

Draft Interim Policy on Operator Manual Actions

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Background

- SECY-03-100 Rulemaking Plan on Post-Fire Operator Manual Actions
 - Rulemaking Plan
 - Interim policy on enforcement discretion proposed
- Staff Requirement Memorandum (SRM-03-100)
 - Concept for enforcement discretion policy approved 9/17/2003
- Public meetings to discuss manual action acceptance criteria held (10/2003–11/2003)

Background

- Draft interim acceptance criteria published for comment (68 FRN 66501) on 11/26/2003
 - Over 400 public comments received

Draft Policy on Enforcement Discretion for Manual Actions

- Interim Policy would allow for enforcement discretion while NRC pursues rulemaking
 - Existing noncompliances
 - Licensee-identified noncompliances
 - NRC-identified noncompliances under certain conditions

Draft Policy on Enforcement Discretion for Manual Actions

- Draft enforcement discretion criteria:
 - Licensee-identified as a result of voluntary initiative
 - Entered into corrective action program
 - Immediate corrective actions taken
 - Manual action criteria – compensatory measure
 - Long term corrective actions taken
 - Rulemaking approving manual actions criteria
 - Licensing basis change
 - Other
 - Not likely to be identified as a result of routine licensee efforts

Draft Policy on Enforcement Discretion for Manual Actions

- Draft enforcement discretion criteria (continued):
 - It was not willful
 - Discretion would not apply to violations categorized as a SL I or a Red finding

Draft Policy on Enforcement Discretion for Manual Actions

- Staff Actions:
 - Evaluating manual actions criteria
 - Review and approval of Interim Enforcement Policy
 - Development of Federal Register Notice
 - Interim Policy Published in Federal Register
 - Expected early 2005