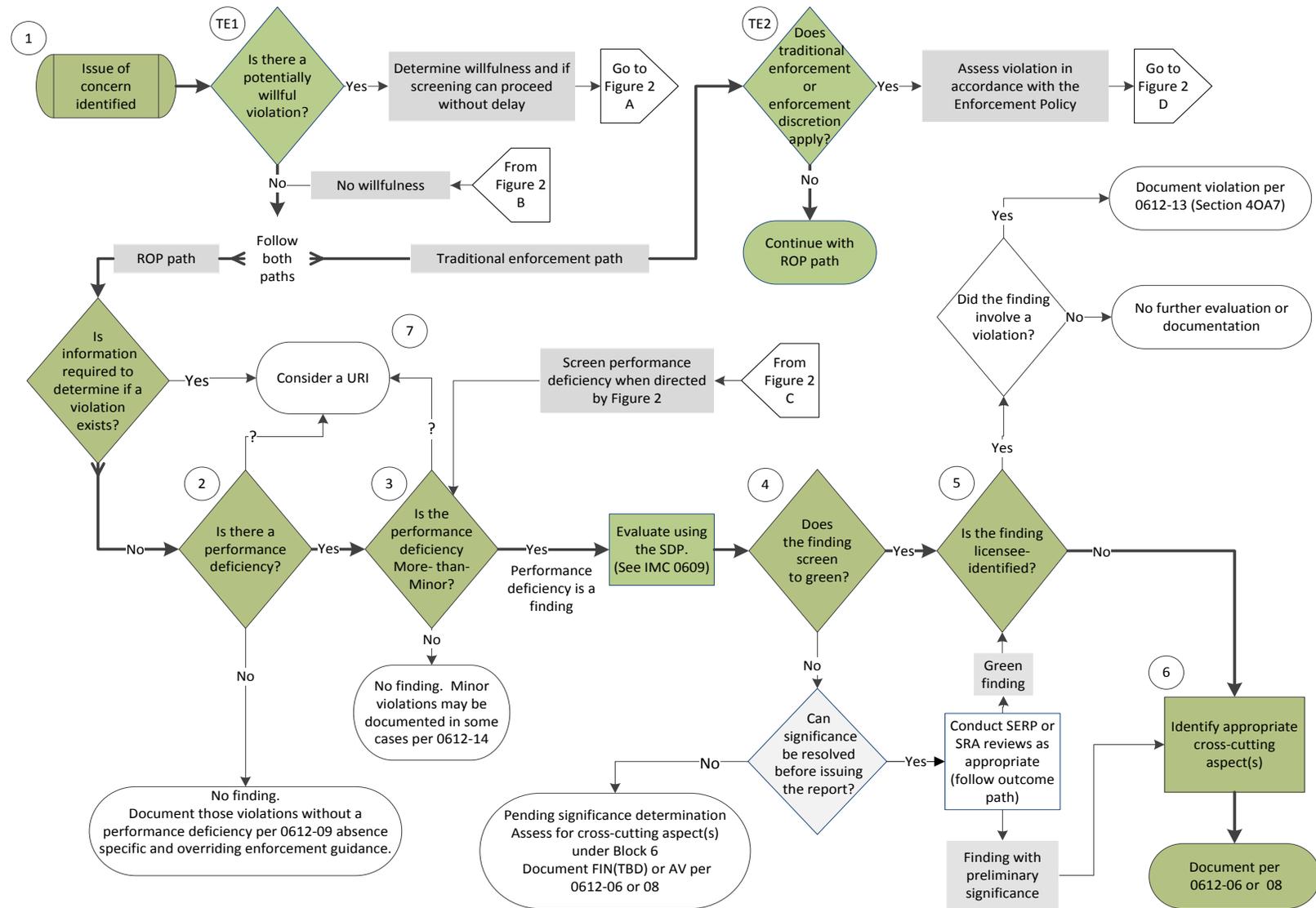
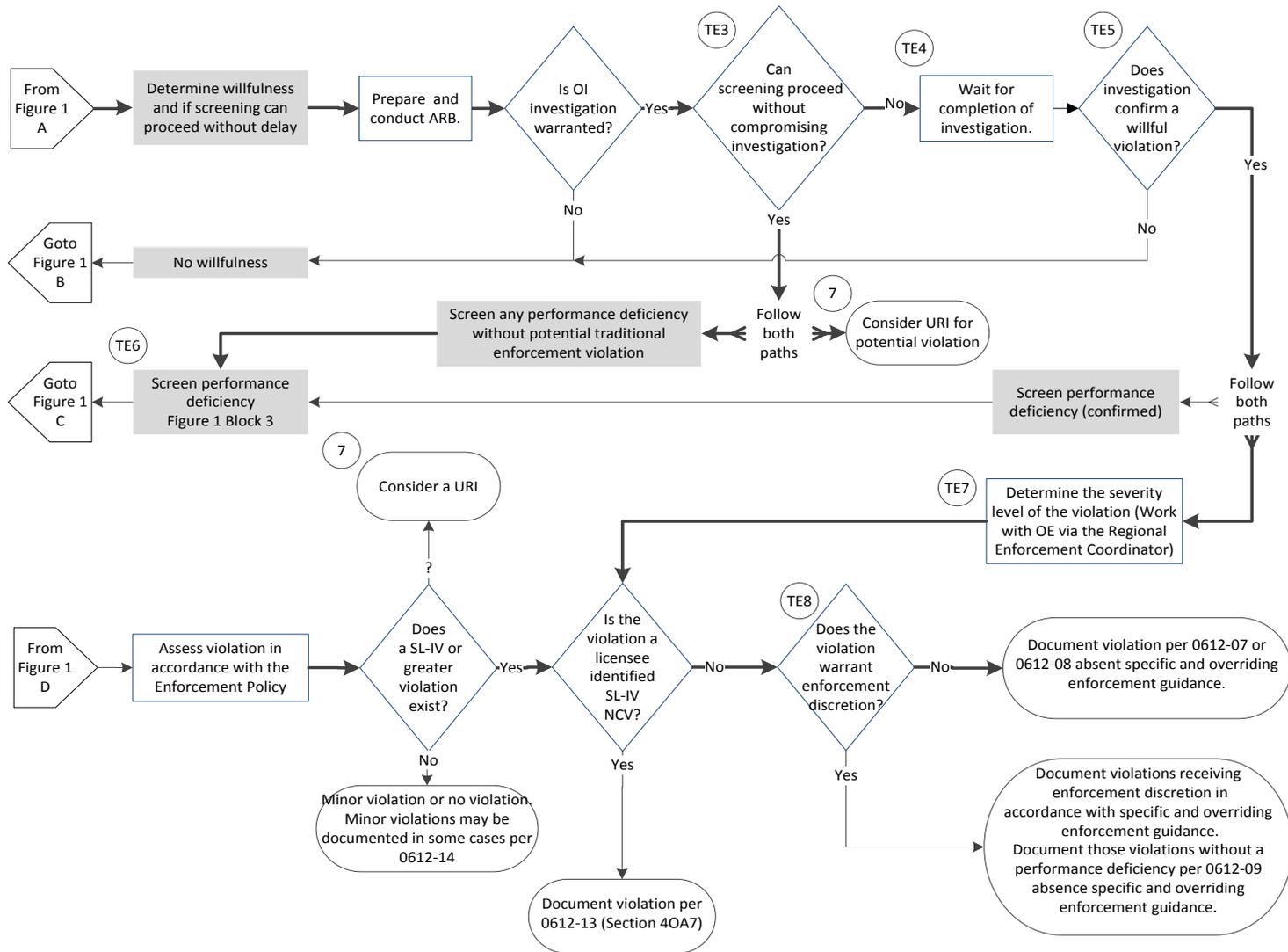


Figure 1: Issue Screening



**Figure 2: Issue Screening (Traditional Enforcement)**



## Additional Guidance to Clarify Figures

Inspectors will not use the Reactor Oversight Process (ROP) screening process to screen traditional-enforcement violations, but will use that process to screen their underlying performance deficiencies if any exist. Inspectors will separate traditional enforcement violations from their underlying performance deficiencies and screen those traditional enforcement violations using the examples and guidance in the Enforcement Manual and Enforcement Policy.

When dispositioning performance deficiencies associated with traditional enforcement violations, inspectors will not consider the traditional enforcement aspect as part of the ROP performance deficiency.

### Figure 1, "Issue Screening"

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Block 1	Issue of concern identified
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An issue of concern is a well-defined observation or collection of observations that may have a bearing on safety or security which may warrant further inspection, screening, evaluation, or regulatory action.

For issues of concern with multiple examples, inspectors will screen each example separately.

On rare occasions, an inspector may identify an issue of concern that is neither a regulatory requirement nor an accepted licensee standard which may warrant consideration under the backfit process due to its perceived impact on safety or security. Inspectors identifying such an issue of concern should raise the concern to management and refer to Management Directive 8.4, "Management of Facility-specific Backfitting and Information Collection."

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Block TE1	Is there a potentially willful violation?
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Although inspectors screen issues of concern for indications of potentially willful violations, the determination of willfulness is a legal decision that can only be made by the Office of the General Council (OGC) using facts developed during an investigation conducted by Office of Investigations (OI), normally at the recommendation of the Allegation Review Board (ARB).

See the Enforcement Policy, Enforcement Manual, and Allegation Manual for additional insights involving willfulness. See 10 CFR 50.5 for regulations addressing deliberate misconduct.

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Block TE2	Does traditional enforcement or enforcement discretion apply?
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If any of the following questions can be answered 'yes', the inspector will compare the violation with examples in the Enforcement Policy to determine if the violation rises to SL-IV or above and thus constitutes a non-minor traditional enforcement violation.

1. Was there a violation that impacted the regulatory process? Examples:
    - Failure to provide complete and accurate information
    - Failure to receive prior NRC approval for changes in licensed activities
    - Failure to notify the NRC of changes in licensed activities
    - Failure to perform 10 CFR 50.59 analyses
    - Reporting failure, etc.
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Block TE2	Does traditional enforcement or enforcement discretion apply?
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2. Was there a violation that contributed to actual safety consequences? Examples:
  - Actual onsite or offsite releases of radiation exceeding regulatory limits
  - Onsite or offsite radiation exposures exceeding regulatory limits
  - Accidental criticalities
  - Core damage
  - Loss of significant safety barriers
  - Loss of control of radiological material exceeding regulatory limits for public dose
  - Radiological emergencies
  
3. Is there a SL-IV or greater violation with no associated performance deficiency?

Circumstances may arise where enforcement discretion should be considered or exercised to either escalate or mitigate enforcement sanctions or otherwise refrain from taking enforcement action for a particular violation. The Enforcement Policy and Enforcement Manual describe situations where this may apply. Specific circumstances may include:

- Specific cases for which temporary Enforcement Guidance Memoranda prescribes enforcement discretion
- Non-minor violations absent a performance deficiency
- Violations identified during extended shutdowns or work stoppages
- Violations involving old design issues
- Violations identified because of previous enforcement action
- Violations involving certain discrimination issues

Note: Independent spent fuel storage installations (ISFSI), and nuclear materials facilities are not subject to the Significance Determination Process (SDP) and, thus, traditional enforcement will be used for these facilities and their associated license.

Block 2	Is there a performance deficiency?
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The issue of concern is a performance deficiency if the answer to both of the following questions is “yes”:

- Was the issue of concern the result of the licensee’s failure to meet a requirement or standard? (A standard includes a self-imposed standard such as a voluntary initiative or a standard required by regulation)
- Was the cause of the issue of concern reasonably within the licensee’s ability to foresee and correct and should the issue of concern have been prevented?

Notes: (1) The performance deficiency is the proximate cause of the degraded condition and is not the degraded condition. To determine this cause, inspectors need not complete a rigorous root-cause evaluation, but instead may complete an evaluation based on reasonable inspector assessment and judgment.

(2) Inspectors should not define a performance deficiency at a fundamental level, such as defining a performance deficiency as a management weakness or as a cross-cutting area.

(3) Enforcement Manual Section 2.13.8 discusses grouping closely related violations into an enforcement “problem”. Considering this guidance, inspectors or SERP members may define or redefine a performance deficiency at the problem level and thereby create a relationship between one performance deficiency and many violations.

When evaluating the licensee’s failure to meet a requirement or standard, the inspector should consider the licensee’s intent:

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<b>Block 2</b>	<b>Is there a performance deficiency?</b>
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- By definition, the licensee intends to meet regulatory requirements, including license conditions and Technical Specifications.
  - The inspector can generally conclude the licensee intends to meet standards established in current licensing basis documents. LIC-100, “Control of Licensing Bases for Operating Reactors,” provides insights into what documents may constitute current licensing basis.
  - Failure to meet an industry standard constitutes a performance deficiency only if the licensee intended to meet that standard. Inspectors may reasonably conclude that standards implemented via licensee procedures or as Nuclear Energy Institute (NEI) initiatives committed to by the industry are standards that the licensee intended to meet.
  - The inspector should focus on whether the licensee met regulatory requirements in an acceptable manner rather than whether the licensee met the requirements in a manner specifically approved in a generic communication.
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<b>Block 3</b>	<b>Is the performance deficiency More-than-Minor?</b>
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If the answer to any of the following questions is “yes,” then the performance deficiency is More-than-Minor and is a finding. If the answer to all of the following questions is “no,” then the performance deficiency is minor and is not a finding.

- Could the performance deficiency reasonably be viewed as a precursor to a significant event?
- If left uncorrected, would the performance deficiency have the potential to lead to a more significant safety concern?
- Does the performance deficiency relate to a performance indicator that would have caused the performance indicator to exceed a threshold?
- Is the performance deficiency associated with one of the cornerstone attributes listed at the end of this attachment and did the performance deficiency adversely affect the associated cornerstone objective?

Inspectors should consider using IMC 0612, Appendix E, “Examples of Minor Issues,” to inform answers to the screening questions listed above.

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<b>Block 4</b>	<b>Does the finding screen to Green?</b>
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Inspectors will screen all findings using IMC 0609, Attachment 4, “Phase 1 – Initial Screening and Characterization of Findings” worksheet. Any finding which cannot be determined to be Green will require a Significance Enforcement Review Panel (SERP).

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<b>Block 5</b>	<b>Is the finding licensee-identified?</b>
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In determining whether a finding is licensee-identified, NRC-identified, or self-revealing, a measure of subjectivity is anticipated and accepted. To make these determinations, inspectors and regional staff should consider not only the definitions of these terms, but also past experience, related precedents, and the over-arching regulatory message that the determination could send.

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<b>Block 6</b>	<b>Identify appropriate cross-cutting aspect(s)</b>
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To identify an appropriate cross-cutting aspect for a finding, the inspector will:

- Review applicable causal information related to the finding to identify the cause(s) of the performance deficiency. (To identify causes, inspectors need not perform independent
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Block 6	Identify appropriate cross-cutting aspect(s)
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causal evaluations beyond what would be appropriate for the complexity of the issue. For the most-complex issues, inspectors may need to complete informal apparent-cause evaluations.)

- Among those causes, identify the performance characteristic that is either the primary cause of the performance deficiency or the most-significant contributor to it.
- Select the cross-cutting aspect listed in IMC 0310 that best reflects the performance characteristic that is the most significant contributor to the finding (i.e., determine which cross-cutting aspect provides the most meaningful insight into why the finding occurred.) A cross-cutting aspect is a finding characteristic which inversely relates to the reason why the performance deficiency occurred. The cross-cutting aspect is not a finding.

Note that:

- Typically, the staff will assign no more than one cross-cutting aspect to a finding. On rare occasions, when the regional staff considers that a unique or complex inspection finding warrants more than one cross-cutting aspect, before associating more than one cross-cutting aspect to any finding, the regional office will contact the Performance Assessment Branch Chief (NRR/DIRS/IPAB) for concurrence.
- For a finding to have multiple examples, the same cross-cutting aspect should be associated with each example, consistent with Enforcement Manual Section 2.13.7. (Unless examples have the same cross-cutting aspect, they can't be examples of the same finding.)

Block 7	Consider a URI
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Inspectors should open a Unresolved Item (URI) when an inspection must exit pending receipt of information required to determine one of the following:

- If there is a performance deficiency
- If the performance deficiency is More-than-Minor
- If the issue of concern is a violation

Note: Inspectors may not use a URI to obtain more information to determine the significance of a finding.

## Figure 2, “Issue Screening (Traditional Enforcement)”

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Block TE3	Can ROP screening proceed without compromising investigation?
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Each issue of concern warranting a willfulness investigation triggers a process to determine whether disposition of the associated ROP performance deficiency may proceed without compromising the OI investigation.

Generally, to preclude the possibility of compromising an ongoing willfulness investigation, inspectors should suspend ROP disposition activities that require licensee interaction until the investigation is complete. However, because SDP insights developed during issue dispositioning are integral to dispositioning most traditional enforcement violations, inspectors should disposition ROP performance deficiencies in a timely manner. So, to balance these competing considerations, whenever ROP disposition activities could possibly compromise an ongoing investigation, the Directors (or their designees) of the OI Field Office, DIRS, the associated Regional Division of Reactor Projects or Safety, and OE should reach a consensus decision on whether ROP dispositioning should be suspended or may proceed during the investigation. The parties involved in this decision should ensure that their specific concerns are considered in order to achieve the two desired agency outcomes – a valid and defensible ROP finding and a valid and defensible violation within the enforcement program.

If the decision is to suspend ROP dispositioning, then as soon as the investigation is sufficiently complete or whenever new information arises that might otherwise warrant reevaluating that decision, the parties involved in the decision should revisit the decision, and change it if change is warranted.

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Block TE4	Wait for completion of investigation
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This block requires enhanced coordination to preclude the possibility of compromising an ongoing investigation by proceeding, prematurely, with ROP disposition activities while simultaneously assuring that ROP disposition activities are not delayed longer than necessary.

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Block TE5	Does investigation confirm a willful violation?
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In accordance with the Enforcement Policy and Enforcement Manual, OI, upon concluding its investigation will issue a conclusion about willfulness based on the facts collected/developed during investigation. Using the facts/conclusion above, OGC will make a final determination about willfulness.

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Block TE6	Screen performance deficiency (Figure 1 Block 3)
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The absence of a finding may influence but does not preclude the potential to confirm a willful violation, though it may influence the determination of its severity level and/or civil penalty. Similarly, the presence of a finding does not preclude the potential to confirm no willful violation. However, if a willful violation is determined to exist, it may influence the determination of its severity level and/or civil penalty.

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Block TE7	Confirmed willful violation
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To disposition violations involving confirmed willfulness, inspectors shall coordinate with the Office of Enforcement through the Regional Enforcement Coordinator. Additional guidance is contained in the Enforcement Policy and Enforcement Manual.

A violation may be considered more significant than the underlying noncompliance if involves

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Block TE7	Confirmed willful violation
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willfulness. When determining the severity level of a willful violation, the NRC, in addition to considering the willful aspects, considers the (1) actual safety consequences, (2) potential safety consequences, including the consideration of risk information, and (3) potential for impacting the NRC's ability to perform its regulatory function. A notice of violation is normally required for a willful violation. However, a non-cited violation may still be appropriate. Refer to the Enforcement Policy for additional guidance.

The approval of the Director, Office of Enforcement, with consultation with the Deputy Executive Director as warranted, is required for dispositioning willful violations as non-cited violations.

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Block TE8	Does the violation warrant enforcement discretion?
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For violations involving enforcement discretion, inspectors shall coordinate their actions with the Regional Enforcement Coordinator. Additional guidance is contained in the Enforcement Policy and Enforcement Manual.

Some enforcement discretion decisions are made on a case-by-case basis in consultation with the Office of Enforcement, while others may be instituted under a temporary Enforcement Guidance Memorandum.

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Block 7	Consider a URI
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See Block 7 for Figure 1

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### Cornerstone Objectives and Attribute Tables

Cornerstone	REACTOR SAFETY – Initiating Events
<b>Objective</b>	To limit the likelihood of events that upset plant stability and challenge critical safety functions during shutdown as well as power operations.
<b>Attributes</b>	<b>Areas to Measure</b>
Design Control	Initial Design and Plant Modifications
Protection Against External Factors	Flood Hazard, Fire, Loss of Heat Sink, Toxic Hazard, Switchyard Activities, Grid Stability
Configuration Control	Shutdown Equipment Lineup, Operating Equipment Lineup
Equipment Performance	Availability, Reliability, Maintenance, Barrier Integrity (SGTR, ISLOCA, LOCA (S,M,L)), Refueling/Fuel Handling Equipment
Procedure Quality	Procedure Adequacy (Maint, Test, Ops)
Human Performance	Human Error

Cornerstone	REACTOR SAFETY – Mitigating Systems
<b>Objective</b>	To ensure the availability, reliability, and capability of systems that respond to initiating events to prevent undesirable consequences (i.e., core damage).
<b>Attributes</b>	<b>Areas to Measure</b>
Design Control	Initial Design and Plant Modifications
Protection Against External Factors	Flood Hazard, Fire, Loss of Heat Sink, Toxic Hazard, Seismic, Weather
Configuration Control	Shutdown Equipment Lineup, Operating Equipment Lineup
Equipment Performance	Availability, Reliability
Procedure Quality	Operating (Post-event) Procedures (AOPs, SOPs, EOPs), Maintenance and Testing (Pre-event) Procedures
Human Performance	Human Error (Post-event), Human Error (Pre-event)

Cornerstone	REACTOR SAFETY – Barrier Integrity
<b>Objective</b>	To provide reasonable assurance that physical design barriers (fuel cladding, reactor coolant system, and containment) protect the public from radionuclide releases caused by accidents or events.
<b>Attributes</b>	<b>Areas to Measure (to Maintain Functionality of Fuel Cladding)</b>
Design Control	Physics Testing, Core Design Analysis (Thermal Limits, Core Operating Limit Report, Reload Analysis, 10 CFR50.46)
Configuration Control	Reactivity Control (Control Rod Position, Reactor Manipulation, Reactor Control Systems), Primary Chemistry Control, Core Configuration (Loading)
Cladding Performance	Loose Parts (Common Cause Issues), RCS Activity Level
Procedure Quality	Procedures which could impact cladding
Human Performance	Procedure Adherence (FME, Core Loading, Physics Testing, Vessel Assembly, Chemistry, Reactor Manipulation), FME Loose Parts, Common Cause Issues

<b>Cornerstone</b>	<b>REACTOR SAFETY – Barrier Integrity</b>
<b>Objective</b>	To provide reasonable assurance that physical design barriers (fuel cladding, reactor coolant system, and containment) protect the public from radionuclide releases caused by accidents or events.
<b>Attributes</b>	<b>Areas to Measure (to Maintain Functionality of RCS)</b>
Design Control	Plant Modifications
Configuration Control	System Alignment, Primary/Secondary Chemistry
RCS Equipment and Barrier Performance	RCS Leakage, Active Components of Boundary (Valves, Seals), ISI Results
Procedure Quality	Routine OPS/Maintenance Procedures, EOPs and related Off-Normal Procedures invoked by EOPs
Human Performance	Routine OPS/Maintenance Performance, Post Accident or Event Performance
<b>Attributes</b>	<b>Areas to Measure (to Maintain Functionality of Containment)</b>
Design Control	Plant Modifications, Structural Integrity, Operational Capability
Configuration Control	Containment Boundary Preserved, Containment Design Parameters Maintained
SSC and Barrier Performance	S/G Tube Integrity, ISLOCA Prevention, Containment Isolation, SSC Reliability/Availability, Risk Important Support Systems Function
Procedure Quality	Emergency and Operating Procedures, Risk Important Procedures (OPS, Maintenance, Surveillance)
Human Performance	Post Accident or Event Performance, Routine OPS/Maintenance Performance
<b>Attributes</b>	<b>Areas to Measure (to Maintain Radiological Barrier Functionality of Control Room and Auxiliary Building – PWR, and Standby Gas Trains – BWR only)</b>
Design Control	Plant Modifications, Structural Integrity
Configuration Control	Building Boundaries Preserved
SSC and Barrier Performance	Door, Dampers, Fans, Seals, Instrumentation
Procedure Quality	EOPs, Abnormal and Routine Operating Procedures, Surveillance Instructions, Maintenance Procedures
Human Performance	Post Accident or Event Performance, Routine OPS/Maintenance Performance
<b>Attributes</b>	<b>Areas to Measure (to Maintain Functionality of Spent Fuel Pool Cooling System)</b>
Design Control	Plant Modifications, Structural Integrity
Configuration Control	System Alignment
SSC Performance	Pumps, Valves, Instrumentation
Procedure Quality	EOPs, Abnormal and Routine Operating Procedures, Surveillance Instructions, Maintenance Procedures
Human Performance	Post Accident or Event Performance, Routine OPS/Maintenance Performance

<b>Cornerstone</b>	<b>REACTOR SAFETY – Emergency Preparedness</b>
<b>Objective</b>	To ensure that the licensee is capable of implementing adequate measures to protect the health and safety of the public in the event of a radiological emergency.
<b>Attributes</b>	<b>Areas to Measure</b>
ERO Readiness	Duty Roster, ERO Augmentation System, ERO Augmentation Testing, Training
Facilities and Equipment	ANS Testing, Maintenance Surveillance and Testing of Facilities, Equipment and Communications Systems, Availability of ANS, Use in Drills and Exercises
Procedure Quality	EAL Changes, Plan Changes, Use in Drills and Exercises
ERO Performance	Program Elements Meet 50.47(b) Planning Standards, Actual Event Response, Training, Drills, Exercises
Offsite EP	FEMA Evaluation

<b>Cornerstone</b>	<b>RADIATION SAFETY – Occupational Radiation Safety</b>
<b>Objective</b>	To ensure the adequate protection of the worker health and safety from exposure to radiation from radioactive material during routine civilian nuclear reactor operation.
<b>Attributes</b>	<b>Areas to Measure</b>
Plant Facilities/Equipment and Instrumentation	Plant Equipment Instrumentation, (ARM Cals & Availability, Source Term Control), Procedures (Radiation Protection and Maintenance)
Program & Process	Procedures (HPT, Rad Worker, ALARA); Exposure/Contamination Control and Monitoring (Monitoring and RP Controls), ALARA Planning (Management Goals, Measures - Projected Dose)
Human Performance	Training (Contractor HPT Quals, Radiation Worker Training, Proficiency)

<b>Cornerstone</b>	<b>RADIATION SAFETY – Public Radiation Safety</b>
<b>Objective</b>	To ensure adequate protection of public health and safety from exposure to radioactive materials released into the public domain as a result of routine civilian nuclear reactor operation.
<b>Attributes</b>	<b>Areas to Measure</b>
Plant Facilities/Equipment and Instrumentation	Process Radiation Monitors (RMS) (Modifications, Calibrations, Reliability, Availability), REMP Equipment, Meteorology Instruments, Transportation Packaging, Procedures (Design/Modifications, Equipment Calculations, Transportation Packages, Counting Labs)
Program & Process	Procedures (Process RMs & REMP, Effluent Measurement QC, Transportation Program, Material Release, Meteorological Program, Dose Estimates), Exposure and Radioactivity Material Monitoring and Control (Projected Offsite Dose, Abnormal Release, DOT Package Radiation Limits, Measured Dose)
Human Performance	Training (Technician Qualifications, Radiation & Chemical Technician Performance)

<b>Cornerstone</b>	<b>SAFEGUARDS – Security</b>
<b>Objective</b>	To provide assurance that the licensee's security system and material control and accountability program use a defense-in-depth approach and can protect against (1) the design basis threat of radiological sabotage from external and internal threats, and (2) the theft or loss of radiological materials.
<b>Attributes</b>	<b>Areas to Measure</b>
Physical Protection System	Protected Areas (Barriers, Alarms, Assessment), Vital Areas (Barriers, Alarms, Assessment)
Access Authorization	Personnel Screening, Behavior Observations, Fitness for Duty
Access Control	Search, Identification
Response to Contingency Events	Protective Strategy, Implementation of Protective Strategy
Material Control and Accounting	Records; Procedures, Inventories

Attachment 1 – Revision History for IMC 0612 Appendix B - Issue Screening

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Training Required and Completion Date	Comment and Feedback Resolution Accession Number
	11/01/2006	Revision history reviewed for the last four years.	No	
	04/29/2002 <a href="#">CN 02-021</a>	Appendix B was removed as an attachment to IMC-0612 and was issued as stand alone document.	No	
	<a href="#">ML051400254</a> 05/19/2005 <a href="#">CN 05-014</a>	Revised to add Question No. 5 to Minor Questions in Section 3 and Question No. 6 to the SDP Questions in Section 4 to reflect the new maintenance risk assessment and risk management SDP, IMC 0609, Appendix K, "Maintenance Rule Risk Assessment and Risk Management."	No	
	<a href="#">ML052700266</a> 09/30/2005 <a href="#">CN 05-028</a>	Revised to clarify the definition of a performance deficiency and a functionality of the control room. Also, the auxiliary building attribute was added to the cornerstone and objective section.	No	
	<a href="#">ML060400499</a> 11/02/06 <a href="#">CN 06-033</a>	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 09/06/2006	<a href="#">ML063000483</a>
	<a href="#">ML071720417</a> 09/20/07 <a href="#">CN 07-029</a>	Revised flow chart and Section 3 guidance to address feedback forms. Corrected formatting error on page B-7.	No	
	<a href="#">ML082310381</a> 12/04/08 <a href="#">CN 08-034</a>	Revised Guidance and Flow Chart to be consistent with changes to IMC 0612. Updated Cornerstone Objectives and Attributes to be consistent with IMC 0308.	Yes 12/03/2008	<a href="#">ML083220751</a>
	<a href="#">ML091590496</a> 12/24/09 <a href="#">CN 09-032</a>	Rewrite Guidance and Flow Charts to: 1. Implement enhanced Traditional Enforcement (TE) integration in ROP 2. Enhance organization and access 3. Incorporate IMC 0305 Cross-Cutting Aspect inspection guidance	Yes 12/10/2009	<a href="#">ML091480470</a>

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Training Required and Completion Date	Comment and Feedback Resolution Accession Number
		<p>4. Address (in part) the following 0612-related ROP Feedback:</p> <ul style="list-style-type: none"> <li>a. 1303 - enhance App E Maintenance Rule (MR) examples, remove MR specifics from App B</li> <li>b. 1355 –enhance Performance Deficiency guidance (e.g. what constitutes a "standard")</li> <li>c. 1362 - enhance MR minor screening guidance (see 1303)</li> <li>d. 1366 - enhance minor screening guidance for improved consistency</li> <li>e. 1398 - improve alignment between 0612 and Enforcement Policy (e.g. minor TE Violations)</li> <li>f. 1418 – enhance minor screening guidance to reduce subjectivity per 2008 Consolidated ROP Internal Self-assessment (CRIS-08)</li> <li>g. 1419 - enhance guidance for differentiating self-revealing vs. NRC- vs. License ID per CRIS-08</li> <li>h. 1425 - resolve CCA guidance cross-reference errors</li> </ul> <p>5. Consolidate screening guidance from Section 0612-05 'Screening Inspection Results,' of IMC 0612-proper into Appendix B screening guidance.</p>		
	<p>ML12080A204 09/07/12 <a href="#">CN 12-020</a></p>	<p>Complete Reissue. Simplified guidance. Added enforcement discretion path to traditional enforcement.</p>		<p><a href="#">ML12205A244</a> FF 0612B- 1398, 1439, 1483, 1496, 1507, 1591, 1679, 1680, 1683, 1700, 1703</p>