



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

RELEASED TO THE PDR
3/23/94
date initials

OFFICE OF THE
SECRETARY

March 1, 1994

MEMORANDUM TO: James M. Taylor
Executive Director for Operations
FROM: *for* Samuel J. Chilkot *J. Taylor* Secretary
SUBJECT: SECY-94-020 - REDUCING COMMISSION REVIEW OF
CERTAIN ENFORCEMENT ACTIONS

The Commission (with all Commissioners agreeing) has approved the staff proposal to delete the requirement for Commission review on issues where the staff and the Office of Investigations (OI) disagree provided that the Director of OI agrees that Commission consultation is not warranted. In such cases, the staff should document in the case file materials the nature of the disagreement, how it was resolved, and the concurrence of OI in proceeding with the enforcement action without Commission consultation. The Commission should also be provided a 5-day notification period for an Enforcement Notice (EN) in these cases and the EN should contain a clear description of the nature of the disagreement between the staff's and OI's investigative conclusions. The staff should modify 10 CFR Part 2, Appendix C at the time of the next formal revision to the Enforcement Policy.

(EDO) (SECY Suspense: 2/28/95)

The Commission (with all Commissioners agreeing) has disapproved the staff proposal to reduce the Commission review time on ENs from three days to one day. The current three working day notification period should be retained.

The staff should ensure all ENs contain a brief description of the violations involved.

SECY NOTE: THIS SRM, SECY-94-020, AND THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM

9403290245 940301
PDR 10CFR
PT9.7 PDR

250060

JF03
1/0

cc: The Chairman
Commissioner Rogers
Commissioner Remick
Commissioner de Planque
OGC
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)