

Section 1. Performance Deficiency Question

An issue must be a "performance deficiency" before it can be considered a finding.

Did the licensee fail to meet a requirement or a standard, where the cause was reasonably within the licensee's ability to foresee and correct and which should have been prevented?

Section 2. Enforcement Questions

(1) Does the issue have actual safety consequence (e.g.: overexposure, actual radiation release greater than 10 CFR Part 20 limits)?

(2) Does the issue have the potential for impacting the NRC's ability to perform its regulatory function? For example, a failure to provide complete and accurate information or failure to receive NRC approval for a change in licensee activity, or failure to notify NRC of changes in licensee activities, or failure to perform 10 CFR 50.59 analyses etc. (see Enforcement Policy IV.A.3)

(3) Are there any willful aspects of the violation?

Section 3. Minor Questions

(1) Could the finding be reasonably viewed as a precursor to a significant event?

(2) If left uncorrected would the finding become a more significant safety concern?

(3) Does the finding relate to performance indicators that would have caused the PI to exceed a threshold?

(4) Is the finding associated with one of the cornerstone attributes listed at the end of this attachment and does the finding affect the associated cornerstone objective?

(5) Does the finding relate to any of the following maintenance risk assessment and risk management issues?

(a) Licensee risk assessment failed to consider risk significant SSCs and support systems (included in Table 2 of the plant specific Phase 2 SDP risk-informed inspection notebook) that were unavailable during the maintenance.

(b) Licensee risk assessment failed to consider unavailable SSCs such as Residual Heat Removal Systems (PWR and BWR) that prevent or mitigate Interfacing System LOCAs.

(c) Licensee risk assessment failed to consider SSCs that prevent containment failure such as containment isolation valves (BWR & PWR),