

NOTATION VOTE

RESPONSE SHEET

RELEASED TO THE PDR

12/13/96

date

initials

TO: John C. Hoyle, Secretary

FROM: COMMISSIONER ROGERS

SUBJECT: SECY-96-222 - USE OF OPEN PREDECISIONAL
ENFORCEMENT CONFERENCES AND ELIMINATION OF
CERTAIN PROVISIONS FOR COMMISSION
CONSULTATION; PROPOSED REVISIONS TO THE
ENFORCEMENT POLICY TO ADDRESS RISK
SIGNIFICANT VIOLATIONS AND CERTAIN
NON-CITED VIOLATIONS

Approved * KCR * Disapproved _____ Abstain _____

Not Participating _____ Request Discussion _____

COMMENTS:

See attached comments. KCR

Kenneth C. Rogers

SIGNATURE

Release Vote / /

November 1, 1996

DATE

Withhold Vote / X /

Entered on "AS" Yes X No _____

01/1
DFO2

Commissioner Rogers' Comments on SECY-96-222:

I believe that the recommendations herein of the staff, based on a two year trial period, are very sound. They reflect the steady refinement of OE practices that has taken place over the last few years with Commission encouragement. Enforcement is an important but challenging activity that merits continuing Commission oversight while avoiding unnecessary Commission actions. I approve all of the staff's recommendations.

With respect to the use of risk considerations, the staff recognizes that further thought will have to be given to how risk considerations should be included in civil penalty decisions. As a follow on to this SECY, I suggest that the staff be asked by the Commission to prepare a paper indicating in some detail how it intends to relate risk considerations to the assessment of civil penalties.

KCR
11/1/96