



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 16, 1996

The Honorable Al Gore
President of the United
States Senate
Washington, DC 20510

Dear Mr. President:

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801, the Nuclear Regulatory Commission (NRC) is submitting a final rule that deletes all references to Appendix C, of 10 CFR Part 2. Appendix C "General Statement of Policy and Procedures for Enforcement Actions," was removed from the Code of Federal Regulations because it is a Policy Statement, not a regulation, and the enforcement policy was published as a Policy Statement on June 25, 1995. This final rule also provides that the NRC may use discretion when determining whether to require a written explanation or statement in reply to a notice of violation. When the NRC believes that the licensee or other person who receives the notice of violation has already adequately addressed all the issues contained in that notice, at the discretion of the NRC, further written responses may not be required. The NRC's discretion on requiring reports responding to a notice of violation will reduce the burden of preparing unnecessary reports by the licensees and of reviewing these reports by the NRC without compromising public health and safety.

We have determined that this rule is not a "major rule" as defined in 5 U.S.C. 804(2). We have confirmed this determination with the Office of Management and Budget.

Enclosed is a copy of the final rule, which is being transmitted to the Office of the Federal Register for publication. A Regulatory Flexibility Certification has not been prepared for this minor, nonsubstantive amendment which has no economic impact on NRC licensees or the public. This final rule is scheduled to become effective 60 days after publication in the Federal Register.

Sincerely,

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Final Rule

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NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 16, 1996

The Honorable Newt Gingrich
Speaker of the United States
House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801, the Nuclear Regulatory Commission (NRC) is submitting a final rule that deletes all references to Appendix C, of 10 CFR Part 2. Appendix C "General Statement of Policy and Procedures for Enforcement Actions," was removed from the Code of Federal Regulations because it is a Policy Statement, not a regulation, and the enforcement policy was published as a Policy Statement on June 25, 1995. This final rule also provides that the NRC may use discretion when determining whether to require a written explanation or statement in reply to a notice of violation. When the NRC believes that the licensee or other person who receives the notice of violation has already adequately addressed all the issues contained in that notice, at the discretion of the NRC, further written responses may not be required. The NRC's discretion on requiring reports responding to a notice of violation will reduce the burden of preparing unnecessary reports by the licensees and of reviewing these reports by the NRC without compromising public health and safety.

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Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Portner", is written over the typed name.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Final Rule



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NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 16, 1996

Mr. Robert P. Murphy
General Counsel
General Accounting Office
Room 7175
441 G Street, NW
Washington, DC 20548

Dear Mr. Murphy:

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Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosure:
Final Rule

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DOCUMENT PREPARATION CHECKLIST**

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2. TYPE OF DOCUMENT ☒ CORRESPONDENCE ☐ HEARINGS (Qs/As)
3. DOCUMENT CONTROL ☐ SENSITIVE (NRC ONLY) ☒ NON-SENSITIVE
4. CONGRESSIONAL COMMITTEE AND SUBCOMMITTEE (if applicable)
_____ Congressional Committee
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5. SUBJECT CODES
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6. SOURCE OF DOCUMENTS
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COMMENTS:

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