Option similar to Option 5 in SECY-84-159 establishing policy to require applicant to provide complete & accurate info recommended.  
 FROM: COLLINS, J.T. Region 4, Office of Director  
 TO: LIEBERMAN, J. Regional Operations & Enforcement Division  
 ISSUED: 840622 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 11 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 140 68904 145 RIDS:
- 8408080352 Submits comments on draft Commission paper re matl false statements. Advises that there are steps to be taken to assure full range enforcement actions available w/o litigative risks for failure to provide complete info.  
 FROM: LIEBERMAN, J. Regional Operations & Enforcement Division  
 TO: AXELRAD, J. Office of Inspection & Enforcement, Director (820201-87)  
 ISSUED: 840723 AVAIL: CF 4pp. DOCUMENT TYPE: CMMEMO FPAC: 8408080352  
 TASK: ODID: AC45-1 12 FORMAL REPT NO:  
 DOCKET NO: FICHE: 67462 186 67462 189 RIDS:
- 8706050180 Forwards comments on draft Commission paper re matl false statements, per 840718 memo, JB Martin undated memo, documenting Region V comments on draft Commission paper, also encl.  
 FROM: MARTIN, R.D. Region 2, Office of Director  
 TO: DEYOUNG, R.C. Office of Inspection & Enforcement, Director (820201-87)  
 ISSUED: 840724 AVAIL: CF 8pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 13 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 146 68904 153 RIDS:
- 8706050193 Forwards redraft of Commission paper re matl false statements, for comments or concurrence by 840831. Redraft prepared per B Dircks request. Notice of proposed rulemaking consistent w/paper will be prepared.  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: DAVIS, J.G. Office of Nuclear Material Safety & Safeguards, Director  
 ISSUED: 840823 AVAIL: CF 13pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 14 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 154 68904 166 RIDS:
- 8706050199 Responds to G Cunningham request for concurrence or comments on rev to draft Commission paper re matl false statements. Definition of matl false statement too narrow & confusing. Matter should not be limited to written statements.  
 FROM: COLLINS, J.T. Region 4, Office of Director  
 TO: LIEBERMAN, J. Regional Operations & Enforcement Division  
 ISSUED: 840828 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 15 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 167 68904 167 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8706050219 Comments on rev to draft Commission paper re matl false statements, per G. Cunningham 840823 memo. Position between Commission & NELD extremes that "everything" or "nothing" constitutes matl false statement advocated.  
 FROM: DEYOUNG, R.C. Office of Inspection & Enforcement, Director (820201-87)  
 TO: LIEBERMAN, J. Regional Operations & Enforcement Division  
 ISSUED: 840829 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 16 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 168 68904 183 RIDS:
- 8706050230 Comments on revised draft of Commission paper re matl false statements, per 840823 memo. Definition of "matl false statement" should not apply only to written statements. Section re enforcement actions should be revised as listed.  
 FROM: DAVIS, J.G. Office of Nuclear Material Safety & Safeguards, Director  
 TO: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 ISSUED: 840904 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 17 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 184 68904 185 RIDS:
- 8706050235 Comments on rev to draft Commission paper re matl false statements, per G. Cunningham request. Nonrulemaking approach contained in 840718 draft prepared by IE preferable. Listed changes suggested if NELD draft to be sent to Commission.  
 FROM: KEPPLER, J.G. Region 3, Office of Director  
 TO: LIEBERMAN, J. Regional Operations & Enforcement Division  
 ISSUED: 840910 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 18 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 186 68904 187 RIDS:
- 8706050238 Forwards revised draft Commission paper re matl false statements. Meeting on 841005 requested to resolve difficulties w/staff positions.  
 FROM: DIRCKS, W.J. Office of the Executive Director for Operations  
 TO: DEYOUNG, R.C. Office of Inspection & Enforcement, Director (820201-87)  
 ISSUED: 841003 AVAIL: CF 20pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 19 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 188 68904 207 RIDS:
- 8706050245 Forwards revs to draft Commission paper on matl false statement, including revised rule & explanation re omissions, version circulated to o/c directors & regional administrators, IE version & Stello version.  
 FROM: LIEBERMAN, J. NRC - No Detailed Affiliation Given  
 TO: DIRCKS, B. NRC - No Detailed Affiliation Given  
 ISSUED: 841012 AVAIL: CF 67pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 20 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 208 68904 274 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8706050257 Forwards rev to draft Commission paper, reflecting author views on matl false statements. Only comments representing major philosophic concern warranting further delay requested by 841029.  
 FROM: DIRCKS, W.J. Office of the Executive Director for Operations  
 TO: DAVIS, J.G. Office of Nuclear Material Safety & Safeguards, Director  
 ISSUED: 841026 AVAIL: CF 22pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 21 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 275 68904 316 RIDS:
- 8411130258 Provides recommendations for changes to Commission treatment of matl false statements by approving issuance of proposed rule & policy statement.  
 FROM: DIRCKS, W.J. Office of the Executive Director for Operations  
 TO:  
 ISSUED: 841030 AVAIL: CF 35pp. DOCUMENT TYPE: TRSECY FPAC: 8411130258  
 TASK: SE PINV ODID: AC45-1 22 FORMAL REPT NO: SECY-84-421  
 DOCKET NO: FICHE: 67598 005 67598 039 RIDS:
- 8706050269 Discusses SECY-84-421 re matl false statements. Term should not apply only to written statements. Citation should be written for oral matl false statements that impact NRC operations.  
 FROM: HAYES, B.B. Office of Investigations  
 TO: PALLADINO Commissioners  
 ISSUED: 841010 AVAIL: CF 4pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 23 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 317 68904 321 RIDS:
- 8501100053 Informs of review & forwards comments on SECY 84-421. Matl false statements should encompass written & oral statements & omissions. Limitation to deliberate or intentional false statements supported. W/o encl.  
 FROM: CONNELLY, S.R. Office of Inspector & Auditor  
 TO: PALLADINO Commissioners  
 ISSUED: 841210 AVAIL: PDR 1p. DOCUMENT TYPE: CMMEMO FPAC: 8501100053  
 TASK: ODID: AC45-1 24 FORMAL REPT NO:  
 DOCKET NO: FICHE: 28355 363 28355 363 RIDS:
- 8706050282 Comments on SECY-84-421 re proposed rule on matl false statements. Modified version of rule, including analysis of rule to determine sound enforcement policy, encl.  
 FROM: PLAINE, H.H. Office of the General Counsel  
 TO: PALLADINO Commissioners  
 ISSUED: 850123 AVAIL: CF 15pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 25 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68904 322 68905 073 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8502130505 Forwards revised Page 6 of SECY-84-421, indicating changes to 841030 proposed changes to Commission policy for dealing w/potential matl false statements following review of comments by Ofcs of General Counsel & Investigations.  
 FROM: DIRCKS, W.J. Office of the Executive Director for Operations  
 TO: PALLADINO Commissioners  
 ISSUED: 850207 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8502130505\*  
 TASK: ODID: AC45-1 26 FORMAL REPT NO:  
 DOCKET NO: FICHE: 67722 178 67722 180 RIDS:
- 8502210272 Transcript of Commission 850211 hearing in Washington, DC re policy options on treatment of matl false statements.  
 Pp 1-84.  
 FROM: \* Commissioners  
 TO:  
 ISSUED: 850211 AVAIL: PDR 87pp. DOCUMENT TYPE: TTTRAN FPAC: 8502210272  
 TASK: ODID: AC45-1 27 FORMAL REPT NO:  
 DOCKET NO: FICHE: 29058 338 29059 062 RIDS:
- 8503110212 01 Staff requirements memo re Commission 850211 meeting in Washington, DC re treatment of matl false statements & policy options.  
 FROM: CHILK, S.J. Office of the Secretary of the Commission  
 TO: DIRCKS, W.J. Office of the Executive Director for Operations  
 ISSUED: 850304 AVAIL: PDR 2pp. DOCUMENT TYPE: CMSRM FPAC: 8503110212  
 TASK: ODID: AC45-1 28 FORMAL REPT NO:  
 DOCKET NO: FICHE: 29323 348 29323 349 RIDS:
- 8504150562 Forwards draft paper re matl false statements to be provided to Commission in response to 850304 memo, Comments requested by 850410.  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: STELLO, V. Regional Operations & Generic Requirements (Pre 870413)  
 ISSUED: 850404 AVAIL: CF 9pp. DOCUMENT TYPE: CMMEMO FPAC: 8504150562  
 TASK: ODID: AC45-1 29 FORMAL REPT NO:  
 DOCKET NO: FICHE: 67803 247 67803 255 RIDS:
- 8706050309 Comments on rev to matl false statements document, per G Cunningham, 850404 memo, Permitting licensee to determine what is significant info could result in eroding of NRC responsibility to enforce regulations.  
 FROM: CONNELLY, S.R. Office of Inspector & Auditor  
 TO: LIEBERMAN, J. Regional Operations & Enforcement Division  
 ISSUED: 850410 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 30 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 074 68905 087 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8505020517 Discusses concern re difference in stds between "pure" & "partial" omissions from affirmative statements, per draft paper re matl false statements. Specified omissions recommended for same treatment.  
 FROM: DAVIS, J.G. Office of Nuclear Material Safety & Safeguards, Director  
 TO: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 ISSUED: 850418 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8505020514A  
 TASK: ODID: AC45-1 31 FORMAL REPT NO:  
 DOCKET NO: FICHE: 67833 230 67833 230 RIDS:
- 8505020514 Forwards staff paper on matl false statements & JG Davis 850418 memo re concern w/stds created by "pure" & "partial" omissions. NMSS comments not adopted because affirmative statements unlike omissions are always knowingly made.  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: DIRCKS, W.J. Office of the Executive Director for Operations  
 ISSUED: 850423 AVAIL: CF 11pp. DOCUMENT TYPE: CMMEMO FPAC: 8505020514\*  
 TASK: ODID: AC45-1 32 FORMAL REPT NO:  
 DOCKET NO: FICHE: 67833 219 67833 230 RIDS:
- 8706050318 Forwards suggested revs to matl false statement paper, consisting of 1 1/2 page suggested replacement for Pages 2 & 3 & changes as marked.  
 FROM: MALSCH, M.G. Office of the General Counsel  
 TO: CUNNINGHAM, G. Office of the Executive Legal Director (Pre 860701)  
 ISSUED: 850423 AVAIL: CF 8pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 33 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 088 68905 105 RIDS:
- 8505030630 Provides revised proposal on matl false statements & recommends Commission approve proposed rule.  
 FROM: DIRCKS, W.J. Office of the Executive Director for Operations  
 TO:  
 ISSUED: 850426 AVAIL: CF 10pp. DOCUMENT TYPE: TRSECY FPAC: 8505030630  
 TASK: SE PINV ODID: AC45-1 34 FORMAL REPT NO: SECY-85-149  
 DOCKET NO: FICHE: 67838 004 67838 013 RIDS:
- 8706090002 Advises that Commission failed to approve revised proposal re matl false statements. Commission should be provided w/ updated paper following receipt of Advisory Committee on Enforcement Policy input. Commissioners votes on paper encl.  
 FROM: CHILK, S.J. Office of the Secretary of the Commission  
 TO: DIRCKS, W.J. Office of the Executive Director for Operations  
 ISSUED: 850531 AVAIL: CF 12pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 35 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 106 68905 312 RIDS:



## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8512170380 Forwards "Rept of Advisory Committee for Review of Enforcement Policy." Committee considered wide range of testimony & documents from interested persons & organizations in developing rept.  
 FROM: WILKINSON, E.P. Advisory Committee on Enforcement Policy  
 TO: PALLADINO, N.J. Commissioners  
 ISSUED: 851123 AVAIL: PDR 1p. DOCUMENT TYPE: CLACTN FPAC: 8512170380  
 TASK: ODID: AC45-1 36 FORMAL REPT NO:  
 DOCKET NO: FICHE: 33922 040 33922 138 RIDS:
- 8512160070 "Rept of Advisory Committee for Review of Enforcement Policy,"  
 FROM: WILKINSON, E.P. Advisory Committee on Enforcement Policy  
 TO:  
 ISSUED: 851122 AVAIL: PDR 83pp. DOCUMENT TYPE: TRPP FPAC: 8512160070\*  
 TASK: ODID: AC45-1 37 FORMAL REPT NO:  
 DOCKET NO: FICHE: 33918 166 33918 262 RIDS:
- 8512160086 Transcript of Commission 851210 meeting in Washington, DC re review of enforcement policy, Pp 1-92.  
 FROM: \* Commissioners  
 TO:  
 ISSUED: 851210 AVAIL: PDR 96pp. DOCUMENT TYPE: TTTRAN FPAC: 8512160086  
 TASK: ODID: AC45-1 38 FORMAL REPT NO:  
 DOCKET NO: FICHE: 33918 069 33918 165 RIDS:
- 8706090004 Forwards proposed Commission paper re matl false statements, reflecting consideration of Advisory Committee on Enforcement input, for comment by C.O.B. on 860124  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: DAVIS, J.G. Office of Nuclear Material Safety & Safeguards, Director  
 ISSUED: 860117 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 39 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 313 68905 313 RIDS:
- 8706090006 Forwards proposed Commission paper re matl false statements, reflecting Advisory Committee on Enforcement input, for comment by C.O.B. on 860124.  
 FROM: CUNNINGHAM, G.H. Office of the Executive Legal Director (Pre 860701)  
 TO: CONNELLY, S.R. Office of Inspector & Auditor  
 ISSUED: 860117 AVAIL: CF 15pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 40 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 314 68905 349 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

8602240503 Provides revised proposal on matl false statement policy.

FROM: STELLO, V. Office of the Executive Director for Operations  
 TO:  
 ISSUED: 860130 AVAIL: CF 15pp. DOCUMENT TYPE: TRSECY FPAC: 8602240503  
 TASK: SE PINV ODID: AC45-1 41 FORMAL REPT NO: SECY-86-036  
 DOCKET NO: FICHE: 68288 354 68289 006 RIDS:

8706090011 Supports revised proposal re matl false statements for reasons set forth in SECY-86-36. Staff placement of significant reliance on licensee or applicant major oral representation inadvisable.  
 FROM: ROSENTHAL, A.S. Atomic Safety and Licensing Appeal Panel  
 TO: PALLADINO Commissioners  
 ISSUED: 860206 AVAIL: CF 2pp. DOCUMENT TYPE: CLAPTN FPAC: 8706050046A  
 TASK: ODID: AC45-1 42 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 350 68905 351 RIDS:

8706090017 Reviews SECY-86-36 re matl false statements. Timeliness of reporting new info to NRC not mentioned in updated proposal. Statement of considerations should address Advisory Committee on Enforcement input.  
 FROM: GOTCHY, R.L. Atomic Safety and Licensing Appeal Panel  
 TO: ROSENTHAL, A.S. Atomic Safety and Licensing Appeal Panel  
 ISSUED: 860205 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 43 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 352 68905 352 RIDS:

8706090037 Discusses SECY-86-36 re matl false statements. SECY supported since special disclosure requirements addressed rather than expansive definition of what constitutes matl false statement.  
 FROM: EDLES, G.J. Office of Inspector & Auditor  
 TO: PALLADINO Commissioners  
 ISSUED: 860211 AVAIL: CF 5pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 44 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 353 68905 357 RIDS:

8706090040 Discusses SECY-86-36 re matl false statements. Paper represents old wine in new skin by reiterating position in SECY-84-421. New evidence presented by Advisory Committee for Review of Enforcement Policy conjecture & speculation.  
 FROM: HAYES, B.B. Office of Investigations  
 TO: PALLADINO Commissioners  
 ISSUED: 860219 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 45 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68905 358 68906 008 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

8501100060. Informs of review of SECY 84-421 (matl false statements).  
Review performed because of impact on NRC investigative  
program. Disagreement w/several provisions noted. Specific  
comments provided.  
FROM: HAYES, B.B. Office of Investigations  
TO: PALLADINO Commissioners  
ISSUED: 841210 AVAIL: PDR 4pp. DOCUMENT TYPE: CMMEMO FPAC: 8501100060  
TASK: ODID: AC45-1 46 FORMAL REPT NO:  
DOCKET NO: FICHE: 28356 092 28356 095 RIDS:
- 8607160124 Suggests adding words to Paragraph C of matl false statement  
proposal. Recommends staff review & comment on current  
version of Paragraph B.  
FROM: ZECH, L.W. Commissioners  
TO: PALLADINO Commissioners  
ISSUED: 860522 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8607160120A  
TASK: ODID: AC45-1 47 FORMAL REPT NO:  
DOCKET NO: FICHE: 68478 068 68478 069 RIDS:
- 8706090048 Discusses listed mods to definition of matl false statement.  
Literal reading of Zech proposed mod could prohibit  
Commission from finding matl false statement made, even if  
maker of statement admitted deliberate falsehood.  
FROM: BERNTHAL, F. Commissioners  
TO: CHILK, S. Office of the Secretary of the Commission  
ISSUED: 860625 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
TASK: ODID: AC45-1 48 FORMAL REPT NO:  
DOCKET NO: FICHE: 68906 009 68906 014 RIDS:
- 8607160120 Comments on Commissioner Bernthal proposal to modify  
Paragraph B of SECY-86-36 re matl false statement rule.  
Proposal consistent w/staff views.  
FROM: STELLO, V. Office of the Executive Director for Operations  
TO: PALLADINO Commissioners  
ISSUED: 860630 AVAIL: CF 5pp. DOCUMENT TYPE: CMMEMO FPAC: 8607160120\*  
TASK: ODID: AC45-1 49 FORMAL REPT NO:  
DOCKET NO: FICHE: 68478 063 68478 069 RIDS:
- 8706090054 Advises that Commission approved listed elements for revised  
matl false statement rule. Commissioner Asselstine  
disapproved & Commissioner Bernthal will submit views upon  
completion of travel.  
FROM: CHILK, S.J. Office of the Secretary of the Commission  
TO: STELLO, V. Office of the Executive Director for Operations  
ISSUED: 861021 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
TASK: ODID: AC45-1 50 FORMAL REPT NO:  
DOCKET NO: FICHE: 68906 015 68906 016 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8706090064 Discusses impact of proposed matl false statement regulation on DOJ ability to enforce federal criminal law, especially criminal false statement statute. Opportunity to comment prior to issuance of regulation requested.  
 FROM: WELD, W.F. Justice, Dept. of  
 TO: ZECH, L.W. Commissioners  
 ISSUED: 861009 AVAIL: CF 2pp. DOCUMENT TYPE: CLOTN FPAC: 8706050046A  
 TASK: ODID: AC45-1 51 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68906 017 68906 018 RIDS:
- 8706090075 Discusses staff requirements memo on SECY-86-36 re matl false statements. Concurs in approval of SECY as modified by majority of Commissioners, despite listed objections. Staff requirements memo should be revised to reflect author views.  
 FROM: BERNTHAL, F. Commissioners  
 TO: CHILK, S. Office of the Secretary of the Commission  
 ISSUED: 861023 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 52 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68906 019 68906 019 RIDS:
- 8706090082 Responds to 861009 request for opportunity to comment on Commission proposed matl false statement rulemaking prior to public release of proposal. Staff requirements memo on subj encl. Proposed rule will be forwarded before publication.  
 FROM: PARLER, W.C. Office of the General Counsel  
 TO: WELD, W.F. Justice, Dept. of, Attorney General, Office of  
 ISSUED: 861027 AVAIL: CF 1p. DOCUMENT TYPE: CLNTO FPAC: 8706050046A  
 TASK: ODID: AC45-1 53 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68906 020 68906 020 RIDS:
- 8706090097 Revised memo advising that Commission approved listed elements for revised matl false statements rule. Commissioner Asselstine disapproved. Elements should be forwarded to DOJ for comment & included in notice of proposed rulemaking.  
 FROM: CHILK, S.J. Office of the Secretary of the Commission  
 TO: STELLO, V. Office of the Executive Director for Operations  
 ISSUED: 861027 AVAIL: CF 2pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 54 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68906 021 68906 063 RIDS:
- 8611240142 Forwards draft proposed rules 10CFR30, 40, 50, 55, 60, 61, 70, 71 & 72 re matl false statements to fulfill 861027 staff requirements memo. Comments requested by 861121.  
 FROM: OLMSTEAD, W.J. Assistant General Counsel for Rulemaking & Fuel Cycle  
 TO: STELLO, V. Office of the Executive Director for Operations  
 ISSUED: 861118 AVAIL: CF 39pp. DOCUMENT TYPE: CMMEMO FPAC: 8611240142  
 TASK: ODID: AC45-1 55 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68648 021 68648 059 RIDS:

## U. S. NUCLEAR REGULATORY COMMISSION

## DCS PARTIAL RECORD FORMAT REPORT

- 8612090498 Comments on proposed rule re: matl false statements, Proposed rule responsive to Commission 861027 staff requirements memo & acceptable.
- FROM: SNIEZEK, J.H. Regional Operations & Generic Requirements (Pre 870413)  
 TO: OLMSTEAD, W.J. Office of the General Counsel  
 ISSUED: 861124 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8612090498  
 TASK: ODID: AC45-1 56 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68663 344 68663 344 RIDS:
- 8706090120 Comments on matl false statements regulation, per 861027 ltr & staff requirements memo. Proposal can be modified as listed to achieve Commission policy objectives w/o interfering w/ DOJ responsibility to enforce federal criminal law.
- FROM: TOENSING, V. Justice, Dept. of, Attorney General, Office of  
 TO: PARLER, W.C. Office of the General Counsel  
 ISSUED: 861218 AVAIL: CF 7pp. DOCUMENT TYPE: CLOTN FPAC: 8706050046A  
 TASK: ODID: AC45-1 57 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68906 064 68906 070 RIDS:
- 8706090131 Forwards draft Commission paper & proposed notice for rulemaking re: matl false statements, for concurrence &/or comments. Paper recommends that Encl C be adopted, Draft proposed rule also encl.
- FROM: MURRAY, J.P. Office of the General Counsel  
 TO: STELLO, V. Office of the Executive Director for Operations  
 ISSUED: 861224 AVAIL: CF 98pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A  
 TASK: ODID: AC45-1 58 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68906 071 68906 168 RIDS:
- 8706090165 Recommends approval of publication of notice of proposed rulemaking as listed in Encl C to govern accuracy & completeness of licensee communication w/NRC.
- FROM: PARLER, W.C. Office of the General Counsel  
 TO:  
 ISSUED: 861231 AVAIL: CF 169pp. DOCUMENT TYPE: TRSECY FPAC: 8706050046A  
 TASK: ODID: AC45-1 59 FORMAL REPT NO: SECY-86-384  
 DOCKET NO: FICHE: 68906 169 68906 337 RIDS:
- 8704030551 Forwards notice of proposed rules 10CFR30, 40, 50, 55, 60, 61, 70, 71, 72, 110 & 150, "Completeness & Accuracy of Info." Ofc of Public Affairs should be notified of expected date of publication of FR notice.
- FROM: PARLER, W.C. Office of the General Counsel  
 TO: CHILK, S.J. Office of the Secretary of the Commission  
 ISSUED: 870227 AVAIL: CF 1p. DOCUMENT TYPE: CMMEMO FPAC: 8704030551\*  
 TASK: ODID: AC45-1 60 FORMAL REPT NO:  
 DOCKET NO: FICHE: 68831 145 68831 195 RIDS:

U. S. NUCLEAR REGULATORY COMMISSION

DCS PARTIAL RECORD FORMAT REPORT

8703240435 05 Proposed rules 10CFR30,40,50,55,60,61,70,71,72,110 & 150,  
"Completeness & Accuracy of Info." Rule would codify  
licensee & applicant obligations to provide Commission w/  
complete & accurate info. Separate views of Asselstine encl.

FROM: HOYLE, J.C. Office of the Secretary of the Commission

TO:

ISSUED: 870306 AVAIL: PDR 46pp. DOCUMENT TYPE: TFPR FPAC: 8703240435

TASK: ODID: AC45-1 61 FORMAL REPT NO:

DOCKET NO: FICHE: 40165 271 40165 316 RIDS: DS10D

8704030560 Forwards notice of proposed rules 10CFR30,40,50,55,60,61,70,  
71,72,110 & 150, "Completeness & Accuracy of Info."

FROM: PARLER, W.C. Office of the General Counsel

TO: BREAUX, J.B. House of Rep., Environment & Public Works

ISSUED: 870309 AVAIL: CF 4pp. DOCUMENT TYPE: CLNTCG FPAC: 8704030551A

TASK: ODID: AC45-1 62 FORMAL REPT NO:

DOCKET NO: FICHE: 68831 192 68831 195 RIDS:

8706090216 Advises that Commission (w/Chairman Zech & Commissioners  
Roberts, Bernthal & Carr approving) agreed to publication of  
proposed rulemaking to govern accuracy & completeness of  
licensee communication w/NRC.

FROM: CHILK, S.J. Office of the Secretary of the Commission

TO: PARLER, W.C. Office of the General Counsel

ISSUED: 870211 AVAIL: CF 14pp. DOCUMENT TYPE: CMMEMO FPAC: 8706050046A

TASK: ODID: AC45-1 63 FORMAL REPT NO:

DOCKET NO: FICHE: 68906 338 68906 351 RIDS:

000064 RECORDS SCANNED 63 RECORDS PRINTED ( 61 RECORDS, 2 SUPP.)  
ENDING CODE- 1001 LAST KEY- AC46-2 1 8703110

