

ACRS-2897

PDR 3/25/94

CERTIFIED

By: J. E. Wilkins, Jr.

Date: October 8, 1993

Summary of Minutes
ACRS Planning & Procedures
Subcommittee Meeting
September 8, 1993

Attendees

ACRS

J. E. Wilkins, Jr, Chairman
J. C. Carroll
W. J. Lindblad

ACRS Staff

J. T. Larkins, Executive Director
R. P. Savio
S. Duraiswamy
M. F. Lee
M. L. MacWilliams
M. E. Stella, part time

Purpose

To discuss aspects of ACRS activities related to:

1. Outside Meeting Policy
2. ACRS Fellowship Program
3. ACRS Retreat
4. Highlights of the ACNW Retreat
5. Proposed Amendment to ACRS Bylaws
6. Status of Multilateral Meeting
7. ACRS Subcommittee List
8. 1994 Meeting Dates
9. IRM Support
10. Two White Flint North Update
11. Omnibus Nuclear Power and Security Enhancement Act of 1993
12. Direct Deposit

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INDICATED ORIGINAL

Certified By: *EMB*

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13. Budget Briefing
14. Future Agenda
15. Personnel Matters

Additional Matters Discussed

1. New Member Briefing Book (Open)
2. Meeting with Commissioners (Open)
3. Vessel Examination Meeting (Open)

Discussion/Conclusions

- 1) OUTSIDE MEETING POLICY (Open)

At the 400th meeting, it was suggested that the Committee establish a policy to sponsor members and consultants to attend meetings other than ACRS meetings. Bill Lindblad will work with Mike MacWilliams to develop a draft policy for discussion at the October Planning and Procedures Subcommittee meeting. Currently there is no policy, but members are requested to obtain Committee endorsement for attendance. Suggestions for consideration include: Limiting the number of outside meetings each member can attend, reimbursing for travel and per diem only (no compensation unless officially representing the Committee), limiting the attendance of consultants (i.e., send members or staff first).

- 2) ACRS FELLOWSHIP PROGRAM (Open)

The Planning and Procedures Subcommittee discussed the future direction of the Fellowship Program. During the July meeting, Dr. Larkins was tasked to prepare a draft Manual Chapter for the Fellowship Program. A draft of the Manual Chapter with some of the proposed principles of operation was presented for discussion at the meeting. More work needs to be done particularly in the area of program support and recruiting. The Committee should decide at this meeting whether the option should be provided so that fellows can have up to 2 or up to 3 two-year terms. A second draft will be presented to the Planning and Procedures Subcommittee in October.

3) ACRS RETREAT IN 1994 (Open)

The Committee members tentatively agreed that a Committee retreat/planning session might be appropriate in early 1994. No decision has been made for an agenda, dates or a location. During the July meeting, Dr. Wilkins requested that the members identify topics for discussion during the retreat. Two members have submitted suggested topics. The need for a retreat will be decided after evaluating the topics to be discussed. This matter will be held as an open item until the November meeting.

4) HIGHLIGHTS OF THE ACNW RETREAT (Open)

Dr. Larkins discussed the highlights of the ACNW Retreat held August 25-26, 1993. The retreat was held to firm up plans for the ACNW's future agenda and membership. The ACNW staff is developing a White Paper which discusses the future of the ACNW. After the future of the ACNW is clear, the MOU between the ACRS and ACNW should be reviewed.

5) PROPOSED AMENDMENT TO ACRS BYLAWS (Open)

Mr. Carroll submitted a proposed amendment to the Bylaws to the Committee during the July meeting. Minor changes were made during the August meeting. According to the Bylaws, the Committee should discuss and vote on this proposed amendment during the September meeting. (pp 1 - 2)

6) STATUS OF MULTILATERAL MEETING (Open)

The completed Registration Forms for the attendees and the checks for \$840 have been forwarded. Copies of the papers to be presented by members will be forwarded to the meeting coordinators by September 20, 1993. Dr. Schneider (RSK) has informed us that there is no particular format for papers. He requested that we send one copy of the paper and a copy on disc. They will fax copies of the papers to all participants and provide additional copies for the meeting. He also suggested that a decision concerning the publication of the papers be made during the meeting. (page 3)

7) ACRS SUBCOMMITTEE LIST (Open)

Dr. Shack has expressed interest in serving as a member of several Subcommittees. Also, Dr. Seale is interested in serving on some additional Subcommittees. A list of Subcommittees selected by Dr. Shack and Dr. Seale was sent to the full Committee Chairman and the cognizant Subcommittee Chairmen for approval (pages 4 - 5). Since no objections were received, Dr. Shack's and Dr. Seale's assignments to various Subcommittees have become effective

on August 30, 1993.

In addition, the following changes to the Subcommittee Chairmanship are proposed for consideration by the Planning and Procedures Subcommittee:

. Materials and Metallurgy

Dr. Shack will become the Chairman of this Subcommittee. The current Chairman, Dr. Seale, will remain as a member. Other members of this Subcommittee are: Kress, Lewis, Lindblad and Michelson.

. Structural Engineering

Dr. Shack will become Chairman of this Subcommittee. The current Chairman, Mr. Lindblad, will remain as a member. Other members of the Subcommittee are: Catton and Wylie.

8) 1994 MEETING DATES (Open)

The Committee needs to establish meeting dates for CY 1994. A calendar containing the outside meeting schedule has been provided. Mr. Lindblad has asked that the date for the January 1994 ACRS meeting be agreed to at the September 1993 ACRS meeting. The Subcommittee proposed January 6-7, 1994. An NSRRC meeting will be held on January 13-14 at the Holiday Inn in Bethesda. The "standard formula" dates are highlighted on the calendar. The NRC pay days are also listed. (pp 6-17)

9) IRM SUPPORT (Open)

Access to both Internet and AUTOS for members is still being promised in September. A new Voice Mail System has been installed in the Agency. The ACRS/ACNW staff was allowed access effective August 26. The ACRS staff is working with IRM to develop a computer platform for running design information on advanced standard designs.

10) TWO WHITE FLINT NORTH UPDATE (Open)

Two White Flint North construction is progressing on schedule. We are scheduled to move in on the weekend of April 23, 1994.

11) OMNIBUS NUCLEAR POWER AND SECURITY ENHANCEMENT ACT OF 1993
(Open)

The Committee discussed the Omnibus Nuclear Power Safety and Security Enhancement Act of 1993 which was introduced in the Senate on June 22, 1993. This bill deletes the following requirement for the ACRS: "In addition to its other duties under this section, the committee, making use of all available sources, shall undertake a study of reactor safety research and prepare and submit annually to the Congress a report containing the results of such study. The first such report shall be submitted to the Congress not later than December 31, 1977." (pages 18-26) (see page 22)

12) DIRECT DEPOSIT (Open)

Discussion of Dr. Lewis' concerns over the use of direct deposit for payment of members compensation. Mr. Scroggins has sent another letter concerning Direct Deposits. (pages 27-28)

13) BUDGET BRIEFING (Open)

The ACRS staff will be meeting with the Technical Assistant from the Chairman's office and others to discuss the ACRS/ACNW budget.

14) FUTURE ACTIVITIES (Open)

A separate future activities handout was given to the Subcommittee and discussed. This matter will be discussed at a Future Activities session at the July 1993 Committee meeting

15) PERSONNEL MATTERS (Closed)

Mark Stella addressed Dr. Wilkins, Mr. Carroll, Mr. Lindblad, Dr. Larkins, and Dr. Savio on personnel matters relating to unfounded allegations of misconduct.

Additional Matters Discussed

1. NEW MEMBER BRIEFING BOOK (Open)

The contract for the development of the ACRS Administrative Manual and the new members Briefing Book should be awarded in October. Mr. Lindblad will assist the staff in developing the new member portion.

2. MEETING WITH COMMISSIONERS (Open)

There was a brief discussion on the topics which would be discussed at the meeting with the Commissioners.

3. VESSEL EXAMINATION MEETING (Open)

Mr. Lindblad asked for authorization to attend the TMI vessel examination meeting in Boston on October 22-23, 1993. Other members may also want to attend.

4. TALBERT LETTER (Open)

Dr. Wilkins discussed a letter from Mr. Talbert that deals with his concerns about core stability in certain BWRs. He will respond to that letter.

PROPOSED CHANGES TO 5/11/93 ACRS BYLAWS

1 4.4 There will be occasions on which a member feels a subject
2 is of safety significance, but is unable to persuade the
3 majority of the Committee that it warrants a Committee
4 report. In such cases, the vehicle for dissent that is
5 provided above is of no value, yet a subject deemed of
6 safety significance to a member of the Committee ought
7 not to be left unaddressed. In such cases, the member
8 should make a good-faith effort to persuade the Committee
9 to take action, whether by writing a report on the
10 subject, or by directing a Subcommittee to conduct an
11 exploration. ~~If the Committee decides to do neither, or~~
12 ~~if the member involved feels that the importance of the~~
13 ~~subject warrants prompt action, he is then free to write~~
14 ~~an individual report on the subject. Such a report~~
15 ~~should clearly state, up front, that the member is not~~
16 ~~speaking for the Committee, and that the Committee has~~
17 ~~declined to act to his satisfaction on the subject.~~
18 After the Committee makes a final decision on the matter
19 and, if that decision is to take no action, the member
20 involved is then free to write an individual report on
21 the subject. Extraordinary cases may arise where the
2 member involved believes that the matter has immediate
23 and important nuclear safety significance and warrants

24 action prior to the time the Committee plans to make a
25 final decision. In such cases, the member may write an
26 individual report but must state, up front, in his report
27 that the Committee is continuing to consider the matter,
28 and provide his rationale for departing from normal
29 Committee practice of functioning as a collegial body.
30 In either case, the member's report should clearly state
31 that the member is not speaking for the Committee. A
32 member using this mechanism should make every effort to
33 apply the same professional standards to his individual
34 communication as is fair to expect from the Committee as
35 a whole. The Committee in turn will make every effort to
36 protect members' opportunities to address individual
37 views.

Bundesamt für Strahlenschutz

RSK-Geschäftsstelle
Husarenstr. 30 (BMU)
53117 Bonn

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Facsimile Phone No.: 0228/67 03 88 oder 0228/67 81 51

Telefon/
Phone No.: 0228/305-3720

TELEFAX

An/To: ACRS-Office
c/o Mr. Larkins

Telefax Nr./
Facsimile Phone No.: 001-301-492 7617

von/from: Dr. Schneider/RSK-Geschäftsstelle

Datum/Date: 24.08.1993

Seitenzahl/
No of pages: 1

Text:

Quadripartite Meeting RSK/GPR/ACRS/NSC, October 11-15, 1993

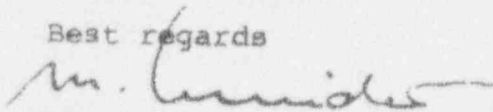
Dear Mr. Larkins,
referring to your facsimile message, August 9, 1993, and the tele-
phone call, August 23, 1993, I inform you that no particular format
for the papers has been specified. From our point of view it seems
suitable to send to us both the original papers (one-paged, only
one copy) and in form of a disc in one of the following codes:

- ASCII,
- WORD5 or
- WIN/WORD.

We will send the papers per fax to the other participants (in order
to give to them a preliminary information) and provide additional
copies for the meeting.

We suggest that a decision concerning the publication of the papers
should be taken during the meeting.

Best regards



Dr. Schneider /Executive Director



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, D. C. 20555

August 18, 1993

MEMORANDUM TO: ACRS Members
ACRS Staff/Fellows

FROM: Sam Duraiswamy, Chief
Nuclear Reactors Branch

SUBJECT: CHANGES TO THE SUBCOMMITTEE LIST

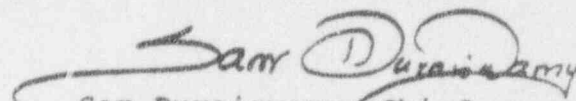
Dr. Shack has expressed interest in serving as a member of the following Subcommittees:

<u>SUBCOMMITTEE</u>	<u>CHAIRMAN</u>
• Advanced Boiling Water Reactors -	Michelson
• Advanced Reactor Designs -	Wilkins
• General Electric Reactor Plants -	Catton
• Individual Plant Examinations -	Davis
• Materials and Metallurgy -	Seale
• Naval Reactors -	Lewis
• Plant License Renewal -	Lindblad
• Probabilistic Risk Assessment -	Lewis
• Simplified Boiling Water Reactor -	Carroll
• Structural Engineering -	Lindblad

In addition, Dr. Seale is interested in serving on the following Subcommittees:

• Adopted Plant Activities -	Wylie
• Advanced Boiling Water Reactors -	Michelson
• General Electric Reactor Plants -	Catton
• Systematic Assessment of Experience -	Lewis
• Westinghouse and CE Reactor Plants -	Wylie

If the cognizant Subcommittee Chairmen and the full Committee Chairman do not have any objections, Dr. Shack's and Dr. Seale's names will be added to the above Subcommittees. These changes will become effective on August 30, 1993, unless instructed otherwise. If you have any questions, please call me at 301-492-9522.


Sam Duraiswamy, Chief
Nuclear Reactors Branch

Memorandum
ACRS Members/Staff/Fellows

- 2 -

August 18, 1993

cc: J. Larkins
R. Savio
M. Lee
M. MacWilliams
S. Schofer
E. Bernard
M. Kelton
T. Brown
C. Rowe
B. White
B. Wade
T. Winfrey
D. Anderson
R. Stapler
J. Wilson
L. Gaskins

January 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

						1 New Year's Day
2	3	4 PAY DAY	5	6	7	8
				ACRS MEETING?		
9	10	11	12	13	14	15
				NSRRC MEETING		
16	17 Martin Luther King, Jr.	18 PAY DAY	19	20	21	22
23	24	25	26	27	28	29
30	31					

December 1993

S	M	T	W	T	F	S
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February 1994

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27	28					

February 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

		1 PAY DAY	2	3	4	5
6	7	8	9	10	11	12 <i>Lincoln's Birthday</i>
				ACRS MEETING?		
13	14 <i>Valentine's Day</i>	15 PAY DAY	16 <i>Ash Wednesday</i>	17	18	19
American Health Physics						
20	21 <i>President's Day</i>	22 <i>Washington's Birthday</i>	23	24	25	26
27	28					

Minerals, Metals, and Materials Society

January

S	M	T	W	T	F	S
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March

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27	28	29	30	31		

March 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 PAY DAY	2	3	4	5
		Minerals, Metals, and Materials Society				
6	7	8	9	10	11	12
				ACRS MEETING?		
13	14	15 PAY DAY	16	17 St. Patrick's	18	19
20 Spring begins	21	22	23	24	25	26
	American Physical Society					
	American Concrete Institute					
27 Palm Sunday	28	29 PAY DAY	30	31		

February

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27	28					

April

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24	25	26	27	28	29	30

April 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

					1 April Fools Day Good Friday	2
3 Easter Daylight Savings-- set ahead 1 hour	4	5	6	7	8	9
				ACRS MEETING?		
10	11	12 PAY DAY	13	14	15	16
17	18	19	20	21	22	23
	American Physical Society					
	American Institute of Chemical Engineers					
24	25	26 PAY DAY	27	28	29	30
	National Academy of Science					

March

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27	28	29	30	31		

May

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

b

May 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
				ACRS MEETING?		
8 <i>Mother's Day</i>	9	10 PAY DAY	11	12	13	14
15	16	17	18	19	20	21 <i>Armed Forces Day</i>
22	23	24 PAY DAY	25	26	27	28
29	30 <i>Memorial Day (Observed)</i>	31				

April

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June

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18	19	20	21	22	23	24
25	26	27	28	29	30	

10

June 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

			1	2	3	4
5	6	7 PAY DAY	8	9	10	11
				ACRS MEETING?		
12	13	14 Flag Day	15	16	17	18
19 Father's Day	20	21 Summer begins PAY DAY	22	23	24	25
American Nuclear Society						
26	27	28	29	30		
American Health Physics						

May

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29	30	31				

July

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24	25	26	27	28	29	30
31						

July 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

					1 Dominion Day (Canada)	2
3	4 Independence Day	5 PAY DAY	6	7	8	9
10	11	12	13	ACRS MEETING?		
17	18	19 PAY DAY	20	21	22	23
24	25	26	27	28	29	30
31						

June

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12	13	14	15	16	17	18
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26	27	28	29	30		

August

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20	21	22	23	24	25	26
27	28	29	30	31		

12

August 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 PAY DAY	3	4	5	6
				ACRS MEETING?		
7	8	9	10	11	12	13
14	15	16 PAY DAY	17	18	19	20
American Institute of Chemical Engineers						
21	22	23	24	25	26	27
28	29	30 PAY DAY	31			

July

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September

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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

13

September 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

				1	2	3
4	5 <i>Labor Day</i>	6	7	8	9	10
				ACRS MEETING?		
11	12	13 PAY DAY	14	15	16	17
18	19	20	21	22	23 <i>Autumn begins</i>	24
25	26	27 PAY DAY	28	29	30	

August

S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

October

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

h/

October 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

						1
2	3	4	5	6	7	8
				National Academy of Engineering		
				ACRS MEETING?		
9	10 Columbus Day (Observed)	11 PAY DAY	12	13	14	15
16	17	18	19	20	21	22
23	24	25 PAY DAY	26	27	28	29
American Concrete Institute						
30 Daylight Savings-- set back 1 hour	31 Halloween					

September

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

November

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		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

5

November 1994

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3	4	5
				ACRS MEETING?		
6	7	8 PAY DAY	9	10	11 Veterans Day	12
13	14	15	16	17	18	19
U.S. Council for Energy Awareness				American Nuclear Society		
American Institute of Chemical Engineers						
20	21	22 PAY DAY	23	24 Thanksgiving	25	26
27	28	29	30	American Society of Mechanical Engineers		

October

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

December

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				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

16

December 1994

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

				1	2	3
				American Society of Mechanical Engineers		
4	5	6 PAY DAY	7	8	9	10
				ACRS MEETING?		
11	12	13	14	15	16	17
18	19	20 PAY DAY	21 <i>Winter begins</i>	22	23	24
25 <i>Christmas</i>	26	27	28	29	30	31

November 1994

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

January 1995

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

17

103D CONGRESS
1ST SESSION

S. 1166

To amend the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954 to enhance the safety and security of nuclear power facilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 25 (legislative day, JUNE 22), 1993

Mr. BAUCUS (for himself, Mr. LIEBERMAN, and Mr. SIMPSON) (by request) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954 to enhance the safety and security of nuclear power facilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Omnibus Nuclear
5 Power Safety and Security Enhancement Act of 1993".

6 **SEC. 2. NOTIFICATION REQUIREMENTS.**

7 Section 206 of the Energy Reorganization Act of
8 1974 is amended to read as follows:

1 "NONCOMPLIANCE

2 "SEC. 206. (a) Any person constructing, owning, op-
3 erating, or supplying a component of any facility or activ-
4 ity which is licensed or otherwise regulated by the Com-
5 mission pursuant to the Atomic Energy Act of 1954 (in-
6 cluding any facility leased by the United States Enrich-
7 ment Corporation), or pursuant to this Act, who obtains
8 information reasonably indicating that such facility or ac-
9 tivity or a basic component supplied to such facility or
10 activity—

11 "(1) contains a defect, or

12 "(2) fails to comply with the Atomic Energy
13 Act of 1954 or any applicable rule, regulation, order,
14 or license of the Commission,

15 shall immediately notify the Commission of such defect or
16 failure to comply if such defect or failure to comply could
17 create a substantial safety hazard as defined by the regu-
18 lations promulgated by the Commission, unless such per-
19 son has actual knowledge that the Commission has been
20 informed in writing of such defect or failure to comply.

21 "(b) The Commission may issue such regulations and
22 orders as it deems necessary to ensure compliance with
23 this section, including regulations and orders requiring
24 any person subject to this section to devise and implement
25 procedures to identify, evaluate, and report defects and

1 failures to comply subject to the notification requirements
2 of subsection (a).

3 “(c) Any person who fails to provide a notification
4 required by subsection (a), or who violates any regulation
5 or order issued under subsection (b), shall be subject to
6 a civil penalty in the same manner and amount as pro-
7 vided for violations subject to a civil penalty under section
8 234 of the Atomic Energy Act of 1954; except that an
9 individual who is subject to the requirements of this sec-
10 tion solely because of employment by a person subject to
11 those requirements shall only be assessed a civil penalty
12 for failure to provide notice pursuant to subsection (a) if
13 such individual has actual knowledge of the reporting re-
14 quirement imposed by subsection (a) and of a defect as
15 provided in subsection (a)(1) or of a failure of compliance
16 as provided in subsection (a)(2).

17 “(d) The requirements of this section shall be pre-
18 eminently posted on the business premises of any person
19 who is required to notify the Commission of a defect or
20 failure to comply under subsection (a).

21 “(e) The Commission may conduct such reasonable
22 inspections, investigations, and other enforcement activi-
23 ties as it deems necessary to ensure compliance with the
24 provisions of this section and with any regulations and or-
25 ders issued thereunder.

1 “(f) For purposes of this section, the term ‘person’
2 has the same meaning as in subsection 11 s. of the Atomic
3 Energy Act of 1954, except that (A) it also includes the
4 Department of Energy with respect to facilities of the De-
5 partment regulated by the Commission and with respect
6 to any item provided by the Department as a component
7 to a licensee, and (B) it does not include an individual
8 unless he or she is (i) a sole proprietor or partner of a
9 business that constructs, owns, operates, or supplies a
10 component covered by subsection (a) of this section, or
11 (ii) a director or responsible officer employed by a person
12 subject to that subsection.

13 “(g) This section shall apply to the United States En-
14 richment Corporation and facilities leased by the Corpora-
15 tion, and to its directors and officers, to the same extent
16 as any other person subject to this section.”.

17 **SEC. 3. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF**
18 **RULES, REGULATIONS, ORDERS OR LICENS-**
19 **ING REQUIREMENTS.**

20 (a) The heading of section 234 of the Atomic Energy
21 Act of 1954 is amended to read as follows: “**CIVIL MONE-**
22 **TARY PENALTIES FOR VIOLATIONS OF RULES, REG-**
23 **ULATIONS, ORDERS, OR LICENSING REQUIRE-**
24 **MENTS.**”.

1 (b) The first sentence of subsection a. of section 234
 2 of the Atomic Energy Act of 1954 is amended to read
 3 as follows:

4 "a. Any person who—

5 "(1) violates (A) any licensing provision of sec-
 6 tion 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or
 7 109, or any rule, regulation, or order issued there-
 8 under, (B) the certification provisions of section
 9 1701, or any rule or regulation issued thereunder,
 10 (C) any term, condition, or limitation of any license
 11 or certification issued under any of these sections, or
 12 (D) any rule, regulation, or order issued under sec-
 13 tion 161 b., 161 i., or 161 o., or

14 "(2) commits any violation for which a license
 15 may be revoked under section 186,
 16 shall be subject to a civil penalty, to be imposed by the
 17 Commission, of not to exceed \$100,000 for each such vio-
 18 lation."

19 **SEC. 4. ADVISORY COMMITTEE ON REACTOR SAFEGUARDS.**

20 Section 29 of the Atomic Energy Act of 1954 is
 21 amended by deleting the last two sentences of that section.

22 **SEC. 5. CARRYING OF FIREARMS BY LICENSEE EMPLOY-**

23 **EES.**

24 Section 161 k. of the Atomic Energy Act is
 25 amended—

1 (1) by inserting "and licensees (including em-
2 ployees of contractors of licensees)" after "(at any
3 tier)",

4 (2) by striking "owned by or contracted to the
5 United States or being transported to or from such
6 facilities" and inserting "owned by or contracted to
7 the United States or licensed by the Commission, or
8 being transported to or from such facilities,"

9 (3) by inserting "or a license of the Commis-
10 sion" after "or a contractor of the Department of
11 Energy or Nuclear Regulatory Commission", and

12 (4) by inserting "and the Commission" after
13 "The Secretary".

14 **SEC. 6. UNAUTHORIZED INTRODUCTION OF DANGEROUS**
15 **WEAPONS.**

16 Section 229 a. of the Atomic Energy Act of 1954 is
17 amended by adding after "custody of the Commission" the
18 words "or subject to its licensing authority under this Act
19 or any other Act".

20 **SEC. 7. SABOTAGE OF PRODUCTION, UTILIZATION, OR**
21 **WASTE STORAGE FACILITIES UNDER CON-**
22 **STRUCTION.**

23 Section 236 a. of the Atomic Energy Act of 1954 is
24 amended to read as follows:

1 "a. Any person who intentionally and willfully de-
2 stroys or causes physical damage to, or who intentionally
3 and willfully attempts to destroy or cause physical damage
4 to—

5 "(1) any production facility or utilization facil-
6 ity licensed under this Act;

7 "(2) any nuclear waste storage facility licensed
8 under this Act;

9 "(3) any production, utilization, or waste stor-
10 age facility subject to licensing under this Act dur-
11 ing its construction where the destruction or damage
12 caused or attempted to be caused could affect public
13 health and safety during the operation of the facil-
14 ity; or

15 "(4) any nuclear fuel for a utilization facility li-
16 censed under this Act, or any spent nuclear fuel
17 from such a facility;

18 shall be fined not more than \$10,000 or imprisoned for
19 not more than ten years of both."

20 **SEC. 8. ADMINISTRATIVE SEARCH WARRANTS.**

21 Section 161 c. of the Atomic Energy Act of 1954 is
22 amended to read as follows:

23 "(1) make such studies and investigations, ob-
24 tain such information, and hold such meetings or
25 hearings as the Commission may deem necessary or

1 proper to assist it in exercising any authority pro-
2 vided in this Act, or in the administration or en-
3 forcement of this Act, or any regulations or orders
4 issued thereunder. For such purposes the Commis-
5 sion is authorized—

6 “(A) to administer oaths and affirmations;

7 “(B) by subpoena, to require any person to
8 appear and testify or appear and produce docu-
9 ments, or both, at any designated place;

10 “(C) to conduct searches without a war-
11 rant of the premises of applicants, licensees,
12 and other persons subject to section 206 of the
13 Energy Reorganization Act of 1974; and

14 “(D) by judicially-approved, administrative
15 search warrant, to enter at reasonable times
16 premises under the control of any person not
17 covered by subparagraph (C) who is subject to
18 the Commission’s jurisdiction.

19 “(2) Before a warrant is issued pursuant to
20 subparagraph (D) of paragraph (1), the Commission
21 must establish that it has a reasonable suspicion
22 that a violation of a Federal statute or a Commis-
23 sion regulatory requirement has been or will be com-
24 mitted. A search pursuant to such a warrant shall
25 be effected only for purposes directly related to the

1 basis for the warrant, and each such search shall be
2 commenced and completed with reasonable prompt-
3 ness.

4 “(3) Witnesses subpoenaed pursuant to sub-
5 paragraph (B) of paragraph (1) shall be paid the
6 same fees and mileage as are paid witnesses in the
7 district courts of the United States.”.

8 **SEC. 9. AMENDMENTS TO TABLE OF CONTENTS.**

9 The Table of Contents of the Atomic Energy Act of
10 1954 is amended by striking “Sec. 234. Civil Monetary
11 Penalties for Violations of Licensing Requirements” and
12 inserting in lieu thereof “Sec. 234. Civil Monetary Pen-
13 alties for Violations of Rules, Regulations, Orders, or Li-
14 censing Requirements”.

○



UNITED STATES
NUCLEAR REGULATORY
WASHINGTON, D. C.

SEP 1 1993

MEMORANDUM FOR: NRC Consultants and Advisors

FROM: Ronald M. Scroggins
Deputy Chief Financial
Officer/Controller

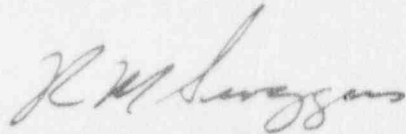
SUBJECT: CLARIFICATION OF CHANGE TO METHOD OF PAYMENT

This is to provide clarification of my June 11, 1993 notification regarding a change to the method of payment and deposit for services billed on NRC Form 148, Vouchers for Professional Services. At that time the NRC indicated that the use of Electronic Funds Transfer (EFT) would be the mandatory method of payment for services billed for consultant services.

As previously indicated, this notification was issued consistent with Office of Management and Budget (OMB) and Department of Treasury initiatives to ensure that Federal funds are disbursed by Direct Deposit when it is consistent with program purposes and is cost effective. The Direct Deposit program saves the Government millions of dollars each year by not having to issue and mail checks, and offers safety, reliability and convenience to participants.

Subsequent to issuance of my June 11, 1993 notification, the Department of the Treasury issued a Proposed Rule, 31 CFR Part 206, on August 5, 1993 which establishes Government policy that all Executive Branch collections and payments be by EFT. The proposed rule also requires each Government agency to promulgate its own standards and regulations to implement the rule and related OMB and Treasury requirements. While the actions taken to date are not inconsistent with the proposed rule, I have decided to delay mandatory participation in the EFT program until the Treasury regulations are issued and the NRC promulgates the required implementing standards and regulations. If the Treasury regulations are delayed, the NRC will determine whether, as a matter of its own authority, to require mandatory participation by consultants and advisors.

The use of the Treasury Direct Deposit Program remains the preferred NRC method of salary payments to NRC employees and payments to consultants and advisors. In the interim, all employees including consultants are encouraged to participate in the Direct Deposit Program through the use of EFT.



Ronald M. Scroggins
Deputy Chief Financial
Officer/Controller



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
WASHINGTON, D. C. 20555

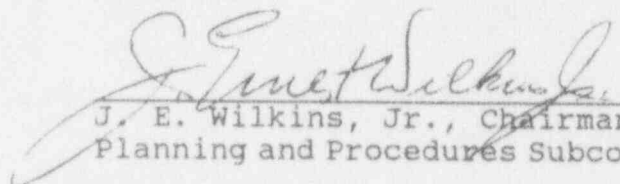
October 8, 1993

MEMORANDUM FOR: John T. Larkins
Executive Director

FROM: J. E. Wilkins, Jr., Chairman
Planning and Procedures Subcommittee

SUBJECT: CERTIFICATION OF THE MINUTES OF THE
PLANNING AND PROCEDURES SUBCOMMITTEE
MEETING - SEPTEMBER 8, BETHESDA,
MARYLAND

I hereby certify that, to the best of my knowledge and belief, the minutes for the subject meeting, issued September 9, 1993, are an accurate record of the proceedings for that meeting.



J. E. Wilkins, Jr., Chairman
Planning and Procedures Subcommittee

10/8/93
(Date)