

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
WASHINGTON, DC 20555-0001

August 10, 2005

**NRC REGULATORY ISSUE SUMMARY 2005-16
ISSUANCE OF NRC MANAGEMENT DIRECTIVE 8.17,
“LICENSEE COMPLAINTS AGAINST NRC EMPLOYEES”**

ADDRESSEES

All U.S. Nuclear Regulatory Commission (NRC) licensees and certificate holders.

INTENT

The NRC is issuing this Regulatory Issue Summary (RIS) to inform addressees of the issuance of NRC Management Directive (MD) 8.17, “Licensee Complaints Against NRC Employees.” This MD standardizes the NRC’s process for resolving licensee complaints against NRC employees.

Licensees need to understand the NRC threshold for implementing MD 8.17 to avoid unintentionally initiating this formal process. This RIS requires no action or written response on the part of an addressee.

BACKGROUND INFORMATION

It is the policy of the NRC to manage licensees’ complaints about improper action by NRC employees in such a way as to promote open communication between the licensees and the NRC.

SUMMARY OF ISSUE

MD 8.17 contains policies and procedures for internal NRC functions necessary for accomplishing the agency’s regulatory mission. The MD provides a fair and objective process for complaint resolution. The process is equitable to the staff member against whom the complaint is made, to the licensee representative making the complaint, and to the legitimate interests of the NRC.

The process described in MD 8.17 is designed to promote:

- licensee confidence that a complaint lodged against an NRC staff member will be taken seriously and investigated in a timely manner and that the licensee will be informed of the final resolution, and

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- NRC staff confidence that a complaint lodged against a staff member will be handled in a fair manner, that the staff member will be given an opportunity to address the issues raised in the complaint, and that he or she will be informed of the final resolution.

Nothing in MD 8.17 is intended to impede any licensee or NRC employee from contacting the NRC Office of Inspector General directly with a concern.

Copies of MD 8.17 are available at the NRC public Web site and in ADAMS (Accession No. ML051460542) and may be obtained by request from the NRC Public Document Room (PDR) at 15 cents per page. The PDR can be reached at 1-800-397-4209 or 301-415-4737 or via Internet link at <www.nrc.gov/reading-rm.html>.

BACKFIT DISCUSSION

This RIS does not require any action or written response and is, therefore, not a backfit under 10 CFR 50.109. Consequently, the staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because this RIS is informational.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT

The NRC has determined that this action is not subject to the Small Business Regulatory Enforcement Fairness Act of 1996.

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not contain information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C.3501 et seq.).

CONTACT

Please direct any questions about this matter to the technical contact(s) or the Lead Project Manager listed below, or to the appropriate Office of Nuclear Reactor Regulation (NRR) project manager.

/RA/

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Attachment: List of recently issued NMSS Generic Communications

Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under Electronic Reading Room/Document Collections.

Recently Issued NMSS Generic Communications

Date	GC No.	Subject	Addressees
7/13/05	RIS-05-13	NRC Incident Response and the National Response Plan	All licensees and certificate holders.
7/11/05	RIS-05-11	Requirements for Power Reactor Licensees in Possession of Devices Subject to the General License Requirements of 10 CFR 31.5	All holders of operating licenses for nuclear power reactors and generally licensed device vendors.
6/10/05	RIS-05-10	Performance-Based Approach for Associated Equipment in 10 CFR 34.20	All industrial radiography licensees and manufacturers and distributors of industrial radiography equipment.
4/18/05	RIS-05-06	Reporting Requirements for Gauges Damaged at Temporary Job Sites	All material licensees possessing portable gauges, regulated under 10 CFR Part 30.
7/29/05	IN-05-22	Inadequate Criticality Safety Analysis of Ventilation Systems at Fuel Cycle Facilities	All licensees authorized to possess a critical mass of special nuclear material.
6/23/05	IN-05-17	Manual Brachytherapy Source Jamming	All medical licensees authorized to possess a Mick applicator.
5/17/05	IN-05-013	Potential Non-conservative Error in Modeling Geometric Regions in the Keno-v.a Criticality Code	All licensees using the Keno-V.a criticality code module in Standardized Computer Analyses for Licensing Evaluation (SCALE) software developed by Oak Ridge National Laboratory (ORNL)
5/17/05	IN-05-012	Excessively Large Criticality Safety Limits Fail to Provide Double Contingency at Fuel Cycle Facility	All licensees authorized to possess a critical mass of special nuclear material.