

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle  
Secretary of the Commission

FROM: COMMISSIONER DICUS

SUBJECT: SECY-97-156- APPLICATION OF FEDERAL GOVERNMENT-WIDE  
CONFLICT OF INTEREST REQUIREMENTS AND NRC  
ENFORCEMENT POLICY ON LICENSEE INTEGRITY ISSUES TO  
AGREEMENT STATE PROGRAMS

Approved X in part Disapproved X in part Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_ Request Discussion \_\_\_\_\_

COMMENTS:

See attached comments.

9709110191 970903  
PDR COMMS NRCC  
CORRESPONDENCE PDR

Release Vote / X /

John C. Hoyle  
SIGNATURE

August 7, 1992  
DATE

Withhold Vote ☐  
Entered on "AS" Yes X No \_\_\_\_\_

9709110191

Commissioner Dicus' comments on SECY-97-156

I approve in part and disapprove in part the staff's recommendations.

I agree that, in light of the recent developments in Utah, it is appropriate to review how the Agreement States handle "integrity" issues. However, the NRC's response to this event should be responsive and not reactive.

With respect to Issue #1 regarding conflict of interest requirements or policies in Agreement States, I agree with the staff's proposed approach but I would defer approval of it at this time. Instead, staff should proceed with and complete its planned survey of Agreement State conflict of interest statutes, regulations and policies for its employees. Staff should then inform the Commission of the results of the survey and identify any additional issues that require Commission attention or if Issue #1 must be modified in its approach.

I approve the staff's proposed approach to address Issue #2 concerning allegations about wrongdoing by Agreement State employees. When reviewing options for disposition of an allegation, the special Allegation Review Panel should be sensitive to the need to keep the Governor of the State informed when allegations are referred to the State.

I also approve the staff's proposed approach to address Issue #3 regarding wrongdoer rules in Agreement States.

However, because I believe we should not proceed with Issue #1 until we have received additional information from the Agreement States, I recommend that we hold publication of the entire policy paper. I would also recommend that the staff move expeditiously to obtain the necessary information from Agreement States.

I commend the staff's initiative in reviewing these issues and informing the Commission. The information that has been presented supports the need for the staff to be vigilant with respect to "integrity" issues in Agreement States but does not warrant NRC intervention at this time. Accordingly, and within the scope of my comments above, the staff's overall response is a reasoned one that is appropriate to the present circumstances.