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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

MEMORANDUM TO: Region I Staff DEC 14 1994

FROM: Thomas T. Martin
Regional Administrator *William J. Martin*

SUBJECT: REVISED REGIONAL INSTRUCTION 1210.1, ALLEGATIONS AND COMPLAINTS

The purpose of this memorandum is to notify you of a revision to Regional Instruction 1210.1, Allegations and Complaints. The revised instruction can be found on the LAN in the Shared Items Menu. While more changes to the instruction will likely be forthcoming as a result of upcoming changes to the NRC Management Directive on Allegations (Management Directive 8.8), this current revision is being made for the following reasons:

1. Add a caution section in the instruction to indicate that allegations of improper actions by NRC staff are not to be discussed at allegation panels, even if the issue is intertwined with allegations against a particular licensee. The following excerpt from the revised instruction applies:

If the allegation involves only alleged improper actions by NRC staff, the SAC, or any other staff member receiving the allegation, shall inform the Deputy Regional Administrator (DRA) of the allegation in accordance with Regional Instruction 1230.1 entitled "Handling of Allegations of Improper Actions by NRC Staff". (However, as noted in that instruction, nothing shall prohibit the recipient of the allegation from contacting the OIG directly.) The SAC shall prepare the related referral to the Office of Inspector General (OIG) for the concurrence of the Enforcement Officer (EO) and the DRA. The SAC will attach the original of the allegation as an enclosure to the OIG referral. The DRA will maintain the file of the referral, with the attachment, when sent to the OIG. Allegations that exclusively allege improper actions by NRC staff will not be entered into the Allegation Management System (AMS).

If the allegation involves specific licensee related allegations, as well as allegations regarding improper actions by NRC staff performance, the SAC will, in addition to preparing the OIG referral, (1) make a copy of the allegation document(s) (i.e., the letters, Allegation Receipt Reports, etc. that comprise the allegation); (2) sanitize the copy for any OIG related issues; and (3) indicate on the copy that the missing information involves issues of improper actions by NRC staff that are being referred to the OIG by the DRA. The SAC will then place the sanitized copy of the allegation documents in the allegation file, after making a second copy that is further sanitized of the alleged's name and other personal identifiers (as is the standard practice) for forwarding to panel members for evaluation of the technical allegations.

The OIG matters will not be discussed at the allegation panel; only the technical issues are to be discussed. Further, the SAC shall not enter the specific OIG matters into AMS, but only will enter the specific technical concerns, as well as a statement that the other issues involved concerns regarding improper actions by NRC staff that have been referred to the OIG.

The SAC will include, in the acknowledgement letter to the alleged, only the specific technical concerns. Specific concerns regarding improper actions by NRC staff will not be articulated in the acknowledgement letter. Rather, the SAC will, for those issues, simply state that those matters have been referred to the OIG, and the alleged should contact the OIG at 1-800-233-3497 if he/she has any questions or other comments regarding those matters.

2. Revise the allegation receipt report, allegation disposition (panel) form, and the standard acknowledgement letter to alleged, as a result of findings of the allegation Quality Improvement Team (QIT), and guidance received from the EDO on alleged identity protection.
3. Add a discussion of information that must be provided to alleged by the recipient of an allegation regarding the NRC's policy on alleged identity protection.

You should familiarize yourself with this revision, and if you have any questions, do not hesitate to contact D. Vito, D. Holody, or your supervisor on this matter.