

## TRADITIONAL ENFORCEMENT PANEL WORKSHEET

---

---

**EA:**

**Date of Panel:**

**Licensee:**

**Facility/Location:**

**License Type:**

**Docket Number:**

**License Number:**

**Inspection Report Number:**

**Date of Exit Meeting:**

**OI Report Number:**

**OI Report Date:**

**Date of Violation:**

**Statute of Limitations Expires:**

*✓ NOTE: The Statute of Limitations usually expires 5 years from violation (e.g. the Statute of Limitations for a violation occurring on September 1, 2005, would expire on August 31, 2010). Coordinate with OGC regarding date when "clock starts."]*

**Panel Members:**

**Panel Chairman (SES Sponsor):**

**Responsible Branch Chief/Lead Inspector:**

**Enforcement Representative:**

**Other Regional Attendees:**

**Headquarters Attendees:**

## Information Regarding Issue(s)/Violation(s):

### A. Brief Summary of Issue(s)/Potential Violation(s):

✓ *Remember to:*

- ▶ *Include a short statement of the issue/violation*
- ▶ *Reference and attach draft NOV*
- ▶ *For NCVs, clearly indicate requirement that was violated, how the requirement was violated, etc.*
- ▶ *Include excerpt of documents you cite in the NOV with reference material*
- ▶ *Attach sections of the draft inspection report or summary of inspection findings, if available*
- ▶ *Provide any applicable LERs, licensee correspondence, etc.*

### B. Purpose of Panel:

*Identify why this issue is being brought to the panel (e.g. escalated enforcement for a potential Severity Level I, II, or III violation; proposed Severity Level IV classification for a violation that fits an example of a Severity Level III in the policy supplements; a willful violation; certain exercises of discretion, etc.).*

### C. Regional Recommended Strategy:

*Describe:*

- ▶ *The proposed enforcement action (i.e., NOV, severity level, proposed civil penalty, exercise of discretion);*
- ▶ *Whether a predecisional enforcement conference, choice letter or choice call is necessary; and*
- ▶ *Whether action is warranted against any individual.*

### D. Analysis of Significance/Root Cause:

1. Actual Consequences:
2. Potential Consequence:

*Provide qualitative description of risk significance.*

3. Potential for Impacting Regulatory Process:

*Was there a failure to:*

- ▶ *Provide complete and accurate information;*
  - ▶ *Receive prior NRC approval for changes in licensed activity;*
  - ▶ *Perform a 50.59 analysis; or*
- Make a required report to the NRC?*

4. Willful Aspects:

**E. Root Causes:**

**F. Apparent Severity Level and Basis:**

*Indicate proposed severity level for each violation or group of violations. Reference examples from Enforcement Policy Supplements, as applicable.*

**G. Application of Enforcement Policy (Civil Penalty Assessment):**

✓ *Address these items for each violation or group of violations:*

1. Enforcement/Performance History:

*List enforcement actions (SL III or above, Orders, etc.) for last 2 years or 2 inspections, whichever is longer.*

2. Is Credit Warranted for Identification? Explain:

*Describe method of identification (NRC, licensee, revealed through event, allegation, etc.). Describe any missed opportunities to identify the violation earlier.*

3. Is Credit Warranted for Corrective Actions? Explain:

*Describe timeliness and comprehensiveness of corrective actions, and adequacy of root cause evaluation.*

4. Is a Civil Penalty Warranted? Explain:

*Based on the above discussion (a, b, & c), is a civil penalty warranted, and if so, the amount.*

5. Should Discretion Be Exercised to Mitigate or Escalate Sanction?

*If so, complete and attach "Issues to Consider for Discretion," Attachment 2. Briefly explain.*

6. What Date did the Violation Occur?

*Used for statute of limitations consideration for a Civil Penalty. Normally, a Civil Penalty cannot be issued after 5 years of its occurrence.*

7. Is action being considered against individuals?

*If so, complete and attach, "Factors for the Sanction in Actions Against Individuals," Attachment 3. Briefly explain.*

8. Non-Routine Issues/Additional Information/Relevant Precedent/Lessons Learned:

- ▶ *Is generic communication (IN, GL, etc.) needed for this issue? Is inspection or enforcement guidance needed?*
- ▶ *Is there a need for NRR or NMSS programmatic guidance or interpretation of requirements?*
- ▶ *Is there a relevant precedent? If so, include the EA# for the previous case and brief summary of enforcement action.*
- ▶ *Are there any other lessons learned? Are these issues related to an allegation? Is there any other information about this case that should be considered and is important to note?*