

TO: Brent

FAX TRANSMITTAL - ONE PAGE ONLY

FROM: Kerry

EA REQUEST & ENFORCEMENT STRATEGY FORM

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Del Case: ___ 1st Panel: ___ Post Panel: ___ Re-Panel: ___ Post Caucus: ___ Re-Caucus: ___ Other:

EA 99-185

EATS Data Entry Information

Date of Request: 8/4/99 Region: III Case Type: RX Small Entity No Yes

Licenses: Detroit Edison Facility (Unit)/Location: Hermi

Doc. No.: 50-341 Last Day of Insp.: 7/23/99 ID Date: 5/5/99

Date of Ref.: - Of Rpt No.: - Of Rpt Date: - Conf. Closed?: -

Referral to DOJ: - Action Date DOJ: - Recommended Action: D (Decline) or P (Prosecute)

Summary of Facts: Both trains of SLN out for about 28 hours.

Inspection Rpt No. _____ Keywords for SLIVs and NCVs: _____

REMARKS FOR EATS ON BACK

ES: TR

Significance: Actual ___ Potential ___ Regulatory ; SALP Area(s) _____

1. SL Supp
Details: Critic strategy what developed to change disposition from SLN NCV to a cited violation. At the city meeting the licensee communicated it disagreed

SL Supp
Details: with the violation and therefore, was not taking CA. Consistent with Appendix C, violation to be cited.

SL Supp
Details: Note on this is a TIA which supports same as a violation.

2. A. Risk Significant Case? Yes No; 2. B. Regulatory Significance? Yes No;

3. Prior Escalated Action? No Yes EA: _____ Date: _____

4. Lic. ID? No Yes / Lic. Credit No Credit Ined. Info NA Explain: _____

5. Corrective Action? Lic. Credit No Credit Ined. Info Explain: _____

6. Conference Needed? No Yes Explain: _____

7. CP? No CP Base CP Double Base CP Other: _____

8. Discretion or Order Needed? No Yes Explain: _____

9. Willfulness Involved? No Yes; Of Investigating Of needs to be notified Of OE dispute memo needed Additional Of coordination needed Awaiting DOJ Needs coordination with DOJ

10. Program Office Represented? No Yes; 11. OGC Represented? No Yes;

12. Action? No violation Re-panel Conference Letter Choice Letter SL IV NOV Re-Caucus Region issues Esc. Action Submit to OE for Quick Review Submit to OE for Full Package Review DEDE Review Commission Disagreement Other: _____

13. Comments: _____ 14. Approved: [Signature] Date: 8-6-99 Faxed: _____

Mail to: Andy Kugler, C. Craig, B. Clayton, V. Omdar, D. Dambly.

EA/OI/ Div	Clock	Facility - Issue	En Action	OE Review	Assigned	Action Needed	Committed Date	Status
99-185 DRP	none (SLIV)	Fermi - failure to implement a TS surv and action statement assoc with an Inop EDG. Due to low risk the violation was class as a S/L IV	SLIV	none	Veget Heller	Completed unless licensee contests violation.		Panel 7/15/99 SL IV NOV issued 8/10/99 in IR 99010.
99-186 DNMS	None (SLIV)	Spectrum Pharmacy - excessive non-fixed contamination on package .	SLIV	none	Simmons Wright	Licensee disputed violation. DNMS review dispute		Paneled 7/15/99 DNMS issued letter and NOV on 7/29/99
99-196 DRS	DOL issue & OI case	Point Beach - Employment discrimination against a root cause evaluator			Jacobson Weil	Licensee appealed to DOL Administrative Law Judge. Monitor DOL activity		5/27/99 DOL Area Director found discrimination occurred. Licensee appealed. 7/6 & 28 /99 Allegation Boards. 7/30/99
99-196 99-xxx	7/26/99	"Chilling effect" letter - only Licensee: xxxxxx	TBD	Full		"Chilling Effect" letter sent 7/30/99. Reply due 8/30/99.		"Chilling Effect" letter sent (4 days). (EA-99-196 assigned to chilling effect letter <u>only</u> and closed 7/30/99 IAW Para. 7.7.4.1 of the Enforcement Manual.)
99-194 DNMS	6/22/99 OI RPT	PSI - unsupervised use of radiography device by assistant radiographer (RIV OI 4-1999-016) -Radiographer (3 violations) -Assistant Radiographer (2 vio.)	SLII & IV \$8800 CP 1-yr order SLIII & IV	Full	Simmons Wright	EICS draft actions		Paneled 7/22/99 Conf. letters to two individuals sent 8/5/99. PEC 8/24/99

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 5 + 7(G)
 FOIA 99-323

PREDECISIONAL INFORMATION - NOT FOR PUBLIC DISCLOSURE
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Outside
 SCOPE

ex.5
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 7(A)

E/1