February 18, 2010

MEMORANDUM TO: R. W. Borchardt
                    Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary   **/RA by Andrew L. Bates
                                                        Acting**

SUBJECT: STAFF REQUIREMENTS MEMORANDUM – BRIEFING ON THE
                    NRC ENFORCEMENT AND ALLEGATIONS PROGRAMS, 9:30
                    A.M., TUESDAY, JANUARY 19, 2010, COMMISSIONERS'
                    CONFERENCE ROOM, ONE WHITE FLINT NORTH,
                    ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

The Commission was briefed by the NRC staff and a panel of external stakeholders on
enhancements to the NRC's Allegations Program, revisions to the Enforcement Policy, and the
Alternative Dispute Resolution (ADR) Program. The panel of stakeholders included Ellen
Ginsberg, Vice President, General Counsel, and Secretary, Nuclear Energy Institute; Ingrid
Drake, Investigator, Project on Government Oversight; and Michael Headrick, Chairman, Board
of Directors, National Association of Employee Concerns Professionals.

In preparing the Management Directive incorporating the allegation guidance, the staff should
ensure that it:

> 1) Encourages continuing communications with allegers, including those allegers who
> wish to remain anonymous, to ensure we understand what the issues are and can
> respond appropriately,
>
> 2) Addresses best practices in communicating with allegers such that these
> communications do not jeopardize, in the long-term, allegers coming forward with
> concerns, and
>
> 3) Specifies the availability of the Office of Investigation to assist in gathering information
> and under what circumstances.

The staff should inform allegers of the Department of Labor's (DOL) process for handling
discrimination complaints and explain the difference between the DOL's process and NRC's
ADR Program, and how we handle safety concerns.

The Commission will provide direction on the revisions to the enforcement policy in a Staff
Requirements Memorandum on SECY-09-0190.

cc: Chairman Jaczko
Commissioner Klein
Commissioner Svinicki
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR