

June 12, 1998

MEMORANDUM L. Joseph Callan  
TO: Executive Director for Operations  
FROM: John C. Hoyle, Secretary /s/  
SUBJECT: STAFF REQUIREMENTS - SECY-98-068 - CONSIDERATION OF APPLICATION OF FEDERAL GOVERNMENT-WIDE CONFLICT OF INTEREST OR ETHICS REQUIREMENTS AND NRC ENFORCEMENT POLICY ON LICENSEE INTEGRITY ISSUES TO AGREEMENT STATE PROGRAMS

The Commission has approved the staff's recommended approach to the issues raised in the subject paper. The staff should move to implement the NRC's deliberate misconduct rule as a matter of compatibility category C, whether by rule or other legally binding requirements which meet the objectives of the deliberate misconduct rule. With respect to the need for determining the compatibility category of employee protection rules, the staff should survey and discuss the issue with the Agreement States and appropriate organizations and provide an opportunity for public comment on this issue.

Prospective Agreement States should be requested to submit documentation of State conflict of interest and ethics regulations or procedures applicable to those portions of the State radiation control program covered by the Agreement.

The staff should coordinate with the Agreement States to determine whether they can provide the NRC with information on State actions to prohibit individuals -- licensed or unlicensed -- from involvement in licensed activities for the purpose of sharing such information. The staff should consider the feasibility of adding relevant Agreement State information to the compilation of information on NRC actions currently available on the NRC Home Page.

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
OGC  
CIO  
CFO  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR  
DCS

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SECY NOTE: This SRM, SECY 98-068, and the Commission Voting Record will be made publicly available 5 working days after the date of the final SRM.