

NRC Enforcement Program: Public Meetings

Agency: Nuclear Regulatory Commission

Action: Notice of public meetings concerning NRC enforcement policy

Summary: On September 4, 1980, the Nuclear Regulatory Commission approved publication of a proposed general policy statement on enforcement actions for public comment and interim use. The interim policy statement was published in the Federal Register on October 7, 1980 (45 FR 66754).

This notice announces one-day public meetings that are to be held in five locations to obtain and consider public comments on the proposed enforcement policy.

Meeting Dates and Locations

The public meetings will be held at the following times and places:

Atlanta, Georgia on December 1, 1980 in Stadium Hotel, 450 Capitol Ave.,

Atlanta, Georgia 30312

Chicago, Illinois on December 2, 1980 in Sheraton O'Hare Hotel,

6810 Mannheim Road, Rosemont, ILL

Philadelphia, Pennsylvania on December 4, 1980 in Holiday Inn-Midtown,

1311 Walnut Street, 19107

Irving, Texas on December 9, 1980 in Holiday Inn-South, 444 W. Airport

Freeway, 75061

Oakland, California on December 11, 1980 in the Hyatt House, 455 Hegenberger

Road, 94621.

Supplementary Information:

1. Public Participation

Any individual may make a written or oral request to NRC for an opportunity to be scheduled to speak at one of the meetings. Each request must state

(1) the identity of the speaker, (2) the length of the presentation (not to exceed 15 minutes), (3) organization(s) the speaker represents, and (4) a mailing address and daytime telephone number through which the speaker may be contacted. Requests to speak should be made at least five days in advance of the meetings to any of the following:

Karl Abraham, NRC Region I, 631 Park Avenue, King of Prussia, PA 19406, (215) 337-5330;

Kenneth Clark, NRC Region II, 101 Marietta Street, Atlanta, GA 30303, (404) 221-4503;

Jan Strasma, NRC Region III, 799 Roosevelt Road, Glen Ellyn, IL 60137, (312) 932-2674;

Clyde Wisner, NRC Region IV, 611 Ryan Plaza Drive, Arlington, TX 76012, (817) 334-2841;

James Hanchett, NRC Region V, 1990 N. California Blvd, Walnut Creek, CA 94956, (415) 943-3809.

Individuals not making an advance request may register to speak at the meetings. Time for such late-scheduled presentations will depend on the time available. Any further procedural rules needed for the proper conduct of the meetings will be announced by the meeting chairman.

## II. Conduct of the meeting

In each of the above cities, public meetings will be held from 1 p.m. to 10 p.m. with a recess from 5 p.m. to 7 p.m., or to the extent indicated by requests for participation. The purpose of the meeting is to provide an opportunity for interested persons to voice their questions and comments on the proposed enforcement policy.

Each of the meetings will follow the same agenda: (1) registration; (2) introduction and opening NRC remarks; and (3) receipt of comments. Remarks will consist of a summary of the enforcement policy and its implementation. The remainder of the time will be available for interested persons to ask questions and make comments.

### III. Purpose of the Enforcement Policy

The enforcement authority of the Nuclear Regulatory Commission is drawn from the Atomic Energy Act of 1954 as amended, and the Energy Reorganization Act of 1964. NRC requires licensee compliance with regulatory requirements and takes enforcement action to foster improvement in licensee performance when noncompliance is identified. Enforcement actions available to NRC include notices of violations, orders modifying licenses, suspending operations, revoking licenses or requiring cease and desist actions and imposition of civil penalties (fines). In June 1980, Public Law 96-295 amended the Atomic Energy Act to raise the maximum civil penalty from \$5,000 to \$100,000 and to eliminate a provision limiting civil penalties in any 30-day period to \$25,000.

The proposed policy explains how NRC intends to use these enforcement authorities in matters involving public health and safety, the common defense and security, and the environment. The policy categorizes all violations in terms of six levels of severity for each type of license activity and specifies the conditions under which each enforcement sanction available to NRC would be used.

The NRC is specifically seeking comment on the following:

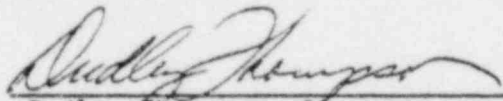
- (1) Is the policy fair and equitable?

- (2) Is the policy understandable?
- (3) Are the Severity Levels appropriate?
- (4) Are the different types of activities well-enough defined? Should there be others?
- (5) Are the distinctions among various types of licensees shown in Table 1 appropriate?
- (6) Are the factors for determining the level of enforcement actions appropriate? Should there be others?
- (7) Is the degree of discretion allowed to Office Directors appropriate? Should there be more flexibility permitted? Less?
- (8) Are the levels of civil penalties that require Commission involvement appropriate? Should they be higher? Lower?
- (9) Are the provisions for escalated action, set forth in Table 2, appropriate?

Copies of the enforcement policy may be obtained by contacting the individuals named above at the NRC regional offices.

Transcripts of the meetings will be filed in the NRC Public Document Room, 1717 H Street, N.W., Washington, DC 20555, and at the regional offices.

FOR THE NUCLEAR REGULATORY COMMISSION



Dudley Thompson, Director  
Office of Enforcement & Investigations  
Office of Inspection and Enforcement

Dated at Bethesda, MD this  
14th day of October, 1980.