

Dated: November 1, 1995.
 William F. Townsend,
Deputy Associate Administrator for Mission to Planet Earth.
 [FR Doc. 95-27449 Filed 11-3-95; 8:45 am]
 BILLING CODE 7510-01-M

[Notice 95-098]

Notice of Prospective Patent License

SUMMARY: NASA hereby gives notice that Estee Lauder Companies of Melville, New York 11747, has requested a partially exclusive license to practice the invention protected by U.S. Patent No. 4,902,769, entitled "Low Dielectric Fluorinated Poly (Phenylene Ether Ketone) film and coating," which was issued on February 20, 1990, to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Mr. George F. Helfrich, Patent Counsel, Langley Research Center.

DATES: Responses to this Notice must be received by January 5, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. George F. Helfrich, Patent Counsel, NSAS Langley Research Center, Mail Code 212, Hampton, VA 23681-0001; telephone (804) 864-3521.

Dated: October 27, 1995.
 Edward A. Frankle,
General Counsel.
 [FR Doc. 95-27448 Filed 11-3-95; 8:45 am]
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NUCLEAR REGULATORY COMMISSION

Communications Between the NRC and Licensees; Policy Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Policy statement.

SUMMARY: This policy statement presents the Nuclear Regulatory Commission (NRC) policy that informs both the nuclear industry and the NRC staff of the Commission's expectations regarding communications, including the reporting of perceived inappropriate regulatory actions by the NRC staff. The Commission encourages and expects open communications at all levels between its employees and those it regulates. Licensees should feel unconstrained in communicating with the NRC. Additionally, the NRC will not tolerate inappropriate regulatory actions by the NRC staff, nor will it tolerate retaliation or the threat of retaliation

against those licensees who communicate concerns to the agency.

EFFECTIVE DATE: November 6, 1995.

FOR FURTHER INFORMATION CONTACT: Cynthia A. Carpenter, Office of the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC. 20555, telephone: (301) 415-1733.

SUPPLEMENTARY INFORMATION:

Background

COMSECY-95-008, dated February 21, 1995, forwarded to the Commission a draft NRC policy that would inform both the nuclear industry and the NRC staff of the Commission's expectations regarding communications, including the reporting of perceived inappropriate regulatory actions by the NRC staff. COMSECY-95-008 also forwarded a proposed procedure for handling such concerns within the Office of the Executive Director for Operations (OEDO) if reported by a senior power reactor manager (licensee official).

In a Staff Requirements Memorandum dated March 21, 1995, the Commission directed the NRC staff to discuss the concepts in COMSECY-95-008 with the Agency Labor-Management Partnership (ALMP) and to meet with the Nuclear Energy Institute (NEI) to discuss communication issues. In addition, the Commission provided items for further NRC staff consideration in its evaluation of the proposed policy and guidance documents.

The NRC staff discussed the proposed NRC policy and the draft procedure for handling perceived inappropriate regulatory actions during the Regional Labor-Management Partnership Subcommittee (Partnership) meeting on March 29, 1995, and at the ALMP meeting on April 21, 1995. There was consensus within the Partnership that the procedure was necessary. The Partnership also provided several suggested wording changes to clarify the procedure.

On May 11, 1995, the NRC staff met with NEI representatives regarding the NRC staff's actions in response to the Towers Perrin Nuclear Regulatory Review Study and to discuss communications between the NRC and the nuclear industry. NEI believed that the NRC's initiatives would enhance the effectiveness of communications between NRC and the nuclear industry and encourage the NRC staff to communicate this policy and procedure to the industry.

SECY-95-149, dated June 8, 1995, forwarded to the Commission the revised NRC policy that would inform both the nuclear industry and the NRC

staff of the Commission's expectations regarding communications, including the reporting of perceived inappropriate regulatory actions by the NRC staff. As recommended by the Commission, the procedure was expanded to address the broad range of communications between the NRC and licensees. The NRC staff clarified the definition of inappropriate regulatory actions, including changes recommended by the Partnership. The procedural steps were also reordered as recommended by the Commission.

In a Staff Requirements Memorandum dated June 28, 1995, the Commission did not object to issuance of the policy regarding communications between the NRC and industry.

Statement of Policy

In 1991, the Commission established the "NRC Principles of Good Regulation," a copy of which is presented as Appendix A to this document. The Commission believes that good regulation must be transacted publicly and candidly and that open communications must be maintained with Congress, other Government agencies, licensees, and the public.

The Commission encourages and expects open communications at all levels between its employees and those it regulates. Licensees should feel unconstrained in communicating with the NRC. The Commission also expects the NRC staff to exercise initiative in maintaining open lines of communication and to ensure that its regulatory activities are appropriate and consistent. The Commission recognizes that honest, well-intentioned differences in opinions between the NRC staff and the licensee will occasionally occur. Therefore, the Commission encourages open communications to foster an environment where such differences receive constructive and prompt resolution.

Open communication also extends to the reporting of perceived inappropriate regulatory actions by the NRC staff when dealing with licensees. The Commission encourages licensees to provide specific information regarding such concerns.

The NRC will not tolerate inappropriate regulatory actions¹ by the

¹ Inappropriate regulatory actions include activities that exceed the agency's regulatory authority, involve improper application of agency requirements, or adversely affect the agency's regulatory functions. Examples of inappropriate regulatory actions include, but are not limited to, unjustified inconsistent application of regulations and guidance by NRC staff or management that significantly affect licensee activities and inappropriate action on the part of NRC staff and management that disrupts effective communications with the licensee.