

May 9, 1985

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MEMORANDUM FOR: James M. Taylor, Director
Office of Inspection and Enforcement

FROM: Harold Denton, Director
Office of Nuclear Reactor Regulation

SUBJECT: GUIDANCE FOR ENFORCEMENT ACTIONS REGARDING INDIVIDUALS

This memorandum is in response to your request of April 3, 1985, for comments on the above subject. My office has reviewed the draft Enforcement Guidance Memorandum (EGM) you enclosed and find it a reasonable and acceptable approach to enforcement action regarding individuals.

We have two comments that should be incorporated into the policy. First, on Page 3, in the examples of situations that could result in enforcement actions, revise the Fifth Bullet to read, "Inattention to duty that results in a significant reduction in the level of plant safety." As written, the example includes areas to be handled under the fitness for duty policy. Under the current proposal, we would not recommend enforcement action against the individual or utility if the provisions of the fitness for duty program were implemented.

Second, the policy statement on Page 4, under Sanctions, should indicate the records to be kept on the sanction and the period of time the records will be kept. We recommend that the policy indicate that record retention will be identified in the letter, notice of violation or order.

Original Signed by
H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

cc: V. Stello, DED/ROGR
J. Sniezek, DED/ROGR

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*SEE PREVIOUS PAGE FOR CONCURRENCE

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