

SDP/EA REQUEST & STRATEGY FORM

Case Data

Disputed: Related Cases: _____

EA- 00-153 Number: 1 Docket No.: 05000254

Request Date: 06/22/00 Region: III Case Type: Rx Small Entity: No Yes

Licensee: Commonwealth Edison Facility / City: Quad cities

License No.: DPR-29, 30 Last Day of Insp.: 06/23/00

Insp. Rpt No.: 2000-201 Keywords: 030604 ES: trr

Facts (EATS): Licensee failed to demonstrate compliance with 10CFR 73.55 during an OSRE. Region III is of the view that the SDP should not be used for OSRE's and that the SDP provides an answer that is not consistent with other cornerstone Severity Levels. NRR/OE consider that it would be inconsistent with recent practice not to enforce a violation of 73.55 identified during a drill

Discussion (if required):

SDP No Yes

Assessment: Green White Yellow Red NOV Yes No

Wrongdoing No Yes

OI Ref. Date _____ OI Rpt. No.: _____ OI Rpt Date: _____

DOJ Referral? No Yes Ref. Date _____ Action Date _____ Decline Accept

Additional OI Status OI Investigating OI needs to be notified OI/OE dispute memo needed

Additional coordination needed Awaiting DOJ Needs coordination with DOJ

Escalated Action

Consequence: Actual Potential Reg. Impact Willfulness

Prior Esc. Action? No Yes EA: _____ Date: _____

ID Credit? No Yes TBD SL:

CA Credit? No Yes TBD Supp:

CP? No CP Base Double Base Other: _____

Discretion or Order? No Yes Explain: _____

Future Action

Conference? No Yes Open Closed Additional _____

Action? No Violation Re-panel PEC Letter Choice Letter Choice Call SL IV NOV Re-caucus

Region Issue Esc. Action Full Package Review by HQ DEDR Review Commission Disagreement NCV

Other Action? _____

Participants:	Region	J. Grobe, J. belanger, B. Clayton, C. Weil, T Madeda, M. Parker, S. burgess, M. ring, C. Miller,
	OE	T. Reis OGC/OI
	Program Office	W. Dean, V. Ordaz, P. Koltay, R. Hsu, R. Skelton, B. Baxter, D. Hood, A. Spector, D. gordon, B. Schnetzler, A. Madison, S. Bailey, S. Wong, A. Mendiola, D. Orrik, J. Arildsen, EDO: M. Case
		Other

Remarks/Comments/Lessons Learned:

No decision reached today. This was a meeting to discuss the policy issues surrounding this type of case. This is the last of the first round of 61 OSREs and no previous OSRE's have been processed through the SDP. To anyone's knowledge, no enforcement actions has ever been taken as a result of an OSRE. On the other hand, the agency has taken enforcement action in the past two years for failing to demonstrate compliance with 73.55 during drills and OGCs advice is that such a violation is enforceable. Additionally the SDP was designed to evaluate drill response. Questions that need to be answered include:

1) Do we apply the SDP? If yes, do we modify the result? If no, do we apply the traditional enforcement approach?

Approved, Dir. OE: /RA-JL/ Date: 06/26/00