**FORM 2(S)(Public): Publicly Available Cover Letter Transmitting Inspection Report for Severity Level IV Notices of Violation, Notices of Violation associated with green SDP findings, and/or Non-Cited Violations containing Safeguards or Security-Related Information**

EA-[YY]-[XXX]

NMED NO. {*If applicable*}

[Licensee Official]

[Title]

[Name of Licensee]

[Address]

SUBJECT: [PLANT NAME] - NRC SECURITY INSPECTION REPORT ([XXXXXXXX/YYYYY-NNN]) {*If applicable, add* “(AND) INVESTIGATION REPORT ([X-XXXX-XXX])”} {*If applicable, add:* “AND NOTICE OF VIOLATION”}

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

This letter refers to the inspection {*add, if applicable:* “(and) investigation”} conducted on [date(s)] at (your) {*insert* [plant name] *for reactor licensee; use* [City, State] *or* [temporary job site location] *for materials licensees*} facility (Inspection Report No(s). ([XXXXXXXX/YYYYY-NNN]) {*If applicable, add* “(and) Investigation Report [X-XXXX-XXX]”}, enclosed). {May i*nclude a purpose statement:* “The purpose of the inspection {*if applicable:* “(and) investigation”} was to [*insert the intended purpose of the inspection and/or investigation*]}. The enclosed report presents the results of this inspection {*if applicable:* “(and) investigation”}. {*As appropriate, document any subsequent meetings and/or telephone discussions.*}

***1. Routine inspections may use the following optional paragraph:***

This inspection examined activities conducted under your license as they relate to public health and safety, (and/or) the common defense and security, and to confirm compliance with the Commission's rules and regulations (, orders,) and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

The enclosure contains [Sensitive Unclassified Non-Safeguards Information or Safeguards Information]. Upon separation, this cover letter is DECONTROLLED.

***2.1 For inspection reports with Severity Level IV NOVs or NOVs associated with green SDP findings, include the following paragraph followed by either the response required or the no response required paragraph (otherwise go to 2.2):***

Based on the results of this inspection, the NRC has determined that a Severity Level IV violation(s) of NRC requirements occurred. {*Alternatively, for violations associated with green SDP findings, use:* “Based on the results of this inspection, the NRC has identified issues that were evaluated under the risk significance determination process as having very low safety significance (green).”} The NRC has also determined that [number] violations are associated with these issues.

The(se) violations was (were) evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at ([http://www.nrc.gov/about‑nrc/regulatory/enforcement/enforce‑pol.html)](http://www.nrc.gov/aboutnrc/regulatory/enforcement/enforcepol.html)). The violation(s) is (are) cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it (them) are described in detail in the subject inspection report. The violation(s) is (are) being cited in the Notice because {*An explanation MUST be included that clearly articulates why an NOV is being issued in terms of the Section 2.3.2 criteria they met. This explanation may be expanded, where warranted, to convey the appropriate message to the licensee in terms of those actions that require additional attention. In addition, for Severity Level IV citations beyond the normal Section 2.3.2 criteria, this explanation shall include the basis for issuing the citation, notwithstanding the normal policies.*}

***2.1.1 Include either the (A) response required or the (B) no response required paragraph (indented for clarity):***

***(A)*** You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

OR

***(B)*** The NRC has concluded that information regarding: (1) the reason for the violation(s); (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance will be (was) achieved is already adequately addressed on the docket in {*Indicate correspondence, e.g.,* “NRC Inspection Report [XXXXXXXX/YYYYY-NNN];” “LER [YY]-[XXX];” *or* “(your) letter dated [date]”}. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

***2.2 For inspection reports with NCVs, include the following paragraph:***

Based on the results of this inspection, the NRC has (also) determined that [number] (additional) Severity Level IV violation(s) of NRC requirements occurred. {*Alternatively, for NCVs associated with green SDP findings, use:* “Based on the results of this inspection, the NRC has also identified (additional) issues that were evaluated under the risk significance determination process as having very low safety significance (green). The NRC has also determined that [number] violations are associated with these issues. ”} Because {*summarize reason why violation(s) is/are being treated as NCVs,* e.g., “[Licensee Name] initated condition reports to address this (these) issue(s),”} this (these) violation(s) is (are) being treated as Non‑Cited Violations (NCVs), consistent with Section 2.3.2 of the Enforcement Policy. The(se) NCVs are described in the subject inspection report. If you contest the violation(s) or significance of the(se) NCV(s), you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to: (1) the Regional Administrator, Region [Region Number]; (2) the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and (3) [Name of the NRC Resident Inspector] at [Plant Name] facility.

***3. For Operating Reactors ROP cases:***

***(A) Add the following paragraph if a SL-IV traditional enforcement violation was issued and IP 92702 will be performed to follow-up.***

In accordance with NRC Inspection Manual Chapter 0305, “Operating Reactor Assessment Program,” Section 13.02.b, the NRC will follow up the violation using Inspection Procedure 92702, “Follow-up on Traditional Enforcement Actions Including Violations, Deviations, Confirmatory Action Letters, Confirmatory Orders, and Alternative Dispute Resolution Confirmatory Orders.”

OR

***(B) Add the following paragraph if three SL-IV traditional enforcement violations associated with the same area (willfulness, impeding the regulatory process, or actual consequences) were issued during the previous 12 months and the NRC will conduct IP 92723 as a follow-up inspection.***

From [date] {beginning of 12 month period} to [date of enforcement letter] {end of 12 month period}, the NRC issued three (or more) Severity Level IV traditional enforcement violations, including this one, associated with *{choose either:* “willfulness,” “impeding the regulatory process,” or “actual consequences.” *The type of TE needs to be mentioned, because implementation of IP 92723 requires the violations be in the same area.}* Therefore, in accordance with NRC Inspection Manual Chapter 0305, “Operating Reactor Assessment Program,” Section 13.02.b, the NRC will conduct Inspection Procedure 92723, “Follow Up Inspection for Three or More Severity Level IV Traditional Enforcement Violations in the Same Area in a 12-Month Period” to review these violations.

***4.1 For those packages containing Safeguards Information use (otherwise go to 4.2):***

However, the material enclosed herewith contains Safeguards Information as defined by 10 CFR Part 73.21 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. If Security-Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1).  In accordance with 10 CFR 2.390(b)(1)(ii) the NRC is waiving the affidavit requirements of your response.]

***(Note: Use latest web address; always verify it works and advise OE if an update is needed.)***

***4.2 For packages containing security-related information, use:***

However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not 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>. If Security Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1).] In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,

Regional Administrator

(Or designee)

Docket No.

License No.

Enclosure(s): Inspection Report No.

Notice of Violation (if applicable)