

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

DEC 11 1989

JSC

MEMORANDUM FOR: James Lieberman, Director  
Office of Enforcement

FROM: Patricia G. Norry, Director  
Office of Administration

SUBJECT: HOLDING UNLICENSED PERSONS ACCOUNTABLE  
FOR WILLFUL MISCONDUCT

The Office of Administration concurs, subject to the comments provided, on the proposed rule on holding unlicensed persons accountable for willful misconduct. We have enclosed a marked-up copy of the proposed rule that presents our comments.

The type of action described in this proposed rule does not fall within the scope of actions described in categorical exclusion 10 CFR 51.22(d). This provision applies only to promulgation of technical requirements and criteria to be used regarding approving applications under 10 CFR Part 60. A member of your staff should contact Jane Mapes, Office of the General Counsel, to determine whether another categorical exclusion would be applicable to the complete scope of this rulemaking proceeding or whether a new categorical exclusion should be created and added to 10 CFR 51.22 as part of this action. If a suitable categorical exclusion cannot be identified, it may be necessary to prepare an environmental assessment and finding of no significant impact (10 CFR Part 51).

If you have any questions concerning this matter, please have a member of your staff contact Alice Katoski (extension 27928) or Michael T. Lesar, Regulatory Publications Branch, ADM (extension 27758).

*Patricia G. Norry*  
Patricia G. Norry, Director  
Office of Administration

Enclosure:  
As stated

cc: Jane Mapes, OGC