

SDP/EA REQUEST & STRATEGY FORM

Case Data		Disputed: <input type="checkbox"/>	Related Cases: EA-2004-065
SDP/EA No.: 2004-064	Number: 2	Docket No.: 40-3392	
Request Date: 4/28/04	Region: II	Case Type: UF	Small Entity: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Licensee: Honeywell International, Inc.		Facility / City: Metropolis, IL	
License No.: SUB-526	Last Day of Insp.: 2/19/04		
Insp. Rpt No.: 2004-003	Keywords: 040000, 080000		ES: gkm
Facts (EATS):	<p>On 12/22/03, the licensee had declared an SAE in response to a potential offsite release of what was later determined to be U F₆. Based on the results of an AIT and a subsequent follow-up inspection, the AIT concluded that the licensee failed to develop procedures to simultaneously operate two fluorinators. The inadvertent offsite release resulted from an inappropriate valve line-up which compromised the systems' capability to contain U F₆ in an over pressurization condition. Section 2.6, Chapter 2 of the License Application states that plant operations are to be conducted in accordance with written Standard Operating Procedure Manuals. The failure to develop or have procedures for the evolution that resulted in the offsite release was determined to be in violation of the License Application.</p>		

Discussion (if required):

SDP	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Assessment: Green	<input type="checkbox"/> White <input type="checkbox"/> Yellow <input type="checkbox"/> Red
Wrongdoing	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
OI Ref. 	OI Rpt.
DOJ Referral? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Ref. Date Action Date <input type="checkbox"/> Decline <input checked="" type="checkbox"/> Accept
Additional OI <input type="checkbox"/> OI Investigating	<input type="checkbox"/> OI needs to be notified <input type="checkbox"/> OI/OE dispute memo needed
<input type="checkbox"/> Additional coordination needed	<input type="checkbox"/> Awaiting DOJ <input type="checkbox"/> Needs coordination with DOJ
Escalated Action	
Consequence: <input checked="" type="checkbox"/> Actual <input checked="" type="checkbox"/> Potential <input checked="" type="checkbox"/> Reg. Impact <input type="checkbox"/> Willfulness	
Prior Esc. Action? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	EA: Date:
ID Credit? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<input type="checkbox"/> TBD SL: III
CA Credit? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> TBD Supp: VI
CP? <input checked="" type="checkbox"/> No CP <input type="checkbox"/> Base <input type="checkbox"/> Double Base <input type="checkbox"/> Other: 	
Discretion or Order? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Explain: 	
Future Action	
Conference? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Ope <input checked="" type="checkbox"/> Close Additional
Action? <input type="checkbox"/> No Violation <input type="checkbox"/> Re-panel <input type="checkbox"/> PEC Letter <input type="checkbox"/> Choice Letter <input checked="" type="checkbox"/> Choice Call <input type="checkbox"/> SL IV NOV <input type="checkbox"/> Re-caucus	<input type="checkbox"/> Region Issue Esc. Action <input checked="" type="checkbox"/> Full Package Review by HQ <input type="checkbox"/> DEDR Review <input type="checkbox"/> Commission <input type="checkbox"/> Disagreement <input type="checkbox"/> NCV
Other Action? 	

Participants: Region	S.Sparks, C.Evans, D.Collins, J.Henson, D.H artland	
OE	F.Congel, G.Morell, C.Nolan	OGC/OI
Program Office	R.Nelson, G.Janosko, M.Burgess	Other

Remarks/Comments/Lessons Learned:

On 4/23/04, an enforcement re panel was convened to determine the appropriate enforcement action in reference to the offsite release and procedural related issues described above. The first panel (conducted on 3/24/04) concluded that two SL III violations and a Choice call to the licensee was appropriate. This decision was based on the Policy (no previous escalated enforcement) and the corrective actions the licensee had taken to prevent recurrence.

Approved, Dir. OE: /RA/ C. Nolan
Date: 5/26/04

J-3

Based on HQ's review of the Choice Letter, it was determined that this case merited further discussion in regards to the severity level and possible reconsideration to exercise discretion and/or propose a CP. A request was made to members of the RII staff involved in the AIT to provide more information in regards to the potential injuries that did/could have resulted to members of the public from exposure to UF₆ as well as HF. Predicated on the information provided by RII AIT members, the panel determined that there were no injuries/significant uptake and that the potential for significant injuries from this event was not probable. Additionally, the panel concluded that the licensee's response in regards to corrective actions went well beyond the regulatory requirements and that this information would need to be articulated in the Choice letter to the licensee as a basis for our rationale in not proposing a CP due to the offsite release of radioactive material. In accordance with the Policy and the aforementioned, the licensee will be given credit for corrective action which will result in a SLIII violation with no CP (Supplement VI C.11 a).