

OPENING REMARKS FOR PREDECISIONAL ENFORCEMENT CONFERENCES WITH LICENSED OPERATORS

We have convened this predecisional enforcement conference because, as a licensed operator, you are accountable not only to the (name of company), but also to the NRC to assure that NRC requirements are followed and that (name of facility) operates safely. The public expects the NRC to take action as necessary to assure that utilities licensed to operate nuclear power plants as well as individual licensed operators properly operate the reactors and comply with all NRC requirements, and we intend to take such action.

Based on our review of the information provided by the investigation(s) and inspection findings, it appears that you may not have followed NRC requirements. More importantly, it appears you may have done so willingly. If this is true, you have failed to carry out the public trust that is expected of you as a licensee of the Commission.

The purpose of this conference is to provide you with an opportunity to address what happened on (date), and receive your views on: (1) whether you believed at the time that your actions were appropriate; (2) whether now, after having substantial time to consider those actions, your views have changed, and if so, why; (3) whether you believe your actions have broader implications; (4) the corrective actions that you, personally, have taken or plan to take to prevent recurrence, if involved in licensed activities in the future; and (5) why you did not raise your concerns to higher levels of management.

Based on these discussions, as well as on other information, if we conclude violations occurred, the NRC may take enforcement action against you and your license that could include the issuance of a civil penalty or the revocation of your license. This may include action against you to remove you from licensed activities at (name of facility). In addition, if we conclude that 10 CFR 50.5, the Commission's Rule against "Deliberate Misconduct", was violated, this may also prohibit your involvement at other licensees' facilities. Should we initiate formal enforcement action, you will be formally notified and provided an opportunity to respond. If you do not have a copy of the Enforcement Policy, I will provide you with a copy.

I want to emphasize that this is a predecisional enforcement conference; therefore, we have not yet decided if violations were committed, if they were deliberate, or whether enforcement action is warranted against you. During this conference, we will ask you questions. Your answers will help us reach decisions in this matter. Should you need us to clarify a question or if you have any questions yourself during this proceeding, please feel free to tell us. We emphasize that we expect from you a complete and accurate response to our questions. If you believe we have failed to ask a question that needs to be answered to provide relevant information regarding the issues of this conference, we expect you to come forward and address the issue. I also note that the statement, views, or expression of position made by the NRC during this conference do not constitute our final position. Please do not take our questions, response, or silence as prejudging this matter. Do you have any questions on our expectations?

This is a significant matter. We will consider your views today and other information that we have or will develop. I would hope that we can reach a decision on this matter shortly. The decision on this matter will be taken only after careful consideration not only by the region staff, but by the Office of Enforcement, and the Office of Nuclear Reactor Regulation in Rockville, Maryland.

As you can see, this meeting is being formally transcribed. A copy of it may be made available to you after the NRC has reached its decision as to whether or not enforcement action should be taken in this matter. If we make it available to you, we will also place it in the Public Document Room.

After the question session of this conference, we may take a short break before giving you an opportunity to make any closing remarks or ask any questions of us. At this time, do you have questions?