**FORM 2: Cover Letter Transmitting Inspection Report (includes optional paragraphs for Severity Level IV Notices of Violation, Notices of Violation associated with green SDP findings, Non-Cited Violations, and apparent violations subject to a conference)**

EA-[YY]-[XXX]

NMED NO. {*If applicable*}

[Licensee Official]

[Title]

[Name of Licensee]

[Address]

SUBJECT: [PLANT NAME] - NRC {*include type of inspection, e.g.,* "INTEGRATED, SPECIAL"} 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.

***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 [number] 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%29). 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 (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. Include the next three paragraphs if apparent violations are being considered and a predecisional enforcement conference is being confirmed (conference letter):***

In addition, [number] apparent violation(s) was (were) identified and is (are) being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. {*The narrative that follows should briefly discuss the nature of the apparent violation(s).*} Since the NRC has not made a final determination in this matter, no Notice of Violation is being issued for these inspection findings at this time. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

An open (A closed) predecisional enforcement conference to discuss this (these) apparent violation(s) has been scheduled for [date]. The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to assist the NRC in making an enforcement decision. This may include information to determine whether a violation occurred, information to determine the significance of a violation, information related to the identification of a violation, and information related to any corrective actions taken or planned. The conference will provide an opportunity for you to provide your perspective on these matters and any other information that you believe the NRC should take into consideration in making an enforcement decision.

You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the(se) apparent violation(s) is required at this time.

***See IMC 0609 for regulatory conferences involving SDP issues.***

***4. 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

(See next page)

***(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.

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, {*Add:* “if you choose to provide one” for cases where a response is not required}, will 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>. To the extent possible, your response should not include any personal privacy or proprietary, information so that it can be made available to the Public without redaction.

 Sincerely,

Regional Administrator

(Or designee)

Docket No.

License No.

Enclosure(s): Inspection Report No.

Notice of Violation (if applicable)