**FORM 13: Cover Letter for Order Imposing Civil Monetary Penalty (with or without OUO-SRI)**

EA-[YY]-[XXX]

NMED NO. {*If applicable*}

[Licensee Official]

[Title]

[Name of Licensee]

[Address]

SUBJECT: {*Use* [PLANT NAME] *for reactor cases*} - ORDER IMPOSING CIVIL MONETARY PENALTY(IES) - $[AMOUNT]

Dear Mr. (Ms.) (Mrs.) [Licensee Official–Last]:

***— Start of Opening Paragraphs Section —***

This refers to your letter dated [date] in response to the Notice of Violation and Proposed Imposition of Civil Penalty (Notice) sent as an enclosure to our letter dated [date]. Our letter and Notice describe [number] violations identified {indicate how the violations were identified, e.g., by NRC inspection}.

To emphasize {repeat the language from the original letter proposing the civil penalty}, (a) civil penalty(ies) of $[Amount] was proposed.

In your response(s) you {indicate whether the licensee admits or denies the facts in the Notice, and whether the licensee requests mitigation or other consideration}.

After consideration of your response(s), we have concluded that {provide staff’s conclusion or, alternatively, as appropriate, use: “for the reasons given in the Appendix attached to the enclosed Order Imposing Civil Monetary Penalty that {provide the conclusion}”}. Accordingly, we hereby serve the enclosed Order on [Name of Licensee] imposing a civil monetary penalty in the amount of $[Amount]. Within 20 (30) days of the date that the enclosed Order is published in the Federal Register you should either: (1) pay the civil penalty in accordance with Section IV of the Order, (2) request a hearing in accordance with Section V of the Order, or (3) request Alternate Dispute Resolution (ADR) with the NRC in an attempt to resolve this issue.

ADR is a general term encompassing various techniques for resolving conflicts using a neutral third party. The technique that the NRC has decided to employ is mediation. Mediation is a voluntary, informal process in which a trained neutral party (the “mediator”) works with parties to help them reach resolution. If the parties agree to use ADR, they select a mutually agreeable neutral mediator who has no stake in the outcome and no power to make decisions.

Mediation gives parties an opportunity to discuss issues, be creative, find areas of agreement, and reach a final resolution of the issues. Additional information concerning the NRC's ADR program can be found at <http://www.nrc.gov/aboutnrc/regulatory/enforcement/adr.html>, as well as NRC brochure NUREG/BR-0317, “Enforcement Alternative Dispute Resolution Program,” Revision 2 (ADAMS Accession No. ML18122A101). The Institute on Conflict Resolution (ICR) at Cornell University has agreed to facilitate the NRC's program as a neutral third party. If you are interested in pursuing resolution of this issue through ADR, you must contact ICR at (877) 733-9415 within 10 calendar days of the date of this letter. Additionally, please contact [Name] at [Telephone Number] or by email [insert email address], or [Name] at [Telephone Number] or by email [insert email address] within 10 calendar days of the date of this letter if you choose to participate in ADR. A request to pursue resolution through ADR will extend the time period to pay the civil penalty or request a hearing.

We will review the effectiveness of your corrective actions during a subsequent inspection.

***— End of Opening Paragraphs Section —***

***— Start of Closing Paragraphs Section —***

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC’s document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site

([http://www.nrc.gov/reading‑rm/doc‑collections/enforcement/actions/](http://www.nrc.gov/readingrm/doccollections/enforcement/actions/)).

***For OUO-SRI, use the following paragraph instead of the previous paragraph:***

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of the Order, without its Appendix, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC’s document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The Order will also be published in the Federal Register. However, because this letter and the Appendix to the Order contain Security-Related Information, they will not be made available electronically for public inspection. Additionally, this letter and the Appendix to the Order must be protected from unauthorized disclosure in accordance with [Indicate requirement]. Security‑Related Information is also discussed in Regulatory Information Summary RIS‑2005‑031, “Control of Security-Related Sensitive Unclassified Non-Safeguards Information” (ML053480073), which is available on the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The NRC will also include the Order on its Enforcement Web site at [http://www.nrc.gov/reading-rm/doc‑collections/enforcement/actions](http://www.nrc.gov/reading-rm/doccollections/enforcement/actions).

Sincerely,

Deputy Executive Director for [NOTE: For materials cases other than Severity Level I, substitute:

Director, Office of Enforcement]

Docket No.

License No.

Enclosures: Order Imposing Civil Monetary Penalty

 {For OUO-SRI cases, include the phrase:

 “(with Security-Related Appendix)” }

Civil Penalty Invoice No. [Invoice Number]

NUREG/BR-0254 Payment Methods (Licensee only)

NUREG/BR-0317 Enforcement Alternative Dispute Resolution Program