

September 1, 2016

MEMORANDUM TO: Peter Habighorst, Chief
Export Controls and Nonproliferation Branch

FROM: Nader L. Mamish, Director */RA/*
Office of International Programs

SUBJECT: DELEGATION OF AUTHORITY FOR CERTAIN ENFORCEMENT
ACTIONS TO THE EXPORT CONTROLS AND
NONPROLIFERATION BRANCH CHIEF

By memorandum dated May 4, 2016, (Agencywide Document Access and Management System Accession No. ML16116A349), the Director, Office of Enforcement (OE) delegated authority for certain enforcement actions to the Director, Office of International Programs (OIP). The Director, OIP, may further delegate certain authorities, subject to the requirements and limitations listed therein.

The Chief, Export Controls and Nonproliferation Branch (ECNP), is hereby delegated the authority to approve, sign, and issue certain enforcement actions. This delegation applies to enforcement actions in all areas in which OIP evaluates, manages, or inspects.

The Branch Chief, ECNP, is hereby authorized to take the following actions:

1. With OE concurrence, approve, sign, and issue nonescalated enforcement actions and enforcement related letters to licensees, certificate holders, applicants, vendors, and nonlicensees (other than vendors). For the purpose of this memorandum, nonescalated enforcement actions refer to Severity Level IV, noncited and minor violations, Notices of Deviation, and Notices of Nonconformance.
2. With OE concurrences, approve, sign, and issue enforcement discretion for nonescalated enforcement actions.

The Director, OIP, as provided in memorandum dated May 4, 2016, will not delegate the authority to approve, sign and issue responses to disputed nonescalated enforcement actions as well as sign and issue actions to modify, withdraw or rescind violations after issuance. OE must concur prior to issuance.

CONTACT: Andrea Jones, OIP/ECNP
301-415-2309

Redelegation of any authority delegated herein must be made in writing, and a copy must be filed with the Director, OE. If there is overlap between regional and headquarters program office inspection or oversight, or a dispute arises with the agency regarding the characterization of the enforcement action, or regarding which office should issue the enforcement action, OE must be consulted prior to taking enforcement action.

The Chief, ECNP, shall follow all agency regulation, the U.S. Nuclear Regulatory Commission (NRC) Enforcement Policy, the NRC Enforcement Manual, and other guidance from OE in conducting enforcement activities under this delegation of authority.

This delegation shall remain in place until it is canceled or superseded.

If you have any questions concerning this matter, please contact me, or Andrea Jones at 301-415-2309.

cc: PHolahan, OE
RFretz, OE
DSkeen, OIP
MAfshar-Tous, OIP
HAstwood, OIP

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OFFICE	ECNP/OIP	BC:ECNP/OIP	Acting DD:OIP	D:OIP
NAME	AJones	PHabighorst	MAfshar-Tous	NMamish
DATE	08/29/16	08/29/16	08/29/16	09/01/16

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