

**NOTATION VOTE**

**RESPONSE SHEET**

**TO:** Annette Vietti-Cook, Secretary  
**FROM:** COMMISSIONER OSTENDORFF  
**SUBJECT:** SECY-15-0163: Proposed Revisions to the U.S. Nuclear Regulatory Commission Enforcement Policy

Approved XX Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_ Not Participating \_\_\_\_\_

COMMENTS: Below XX Attached \_\_\_\_\_ None \_\_\_\_\_

I approve the staff's proposed changes to the Enforcement Policy, as presented in the draft Federal Register notice provided in Enclosure 4 to SECY-2015-0163, subject to the attached editorial change. I thank the staff for their work on this effort to clarify the Enforcement Policy and to risk-inform enforcement actions where appropriate.

**Entered in STARS**

Yes X  
No \_\_\_\_\_

*W. Ostendorff*  
\_\_\_\_\_  
Signature  
*2/2/16*  
\_\_\_\_\_  
Date

*a. Table of Contents*

The NRC is revising the Table of Contents to incorporate the implementation of the cROP into the Policy. This requires a revision to the titles of Sections 2.2.3 and 2.2.4. In addition to the revision discussed below, there are also other miscellaneous cROP related reference revisions throughout the Policy.

*b. Section 2.2 “Assessment of Violations”*

Section 2.2 is modified to ~~add the inclusion of~~include the cROP, and remove the specificity which allows for the use of SDP’s, not only for facilities under construction, but for independent spent fuel storage installations when an SDP is developed ~~to the Policy~~.

Revision

After a violation is identified, the NRC assesses its severity or significance (both actual and potential). Under traditional enforcement, the severity level (SL) assigned to the violation generally reflects the assessment of the significance of a violation, and is referred to as traditional enforcement. For most violations committed by power reactor licensees, the significance of a violation is assessed using the Reactor Oversight Process (ROP) or the Construction Reactor Oversight Process (cROP), as discussed below in Section 2.2.3, “Assessment of Violations Identified under the ROP or cROP.” All other violations at power reactors or power reactor facilities under construction will be assessed using traditional enforcement as described in Section 2.2.4, “Using Traditional Enforcement to Disposition Violations Identified at Power Reactors.” Violations identified at facilities that are not subject to an ROP or cROP are assessed by using traditional enforcement.

*c. Section 2.2.3 “Operating Reactor Assessment Program”*