

SDP/EA REQUEST & STRATEGY FORM

Case Data

Disputed: ☐ Related Cases: _____

SDP/EA No.: 08-133 Number: 2 Docket No.: 030-05222

Request Date: 05/13/08 Region: I Case Type: I Small Entity: ☒ No ☐ Yes

Licensee: E.R. Squibb & Sons, Inc. Facility / City: Lawrenceville, NJ

License No.: 29-00139-02 Last Day of Insp.: 2/21/08

Insp. Rpt No.: 2008-002 Keywords: 040000 ES: LXS

Facts (EATS): (b)(7)(F)

Discussion (if required):

SDP ☒ No ☐ Yes

Assessment: ☐ Green ☐ White ☐ Yellow ☐ Red NOV ☐ Yes ☐ No

Wrongdoing ☒ No ☐ Yes OI Rpt No.: _____

DOJ Referral? ☒ No ☐ Yes Ref. Date: _____ Action Date: _____ ☐ Decline ☐ Accept

Resolution: ☐ Awaiting DOJ ☐ Needs coordination with DOJ

Does not meet the NRC ☐ Legal ☐ Policy threshold for taking enforcement action regarding

☐ Deliberate Misconduct ☐ Careless Disregard ☐ Non-willful violation(s)

Escalated Action

Date of Violation: 5/13/2006

Consequence: ☐ Actual ☒ Potential ☐ Reg. Impact ☐ Willfulness

Prior Esc. Action? ☒ No ☐ Yes EA: _____ Date: _____

ID Credit? ☒ No ☐ Yes ☐ TBD SL: III

CA Credit? ☐ No ☒ Yes ☐ TBD Supp: EGM

CP? ☒ No CP ☐ Base ☐ Double Base ☐ Other: EGM 06-001

Discretion or Order?

☐ No ☒ Yes Explain: Good faith Efforts

Future Action

Conference? ☒ No ☐ Yes ☐ Open ☐ Closed Additional Info: _____

Action? ☐ No Violation ☐ Re-panel ☐ PEC Letter ☐ Choice Letter ☐ Choice Call ☐ SL IV NOV ☐ Re-caucus

☐ Region Issue Esc. Action ☐ Full Package Review by HQ ☐ DEDR Review ☐ Commission ☐ NCV ☐ Offer ADR

☒ Other action? Good faith effort letter- Quick review by OE

Participants:	Region: John Kinneman, Jim Dwyer, Dennis Lawyer, Dan Holody, Anne DeFrancisco
	OE: L. Sreenivas, C. Carpenter, OGC/OI:
	Program Office: Terrence Reis, Copy: M.Burgess Other:

Remarks/Comments/Lessons Learned: The panel agreed with RI's recommendation to provide credit for corrective action and exercise discretion not to cite the licensee based on the good faith efforts. This is because: 1) the licensee made a reasonable attempt to implement the (b)(7)(F) 2) the failure was not willful, 3) the licensee took prompt corrective actions and, 4) the failure did not result in (b)(7)(F) Therefore RI will issue a letter to the licensee identifying the violations, corrective actions and application of good faith effort.