

NRC INSPECTION MANUAL

IRAB

INSPECTION MANUAL CHAPTER 0612

ISSUE SCREENING

Effective Date: 01/01/2020

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0612-01 PURPOSE

01.01 Provide requirements for inspection issue screening.

01.02 Demonstrate how to apply the more-than-minor screening questions.

01.03 Ensure that all violations of Nuclear Regulatory Commission (NRC) requirements by power reactor licensees are appropriately dispositioned in accordance with the NRC Enforcement Policy. This includes traditional enforcement violations which cannot be addressed only through the Reactor Oversight Process (ROP).

0612-02 OBJECTIVES

02.01 Screen inspection results to determine if issues warrant documentation in inspection reports.

02.02 Enhance the minor – more-than-minor determination predictability.

02.03 Ensure that violations are dispositioned in accordance with the Enforcement Policy and to ensure that performance deficiencies are screened, assessed, and documented in accordance with this IMC.

0612-03 DEFINITIONS

The following terms are applicable for the purposes of screening and documentation:

03.01 Apparent Violation (AV). A non-compliance with a regulatory requirement for which an enforcement decision has not been reached.

Examples include: (a) violations associated with ROP findings having pending or preliminary significance, (b) traditional enforcement violations being considered for escalated enforcement action, (c) violations being considered for enforcement discretion.

03.02 Cross-Cutting Aspect (CCA). Refer to IMC 0310, “Aspects Within Cross Cutting Areas” for the definition.

03.03 Finding. A performance deficiency determined to be More-than-Minor in accordance with IMC 0612, Appendix B.

03.04 Issue of Concern. A well-defined observation or collection of observations potentially impacting safety or security which may warrant further inspection, screening, evaluation, or regulatory action.

03.05 Licensee-Identified. Licensee-identified findings and violations are (1) identified as a result of deliberate observation by licensee personnel; and (2) entered into the licensee corrective action program.

Examples of deliberate observations that result in licensee-identified findings or violations include (1) those identified during activities such as post maintenance testing, operator rounds,

engineering walkdowns, drills, critiques, or audits; and (2) degraded conditions identified during testing which do not result in test failure.

03.06 Minor Violation. A violation associated with a minor performance deficiency or a traditional enforcement violation that is less than Severity Level (SL) IV. All violations, including minor violations, must be corrected. Minor violations are not routinely documented in inspection reports.

03.07 Non-Cited Violation (NCV). A method for dispositioning a SL IV violation or a violation associated with a Green ROP finding that meets the criteria in Section 2.3.2 of the Enforcement Policy.

03.08 Notice of Violation (NOV). A written notice setting forth one or more violations of a legally binding requirement (see 10 CFR 2.201, "Notice of Violation").

03.09 NRC-Identified. NRC-identified findings or violations are found by NRC inspectors, of which the licensee was not previously aware or had not been previously documented in the licensee's corrective action program. NRC-identified findings or violations also include issues initially identified by the licensee to which the inspector has identified inadequacies in the licensee's characterization or evaluation of the issue of concern.

03.10 Observation. A factual detail noted during an inspection.

03.11 Pending Significance. A significance characterization assigned to a finding which requires further safety or security significance evaluation to determine a preliminary significance.

03.12 Performance Deficiency. The licensee's failure to satisfy one or more regulatory requirements or self-imposed standards where such failure was reasonably foreseeable and preventable. Additional information is provided in Block 2 of Appendix B of this IMC.

03.13 Preliminary Significance. A significance characterization assigned to a finding that has received a preliminary significance determination from the Significance Enforcement Review Panel (SERP) and was determined to be preliminarily White, Yellow, Red, or Greater than Green.

03.14 Present Performance. The potential CCA is reflective of present performance if the performance deficiency (not the event or condition resulting from the performance deficiency) occurred recently, nominally within the last three years. When appropriate, apply additional considerations to determine whether the CCA is reflective of present performance.

a. If the performance deficiency occurred more than three years ago, but the performance characteristic has not been corrected or eliminated, the inspector can conclude that the CCA is reflective of present performance.

b. If the performance deficiency occurred within the last three years, but the performance characteristic has since been corrected or eliminated, the inspector can conclude that the CCA is not reflective of present performance.

Note: Corrected or eliminated CCAs means the licensee had taken actions prior to the discovery of the performance deficiency and because of these actions, a similar issue would not likely occur now. For example, the licensee initiates actions to improve the quality of

calculations; however, two months later, the inspector identifies problems with a calculation which had been issued a year before this effort. If the inspector believes the licensee's actions to improve calculations would have prevented this recently identified issue, the inspectors can conclude the performance deficiency is not reflective of current performance.

03.15 Regulatory Requirement. A legally binding obligation such as a statute, regulation, license condition, technical specification, or order that is enforceable by the NRC.

03.16 Standard or Self-Imposed Standard. A licensee-established expectation that does not constitute a regulatory requirement.

03.17 Self-Revealed. Self-revealed findings or violations are those identified as a result of a condition that (1) become apparent through a readily detectable degradation in material condition, capability, or functionality of equipment or plant operations; and (2) does not meet the definition of licensee-identified or NRC-identified.

Examples of self-revealed findings or violations include those revealed through: unplanned reactor trips and secondary plant transients; obvious equipment and piping failures; failed on demand testing; valid plant or electronic dosimeter alarms; identification of large quantities of fluids in areas where one would not normally expect such a condition.

03.18 Severity Level (SL). The significance of a violation evaluated under traditional enforcement.

03.19 Significance Determination Process (SDP). The process described by IMC 0609 and associated appendices that is applied to an inspection finding to determine its safety or security significance as either Green (very low), White (low-to-moderate), Yellow (substantial), or Red (high).

03.20 To Be Determined (TBD). A significance characterization assigned to a finding with pending or preliminary significance. The TBD characterization will apply until the final significance is documented in an inspection report or final determination letter.

03.21 Traditional Enforcement (TE). An Enforcement Policy process used to disposition violations of NRC requirements that are not dispositioned through the ROP SDP. Violations receiving traditional enforcement are assigned a Severity Level and may include the imposition of a civil penalty as appropriate. Traditional enforcement is applied to violations associated with (a) actual consequences, (b) willfulness, and (c) impeding the regulatory process. Additionally traditional enforcement is used to disposition violations receiving enforcement discretion or violations without a performance deficiency. Independent spent fuel storage installations (ISFSI), and nuclear materials facilities are not subject to the SDP and, thus, traditional enforcement will be used for these facilities.

03.22 Unresolved Item (URI). An issue of concern associated with inspection activity which requires more information to determine if: (a) a performance deficiency exists, (b) the performance deficiency is More-than-Minor, or (c) the issue of concern potentially constitutes a violation.

[03.23](#) Violation. The failure to comply with a legally binding regulatory requirement, such as a statute, regulation, order, license condition, technical specification. Violations can be non-cited, cited, escalated or dispositioned using enforcement discretion.

03.24 Very Low Safety Significance Issue Resolution (VLSSIR). A process used to discontinue evaluation of an issue involving a licensing basis question in which the issue cannot be resolved without a significant level of effort and an expenditure of resources the agency has chosen not to utilize because the issue is expected to be of very low safety significance if found to be valid. There is no requirement for additional action by the NRC or the licensee on these issues.

0612-04 RESPONSIBILITIES AND AUTHORITIES

04.01 General Responsibilities. Each inspection of a reactor facility must be properly characterized.

04.02 Inspectors. Ensure that inspection results are properly characterized and documented in accordance with NRC guidance.

04.03 Branch Chiefs or Division Directors. Review each inspection report to ensure it is consistent with the directives provided in this IMC.

Ensure that inspection findings, determinations, and actions are consistent with NRC policies, directions, and technical requirements. For example, ensure that screening and significance determinations documented in the inspection report are in accordance with Appendix B, "Issue Screening," of this IMC, IMC 0609, "Significance Determination Process," and the Enforcement Policy, as applicable.

Ensure that violations are addressed in accordance with the Enforcement Policy and the Enforcement Manual.

04.04 Division of Inspection and Regional Support – ROP Assessment Branch.

- a. Provide interpretations and support for information contained in this IMC.
- b. Facilitate resolution of identified gaps in IMC directions and guidance.

0612-05 ISSUE SCREENING GUIDANCE

The minor – more-than-minor determination requires inspectors to apply reasonable judgment to assess if the performance deficiency has created the potential of more than minor safety or security consequences. In making this determination, inspectors should consider the circumstances, the likelihood of adversely affecting the cornerstone objectives, and the effect on applicable cornerstone objectives affecting safety and security. Other factors such as maintaining defense in depth, engineered safety margins, and the prevention of too much reliance on human operators for rapid critical decisions should also be considered in this assessment. Inspector should understand that equipment inoperability is not a pre-requisite for the PD to be MTM.

It should also be understood that with all judgment-calls, some variability will exist whenever different inspectors have to apply judgment to unique and site-specific circumstances to determine if a performance deficiency is more-than-minor. To ensure that the Reactor Oversight Process (ROP) is risk-informed, significant effort should not be expended on making

minor or more-than-minor determinations. Inspectors should risk inform their level of effort commensurate with the potential safety significance of the performance deficiency. Ultimately, the inspection report signature authority makes the final determination based on their interpretation of the guidance within this IMC.

Restoring compliance is required for all violations (minor or more-than-minor).

05.01 Guidance on the More-Than-Minor Screening Questions

When making the more-than-minor (MTM) determination, inspectors shall follow guidance to answer the MTM questions in IMC 0612, Appendix B, Issue Screening and shall use the examples in IMC 0612 Appendix E, Examples of Minor Issues to inform the MTM determination:

a. Could the performance deficiency reasonably be viewed as a precursor to a significant event?

1. Management Directive (MD) 8.3, NRC Incident Investigation Program, defines a significant event as any radiological, safeguards, security or other event at an NRC-licensed facility that poses an actual or potential hazard to public health and safety, common defense and security, property, or the environment. See MD 8.3 for more insights into what constitutes a significant event.

2. Significant events may include, but are not limited to, onsite or offsite releases of radiation or radiation exposures exceeding 10 CFR Part 20, "Standards for Protection Against Radiation," regulatory limits, onsite or offsite chemical hazard exposures resulting from licensed or certified activities, accidental criticality, core damage, loss of significant safety barriers, loss of control of radioactive material that poses a realistic potential for exposure of the public exceeding applicable annual dose limits, failures to implement emergency plans, or failures to implement security plans.

3. For the performance deficiency to be a precursor to a significant event, the performance deficiency must exist prior to the significant event and establish conditions for the significant event to occur.

b. If left uncorrected, would the performance deficiency have the potential to lead to a more significant safety concern?

1. This screening question prompts the inspector to evaluate the potential result or outcome of the performance deficiency assuming no corrective actions are implemented.

2. The "if left uncorrected" consideration should be limited to the conditions stemming directly from the performance deficiency. Human performance errors associated with a performance deficiency should ordinarily be viewed as an isolated occurrence unless there is evidence showing an increased likelihood that the error may be repeated.

3. The "potential to lead to a more significant safety concern" speaks to the realistic potential that the condition introduced by the performance deficiency would eventually progress to the point of adversely affecting a cornerstone objective if left uncorrected.

c. Is the performance deficiency associated with one of the cornerstone attributes and did the performance deficiency adversely affect the associated cornerstone objective?

1. The first part of this question, “associated with the cornerstone attributes” prompts the inspector to identify which cornerstone attribute is associated with the performance deficiency.

2. When determining whether a cornerstone objective was adversely affected, the inspector must be able to show how the cornerstone objective was negatively impacted.

3. If the performance deficiency resulted in a meaningful and substantive reduction of margin with respect to a cornerstone objective then the performance deficiency adversely affected the cornerstone objective. The inspector should understand the impact of the deficiency, the available margin and use engineering judgement when trying to assess (either qualitatively or quantitatively) the “adverse effects” to cornerstone objectives. Note: App E examples provide perspective on the meaningful and substantive reduction of margin.

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END

APPENDICES

Appendix B: [Additional Issue Screening Guidance](#)

Appendix E: Minor / More-than-Minor Screening Examples

Appendix G: Emergency Planning Cornerstone-Specific Supplemental Guidance for Appendix B Screening Figures 1 and 2

Attachment 1 – Revision History for IMC 0612

| Commitment Tracking Number | Accession Number Issue Date Change Notice | Description of Change | Description of Training Required and Completion Date | Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, NonPublic Information) |
|----------------------------|---|---|--|--|
| | 01/06/00 CN 00-021 | Initial issue of IMC 0610* | | |
| | 02/27/01 CN 01-005 | IMC 0610* was revised to incorporate revisions to Physical Protection Group Two Questions, in concert with issuance of the interim Physical Protection SDP. Also minor revisions were added to: address treatment of third party reviews, clarify guidance on writing inspection summaries, provide several examples of maintenance findings, and make several administrative revisions. | | |
| N/A | ML021280215 04/29/02 CN 02-021 | Initial issue of IMC 0612. Revised from IMC 0610* to address revised documentation requirements of the revised Reactor Oversight Process (ROP). This revision changed the manner in which findings are documented, deleted "no color" findings and the requirements to add licensee identified violations to the Plant Issue Matrix. Other Major changes involved re formatting several sections for clarity; provided a sample inspection report (to be issued separately); re structured and revised the thresholds for documentation (Appendix B); provided numerous new examples of minor violations in Appendix E; and provided a revised format for documenting findings. | None | N/A |

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|----------------------------|---|---|--|--|
| N/A | ML031610632 06/20/03 CN 03-021 | IMC 0612 Power Reactor Inspection Reports main body, app appendices and exhibits were revised to achieve the following: <ol style="list-style-type: none"> 1. Consistency with IMC 0306 (Information Technology Support for the Reactor Oversight Process) 2. Presented information in the order in which the activities will normally be performed in the process of developing and transmitting a reactor inspection report. 3. Removed specific enforcement guidance to ensure consistency between the guidance in IMC 0612 and the Enforcement Policy and Enforcement Manual. 4. Corrected incorrect or conflicting information. | None | N/A |
| N/A | ML040150518 01/14/04 CN 04-001 | Changed the inspection report timeliness to 45 calendar days for most inspection reports, including Special Inspections. | None | N/A |
| N/A | ML052700137 09/30/05 CN 05-028 | Revised to clarify definitions for NRC identified, selfrevealing and licensee identified; to provide additional guidance on how to document cross cutting issues; to improve guidance on LER closure; to update the new report timeliness requirement; and to reflect changes made to the document based on inspector feedback. | Yes but not prior to issuance | N/A |
| N/A | 02/10/06 | Revision history reviewed for the last four years. | N/A | N/A |

| Commitment Tracking Number | Accession Number Issue Date Change Notice | Description of Change | Description of Training Required and Completion Date | Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, NonPublic Information) |
|----------------------------|---|---|--|---|
| N/A | ML061300434 06/22/06 CN 06-015 | <p>Revised to provide additional guidance and requirements for documenting cross-cutting aspects of inspection findings and to provide guidance on inspection report approval requirements when resolution to unresolved items are based on discussions between inspector(s) and NRR technical staff(s).</p> <p>Enhancing the ROP to more fully address safety culture (SRM 04-0111).</p> <p>Commitment tracking added to IMC 0612 in connection with relocating guidance specific to documenting crosscutting attributes (CCAs) in inspection reports from IMC 0305 to IMC 0612.</p> | Yes 07/01/06 | ML061510135 |
| N/A | ML063000257 11/02/06 CN 06-033 | Revised definition of performance deficiency to bring the definition in alignment with the basis for performance deficiency as described in ROP basis document, IMC 0308 Attachment 3, "Significance Determination Process Basis Document." | Yes 09/06/06 | ML063000483 |
| N/A | ML070720191 09/20/07 CN 07-029 | IMC 0612 has been revised to add guidance on NRC use of INPO documents and on cover letters for security inspections. Also enhanced guidance on NCVs and SCAQs. | None | ML071560246 |
| N/A | ML082270500 12/04/08 CN 08-034 | IMC 0612 has undergone a major re-write to incorporate numerous feedback forms and to add additional guidance for documenting inspection findings. | Yes but not prior to issuance | ML083220722 |

| Commitment Tracking Number | Accession Number Issue Date Change Notice | Description of Change | Description of Training Required and Completion Date | Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, NonPublic Information) |
|----------------------------|---|---|--|---|
| | ML091590492 04/30/10 CN 10-013 | <p>Support changes to IMC 0612 App B to Enhance Integration of ROP with traditional enforcement and consolidation of screening guidance to App B.</p> <p>Recognize creation of IMC 0310 and relocate guidance specific to screening and documenting cross-cutting attributes (CCAs) from IMC 0305 to IMC 0612 App B and IMC 0612, respectively.</p> <p>Address (in part) Feedback Forms 0612-1304, -1352, 1355, -1359, -1365, -1393, -1403, -1410, -1411, -1418, -1419, -1420, -1437, and -1451 associated with documentation of apparent violations, screening analysis, self-imposed standards, SUNSI, cross-cutting finding attributes, findings involving enforcement discretion, screening of minor PDs, definition/glossary topics, establishing an appropriate level-of-guidance, inclusion of appropriate external references.</p> <p>Consolidate all screening guidance from Section 0612-05 'Screening Inspection Results,' into Appendix B screening guidance.</p> <p>Enhance document usefulness through enhanced use of hyperlinked content.</p> | Yes but not prior to issuance | ML091480470 |

| Commitment Tracking Number | Accession Number Issue Date Change Notice | Description of Change | Description of Training Required and Completion Date | Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, NonPublic Information) |
|----------------------------|---|---|--|---|
| | ML12058A229 07/10/12 CN 12-014 | This revision is a complete reissue which improves the integration of traditional enforcement into the Reactor Oversight Process (ROP). Significant changes include: Clarified purpose of IMC, revised definitions (present performance, issue of concern, pending significance, preliminarily significance), clarified guidance for documenting traditional enforcement licensee identified violations, added additional guidance to direct the documentation of traditional enforcement violations and associated findings in a combined write-up, corrected numerous terminology issues, enhanced and clarified the documentation requirements for CCAs, redefined present performance as it applies to CCA screening, removed guidance related to photography and SUNSI that is redundant to IMC 0620, and added additional guidance on documenting licensee-identified violations. | None | ML12128A372 Closed FF: 0612-1352, 1434, 1437, 1469, 1490, 1491, 1492, 1493, 1494, 1495, 1497, 1498, 1499, 1502, 1508, 1509, 1528, 1533, 1552, 1559, 1565, 1566, 1567, 1569, 1572, 1588, 1592, 1595, 1596, 1621, 1628, 1669, 1672, 1681, 1697, 1717, 1766 |
| | ML12244A483 01/24/13 CN 13-003 | Added requirement to add statement indicating crosscutting aspects assigned to licensee-identified pending or preliminary findings are conditional on non-Green SDP results. Added additional guidance related to documenting findings with pending significance. Added guidance related to reissuing inspection reports. Added note to present performance definition. Revised wording for NCV treatment under section 6.03b8(a) to conform with Section 2.3.2 of the Enforcement Policy. Added requirement to use plain writing in inspection reports. Added definition for Observation which was inadvertently removed during the last revision. | None | ML12293A326 Closed FF: 0612-1802 & 1807 |

| Commitment Tracking Number | Accession Number Issue Date Change Notice | Description of Change | Description of Training Required and Completion Date | Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, NonPublic Information) |
|----------------------------|---|--|--|---|
| | ML13058A316 05/06/16 CN 16-012 | <ul style="list-style-type: none"> • Clarified licensee-identified, self-revealed, and NRC identified definitions. Added “failed on demand testing” to self-revealed examples. • Added direction on how to document multiple examples of the same finding. • Added a requirement to document when the violation occurred and how long it existed for Section 40A7 NCVs. • Clarified definition of performance deficiency (application or meaning not changed see IMC 0308 Att 3 for basis). • Aligned finding summary and 4 part write-up requirements to eliminate inconsistencies. • Specified existing requirement to document performance deficiency screening when documenting a TE violation without a finding. • Removed replicative cover letter directions already included in IMC 0612 Exhibit 4. • Enhanced direction for amending inspection reports. • Added direction for retaining proprietary information. • Added direction not to communicate regulatory determinations or actions that have not been established in accordance with applicable processes. • Removed requirement to list more than six documents reviewed in a sample in the report attachment. | None | <p>ML15229A315</p> <p>Closed FF: 06121530, 1555, 1684, 1900, 1917, 1954, & 2152</p> <p>April 2015 DDCM Action Items 25 & 26</p> |

| Commitment Tracking Number | Accession Number Issue Date Change Notice | Description of Change | Description of Training Required and Completion Date | Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, NonPublic Information) |
|----------------------------|---|---|--|--|
| N/A | ML17122A246 05/03/17 CN 17-009 | Created IMC 0611 to separate power reactor inspection reports from issue screening. No other changes were made to IMC 0612. | None | n/a |
| | ML19214A243 12/12/19 CN 19-039 | Revised to address open feedback forms and OIG 16-A-21 recommendation 2. | | ML19217A135 FBFs: 0612B-1433 ML19220A106 0612B-1436 ML19220A108 0612B-1564 ML19220A109 0612B-1887 ML19220A110 0612B-1970 ML19220A111 0612E-1366 ML19226A027 0612E-1420 ML19226A029 0612E-1931 ML19226A043 |