

ADAMS Template: SECY-067

DOCUMENT DATE: 03/08/1984

TITLE: PR-002 - 49FR08583 - REVISED GENERAL STATEMENT OF
POLICY AND PROCEDURE FOR ENFORCEMENT ACTIONS

CASE REFERENCE: PR-002
49FR08583

KEY WORD: RULEMAKING COMMENTS

Document Sensitivity: Non-sensitive - SUNSI Review Complete

CHERNE

SINCE 1916

DOCKET NUMBER **PR-2**
PROPOSED RULE **(49 FR 8583)** **(31)**

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December 31, 1985

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Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, DC 20555

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Attention: Docketing and Service Branch

Reference: Proposed revisions to enforcement policy (49 FR 8583) as stated by Vol. 50, No. 224 of the Federal Register.

Gentlemen:

The proposed changes to the enforcement policy as stated does not recognize the relationship and responsibilities between contracting parties to resolve and correct deficiencies. Interpretation of contractual requirements including corrective action to correct deficiencies is initially the responsibility of the contracting parties. This relationship has, and continues to, provide for the early detection and effective correction of deficiencies.

I recommend that the NRC change their enforcement policy to recognize this important relationship by emphasizing the following:

1. Require all NRC inspections of a vendor to be performed in the presence of a licensee who has contracted with the vendor.
2. Require all inspection findings to be directed to the licensee who has contracted with the vendor for resolution and response.

I believe that an Inspection and Enforcement policy based on the foregoing items will ensure the efficient and effective correction of deficiencies and minimize the confusion and regulatory burden to the non-NRC licensed vendors.

If I may be of further assistance please contact me.

Sincerely,

CHERNE CONTRACTING CORPORATION

Gregory A Rosier
Gregory A. Rosier
Corporate QA Manager

GAR:mj

cc: QAC 441

Acknowledged by card..... **JAN 6 1986** *pa*

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