

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NRC INSPECTION MANUAL

NMSS

MANUAL CHAPTER 1007

INTERFACING ACTIVITIES BETWEEN
REGIONAL OFFICES OF NRC AND OSHA

1007-01 PURPOSE

This manual chapter implements the Memorandum of Understanding (MOU), dated October 21, 1988, between the Nuclear Regulatory Commission (NRC) and the Occupational Safety and Health Administration (OSHA).

1007-02 OBJECTIVES

02.01 To ensure that information concerning events, unsafe conditions, and other matters dealing with occupational safety and health are referred to facility management and to the proper agency.

02.02 To provide policy and interface guidelines for the exchange of information at NRC Program and Regional Office levels of NRC and OSHA.

02.03 To provide for inspector involvement, during inspections of fuel and materials facilities and operating reactors, in the identification and disposition of safety concerns in the area of OSHA responsibility.

1007-03 BACKGROUND

There are four categories of hazards that may be associated with NRC-licensed nuclear facilities:

- Radiation risk produced by radioactive materials.
- Chemical risk produced by radioactive materials.
- Plant conditions that affect the safety of radioactive materials and thus present an increased radiation risk to workers. For example, these might produce a fire or an explosion, and thereby cause a release of radioactive materials or an unsafe reactor condition.
- Plant conditions that result in an occupational risk, but do not affect the safety of licensed radioactive materials. For example, there might be exposure to toxic non-radioactive materials and other industrial hazards in the workplace.

Generally, the NRC has jurisdiction over the first three categories listed above and OSHA has jurisdiction over the fourth hazard. Although OSHA has authority and responsibilities regarding the last listed category, NRC is taking leadership role in reporting any such conditions, of which it becomes aware, to proper

authorities, to instigate appropriate action. Likewise, OSHA will inform the appropriate NRC Regional Office of matters which are under NRC cognizance when they come to the attention of OSHA through complaints or their inspections. This will help eliminate gaps in worker protection in the area of safety and health, and help eliminate duplication of efforts.

1007-04 RESPONSIBILITIES AND AUTHORITIES

04.01 The Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations & Research. Coordinates the development and resolution of policy issues concerning agency jurisdiction and operational relations with the OSHA Director of Policy for NRC reactor licensees.

04.02 The Deputy Executive Director for Nuclear Material Safety, Safeguards & Operations Support. Coordinates the development and resolution of policy issues concerning agency jurisdiction and operational relations with the OSHA Director of Policy for NRC fuel cycle and materials licensees.

04.03 Director, Office of Enforcement. Coordinates the development and resolution of issues concerning enforcement activities involving both NRC and OSHA jurisdiction, at NRC-licensed facilities, with the OSHA Directorate of Compliance Programs.

04.04 NRC Regional Administrators

- a. Designate at least one staff member to serve as an NRC Regional Office OSHA Liaison Officer.
- b. Inform the Director, Office of Enforcement (OE), and Director, Nuclear Reactor Regulations (NRR), or Director, Nuclear Material Safety and Safeguards (NMSS), as appropriate, of any issues that raise questions concerning inspection or enforcement activities involving both NRC and OSHA jurisdiction at NRC-licensed facilities.
- c. Use the information provided by OSHA inspectors, as appropriate; this may include evaluation and analysis of the information and onsite followup.

04.05 NRC Regional Office OSHA Liaison Officer

- a. Serves as the principal point of contact between the NRC Regional Office and the appropriate OSHA Regional Office.
- b. Provides advice and guidance to resident inspectors and to NRC Regional Office staff on potential non-radiological hazards observed during an inspection.
- c. Determines whether events and conditions having industrial or chemical safety significance at NRC-licensed facilities, are to be reported to the OSHA Regional Office.
- d. Ensures events or conditions having industrial or chemical safety significance at NRC-licensed material or fuel cycle facilities that are reported to OSHA, are also reported to the NMSS OSHA Liaison Officer.
- e. Ensures records are maintained of the interface activities with OSHA Regional Offices.

04.05 NMSS OSHA Liaison Officer

- a. Serves as the principal point of contact between NMSS and the appropriate OSHA Regional Office for chemical safety issues identified at fuel cycle licensees.
- b. Provides advice and guidance to resident inspectors, NRC Regional Office Staff, and NMSS staff on potential chemical safety hazards observed during an inspection.

- c. Determines whether events and conditions having chemical safety significance, at fuel cycle licensees, are to be reported to OSHA Regional Office.
- d. Ensures events or conditions having chemical safety significance at NRC-licensed fuel cycle facilities that are reported to OSHA, are also reported to the appropriate NRC Regional Office OSHA Liaison Officer.

04.07 Inspectors

- a. Notify licensee management and, as appropriate, the NRC Regional Office OSHA Liaison Officer or NMSS OSHA Liaison Officer for fuel cycle facilities, of non-radiological hazards brought to their attention by licensee employees, or personally observed during an inspection.
- b. Monitor licensees' corrective actions, at the next scheduled inspection, regarding non-radiological hazards NRC has brought to the attention of licensee management.

1007-05 REQUIREMENTS - GENERAL

05.01 Coordination of interface activities is to be handled at the Regional Office level, or Program Office level for fuel cycle facilities, of NRC and OSHA.

05.02 When non-radiological safety concerns are observed during an inspection, the inspector is to orally inform licensee management of such concerns and document the observation on the attached data sheet. (See Appendix A.)

05.03 If a licensee employee provides information to an inspector regarding non-radiological safety hazards, the inspector shall inform licensee management of the employee's concern, withholding the employee's identity from licensee management, and shall document the information on the data sheet in Appendix A.

05.04 Inspectors shall monitor, as appropriate, a licensee's corrective action regarding those matters described in 05.02 and 05.03 above. If significant safety concerns are identified or if the licensee demonstrates a pattern of unresponsiveness to identified concerns, this matter should be discussed with licensee management, and relevant information should be provided to the NRC Regional Office (or for fuel cycle, NMSS), OSHA Liaison Officer, who will inform the appropriate OSHA Regional Office. For nuclear power plants, the Resident Inspector normally follows the licensee's corrective action. For all licensees, it is intended that NRC Regional-based inspectors need not make a special followup inspection solely on the basis of an OSHA issue, unless it affects radiological health and safety.

05.05 For an accident involving a fatality or multiple hospitalizations, the Resident Inspector, the NRC Regional Office (or for fuel cycle, NMSS) OSHA Liaison Officer, or Regional Office management will encourage the licensee to report the matter to OSHA.

05.06 When OSHA informs the NRC Regional Office OSHA Liaison Officer of matters that are in NRC's purview, the NRC Regional Office OSHA Liaison Officer shall notify the Regional Administrator, who shall arrange for prompt evaluation of the matter, such as Regional or Resident Inspectors performing onsite followup, as appropriate, to verify the information or the licensee's corrective actions. Report Significant findings in an inspection report.

05.07 In order to enhance the ability of NRC and OSHA personnel to identify safety matters under each others purview, OSHA will provide NRC Regional personnel with basic chemical and industrial safety training, while the NRC will provide training in basic radiation safety requirements to OSHA personnel. For details of the mutual training agreement, contact the Technical Training Center.

1007-06 ADDITIONAL REQUIREMENTS - NUCLEAR POWER PLANTS

OSHA may provide the NRC Regional Office with information about a nuclear power

plant or site where increased licensee management attention to worker safety is needed. Such information is normally based on reports of injury or complaints at the particular location. The NRC Regional or Resident Inspector will inform licensee management of the information and will monitor the licensee's corrective actions, as provided in 05.04 above.

1007-07 ADDITIONAL REQUIREMENTS - FUEL AND MATERIALS FACILITIES

07.01 NRC and OSHA have agreed to conduct joint assessments of the chemical and nuclear operational safety hazards at certain NRC-licensed fuel and materials facilities. It is anticipated that approximately 20 facilities will be evaluated every 5 years. The Division of Industrial and Medical Nuclear Safety (IMNS), or the Division of Fuel Cycle Safety and Safeguards (FCSS), NMSS, in consultation with the Regional Administrators, will select the facilities to be evaluated. IMNS or FCSS also develop and issue assessment requirements and schedules. See IMC-2600 and IMC-2800 for details.

1007-08 GUIDANCE

08.01 A copy of the NRC - OSHA MOU dated October 21, 1988, is attached as Appendix B.

08.02 Except for certain NRC-licensed fuel and materials facilities described in 1007-07 and delineated in IMC-2600 and IMC-2800, no changes are required in inspection practices. Although NRC does not conduct inspections of industrial safety in the course of inspections of radiological and nuclear safety, NRC personnel may identify safety concerns within the area of OSHA responsibility or may receive complaints from an employee about OSHA-covered working conditions.

08.03 It is important that all NRC personnel recognize and understand that they are not to make decisions regarding activities under the purview of OSHA. Thus, in discussing non-radiological safety concerns with the licensee, inspectors are cautioned not to judge whether a given condition is a violation of OSHA rules or regulations, but are to point out concerns of apparent unsafe conditions, to heighten licensee awareness.

08.04 For accidents involving a fatality or multiple hospitalizations, the MOU does not require NRC to report such matters to OSHA. But in keeping with established practices, if the licensee refuses to report these events to OSHA, the NRC Regional Office (or for fuel cycle, NMSS) OSHA Liaison Officer will inform the OSHA Regional Office.

08.05 Communication with OSHA Regional Offices should be done orally, unless OSHA requests a written notification in a particular case.

08.06 To minimize the recordkeeping and tracking burden, the requirement described in 1007-05.04, regarding monitoring of a licensee's corrective action, shall be performed at the time of normal review or inspection routines.

08.07 Time spent on meeting the requirements of this instruction should be charged to IP 93001, "OSHA Interface Activities."

1007-09 REPORTING REQUIREMENTS

09-01 The NRC inspector is to inform licensee management orally of:

- a. Identified safety concerns.
- b. Employee complaints of OSHA-covered working conditions.
- c. Reporting requirements to OSHA of accidents resulting in fatalities or multiple hospitalizations, if the licensee has not already done so.

09.02 The NRC inspector is to generate a written Non-Radiological Hazards Data Sheet for inspection file, and to generate a copy of it to the NRC Regional Office (or for fuel cycle, NMSS) OSHA Liaison Officer, for the following occurrences:

- a. For all occurrences of 09.01 a., b., or c. above.
- b. For significant recurring unsafe conditions, or patterns of responsiveness to previously identified concerns.

09.03 The NRC Regional Office (or for fuel cycle, NMSS) OSHA Liaison Officer shall contact the OSHA Regional Office orally or in writing on all items that are identified by inspectors and that have generated a Non-Radiological Hazards Data Sheet.

09.04 The NRC Regional Office (or for fuel cycle, NMSS) OSHA Liaison Officer shall generate the following correspondence:

- a. Written notification to the OSHA Regional Office if one is requested after initial oral notification.
- b. Copies of all written correspondence, associated with OSHA-related issues, should be sent to the Chief, Radiation Protection Branch, NRR; to the Chief, Inspection and Licensing Program Branch, NRR; and to the Chief, Operations Branch, IMNS or FCSS, NMSS, as appropriate; and to the NMSS OSHA Liaison Officer.

09.05 Allegations that fall within the purview of OSHA are to be handled in accordance with this section, and, in accordance with Management Directive 8.8, are not to be entered in the Allegation Management System (AMS).

END

Enclosures:

Appendix A, Non-Radiological Hazards Data Sheet

Appendix B, Memorandum of Understanding Between
The U.S. Nuclear Regulatory Commission and
The Occupational Safety and Health Administration

NON-RADIOLOGICAL HAZARDS DATA SHEET

PART I -ISSUE

NRC Licensee: Name
 Address
 License or Docket #

Description of Issue:

How issue was identified

Licensee representative informed

_____	_____	_____
Name	Title	Date

Licensee Comments

Other persons informed

_____	_____
Inspector's signature	Date

Part II - Followup

Description of Corrective Action

_____	_____
Inspector's signature	Date

OSHA informed ____Yes ____No
Date informed
Person contacted

NRC OSHA Liaison Officer

See MC 1007-09 for distribution of copies

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE U.S. NUCLEAR REGULATORY COMMISSION
AND
THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

PURPOSE AND BACKGROUND

1. The purpose of this Memorandum of Understanding between the U.S. Nuclear Regulatory Commission (NRC) and the Occupational Safety and Health Administration (OSHA) is to delineate the general areas of responsibility of each agency; to describe generally the efforts of the agencies to achieve worker protection at facilities licensed by the NRC; and to provide guidelines for coordination of interface activities between the two agencies. If NRC licensees observe OSHA's standards and regulations, this will help minimize workplace hazards.
2. Both NRC and OSHA have jurisdiction over occupational safety and health at NRC-licensed facilities. Because it is not always practical to sharply identify boundaries between the nuclear and radiological safety NRC regulates and the industrial safety OSHA regulates, a coordinated interagency effort can ensure against gaps in the protection of workers and at the same time, avoid duplication of effort. This memorandum replaces an existing procedure for interagency activities, "General Guidelines for Interface Activities between the NRC Regional Offices and the OSHA."

HAZARDS ASSOCIATED WITH NUCLEAR FACILITIES

3. There are four kinds of hazards that may be associated with NRC-licensed nuclear facilities:
 - a. Radiation risk produced by radioactive materials;
 - b. Chemical risk produced by radioactive materials;
 - c. Plant conditions which affect the safety of radioactive materials and thus present an increased radiation risk to workers. For example, these might produce a fire or an explosion, and thereby cause a release of radioactive materials or an unsafe reactor condition; and,
 - d. Plant conditions which result in an occupational risk, but do not affect the safety of licensed radioactive materials. For example, there might be exposure to toxic nonradioactive materials and other industrial hazards in the workplace.

Generally, NRC covers the first three hazards listed in paragraph 3 (a, b, and c), and OSHA covers the fourth hazard described in paragraph 3 (d). NRC and OSHA responsibilities and actions are described more fully in paragraphs 4 and 5 below.

NRC RESPONSIBILITIES

4. NRC is responsible for licensing and regulating nuclear facilities and materials and for conducting research in support of the licensing and regulatory process, as mandated by the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and the Nuclear Nonproliferation Act of 1978; and in accordance with the National Environmental Policy Act of 1978; and in accordance with the National Environmental Policy Act of 1969, as amended, and other applicable statutes. These NRC responsibilities cover the first three

nuclear facility hazards identified in paragraph 3 (a, b, and c). NRC does not have statutory authority for the fourth hazard described in paragraph 3 (d).

NRC responsibilities include protecting public health and safety; protecting the environment; protecting and safeguarding materials and plants in the interest of national security; and assuring conformity with antitrust laws for certain types of facilities, e.g., nuclear power reactors. Agency functions are performed through; standards-setting and rulemaking; technical reviews and studies; conduct of public hearings; issuance of authorizations permits and licenses; inspection, investigation and enforcement; evaluation of operating experience; and confirmatory research.

OSHA RESPONSIBILITIES

5. OSHA is responsible for administering the requirements established under the Occupational Safety and Health Act (OSHA Act) (29 U.S.C. 651 et seq.), which was enacted in 1970. OSHA's authority to engage in the kinds of activities described below does not apply to those workplace safety and health conditions for which other Federal agencies exercise statutory authority to prescribe and enforce standards, rules or regulations.

Under the OSH Act, every employer has a general duty to furnish each employee with a place of employment that is free from recognized hazards that can cause death or serious physical harm and to comply with all OSHA standards, rules, and regulations.

OSHA standards contain requirements designed to protect employees against workplace hazards. In general, safety standards are intended to protect against traumatic injury, while health standards are designed to address potential overexposure to toxic substances and harmful physical agents, and protect against illnesses which do not manifest themselves for many years after initial exposure.

OSHA standards cover employee exposures from all radiation sources not regulated by NRC. Examples include x-ray equipment, accelerators, accelerator-produced materials, electron microscopes and betatrons, and naturally occurring radioactive materials such as radium.

It is estimated that the Act covers nearly 6 million workplaces employing more than 80 million workers. Federal OSHA covers approximately three-fifths, or four million, of these workplaces. States which operate OSHA-approved job safety and health programs, or "Plans," cover the remainder.

OSHA State Plan States are encouraged, but not required, to delineate their authority for occupational safety and health at NRC-licensed facilities in the same manner as Federal OSHA.

The OSHA areas of responsibility described in this memorandum are subject to all applicable requirements and authorities of the OSH Act. However, the industrial safety record at NRC-licensed nuclear power plants is such that OSHA inspections at these facilities are conducted normally as a result of accidents, fatalities, referrals, or worker complaints.

INTERFACE PROCEDURES:

6. In recognition of the agencies' authorities and responsibilities enumerated above, the following procedures will be followed:

Although NRC does not conduct inspections of industrial safety, in the course of inspections of radiological and nuclear safety, NRC personnel may identify safety concerns within the area of OSHA responsibility or may receive complaints from an employee about OSHA-covered working conditions. In such instances, NRC will bring the matter to the attention of licensee management. NRC inspectors are not to perform the

role of OSHA inspectors; however, they are to elevate OSHA safety issues to the attention of NRC Regional management when appropriate. If significant safety concerns are identified or if the licensee demonstrates a pattern of unresponsiveness to identified concerns, the NRC Regional Office will inform the appropriate OSHA Regional Office. In the case of complaints, NRC will withhold, from the licensee, the identity of the employee. In addition, when known to NRC, NRC will encourage licensees to report to OSHA accidents resulting in a fatality or multiple hospitalizations.

When such instances occur within OSHA State Plan States' jurisdiction, the OSHA Regional Office will refer the matter to the State for appropriate action.

7. OSHA Regional Offices will inform the appropriate NRC Regional Office of matters which are in the purview of NRC, when these come to their attention during Federal or State safety and health inspections or through complaints. The following are examples of matters that would be reported to the NRC:
 - a. Lax security control or work practices that would affect nuclear or radiological health and safety.
 - b. Improper posting of radiation areas.
 - c. Licensee employee allegations of NRC license or regulation violations.
8. The NRC and OSHA need not normally conduct joint inspections at NRC-licensed facilities. However, under certain conditions, such as investigations or inspections following accidents or resulting from reported activities as discussed in items 6 and 7 above, it may be mutually agreed on a case-by-case basis that joint investigations are in the public interest.
9. The chemical processing of nuclear materials at some NRC-licensed fuel and materials facilities presents chemical and nuclear operational safety hazards which can best be evaluated by joint NRC-OSHA team assessments. Each agency will make its best efforts to support such assessments at about 20 facilities once every five years. Of these facilities, about one-third are in the OSHA Plan States. OSHA will also assist in promoting such participation by State personnel in OSHA Plan States.
10. Based upon reports of injury or complaints at nuclear power plant sites, OSHA will provide NRC with information on those sites where increased management attention to worker safety is needed. The NRC will bring such information indicating significant breakdown in worker safety to the attention of licensee management and monitor corrective actions. This will not interfere with OSHA authority and responsibility to investigate industrial accidents and worker complaints.
11. Power reactor sites are inspected by NRC Region-based and Resident Inspectors. Personnel from NRC Regional Offices routinely conduct inspections at most fuel and materials licensed facilities. In order to enhance the ability of NRC personnel to identify safety matters under OSHA purview during nuclear and radiological safety inspections, OSHA will provide NRC Regional personnel with basic chemical and industrial safety training and indoctrination in OSHA safety standards, consistent with ongoing OSHA training programs. To enhance the ability of OSHA and State Plan personnel to effectively participate in the Operational Safety Team Assessments, NRC will provide training in basic radiation safety requirements, consistent with ongoing NRC training programs. Details on such training will be as mutually agreed by the NRC Technical Training Center and the OSHA National Training Institute.
12. Resolution of policy issues concerning agency jurisdiction and

operational relations will be coordinated by the NRC Deputy Executive Director for Operations, and by the OSHA Director of Policy. Appropriate Headquarters points of contact will be established.

13. Resolution of issues concerning inspection and enforcement activities involving both NRC and OSHA jurisdiction at NRC-licensed facilities will be handled between NRC's Office of Enforcement and OSHA's Directorate of Compliance Programs. Each NRC and OSHA Regional Office will designate points of contact for carrying out interface activities.

FOR THE NUCLEAR REGULATORY COMMISSION

FOR THE OCCUPATIONAL SAFETY
AND HEALTH ADMINISTRATION

Victor Stello, Jr.
Executive Director for Operations

John A. Pendergrass
Assistant Secretary

October 21, 1988

OI ISSUES

- All suspected wrongdoing by a licensee (e.g. as false statements, false records or suspect licensee data, willful violations, HI&D, etc.) must be entered into the Allegation Management System. Complete an allegation receipt report form, even if the issue arises through means other than an allegation (e.g. inspection, review of documents). Also, promptly inform OI, and a panel will be held with OI to evaluate the issue.
- Do not issue a related enforcement action at any Severity Level if the specific issue is being evaluated by OI. (Issuance of such an action requires coordination with OI, and concurrence from OE.) Premature issuance of such an action may require the staff to reopen the case to issue a more significant action if the NRC concludes, after OI completion, that the violations were willful. Reopening a case also requires the concurrence of a Deputy EDO. (Enforcement for unrelated technical issues, however, should be issued, after coordination with OI.)
- Do not close out an issue receiving OI review until OI formally notifies the staff in writing of OI's closure (verbal notification from OI is not sufficient), and a panel has convened to determine the appropriate course of staff action, and OE concurrence is obtained, if warranted.

ENFORCEMENT

- Whenever enforcement action is being considered, the inspector and section chief are responsible for reviewing the prior enforcement history to ensure the violation is not repetitive, or if it is, considering that repetitive aspect in determining the appropriate course of action.
- Whenever escalated enforcement is being considered, an enforcement panel shall be conducted within one week of completion of the inspection. Standard enforcement panel forms are located on the last page of Regional Instruction 1320 (obtain from the SHARED ITEM MENU in the Regional Instruction Directory, or from the ENF-ALLG Directory under the file name ENFPANL.frm). Complete the form prior to an enforcement panel.
- Whenever a Notice of Violation (NOV) is issued, provide in the cover letter a brief message to the licensee regarding the specific NRC concerns raised by the violations.
- Whenever issuing a citation in an NOV, include in the "Contrary to the above" paragraph the Who, What, When, Where, and How of the violation, but not the Why (discuss the Why in the inspection report and/or cover letter). Also, use parallel language between "contrary to the above" and requirements paragraphs, and avoid extraneous information.
- Whenever a non-cited violation (NCV) is issued, address the basis for exercising discretion in the inspection report, with a statement concerning how the criteria in the enforcement policy were met. Also, include in the cover letter a positive message about the licensee's efforts in identifying and/or correcting the violation.
- Whenever a Confirmatory Action Letter is issued, use the format located in Regional Instruction 1340, Confirmatory Action Letters (obtain the form electronically from the SHARED ITEM MENU in the ENF-ALLG Directory, ENF-FORM subdirectory, file name FORM-22). Use the form whenever preparing CALS to ensure that all of the required boilerplates are included.
- When seeking the status of an escalated enforcement action, check the enforcement status report in the ENF-ALLG directory.

Allegation/OI/Enforcement Issues Refresher Training (1994)

GENERAL

- Standard enforcement and allegation letters are on the S drive in the ENF-ALLG directory. That directory can be accessed directly from the SHARED ITEMS MENU. The standard formats are required to be used.

ALLEGATIONS

- When receiving an allegation, take the information and repeat it back to the alleged to ensure a clear understanding of the issues. Also, the HOME address and HOME telephone number of the alleged must be requested so that the individual can be contacted at a location other than work. (If the alleged won't provide the information, ask where NRC correspondence should be sent, or document that the individual would not provide the information.) In addition, list the alleged's name only in the section entitled "Alleged's Name", and not elsewhere in the document.
- After receiving an allegation, document it on an allegation receipt report form, and complete each section of the form. Providing the SAC a handwritten note or conversation record alone is not acceptable (the completed form must also be provided). The form can be obtained electronically from the SHARED ITEM MENU in the ENF-ALLG Directory under the file name ALLG-FOR.
- When evaluating an allegation, don't be influenced by any perceptions of what the alleged's motivation, but only by the merits of the issue. Derogatory remarks regarding an alleged or an alleged's motivation, even in jest, are unacceptable and may send an improper impression to others following up on the allegation, particularly new inspectors.
- When preparing for an inspection to follow up on an allegation, review the entire allegation file to ensure that all of the alleged's concerns are understood and followed up on. Sign out the file if removed from the SAC's office. Do not take the original allegation file folder to the inspection, since, in no cases, shall that file leave the Region I office.
- When performing an inspection to follow up on an allegation, conduct it as you normally would, and do not provide any indication that you are following up on an allegation. If the licensee were to ask such a question during any inspection, simply state that it is the NRC policy to neither confirm nor deny whether an inspection is following up on an allegation.
- When preparing the report of an inspection that followed up on an allegation, write the report like other reports, and do not provide any indication that you followed up on an allegation. Simply describe the facts, issues, findings, and conclusions.
- When preparing the report of an inspection that followed up on an allegation, include the Allegation File number on the bcc (not cc) list for the report and any other relevant correspondence.
- When finished with your follow up of an allegation, complete your actions to close the allegation file, if appropriate, in a timely manner.
- Do not provide the identity of an alleged to anyone outside the NRC, including personnel of states or other agencies, without the authorization of the Regional or Deputy Regional Administrator.
- Document all followup conversations with alleged, and provide a copy of the documentation to the SAC for the allegation file.

ALLEGATIONS AND COMPLAINTS - GENERAL

RI 1210.1/5

Allegation Receipt Report
(Use also for staff suspected wrongdoing)

Date/Time Received: * _____ Allegation No. _____
 Name of Allegor: * _____ Address: * _____ (leave blank)
 Phone: * _____ City/State/Zip: * _____
 Confidentiality: * _____
 Was it requested? Yes _____ No _____
 Was it initially granted? Yes _____ No _____
 Was it finally granted by the allegation panel Yes _____ No _____
 Does a confidentiality agreement need to be sent to allegor? Yes _____ No _____
 Has a confidentiality agreement been signed? Yes _____ No _____
 Memo documenting why it was granted is attached? Yes _____ No _____

Allegor's Employer: * _____ Allegor's Position/Title: * _____

Facility: _____ Docket No.: _____

Allegation Summary or staff suspected wrongdoing (brief description of concern(s):

Number of Concerns: _____

Employee Receiving Allegation or suspecting wrongdoing (first two initials and last name):

Type of Regulated Activity (a) _____ Reactor (d) _____ Safeguards
 (b) _____ Vendor (e) _____ Other: _____
 (c) _____ Materials (Specify)

Materials License No. (if applicable): _____

Functional Area(s): _____ (a) Operations _____ (e) Emergency Preparedness
 _____ (b) Construction _____ (f) Onsite Health and Safety
 _____ (c) Safeguards _____ (g) Offsite Health and Safety
 _____ (d) Transportation _____ (h) Other: _____

* These sections are not completed for instances of potential wrongdoing identified by NRC staff.

ENFORCEMENT PANEL BRIEFING FORM

Appendix B Form

Date of Board: _____

Licensee Name: _____ Docket/Licensee Number(s): _____

Types of Licensed Activities: _____ Last day of Inspection: _____

ATTENDEES: Board Chairman: _____ Enforcement Representative: _____

Cognizant Section Chief: _____ Responsible DRP Manager
(Reactor Licensee) _____

Lead Inspector: _____ Others _____

Potentially Escalated Violations (include specific requirements violated) _____

Safety Significance/Apparent Severity Levels: _____

Root causes _____

Method of Identification (NRC, License, Other State or Federal Inspector, Allegation, etc.): _____

Corrective Actions Taken or Planned to Date: _____

Prior Licensee Performance (CPs, Orders, No. of Viols, Similar Viols, SALPs): _____

Prior Notice of Previous Problems (i.e., Audits, Information Notices, Bulletins, NMSS Newsletters, etc.): _____

Multiple Examples: _____

Duration: _____

Delegation of Authority Determination (Materials Licensee Only): _____

Board Recommendations: _____