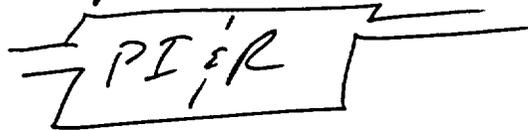


From: Jennifer Dixon-Herrity (Jennifer Dixon-Herrity) R2  
 To: Charles R. Ogle R2  
 Date: 5/29/02 4:13PM  
 Subject: Questions

Do we have a copy of what was ARB'd? I, quite honestly see OI's point in not taking the case. It wouldn't have resulted in much. The only willful calls I am aware of being made outside of an OI report were made based on a licensee investigation report which made a willful call. We don't have enough information here to make such a call here. We have the licensee's word against the inspectors. The licensee acknowledged that what occurred was wrong and took actions to correct it. Are we proceeding in the right direction? The DPV was that the issue should have been cited rather than non-cited, not a question of whether the issue was willful. Is our approach meant to show an error was made at the ARB such that an OI investigation should have been initiated? Would it be a better tact to question how we should proceed when the corrective action process doesn't work? In this case, a second CR was definitely in order to identify an incomplete investigation, then close scrutiny on the part of the inspectors or during a future PI&R inspection to verify that the corrective action process works.

Jen

→ How the new process will address this.



Second CR ~~is~~ require

→ Willfulness → Could be looked at  
 Additional OI case be opened.

→ Investigation complete.

B/19