

December 12, 1997

MEMORANDUM TO: L. Joseph Callan
Executive Director for Operations
Karen D. Cyr, General Counsel

FROM: John C. Hoyle /s/

SUBJECT: STAFF REQUIREMENTS:AFFIRMATION SESSION, 2:00 P.M. THURSDAY, DECEMBER 11,
1997, COMMISSIONERS CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-97-252 - FINAL RULE - DELIBERATE MISCONDUCT BY UNLICENSED PERSONS

The Commission approved a final rule amending 10 CFR Parts 30, 32, 40, 50, 52, 60, 61, 70, 71, 72, 110, and 150, which would extend the scope of the Deliberate Misconduct Rule to cover certificate holders and applicants for licenses or certificates of compliance as well as employees, contractors, subcontractors, and consultants for certificate holders and applicants, and conforming changes to the NRC Enforcement Policy. The staff should incorporate the attached changes to the Federal Register Notices for the final rule and to the separate Federal Register Notice conforming the NRC's "General Statement of policy and Procedures for NRC Enforcement Actions" to reflect the change in scope of the Deliberate Misconduct Rule, and forward the revised Federal Register Notices to the Office of the Secretary for signature and publication.

(EDO)

(SECY suspense: 12/29/97)

II. SECY 97-266 - ORDER DENYING A MOTION TO QUASH SIX SUBPOENAS ISSUED BY THE OFFICE OF INVESTIGATIONS

The Commission approved an order denying a motion to quash six subpoenas issued by the Office of Investigations to employes of a hospital holding an NRC medical license pursuant to 10 CFR Part 30.

(Subsequently, the Secretary signed the order on December 11, 1997)

Attachment: As stated

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

Editorial Changes to the *Federal Register* Notice on the final rule in SECY-97-252

1. On page 7, paragraph 2, line 1, insert 'such' after 'issue.'
2. On page 10, replace the last word (implies) with 'infers.'

3. On page 13, in the response, line 1, replace 'types' with 'categories.'

Editorial Change to the *Federal Register* Notice on the Enforcement Actions in SECY-97-252

1. On page 2, paragraph 2, line 3, replace the last 'or' with 'of.'