

# **Predecisional Enforcement Conference with Southern California Edison**

January 24, 2019

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- In the event of technical difficulties with the webinar, a telephone bridge line will be used:
    - Bridge Number: (888) 942-9646
    - Passcode: 9856491
  - Link to NRC Spotlight:  
<https://www.nrc.gov/reactors/operating/ops-experience/songs-spec-insp-activities-cask-loading-misalignment.html>

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# Agenda

Topic	Participants
Opening Remarks and Introductions	Scott Morris
Conference Process	Linda Howell
Licensee Opening Remarks	Southern California Edison
Enforcement Policy and Process	Michael Vasquez
Summary of Apparent Violations	Dr. Janine Katanic
Licensee Presentation	Southern California Edison
Questions and Discussion	All Conference Participants
NRC Caucus	NRC Participants
Questions and Discussions	All Conference Participants
Closing Remarks	Scott Morris

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## FOR TODAY'S MEETING

- No Final Decision Will Be Made
- We Want Southern California Edison's Perspectives
  - Whether violations occurred
  - Significance of the violations
  - Corrective Actions

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# SIGNIFICANCE = “Severity Level”

## SEVERITY LEVEL – I

(most significant regulatory concern)

## SEVERITY LEVEL – II

(very significant regulatory concern)

## SEVERITY LEVEL – III

(significant regulatory concern)



(Escalated Enforcement)

(Non-Escalated Enforcement)

## SEVERITY LEVEL – IV

(less significant concern, but more than minor)

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# Civil Penalty Assessment

- NRC Enforcement Policy Considers:
  - Enforcement History
  - Whether the licensee identified the issue
  - Adequacy of corrective actions

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## POSSIBLE OUTCOMES

- No Action
- Notice of Violation (NOV)
- NOV with Civil Penalty (\$)
- Order

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## APPEAL RIGHTS

- Any NRC action may be challenged
- Civil Penalties and Orders provide hearing rights



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# Questions regarding NRC's Enforcement Process?

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## Apparent Violation No. 1

10 CFR 72.212(b)(3) requires, in part, that each cask used by the general licensee conforms to the terms, conditions, and specifications of a Certificate of Compliance. Certificate of Compliance 072-01040, Amendment 2, requires that lifting operations must be in accordance with Technical Specification, Appendix A, Section 5.2.c.3, which requires that the canister be lifted and carried with redundant drop protection features to prevent uncontrolled lowering of the load.

*THESE APPARENT VIOLATIONS ARE SUBJECT TO FURTHER REVIEW AND MAY BE REVISED*

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## Apparent Violation No. 2

10 CFR 72.75(d)(1) requires, in part, that each licensee notify the NRC within 24 hours after the discovery of events involving spent fuel in which important to safety equipment is disabled or fails to function as designed when the equipment is required by certification of compliance to be available and operable to mitigate the consequences of an accident and no redundant equipment was available and operable to perform the required safety function.

*THESE APPARENT VIOLATIONS ARE SUBJECT TO FURTHER REVIEW AND MAY BE REVISED*

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**CAUCUS IN SESSION**  
**RETURN SHORTLY**

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# NRC Next Steps

- Final NRC determination of apparent violations
- Follow-up Inspections
  - Independent assessment of licensee performance
  - Determine effectiveness of corrective actions

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## Feedback, Questions, and Comments

Post Conference Feedback Link:

<https://www.nrc.gov/public-involve/public-meetings.html>

CONCLUSION OF PEC

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# Questions and Comments

Present in Conference Room:

- Raise your hand to get the facilitator's attention. Please state your name and affiliation clearly into the microphone before posing your question or comment.

On the Webinar:

- Type your name, affiliation, and your question into the webinar QUESTION box. The facilitator will pose a summary of the questions to the NRC panel.