



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

October 8, 1996

The Honorable Al Gore  
President of the United States Senate  
Washington, D.C. 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 will adjust the Commission's monetary civil penalties for inflation. The NRC is also submitting a related notice of revision to the NRC Enforcement Policy.

The final rule action is mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996 (P.L. 104-134, 110 Stat. 1321-358, 373, codified at 28 U.S.C. 2461 note). The first required adjustments are limited to 10% of the amount of the existing penalty. Thus, the NRC is adjusting by regulation the maximum civil penalty that can be imposed under section 234 of the Atomic Energy Act of 1954 (AEA), as amended, from \$100,000 to \$110,000. The NRC is also adjusting the maximum civil penalty that can be imposed for false claims or statements under the Program Fraud Civil Remedies Act from \$5,000 to \$5,500.

The revision to NRC's Enforcement Policy involves conforming changes that reflect the increase in the maximum civil penalty under section 234 of the AEA. The revision also includes corresponding increases of 10% in the lesser amounts that the Commission, as a matter of policy, has approved as base civil penalties for certain types of licensees, particularly smaller businesses, and for violations that are assessed at lower severity levels.

We have determined that neither the final rule nor the revision to the NRC Enforcement Policy is 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 are copies of the notice of the final rule and the revision to the NRC Enforcement Policy, which are being transmitted to the Federal Register for publication. The supplementary information in the notice for publication of the final rule in the Federal Register includes the regulatory analysis for the final rule. The final rule and the revision to the NRC Enforcement Policy are scheduled to become effective 30 days after publication.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis K. Rathbun", is written over a horizontal line.

Dennis K. Rathbun, Director  
Office of Congressional Affairs

Enclosures: 1. Final Rule  
2. Policy Statement Revision



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 8, 1996

The Honorable Newt Gingrich  
Speaker of the United States House  
of Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
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October 8, 1996

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

Dear Mr. Murphy:

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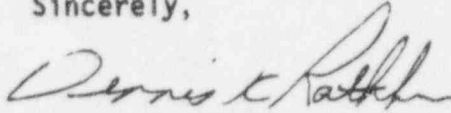
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