**From:** Peter Koltay/ NRR
**To:** Rebecca Nease RIV
**Date:** 5/2/03 8:41AM
**Subject:** Re: IP71111.05 - manual actions

ok, so bit complicated and at the edge of the process, yes the finding should be entered into the CAP indicating a concern of very low safety significants, the compensatory measure in affect is the manual action process which reduced a potentially significant violation to a Green. this in not unlike posting a fire watch at a failed barrier. the failed barrier may represent a potentially significant safety issue. by placing a fire watch we did not totally compensate for the barrier. I do not want to argue the merits here.. with the tools and processes we have this is the best temp. solution while waiting for the Commission approval on the rule making which will be followed by enforcement discretion in this area. than we can close the greens we opened.
peter
>>> Rebecca Nease 05/01/03 08:59AM >>>
Peter,

Now we know (thanks to your help) that when the IP says to issue a Green Finding (when a licensee has credited manual actions for meeting III.G.2) [redacted] That brings up a couple of other questions. 5

Let's say that we found the licensee takes manual actions and that those actions appear to be proceduralized, reasonable, and feasible. According the IP we have a Green Finding [redacted]: However, for us to characterized a non-compliance as an NCV, the licensee must have entered the non-compliance into their CAP and (so that we don't have a current safety concern) the licensee must also have taken some immediate compensatory measures until they complete their CAs. 5

**1. Given the fact that the NRC is going thru rulemaking to allow these manual actions, what exactly do we expect the licensee to do wrt entering the item into the CAP, and putting in place comp measures?**

**2. If the licensee does NOT enter the issue into their CAP and take compensatory measures, can we still call in an NCV, or is it a cited violation?**

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