

From: [Jim Lieberman](#)
To: [CHAIRMAN Resource](#)
Cc: [Doane, Margaret](#); [Zobler, Marian](#)
Subject: [External_Sender] Docket Nos. PRM-50-107; NRC-2013- 0077
Date: Wednesday, March 13, 2019 11:30:57 AM

Chairman Svinicki:

I enjoyed your presentation yesterday at the RIC and the new format. I am writing this note to you because I last sent you a letter on this matter two years ago on February 3, 2017 (ML17034A409). But nothing has happened given the priority that has been assigned to this rulemaking petition.

We have met in the past but to refresh your memory, I worked in the Enforcement arena at the NRC for more than 20 years including being the Assistant General Counsel for Enforcement, and the Director of the Office of Enforcement. I was the key developer of the NRC enforcement policy over the years. I also was the lead NRC staffer on the NRC rule for completeness and accuracy of information as well as the rule on deliberate misconduct. I state this only to indicate that I have experience at the NRC and I believe in the NRC being a strong regulator to protect the public health and safety. A task that it cannot successfully do if it does not receive information that is complete and accurate in all material respects.

So the purpose of this note is to express, as a member of the public, my frustration and disappointment by the lack of NRC action on my rulemaking petition to address a gap in the NRC regulatory framework: Docket Nos. PRM-50-107; NRC-2013- 0077. I submitted it on April 13, 2013 (ML13113A443) and supplemented it on September 16, 2013 (ML13261A190). The petition was submitted on behalf of myself, as a member of the public, and it was intended to address a regulatory gap. Specifically, the NRC regulations currently do not require all persons who seek NRC approvals to provide the NRC with complete and accurate information in all material respects. As a result for example, persons who submit topical reports for NRC approval have a moral but not legal incentive or obligation to provide complete and accurate information to the NRC. In my view, this should be addressed. It was last noticed in the Federal Register on March 17, 2015 (80FR 13794) almost 4 years ago. No adverse comments have been received on my petition, but it remains to be processed.

I know NRC has to work on the most safety related items and it has limited resources. But you know the integrity of NRC decision making depends on getting complete and accurate information. This was established long ago in the VEPCO decision. This rulemaking will not require extensive effort and it is in my humble view critical to achieving the NRC safety mission and for having a regulatory framework based on integrity.

I respectfully seek your support in having the priority of this petition revisited in the interest of moving this petition along .

If you have any questions on this request, please contact me at your

convenience.

--

Best Regards,
Jim Lieberman
301-299-2294