

JUL 27 1994

TRIAL PROGRAM FOR OPEN ENFORCEMENT CONFERENCES (SP-94-104)

Your attention is invited to the attached correspondence which contains:

INCIDENT AND EVENT INFORMATION.....

PROGRAM MANAGEMENT INFORMATION.....XX

TRAINING COURSE INFORMATION.....

TECHNICAL INFORMATION.....

Supplementary Information: We have enclosed for your information a Federal Register notice announcing the continuation of NRC's two-year trial program for conducting open enforcement conferences. NRC has also established a Review Team to conduct a review of NRC's Enforcement Policy of which open enforcement conferences are a part. The Team plans to complete its review in early 1995. NRC plans to issue another Federal Register notice in the near future which will solicit public comments to assist the Review Team.

If you have further questions regarding this correspondence, please contact the individual named below.

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/s/
Paul H. Lohaus, Deputy Director
Office of State Programs

Enclosure:
As stated

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NUCLEAR REGULATORY COMMISSION

Two-Year Trial Program for Conducting Open Enforcement
Conferences; Continuation of Trial Program

AGENCY: Nuclear Regulatory Commission.

ACTION: Supplement to Policy Statement; Continuation of Trial Program.

SUMMARY: The Nuclear Regulatory Commission (NRC) is issuing a supplement to its two-year trial program for conducting open enforcement conferences. The purpose of this supplement is to inform the public of the NRC's continuation of the trial program until the Commission acts upon the NRC staff's recommendations regarding open enforcement conferences.

FOR FURTHER INFORMATION CONTACT: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (301-504-2741).

SUPPLEMENTARY INFORMATION:

The Commission published a policy statement on the implementation of a two-year trial program to allow selected enforcement conferences to be open to public observation on July 10, 1992 (57 FR 30762). The purpose of the trial program was to determine whether to maintain the current policy stated in Section V of the "General Statement of Policy and Procedure for Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C that, "enforcement

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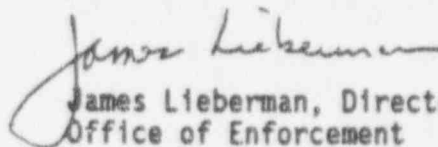
conferences will not normally be open to the public,* or to adopt a new policy that would allow most enforcement conferences to be open to attendance by all members of the public. Comments were requested to be provided to the Commission on or before the completion date of the trial program. A correction to the original notice was issued on July 17, 1992 (57 FR 31754) to correctly identify the scheduled completion of the trial program as July 11, 1994.

On May 13, 1994, the Executive Director for Operations directed a reexamination of the NRC enforcement program by a Review Team of senior NRC staff. As part of this comprehensive review of the Enforcement Policy, the NRC intends to consider the issue of whether the Commission should establish open enforcement conferences as the normal practice. In the interim, the NRC is continuing the open enforcement conference trial program pending the outcome of the Enforcement Policy Review. The Review Team intends to complete its review of the Enforcement Policy in early 1995.

As part of its review of the Enforcement Policy, the NRC intends to issue a *Federal Register* notice soliciting public comments to assist the Review Team. This notice will include soliciting comments on the issue of open enforcement conferences.

Dated at Rockville, MD, this 13th day of July 1994.

For the Nuclear Regulatory Commission.


James Lieberman, Director
Office of Enforcement