

MEMORANDUM TO: Those on Attached List

FROM: Edward L. Halman, Director
Office of Administration

Approved by
Edward L. Halman

SUBJECT: REQUEST FOR REVIEW AND CONCURRENCE ON A FINAL
RULE "STATEMENT OF ORGANIZATION AND GENERAL
INFORMATION; MINOR AMENDMENTS" (10 CFR PARTS 1, 2,
4, 7, 9, 15, 76 AND 110)

Attached for your review and concurrence is a draft final rule that will amend NRC regulations to reflect the reorganization of the Office of Administration, the creation of the Offices of the Chief Information Officer and the Chief Financial Officer, and the renaming of the Office of Human Resources. The final rule also makes other minor conforming changes to appropriate portions of 10 CFR.

If you have any questions or comments concerning the Federal Register notice, please contact David L. Meyer, Chief, Rules and Directives Branch, on 415-7162 or Alzon Shepard on 415-6864. We would appreciate your response by January 20, 1998.

Attachment: As stated

Distribution:

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SUBJECT: REQUEST FOR REVIEW AND CONCURRENCE ON A FINAL RULE
"STATEMENT OF ORGANIZATION AND GENERAL INFORMATION;
MINOR AMENDMENTS" (10 CFR PARTS 1, 2, 4, 7, 9, 15, 76 AND 110)

	<u>Mail Stop</u>
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✓ Anthony J. Galante, Chief Information Officer <i>OK</i>	O-5 G15
✓ Irene P. Little, Director, Office of Small Business and Civil Rights <i>OK</i>	T-2 F18
✓ John C. Hoyle, Secretary of the Commission <i>Emily Severson 11/21/98 OK</i>	O-5 G15
Patricia G. Norry, Deputy Executive Director for Management Services	O-5 E6
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✓ Carlton R. Stoiber, Director, Office of International Programs <i>NC</i>	O-15 H7
✓ Paul E. Bird, Director, Office of Human Resources <i>NC</i>	T-3 A2
Karen D. Cyr, General Counsel	O-15 B18
✓ Jesse L. Funches, Chief Financial Officer <i>OK</i>	T-9 F6
✓ James Lieberman, Director, Office of Enforcement <i>NC</i>	O-7 H5

2/4/98 Valeria W requests that we finalize
the rule and send her copy for review.

[7590-01-P]

Nuclear Regulatory Commission
10 CFR Parts 1, 2, 4, 7, 9, 15, 76, and 110
RIN 3150-AF89

Statement of Organization and General Information; Minor Amendments

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is revising its statement of organization and general information to reflect the reorganization within the Office of Administration, the creation of the Office of the Chief Information Officer and the creation of the Office of the Chief Financial Officer. These changes are necessary to inform the public of these administrative changes to the NRC's regulations.

EFFECTIVE DATE:

FOR FURTHER INFORMATION CONTACT: David L. Meyer, Chief, Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-7162.

SUPPLEMENTARY INFORMATION:

On April 21, 1997, the NRC announced the reorganization of the Office of Administration effective April 15, 1997. The purposes of the reorganization were to (1) further emphasize the Office's service philosophy by centralizing employee services in a new Division of Administrative Services encompassing an Administrative Services Center, (2) gain efficiencies by integrating the functions of security and facilities management in a single organizational unit; (3) streamline ADM's structure by improving the supervisor/employee ratio; and, (4) accomplish other operational efficiencies.

This final rule also notifies the public that the Office of Information Resources Management and the Office of the Controller have been abolished and that the functions of these offices have been incorporated into the newly created Office of the Chief Information

Officer and the Office of the Chief Financial Officer respectively.

This final rule also notes the name change of the Office of Personnel to the Office of Human Resources and other minor administrative changes.

Because these amendments deal with agency practice and procedures, the notice and comment provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(b)(A). The amendments are effective upon publication in the Federal Register. Good cause exists to dispense with the usual 30-day delay in the effective date because these amendments are of a minor and administrative nature, dealing with the agency's reorganization.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22 (c) (2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.).

List of Subjects

10 CFR Part 1

Organization and functions (Government Agencies)

10 CFR Part 2

Administrative practice and procedure, Antitrust, Byproduct material, Classified information, Environmental protection, Nuclear materials, Nuclear power plants and reactors, Penalties, Sex discrimination, Source material, Special nuclear material, Waste treatment and disposal.

10 CFR Part 4

Administrative practice and procedure, Blind, Buildings, Civil rights, Employment, Equal employment opportunity, Federal aid programs, Grant programs, Handicapped, Loan programs, Reporting and recordkeeping requirements, Sex discrimination.

10 CFR Part 7

Advisory committees, Sunshine Act.

10 CFR Part 9

Criminal penalties, Freedom of Information, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

10 CFR Part 15

Administrative practice and procedure, Debt collection.

10 CFR Part 76

Certification, Criminal penalties, Radiation Protection, Reporting and recordkeeping requirements, Security measures, Special nuclear material, Uranium enrichment by gaseous diffusion.

10 CFR Part 100

Nuclear power plants and reactors, Reactor siting criteria.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendments to 10 CFR Parts 1, 2, 4, 7, 9, 15, 76, and 100.

PART 1 - STATEMENT OF ORGANIZATION AND GENERAL INFORMATION.

1. The authority citation for part 1 continues to read as follows:

Authority: Secs. 23, 161, 68 Stat. 925, 948, as amended (42 U.S.C. 2033, 2201); sec. 29, Pub. L. 85-256, 71 Stat. 579, Pub. L. 95-209, 91 Stat. 1483 (42 U.S.C. 2039); sec. 191, Pub. L. 87-615, 76 Stat. 409 (42 U.S.C. 2241); secs. 201, 203, 204, 205, 209, 88 Stat. 1242, 1244, 1245, 1246, 1248, as amended (42 U.S.C. 5841, 5843, 5844, 5845, 5849); 5 U.S.C. 552, 553; Reorganization Plan No. 1 of 1980, 45 FR 40561, June 16, 1980.

2. In § 1.3, paragraph (c), the first sentence is revised to read as follows:

§ 1.3 Sources of additional information.

* * * * *

(c) Information regarding the availability of NRC records under the Freedom of Information Act and the Privacy Act of 1974 may be obtained from the Information Management Division, Office of the Chief Information Officer * * *.

§ 1.34 [Removed]

3. Section 1.34 is removed.

4. Section 1.32 and 1.33 are redesignated as §§1.33 and 1.34 and revised to read as follows:

§ 1.33 Office of Enforcement.

The Office of Enforcement ----

- (a) Develops policies and programs for enforcement of NRC requirements;
- (b) Manages major enforcement actions; and
- (c) Assesses the effectiveness and uniformity of Regional enforcement actions.

§ 1.34 Office of Administration.

The Office of Administration ---

- (a) Develops and implements agency-wide contracting policies and procedures;
- (b) Develops policies and procedures and manages the operation and maintenance of NRC offices, facilities, and equipment;
- (c) Plans, develops, establishes, and administers policies, standards, and procedures for the overall NRC security program; and
- (d) Develops and implements policies and procedures for administering the Regulatory Flexibility Act and provides editorial and related publications services.

5. Under the undesignated center heading Executive Director for Operations, §1.31 is

redesignated as §1.32 and paragraph (b) is revised to read as follows:

Executive Director for Operations

§1.32 Office of the Executive Director for Operations.

* * * * *

(b) The EDO supervises and coordinates policy development and operational activities in the following line offices; the Office of Nuclear Reactor Regulation, the Office of Nuclear Material Safety and Safeguards, the Office of Nuclear Regulatory Research, and the NRC Regional Offices; and the following staff offices: The Office of Enforcement, the Office of Administration, the Office of Investigations, the Office for Analysis and Evaluation of Operational Data, the Office of Small Business and Civil Rights, the Office of Human Resources, the Office of State Programs, and other organizational units as shall be assigned by the Commission. The EDO is also responsible for implementation of the Commission's policy directives pertaining to these offices.

* * * * *

6. A new undesignated center heading and a new §1.30 are added to read as follows:

Chief Information Officer

§1.30 Office of the Chief Information Officer.

The Office of the Chief Information Officer--

(a) Plans, directs, and oversees the NRC's information resources, including technology infrastructure and delivery of information management services, to meet the mission and goals of the agency.

(b) Provides principal advice to the Chairman to ensure that information technology (IT) is acquired and information resources across the agency are managed in a manner consistent with Federal information resources management (IRM) laws and regulations.

(c) Assists senior management in recognizing where information technology can add value while improving NRC operations and service delivery.

(d) Directs the implementation of a sound and integrated IT architecture to achieve NRC's strategic and IRM goals.

(e) Monitors and evaluates the performance of information technology and information management programs based on applicable performance measures and assesses the adequacy of IRM skills of the agency, and

(f) Provides guidance and oversight for the selection, control and evaluation of information technology investments.

(g) Provides oversight and quality assurance for the design and operation of the Licensing Support System (LSS) services.

7. A new undesignated center heading and a new §1.31 are added to read as follows:

Chief Financial Officer

§ 1.31 Office of the Chief Financial Officer.

The Office of the Chief Financial Officer ---

(a) Oversees all financial management activities relating to NRC's programs and operations and provides advice to the Chairman on financial management matters.

(b) Establishes financial management policy for the agency and provides policy guidance to senior managers on the budget and all other financial management activities;

(c) Provides an agency-wide management control program for financial and program managers that established internal control processes and provides for timely corrective actions regarding material weaknesses that are disclosed to comply with the Federal Manager's Financial Integrity Act of 1982.

(d) Develops and manages an agency-wide planning and budgeting process.

(e) Develops and maintains and integrated agency accounting and financial management systems, including financial reporting and internal controls.

(f) Directs, manages and provides policy guidance and oversight of agency financial management personnel activities, and operations.

(g) Prepares and transmits an annual report to the Chairman and the Director, Office of Management and Budget.

(h) Monitors the financial execution of NRC's budget in relation to actual expenditures, controls the use of agency funds to ensure that they are expended in accordance with applicable laws and financial management principles, and prepares and submits to the Chairman timely cost and performance reports and,

(i) Reviews, on a periodic basis, fees and other charges imposed by NRC for services

provided and makes recommendations for revising those charges as appropriate.

* * * * *

§ 1.38 [Removed]

8. Section 1.38 is removed.

9. In § 1.39, the section heading and the introductory paragraph are revised to read as follows:

§ 1.39 Office of Human Resources.

The Office of Human Resources---

* * * * *

PART 2 - RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS AND ISSUANCE OF ORDER

10. The authority citation for Part 2 continues to read as follows:

AUTHORITY: Secs. 161, 181, 68 Stat. 948, 953, as amended (42 U.S.C. 2201, 2231); sec. 191, as amended, Pub. L. 87-615, 76 Stat. 409 (42 U.S.C. 2241); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); 5 U.S.C. 552. Section 2.101 also issued under secs. 53, 62, 63, 81, 103, 104, 105, 68 Stat. 930, 932, 933, 935, 936, 937, 938, as amended (42 U.S.C. 2073, 2092, 2093, 2111, 2133, 2134, 2135); sec. 114(f), Pub. L. 97-425, 96 Stat. 2213, as amended (42 U.S.C. 10134(f)); sec. 102, Pub. L. 91-190, 83 Stat. 853, as amended (42 U.S.C. 4332); sec. 301, 88 Stat. 1248 (42 U.S.C. 5871). Sections 2.102, 2.103, 2.104, 2.105, 2.721 also issued under secs. 102, 103, 104, 105, 183, 189, 68 Stat. 936, 937, 938, 954, 955, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2233, 2239). Section 2.105 also issued under Pub. L. 97-415, 96 Stat. 2073 (42 U.S.C. 2239). Sections 2.200-2.206 also issued under secs. 161 b, i, o, 182, 186, 234, 68 Stat. 948-951, 955, 83 Stat. 444, as amended (42 U.S.C. 2201 (b), (i), (o), 2236, 2282); sec. 206, 88 Stat. 1246 (42 U.S.C. 5846). Sections 2.205(j) also issued under Pub. L. 101-410, 104 Stat. 890, as amended by section 31001(s), Pub. L. 104-134, 110 Stat. 1321-373 (28 U.S.C. 2461 note). Sections 2.600-2.606 also issued under sec. 102, Pub. L. 91-190, 83 Stat. 853, as amended (42 U.S.C. 4332). Sections 2.700a, 2.719 also issued under 5

U.S.C. 554. Sections 2.754, 2.760, 2.770, 2.780 also issued under 5 U.S.C. 557. Section 2.764 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 2.790 also issued under sec. 103, 68 Stat. 936, as amended (42 U.S.C. 2133) and 5 U.S.C. 552. Sections 2.800 and 2.808 also issued under 5 U.S.C. 553. Section 2.809 also issued under 5 U.S.C. 553 and sec. 29, Pub. L. 85-256, 71 Stat. 579, as amended (42 U.S.C. 2039). Subpart K also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Pub. L. 97-425, 96 Stat. 2230 (42 U.S.C. 10154). Subpart L also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Appendix A also issued under sec. 6, Pub. L. 91-560, 84 Stat. 1473 (42 U.S.C. 2135).

11. In § 2.802, paragraphs (b), (e), and (g) are revised to read as follows:

§ 2.802 Petition for rulemaking.

* * * * *

(b) A prospective petitioner may consult with the NRC before filing a petition for rulemaking by writing the Director, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Rules and Directives Branch. A prospective petitioner may also telephone the Rules and Directives Branch on (301) 415-7163 or toll free on (800) 368-5642.

* * * * *

(e) If it is determined that the petition includes the information required by paragraph (c) of this section and is complete, the Director, Division of Administrative Services, or designee, will assign a docket number to the petition, will cause the petition to be formally docketed, and will deposit a copy of the docket petition in Commission's Public Document Room. Public comment may be requested by publication of a notice of the docketing of the petition in the Federal Register, or in appropriate cases, may be invited for the first time upon publication in the Federal Register of a proposed rule developed in response to the petition. Publications will be limited by the requirements of section 181 of the Atomic Energy Act of 1954, as amended, and may be limited by order of the Commission:

* * * * *

(g) The Director, Division of Administrative Services, Office of Administration, will prepare on a semiannual basis a summary of petitions for rulemaking before the Commission, including

the status of each petition. A copy of the report will be available for public inspection and copying for a fee in the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555-0001.

12. In § 2.1007, paragraph (a)(2) is revised to read as follows:

§ 2.1007 Access.

(a) * * *

(2) Terminals for access to full headers for all documents in the Licensing Support System during the pre-license application phase, and images of the non-privileged documents of NRC shall be provided at the headquarters Public Document Room of NRC, and at all NRC Local Public Document Rooms established in the vicinity of the likely candidate site for a geologic repository, and at the NRC Regional Field Offices.

* * * * *

PART 4 - NONDISCRIMINATION IN FEDERALLY ASSISTED COMMISSION PROGRAMS

13. The authority citation for Part 4 continues to read as follow:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 274, 73 Stat. 688, as amended (42 U.S.C. 2021); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5341); sec. 207, Pub. L. 95-604, 92 Stat. 3033.

Subpart A also issued under secs. 602-605, Pub. L. 88-352, 78 Stat. 252, 253 (42 U.S.C. 2000d-1-2000d-4); sec. 401, 88 Stat. 1254 (42 U.S.C. 5391). Subpart B also issued under sec. 504, Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 706); sec. 119, Pub. L. 95-602, 92 Stat. 2984 (29 U.S.C. 794); sec. 122, Pub. L. 95-602, 92 Stat. 2984 (29 U.S.C. 706(6)). Subpart C also issued under Title III of Pub. L. 94-135, 89 Stat. 728, as amended (42 U.S.C. 6101). Subpart D also issued under Title IX of the Education Amendments of 1972, Pub. L. 92-318, as amended by sec. 3 of Pub. L. 93-568, 88 Stat. 1855 (20 U.S.C. 1681, 1682, 1685, 1686). Subpart E also issued under 29 U.S.C. 794.

14. In § 4.4, paragraph (i) is revised to read as follows:

§ 4.4 Definitions.

(i) "Responsible NRC official" means the Director of the Office of Small Business and Civil Rights or any other officer to whom the Executive Director for Operations has delegated the authority to act.

15. Section 4.5 is revised to read as follows:

§ 4.5 Communications and reports.

Except as otherwise indicated, all communications and reports relating to this part should be addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555. Communications and reports may be delivered in person to the Commission's offices at 11555 Rockville Pike, Rockville, Maryland 20852-2738.

PART 7 - ADVISORY COMMITTEES

16. The authority citation for Part 7 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); Pub. L. 92-463, 86 Stat. 770 (5 U.S.C. App.).

17. In § 7.22, paragraphs (a) and (b) are revised to read as follows:

§ 7.22 Fiscal and administrative responsibilities.

(a) The Office of the Chief Financial Officer shall keep such records as will fully disclose the disposition of any funds which may be at the disposal of NRC advisory committees.

(b) The Office of the Chief Information Officer shall keep such records as will fully disclose the nature and extent of activities of NRC advisory committees.

* * * * *

PART 9 - PUBLIC RECORDS

18. The authority citation for Part 9 continues to read as follows:

AUTHORITY: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841). Subpart A also issued under 5 U.S.C. 552; 31 U.S.C. 9701; Pub. L. 99-570. Subpart B also issued under 5 U.S.C. 552a. Subpart C also issued under 5 U.S.C. 552b.

§ 9.53 [Amended]

19. In § 9.53, paragraphs (a) and (b), remove the words "Director, Office of Administration" and add in their place the words "Freedom of Information Act and Privacy Act Officer, Office of the Chief Information Officer" each time they appear.

§ 9.54 [Amended]

20. In § 9.54, paragraph (b), remove the words "Director, Office of Administration" and add in their place the words "Freedom of Information Act and Privacy Officer, Office of the Chief Information Officer".

§ 9.60 [Amended]

21. In §9.60, paragraph (a), remove the words "Director, Office of Administration" and add in their place the words "Freedom of Information Act and Privacy Act Officer, Office of Chief Information Officer".

§ 9.65 [Amended]

22. In §9.65, in the introductory text of paragraph (a), remove the words "Director, Office of Administration, or the Director's designee" and add in their place the words "Freedom of Information Act and Privacy Officer, Office of the Chief Information Officer".

§ 9.66 [Amended]

23. In §9.66, in the introductory text of paragraph (a)(1), and paragraphs (a)(2), (a) (3), and (c) (3) remove the words "Director, Office of Administration, or the Director's Designee" and add in their place the words "Freedom of Information Act and Privacy Officer, Office of the Chief Information Officer" each time they appear.

§ 9.85 [Amended]

24. In § 9.85, remove the words, "Director, Division of Freedom of Information and Publications Services" and add in their place the words "Freedom of Information Act and Privacy Officer".

PART 15 - DEBT COLLECTION PROCEDURES

25. The authority citation for Part 15 continues to read as follows:

AUTHORITY: Secs. 161, 186, 68 Stat. 948, 955, as amended (42 U.S.C. 2201, 2236); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 3, Pub. L. 89-508, 80 Stat. 308, as amended (31 U.S.C. 3711, 3717, 3718); sec. 1, Pub. L. 97-258, 96 Stat. 972 (31 U.S.C. 3713);

sec. 5, Pub. L. 89-508, 80 Stat. 308, as amended (31 U.S.C. 3716); Pub. L. 97-365, 96 Stat. 1749 (31 U.S.C. 3719); Federal Claims Collection Standards, 4 CFR 101-105.

26. Section 15.3 is revised to read as follow:

§ 15.3 Communications.

Unless otherwise specified, all communications concerning the regulations in this part should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, ATTN: Rulemakings and Adjudications Branch. Communications may be delivered in person to the Commission's offices located at 11555 Rockville Pike, One White Flint North, Rockville, Maryland 20852.

27. In §15.35, the introductory text of paragraph (c) is revised to read as follows:

§ 15.35 Payments.

* * * * *

(c) To whom payment is made. Payment of a debt is made by check, electronic transfer, draft, or money order payable to the United States Nuclear Regulatory Commission and mailed or delivered to the Division of Accounting and Finance, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555, unless payment is ----

* * * * *

PART 76 --- CERTIFICATION OF GASEOUS DIFFUSION PLANTS

28. The authority citation for Part 76 is revised to read as follows:

AUTHORITY: Secs. 161, 68 Stat. 948, as amended, secs. 1312, 1701, as amended, 106 Stat. 2932, 2951, 2952, 2953 110 Stat. 1321-349 (42 U.S.C. 2201, 2297b-11, 2297f); secs. 201, as amended, 204, 206, 88 Stat. 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846). Sec 234(a), 83 Stat. 444, as amended by Pub. L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243(a)). Sec. 76.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat 2951 (42 U.S.C. 5851). Sec. 76.22 is also issued under sec.193(f), as amended, 104 Stat. 2835, as amended by Pub. L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243(f)). Sec. 76.35(j) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152).

29. In § 76.7, paragraph (e) (3) is revised to read as follows:

§ 76.7 Employee protection.

* * * *

(e) * *

(3) Copies of NRC Form C may be obtained by writing to the NRC Region III Office listed in appendix D to part 20 of this chapter or by contacting the NRC Information and Records Management Branch.

* * * *

PART 110 --- EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL

30. The authority citation for Part 110 continues to read as follows:

AUTHORITY: Secs. 51, 53, 54, 57, 63, 64, 65, 81, 82, 103, 104, 109, 111, 126, 127, 128, 129, 161, 181, 182, 183, 187, 189, 68 Stat. 929, 930, 931, 932, 933, 936, 937, 948, 953, 954, 955, 956, as amended (42 U.S.C. 2071, 2073, 2074, 2077, 2092-2095, 2111, 2112, 2133, 2134, 2139, 2139a, 2141, 2154-2158, 2201, 2231-2233, 2237, 2239); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841; sec. 5, Pub. L. 101-575, 104 Stat. 2835 (42 U.S.C. 2243)).

Sections 110.1(b)(2) and 110.1(b)(3) also issued under Pub. L. 96-92, 93 Stat. 710 (22 U.S.C. 2403). Section 110.11 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152) and secs. 54c and 57d., 88 Stat. 473, 475 (42 U.S.C. 2074). Section 110.27 also issued under sec. 309(a), Pub. L. 99-440. Section 110.50(b)(3) also issued under sec. 123, 92 Stat. 142 (42 U.S.C. 2153). Section 110.51 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2254). Section 110.52 also issued under sec. 126, 68 Stat. 955 (42 U.S.C. 2236). Sections 110.80-110.113 also issued under 5 U.S.C. 552, 554. Sections 110.130-110.135 also issued under 5 U.S.C. 553. Sections 110.2 and 110.42 (a)(9) also issued under sec. 903, Pub. L. 102-496 (42 U.S.C. 2151 et seq.).

31. In § 110.131, paragraph (a) is revised to read as follows:

§ 110.131 Petition for rulemaking.

(a) A petition for rulemaking should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Rulemakings and Adjudications Branch.

* * * * *

Dated at Rockville, Maryland, this day of January, 1998.

For the Nuclear Regulatory Commission.

L. Joseph Callan
Executive Director for Operations.



NRC Organizational Listing

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Edward McGaffigan, Jr., Commissioner
Vacant, Commissioner

The Commission is responsible for licensing and regulating nuclear facilities and materials and for conducting research in support of the licensing and regulatory process, as mandated by the *Atomic Energy Act of 1954*, as amended, the *Energy Reorganization Act of 1974*, as amended, and the *Nuclear Nonproliferation Act of 1978*; and in accordance with the *National Environmental Policy Act of 1969*, as amended, and other applicable statutes. These responsibilities include protecting public health and safety; protecting the environment; protecting and safeguarding materials and plants in the interest of national security; and assuring conformity with antitrust laws. Agency functions are performed through standards-setting and rulemaking; technical reviews and studies; conduct of public hearings; issuance of authorizations, permits, and licenses; inspection, investigation, and enforcement; evaluation of operating experience; and confirmatory research. The Commission is composed of five members, appointed by the President and confirmed by the Senate, one of whom is designated by the President as Chairman.

The Chairman is the principal executive officer of and the official spokesman for the NRC, as mandated by the Reorganization Plan No. 1 of 1980. As principal executive officer, the Chairman is responsible for conducting the administrative, organizational, long-range planning, budgetary, and certain personnel functions of the agency. He/she has ultimate authority for all NRC functions pertaining to an emergency involving an NRC license. His/her actions are governed by the general policies of the Commission.

Committees and Boards

Advisory Committee on Reactor Safeguards

Thomas S. Kress, Chairman
Robert L. Seale, Vice Chairman

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Has statutory responsibilities as described in the *Atomic Energy Act of 1954*, as amended. Reviews and advises the Commission with regard to the licensing and operation of production and utilization facilities and related safety issues, the adequacy of proposed reactor safety standards, technical and policy issues related to the licensing of evolutionary and passive plant designs, and other matters referred to it by the Commission. Upon request, reviews and advises with regard to the hazards of the Department of Energy (DOE) nuclear activities and facilities and provides technical advice to the DOE Nuclear Facilities Safety Board. On its own initiative, may conduct reviews of specific safety-related items. Submits an annual report to the U.S. Congress commenting on the NRC Safety Research Program.

Advisory Committee on Nuclear Waste

Paul W. Pomeroy, Chairman
B. John Garrick, Vice Chairman

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Reports to and advises the Commission on all aspects of nuclear waste disposal facilities within the purview of NRC responsibilities. Examines and reports on specific areas of concern referred to it by the Commission and undertakes other studies and activities as directed by the Commission to carry out its responsibilities.

Atomic Safety and Licensing Board Panel

Atomic Safety and Licensing Board Panel

B. Paul Cotter, Jr., Chief Administrative Judge (Chairman)

James P. Gleason, Deputy Chief Administrative Judge (Executive)

Frederick J. Shon, Deputy Chief Administrative Judge (Technical)

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Conducts hearings for the Commission and performs such other regulatory functions as the Commission authorizes. The Chief Administrative Judge develops and applies procedures governing the activities of boards, administrative judges, and administrative law judges, and makes appropriate recommendations to the Commission concerning the rules governing the conduct of hearings.

The Panel

Conducts all licensing and other hearings as directed by the Commission primarily through individual Atomic Safety and Licensing Boards appointed by either the Commission or the Chief Administrative Judge. There is no fixed number of positions in the panel. The panel is composed of (1) administrative judges (full-time and part-time), who are lawyers, physicists, engineers, and environmental scientists and (2) administrative law judges who hear antitrust, civil penalty, and other cases and serve as Atomic Safety and Licensing Board Chairpersons. One to three administrative judges serve as presiding officers alone or on boards for a broad range of proceedings.

Chief Counsel

Lee S. Dewey, Chief Counsel

Provides all legal and technical support to the Chief Administrative Judge, the administrative law judges, boards, and panel.

Program Support and Analysis Staff

Jack G. Whetstone, Director

Provides planning, development, coordination, implementation, and analyses of policies and programs in support of the panel, including budget; personnel; labor relations; professional services; travel; space and facilities; equipment; contracts, information management, including ADP equipment and development; adjudicatory files and services; library facilities; stenographic and clerical services, including field hearing space; equipment management and coordination; meetings; employee training and development; FOIA; license fee data; security; and safety engineering.

Provides support and services in information management which includes computerized adjudicatory files, license fee data, management information systems, and other management information applicable to panel activities.

Manages court reporting contract for all offices except the Commission's offices.

Commission Staff Offices

Office of Commission Appellate Adjudication

John F. Cordes, Jr., Director (Acting)

Responsible for monitoring cases pending before presiding officers; providing the Commission with an analysis of any adjudicatory matter requiring a Commission decision (e.g., petitions for review of initial licensing board decisions, certified questions, interlocutory referrals, stay requests), including available options; drafting any necessary decisions pursuant to the Commission's guidance after presentation of

options; and consulting with the Office of the General Counsel in identifying options to be presented to the Commission and in drafting the final decision to be presented to the Commission.

Office of Congressional Affairs

Dennis K. Rathbun, Director

Linda E. Portner, Associate Director

Provides advice and assistance to the Chairman, Commission, and NRC staff on all NRC relations with Congress and views of Congress toward NRC policies, plans, and activities; maintains liaison with congressional committees and members of Congress on matters of interest to NRC; serves as primary contact point for all NRC communications with Congress, reviewing and concurring in all outgoing correspondence to members of Congress; coordinates NRC internal activities with Congress; plans and develops NRC's legislative program; and monitors legislative proposals, bills, and hearings.

Office of the General Counsel

Karen D. Cyr, General Counsel

Martin G. Malsch, Deputy General Counsel

Staff Offices

Directs matters of law and legal policy, providing opinions, advice, and assistance to the agency with respect to all of its activities; reviews draft Commission opinions on public petitions seeking direct Commission action and rulemaking proceedings; monitors adjudicatory proceedings, and reviews draft Commission adjudicatory decisions; provides interpretation of laws, regulations, and other sources of authority, and the legal form and content of proposed official actions; represents and advises staff offices in all programmatic activities and administrative litigation in connection with licensing and enforcement; prepares or concurs in all contractual documents, interagency agreements, delegations of authority, regulations, orders, licenses, and other legal documents, and prepares legal interpretations thereof; represents NRC in administrative proceedings related to such matters as personnel, procurement, and EEO; reviews and directs intellectual property work; represents and protects the interest of the NRC in legal matters, in court proceedings, and in relation to other government agencies, administrative bodies, committees of Congress, foreign governments, and members of the public; provides legal advice to the Commission (including staff), and represents the Commission in courts of appeals proceedings to review Commission orders and rules; and, in cooperation with the Department of Justice, represents the Commission in court proceedings affecting the agency's programs in the Federal district courts and the Supreme Court.

Office of International Programs

Carlton R. Stoiber, Director

Staff Offices

Provides assistance and recommendations to the Chairman, the Commission, and NRC staff on international issues. Provides overall coordination for NRC's international activities, including nuclear exports and imports, international safeguards, international physical security, nonproliferation matters, and international cooperation and assistance in nuclear safety and radiation protection. Plans, develops, and implements programs, in concert with other NRC offices, to carry out policies established in these areas. Plans, develops, and manages international nuclear safety information exchange programs, and coordinates international research agreements. Obtains, evaluates, and uses pertinent information from other NRC and U.S. Government offices in carrying out assigned responsibilities. Manages NRC's foreign intelligence responsibilities. Establishes and maintains working relationships with individual countries and international nuclear organizations, as well as other involved U.S. Government agencies. Assures that all international activities carried out by the Commission and staff are well coordinated.

internally and government-wide and are consistent with NRC and U.S. policies.

Office of Public Affairs

William M. Beecher, Director

Elizabeth A. Hayden, Deputy Director

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Develops policies, programs, and procedures for the Chairman's approval for informing the public of NRC activities. Prepares, clears, and disseminates information to the public and the news media concerning NRC policies, programs, and activities; keeps NRC management informed on media coverage of activities of interest to the agency; plans, directs, and coordinates the activities of public information staffs located at regional offices; conducts a cooperative program with schools; and carries out assigned activities in the area of consumer affairs.

Office of the Secretary

John C. Hoyle, Secretary

Annette Vietti-Cook, Assistant Secretary

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Provides executive management services to support the Commission and to implement Commission decisions; advises and assists the Commission and staff on the planning, scheduling, and conduct of Commission business; and maintains the official adjudicatory dockets of the Commission. Directs and administers the NRC history program, and integrates automated data processing and office automation initiatives into the Commission's administrative systems. Manages the Commission Decision Tracking System. The Assistant Secretary performs functions of the Federal Advisory Committee Management Officer and maintains liaison with certain boards and advisory committees.

Office of the Inspector General

Hubert Bell, Inspector General

[Staff Offices](#)

Provides policy direction for and conducts, supervises, and coordinates audits and investigations relating to all NRC programs and operations; reviews existing and proposed legislation and regulations and makes recommendations concerning their impact on the economy and efficiency of NRC programs and operations and on the prevention and detection of fraud and abuse in such programs and operations; recommends policies for, and conducts, supervises, or coordinates other activities for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, NRC programs and operations; recommends policies for and conducts, supervises, or coordinates relationships between the NRC and Federal, state and local agencies, and non-governmental entities relating to the promotion of economy and efficiency in the administration of, or prevention and detection of fraud and abuse in, NRC programs and operations or identification and prosecution of participants in fraud or abuse; keeps the Chairman and Congress fully and currently informed concerning fraud and other serious problems, abuses, and deficiencies relating to the administration of NRC programs and operations; recommends corrective actions and reports on the progress made in implementing corrective actions; complies with GAO standards for audits of Federal establishments, organizations, programs, activities, and functions; and expeditiously refers criminal matters to the Department of Justice.

Chief Information Officer

Anthony J. Galante, Chief Information Officer

Plans, directs, and oversees the NRC's information resources, including information technology infrastructure and delivery of information management services, to meet the mission and goals of the agency. Provides principal advice to the Chairman to ensure that information technology (IT) is acquired and information resources across the agency are managed in a manner consistent with Federal information resources management (IRM) laws and regulations. Assists senior management in recognizing where information technology can add value while improving NRC operations and service delivery. Directs the implementation of a sound and integrated IT architecture to achieve NRC's strategic and IRM goals. Monitors and evaluates the performance of information technology and information management programs based on applicable performance measures and assesses the adequacy of IRM skills of the agency. Provides guidance and oversight for the selection, control and evaluation of information technology investments.

Office of Information Resources Management

Arnold E. Levin, Acting Director

Arnold E. Levin, Deputy Director/Licensing Support System Administrator

Staff Offices

Responsible for the overall direction and management of centralized information resources of the agency in the areas of computer, telecommunications, and information services including automated systems development and integration, computer operations, database management, data administration, office automation, local and wide area networks, computer and systems security, the Customer Support Center, user training, document control and management, central files, records management, the library, and related technology and information support services to NRC offices. The Director provides guidance, oversight and coordination of policy, planning and execution of these functions, and manages program activities related to the agency's acquisition, management and use of Federal Information Processing (FIP) resources. The Deputy Director also serves as the Licensing Support System Administrator in accordance with 10 CFR Part 2, Subpart J. As such, the Deputy is responsible for oversight and quality assurance for the design and operation of the Licensing Support System (LSS) services and for the completeness and integrity of the LSS database.

Chief Financial Officer

Jesse L. Funches, Chief Financial Officer

The CFO oversees the financial management of NRC's programs and operations and provides advice to the Chairman on financial management matters. The CFO establishes financial management policy for the agency and provides policy guidance to senior managers on the budget and all other financial management activities, including systems, personnel, structure and functions, performed by component financial management organizations; oversees the development and maintenance of financial management and accounting systems to provide reliable information for internal and external financial management reporting; establishes agency-wide financial data and reporting format requirements; and provides an agency-wide management control program for financial and program managers that provides for timely corrective actions regarding material weaknesses disclosed through audit findings and reports provided under the Federal Managers' Financial Integrity Act.

Office of the Controller

Ronald M. Scroggins, Deputy Chief Financial Officer/Controller

Staff Offices

The Office of the Controller is responsible for the direction and management of NRC's financial management activities. This includes ensuring that NRC's financial management and accounting systems provide complete, reliable, consistent, and timely information, prepared on a uniform basis, that enables the systematic measurement of performance, the development and reporting of cost information, the relating of cost information to program performance measurement, and the integration of accounting, performance and budget information; ensuring compliance throughout the NRC with applicable budget concepts, accounting standards and principles, and financial information and systems functions standards; ensuring adequate controls over asset management, including cash management, credit management and debt collection operations; preparing agency financial statements and working with auditors to improve the statements' independent review and auditability; developing, and assisting program managers in developing financial and programmatic performance indicators that are linked to the NRC's strategic plans and financial and other information systems to enable managers and other stakeholders to adequately assess program performance; developing standards, systems and procedures necessary to assure accurate and timely cost accounting for the agency; formulating and overseeing the execution of NRC's budget; and advising and providing direction to program managers on financial management matters. The Office of the Controller also administers the agency's licensee fee program, provides travel services for all headquarters employees, and manages the agency's billing and debt collection activities.

Executive Director for Operations and Staff Offices

Office of the Executive Director for Operations

*L. Joseph Callan, Executive Director for Operations
Staff Offices*

The EDO is the chief operational and administrative officer of the Commission, and is authorized and directed to discharge such licensing, regulatory, and administrative functions of the NRC and to take actions as are necessary for day-to-day operations of the agency. Supervises and coordinates policy development and operational activities of EDO staff and program offices. Implements Commission policy directives pertaining to these offices.

Deputy Executive Director for Regulatory Effectiveness, Program Oversight, Investigations & Enforcement

Edward Jordan, Deputy Executive Director for Regulatory Effectiveness, Program Oversight, Investigations & Enforcement

Office of Nuclear Regulatory Research

*Ashok C. Thadani, Acting Director
Ashok C. Thadani, Deputy Director
Joseph A. Murphy, Special Assistant
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Plans, recommends, and implements program of nuclear regulatory research, standards development, and resolution of safety issues for nuclear power plants and other facilities regulated by the NRC. Develops and promulgates all technical regulations. Coordinates research activities within and outside the agency, including appointment of staff to committees and conferences. Coordinates national volunteer standards efforts, including appointment of staff to committees. Maintains technical capability to develop information for resolution of nuclear safety issues and provide consultation in the specialized disciplines involved.

Office for Analysis and Evaluation of Operational Data

Denwood F. Ross, Director

(Vacant), Deputy Director

James H. Conran, Ralyashree R. Tripathi, CRGR Support Staff

Gina F. Thompson, Cherie Siegel, Program Support Staff

Staff Offices

Provides independent analysis of operational data. Serves as the focal point for the independent assessment of operational experience through the review, analysis, and evaluation of the safety performance of both reactor and nuclear material facilities. Collects, analyzes, and disseminates operational data; assesses trends in performance from this data; evaluates operating experience to provide insights into, and to improve the understanding of, the risk significance of events; conducts reliability studies of risk-important systems; analyzes human performance in operating events; and produces periodic Performance Indicator, Abnormal Occurrence, and Accident Sequence Precursor Reports. Responsible for the agency's Diagnostic Evaluation Program, Technical Training, Incident Investigation Program, and Incident Response Program, including oversight of regional incident response resources. Provides administrative and technical support for the Committee to Review Generic Requirements.

Office of Investigations

Guy P. Caputo, Director

Roger A. Fortuna, Deputy Director

Field Offices

Develops policy, procedures, and quality control standards for investigations of licensees, applicants, their contractors or vendors, including the investigations of all allegations of wrongdoing by other than NRC employees and contractors. Plans, coordinates, directs, and executes administrative affairs of the office, including the development and maintenance of a management information system. Maintains current awareness of inquiries and formal investigations. Keeps Commission principals currently informed of matters under investigation as they affect public health and safety matters. Coordinates liaison with other agencies and organizations to ensure the timely exchange of information of mutual interest.

Office of Enforcement

James Lieberman, Director

Joseph R. Gray, Deputy Director

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Oversees, manages, and directs the development of policies and programs for enforcement of NRC requirements.

Deputy Executive Director for Regulatory Programs

Hugh L. Thompson, Jr., Deputy Executive Director for Regulatory Programs

Office of Nuclear Reactor Regulation

Samuel J. Collins, Director

Frank J. Miraglia, Jr., Deputy Director

Staff Offices

Responsible for ensuring the public health and safety through licensing and inspection activities at all nuclear power reactor facilities in the United States. Responsible for the oversight of all aspects of licensing and inspection of manufacturing, production, and utilization facilities (except for facilities reprocessing fuel and performing isotopic fuel enrichment), and receipt, possession, and ownership of source, byproduct, and special nuclear material used or produced at facilities licensed under 10 CFR Part 50. Develops policy and inspection guidance for programs assigned to the regional offices and assesses the effectiveness and uniformity of the region's implementation of those programs. Identifies and takes action in coordination with the regional offices regarding conditions and licensee performance at such facilities that may adversely affect public health and safety, the environment, or the safeguarding of nuclear facilities and assesses and recommends or takes action in response to incidents or accidents. Responsible for licensing issues and regulatory policy concerning reactor operators, including the initial licensing examination and requalification examinations; emergency preparedness, including participation in emergency drills with federal, state, and local agencies; radiation protection; security and safeguards at such facilities, including fitness for duty; and the inspection of nuclear component supplier facilities. NRR responsibilities include the technical review, certification, and licensing of advanced reactor facilities and the renewal of current power reactor operating licenses.

Office of Nuclear Material Safety and Safeguards

Carl J. Paperiello, Director

Malcolm R. Knapp, Deputy Director

Staff Offices

Responsible for the public health and safety licensing, inspection, and environmental reviews for all activities regulated by the Nuclear Regulatory Commission (NRC), except reactors, and for the safeguards technical review of all licensing activities, including export/import of special nuclear material, but excluding reactors. Develops and implements NRC policy for the regulation of activities involving safety, quality, approval, and inspection of the use and handling of nuclear and other radioactive materials, such as uranium recovery activities; fuel fabrication and fuel development; medical, industrial, academic, and commercial uses of radioactive isotopes; safeguards activities; transportation of nuclear materials, including certification of transport containers; away-from reactor spent fuel storage; safe management and disposal of low-level and high-level radioactive waste; and management of related decommissioning. Safeguards responsibilities include development of overall agency policy, monitoring and assessment of the threat to the environment including liaison with intelligence agencies as appropriate, and those licensing and review activities appropriate to deter and protect against threats of radiological sabotage and threats of theft or diversion of special nuclear material at fuel facilities and during transport. Identifies and takes action to control safety and safeguards issues for activities under its responsibility, including consulting and coordinating with international, federal, state, and local agencies, as appropriate.

Office of State Programs

Richard L. Bangart, Director

Paul H. Lohaus, Deputy Director

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Responsible for establishing and maintaining effective communications and working relationships between the NRC, states, local governments, other federal agencies and Indian tribe organizations. Serves as primary contact for policy matters between NRC and these external groups. Keeps the agency apprised of these groups' activities as they may affect NRC and conveys to NRC management these groups' views toward NRC policies, plans, and activities. Administers the Agreement States Program; provides training and technical assistance to Agreement States; conducts Agreement State Program reviews. Coordinates liaison with other federal agencies through the Federal Liaison Program.

Regional Offices

Region I

Hubert J. Miller, Administrator

William L. Axelson, Deputy Administrator

Staff Offices

Executes established NRC policies and assigned programs relating to inspection, licensing, incident response, governmental liaison, resource management, and human resources.

Region II

Luis A. Reyes, Administrator

Ellis W. Mershcoff, Acting Deputy Administrator

Staff Offices

Executes established NRC policies and assigned programs relating to inspection, licensing, enforcement, investigation, governmental liaison, and emergency response within regional boundaries.

Region III

Arthur B. Beach, Administrator

James L. Caldwell, Deputy Administrator

Staff Offices

Executes established NRC policies and assigned programs relating to inspection, licensing, investigation, enforcement, governmental liaison, and emergency response within regional boundaries.

Region IV

Ellis W. Mershcoff, Administrator

James E. Dyer, Deputy Administrator

Staff Offices

Executes established NRC policies and assigned programs relating to inspection, licensing, investigation, enforcement, governmental liaison, and emergency response within regional boundaries.

Deputy Executive Director for Management Services

Patricia G. Norry, Deputy Executive Director for Management Services

Office of Administration

Edward L. Halman, Director

Michael L. Springer, Deputy Director

Staff Offices

Provides centralized services in the areas of contracts and property management, facilities and security, and administrative services including rulemaking and agency directives support, transportation, parking, translations, audiovisual, food services, mail distribution, furniture, supplies, and safety equipment.

Office of Human Resources

Paul E. Bird, Director

James F. McDermott, Deputy Director

R. J. Smith, Financial and Administrative Resources Manager

Robert E. Loach, Human Resources Information Technology Manager

Staff Offices

Provides overall leadership and management of human resources (HR) policy and program development and human resources services delivery. Plans and implements NRC policies, programs, and services to provide for employment services and operations, labor relations, organizational development, training, and HR information and analysis. Administers and manages the NRC occupational safety and health programs including oversight of the workers' compensation and employee assistance programs; and the headquarters child care facility, health unit, and fitness center. Provides advice and support for the planning, development, implementation, oversight, and evaluation of HR information systems. Conducts HR budget formulation, justification, and execution; manages the development and implementation of OP accounting systems and carries out financial management coordination. Develops and implements the HR strategic plan; devises both short- and long-range plan consistent with agency-wide programmatic goals and objectives; assists and advises NRC management in the planning and implementation of HR goals consistent with agency policies and mission.

Office of Small Business and Civil Rights

Irene Little, Director

Staff Offices

Provides overall policy program evaluation and management direction for small business, civil rights, and affirmation action and federal women's program areas.

Develops and implements an effective small business program in accordance with the Small Business Act as amended. Administers the Historically Black Colleges and Universities Program pursuant to the Executive Order. Ensures that appropriate consideration is given to women and minority business enterprises. Maintains liaison with other government agencies and trade associations. Coordinates efforts with appropriate NRC offices. Develops and recommends for approval by the Executive Director for Operations the overall NRC policy providing for equal employment opportunity in all aspects of federal personnel practice. Develops, monitors, and evaluates the Affirmative Employment Program plan to assure compliance with NRC policy. Serves as contact with local and national public and private organizations to facilitate the NRC Equal Employment Opportunity Program.

NRC Mission and Organization



This page was last updated on May 16, 1997, by [NRCWEB \(nrcweb@nrc.gov\)](mailto:nrcweb@nrc.gov).