

**FORM 3-III: Cover Letter Transmitting Final White/Yellow/Red Finding (and Notice of Violation, if applicable)**

EA-YY-XX

(Name of Licensee)

(Address)

SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A WHITE (YELLOW/RED) FINDING [If applicable, add: "AND NOTICE OF VIOLATION"] [NRC Inspection Report No. (XXXXXXXX/YYYNNN) [Include name of facility]]

Dear \_\_\_\_\_:

The purpose of this letter is to provide you the final results of our significance determination of the preliminary [Indicate the color of the finding, i.e., White, Yellow, Red, or Greater than Green] finding identified in the subject inspection report. The inspection finding was assessed using the Significance Determination Process and was preliminarily characterized as [Indicate the color of the finding, i.e., White, Yellow, Red, or Greater than Green, followed by the significance associated with the color, i.e., White, a finding with low to moderate increased importance to safety that may require additional NRC inspections; Yellow, a finding with substantial importance to safety that will result in additional NRC inspections and potentially other NRC action; Red, a finding of high importance to safety that will result in increased NRC inspection and other NRC action; or Greater than Green, a finding of greater than very low safety significance resulting in the need for further evaluation to determine significance and therefore the need for additional NRC action.] This [Indicate the color of the finding, i.e., White, Yellow, Red, or Greater than Green] finding involved [Describe the finding].

[When a regulatory conference has been offered and the licensee declines this offer, include the following paragraph:

"In a telephone conversation with Mr. (Mrs.) \_\_\_\_\_ of NRC, Region \_\_, on (date), [Indicate the responsible licensee contact] of your staff indicated that (licensee's name) did not contest the characterization of the risk significance of this finding and that you declined your opportunity to discuss this issue in a Regulatory Conference or provide a written response."]

[When the licensee accepted and attended a regulatory conference, use the following paragraph:

"At your request, a Regulatory Conference was held on (date), to further discuss your views on this (these) issue(s). A copy of the handout you provided at this meeting is attached. During the meeting your staff described your assessment of the significance of the findings, detailed corrective actions, including the root cause evaluation for the event classification issues. Specifically, [Provide additional details of the licensee assessment and a point-by-point discussion of and justification for accepting/not accepting the licensee perspectives presented at the conference]."

After considering the information developed during the inspection [If applicable, add: "the additional information you provided in your letter dated (date), and the information you provided at the conference, the NRC has concluded that the inspection finding is appropriately

characterized as [Indicate the color of the finding, i.e., White, Yellow, Red, or Greater than Green, followed by the significance associated with the color].

You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified [Indicate the color of the finding, i.e., White, Yellow, Red, or Greater than Green] finding. Such appeals will be considered to have merit only if they meet the criteria given in the NRC Inspection Manual Chapter 0609, Attachment 2].

The NRC has also determined that [Describe the violation] is a violation of [Indicate the requirement], as cited in the attached Notice of Violation (Notice). The circumstances surrounding the violation are described in detail in the subject inspection report. In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a [Indicate the color of the finding, i.e., White, Yellow, Red, or Greater than Green] finding.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response.

Because bad plant performance for this issue has been determined to be in the regulatory response band, we will use the NRC Action Matrix to determine the most appropriate NRC response for this event. We will notify you, by separate correspondence, of that determination.

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. [For those packages containing Safeguards Information, remove the preceding paragraph and replace with: "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 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>.

Sincerely,

\_\_\_\_\_  
Regional Administrator  
(or designee)

Docket No. \_\_\_\_\_  
License No. \_\_\_\_\_

Enclosure(s): Inspection Report No. \_\_\_\_\_  
Notice of Violation (if applicable)