



NRC ENFORCEMENT POLICY

Taiwan ISFSI Workshop

December 11, 2008

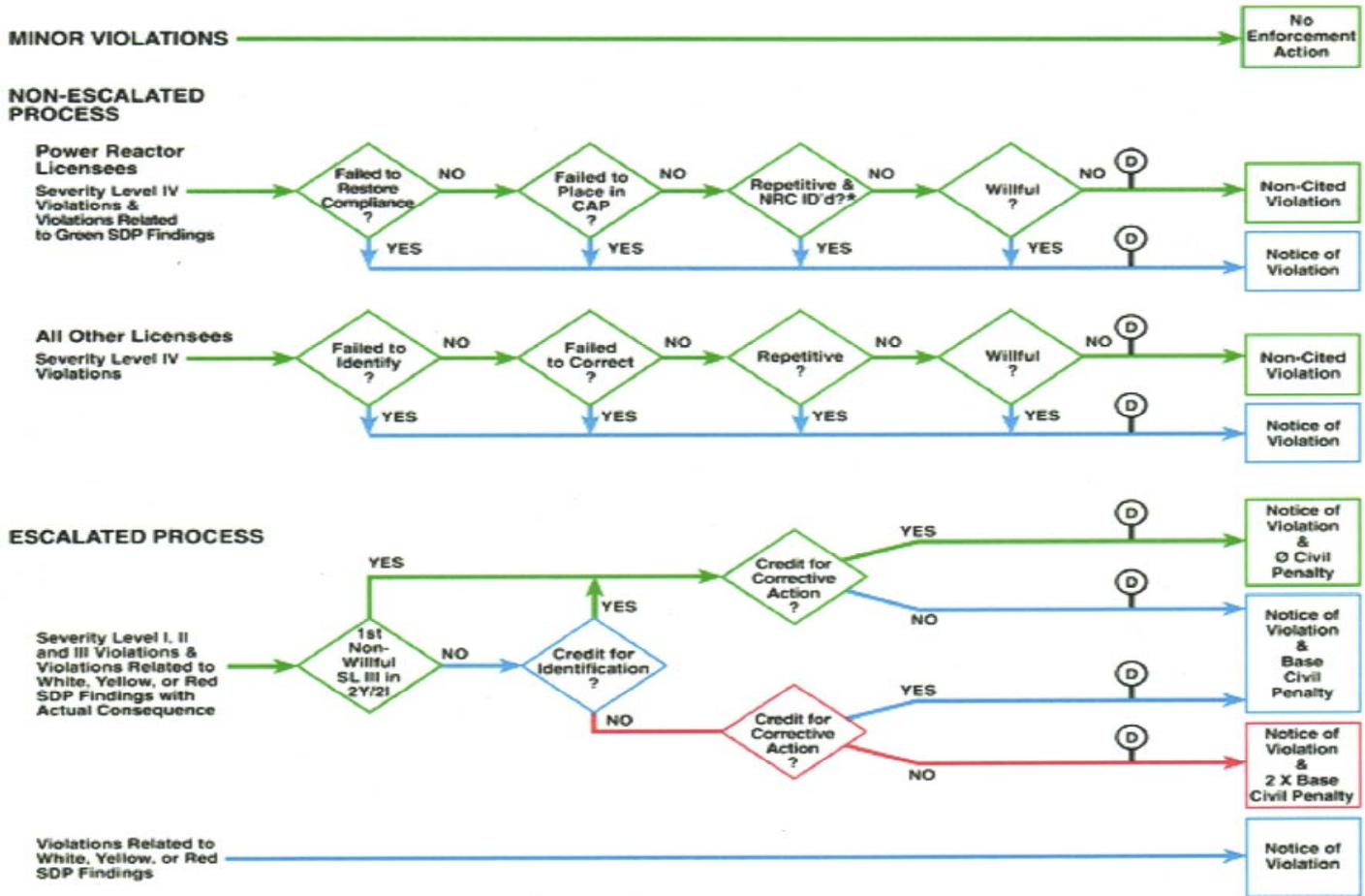
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NRC ENFORCEMENT POLICY

NRC ENFORCEMENT PROCESS





Regulatory Framework

- Authority drawn from Atomic Energy Act of 1954 as amended by Energy Reorganization Act of 1974
- Subpart B of 10 CFR Part 2 sets forth procedures used by NRC in exercising this authority
- Enforcement Policy (available on line)

<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>



Enforcement Goals

- To emphasize the importance of compliance with regulatory requirements
- To encourage prompt identification, and prompt, comprehensive correction of violations



Enforcement Actions

- Notice of Violation (NOV): identifies a requirement and how it was violated
- Civil Penalties: a monetary fine
- Orders: Orders modify, suspend, or revoke licenses or require specific actions by licensees or persons



Non-Escalated Enforcement Actions

- Minor Violation; may or may not be documented in inspection reports
- Non-cited Violation; if meet certain criteria
- Level IV Violation; lowest of four levels of NOVs



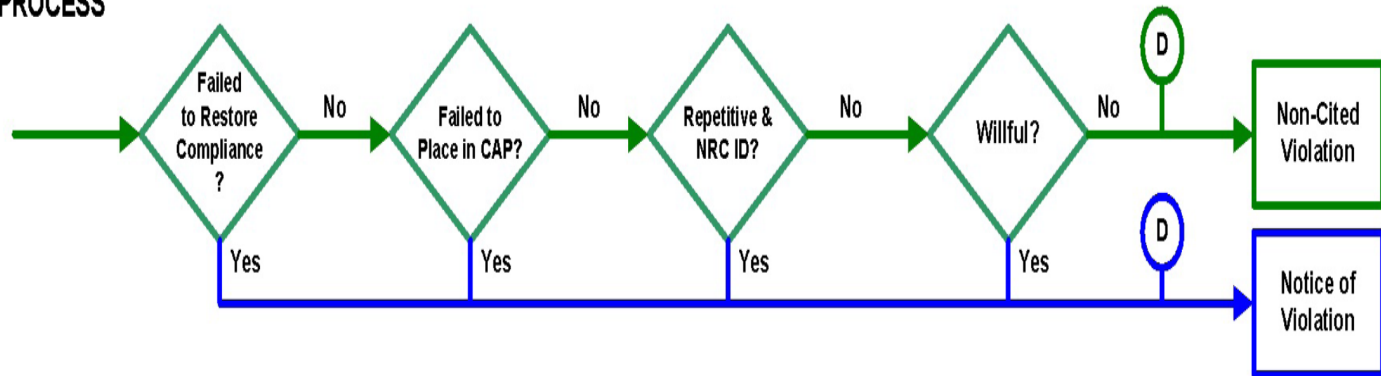
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MINOR VIOLATIONS

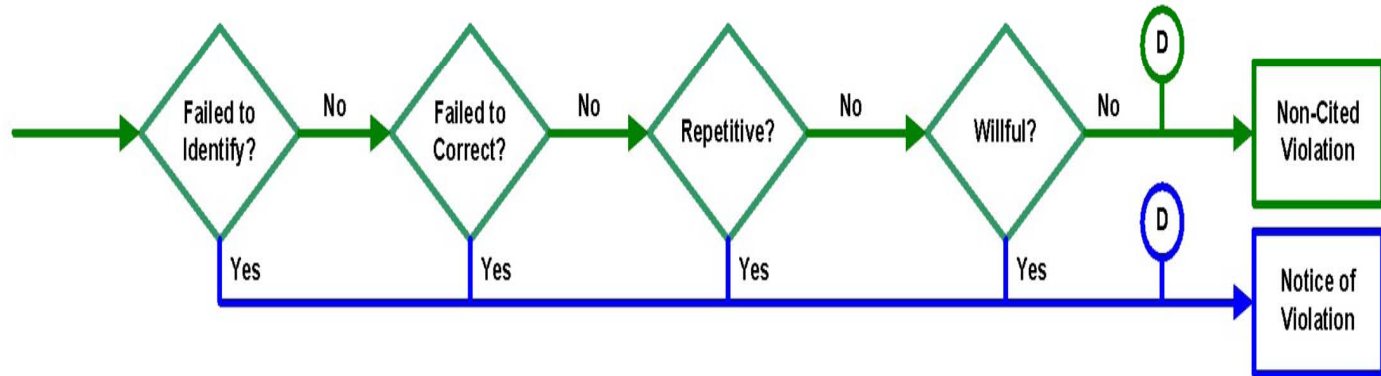
No Enforcement Action

NON-ESCALATED PROCESS

Power Reactor Licensees
Severity Level IV
Violations Related to
Green SDP Findings



All Other Licensees
Severity Level IV
Violations





Escalated Enforcement Actions

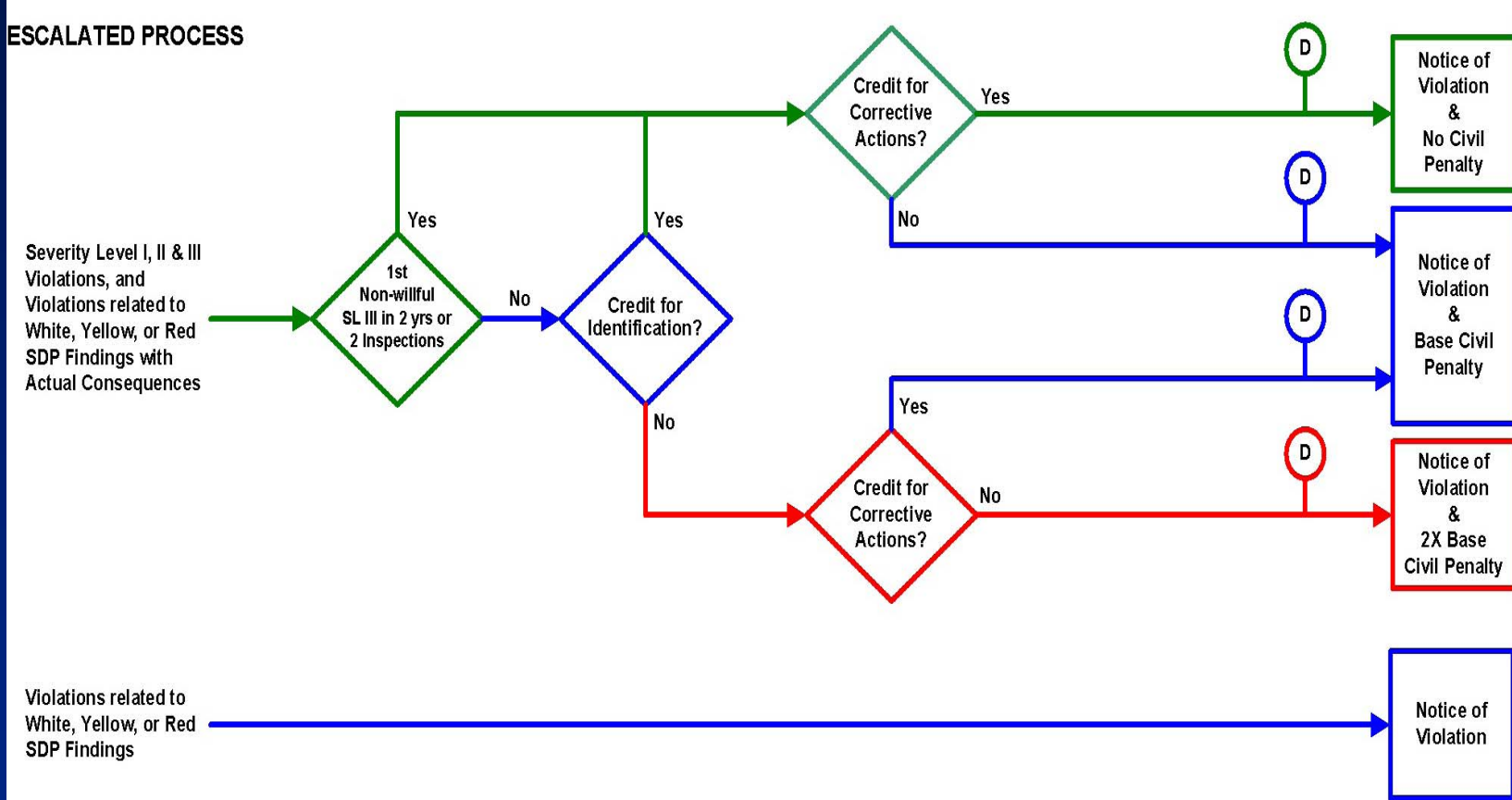
- Level I, II, or III Violations
- Civil Penalties; base, reduced or increased dependent upon various factors
- Orders; may be issued in lieu of or in addition to civil penalties

Escalated Enforcement Process

- Pre-decisional enforcement conference; usually open to the public
- Considers factors such as previous escalated enforcement actions, credit for actions related to identification, prompt and comprehensive corrective actions, and exercise of discretion if warranted



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Escalated Enforcement Process

- Enforcement panel then meets and decides final enforcement action and then issues NOV, Civil Penalty and/or Order
- Violations, Civil Penalties and Orders can all be appealed through process described in the Enforcement Policy

Typical Vendor/Fabricator NOV

Level IV Violation Examples

- Failure to follow procedures or quality activity not prescribed in procedure
- Welder qualification lapsed yet was shown as qualified in two processes



ISFSI Violations

- Typically Level IV or Non-cited Violations
- Only one fairly recent (2003) Escalated Level III NOV with no CP; issued for placing Argon versus pure Helium into a dry shielded canister (DSC)