

FORM 45-II: Close-Out Letter, Individual Did Not Engage in Deliberate Misconduct

IA-YY-SSS

NAME

[HOME ADDRESS DELETED
UNDER 10 CFR 2.390(a)]

SUBJECT: NRC INVESTIGATION REPORT NO. R-YYYY-SSS
[If applicable, add "and (Investigation Report No(s). X-XXXX-XXX)"]

Dear M(r/s). NAME:

This refers to the investigation completed on [OI REPORT DATE] by the NRC Office of Investigations (OI) at [LICENSEE/FACILITY] to determine, in part, whether you, [POSITION OF INDIVIDUAL], deliberately [ALLEGED WRONGDOING]. [As a result of the investigation, the NRC provided, by letter dated [PEC INVITATION LETTER DATE] [LICENSEE] and you the opportunity to attend closed, predecisional enforcement conferences to discuss this apparent violation, its causes, and your corrective actions. The [licensee's] conference(s) was (were) held on [DATE] [, you declined an individual predecisional enforcement conference]].

Based on [the results of the OI investigation OR the predecisional enforcement conference results], the NRC has concluded that your actions did not constitute deliberate misconduct. Therefore, individual enforcement action against you is not warranted. [Nonetheless, your actions contributed to a violation of NRC requirements. A copy of the enforcement action issued to [LICENSEE] is enclosed.]

You are not required to respond to this letter. However, should you choose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region [NUMBER, address] and marked "Open by Addressee Only," within 30 days of the date of this letter. You may contact [NAME] of my staff if you have any questions. [NAME] can be reached at [PHONE NUMBER].

This letter, and your response, if you choose to submit one, will not be made publicly available either electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). However, you should be aware that all final NRC documents, including the final OI investigation report, are official agency records and may be made available to the public under the Freedom

of Information Act (FOIA), subject to redaction of certain information in accordance with the FOIA. In addition, this letter will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, "Enforcement Actions Against Individuals." The NRC-3 system notice, which provides detailed information about this system of records, can be accessed from our Web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

Sincerely,

[NAME]
Regional Administrator¹

[Enclosure: as stated]

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OEMAIL

OE: IA File

¹ Director, Office of Enforcement for discrimination cases