

NRC Regional Administrator , Region 1

Enclosed is the article I wrote concerning an event which occurred when I was a reactor operator.

As required (IA-09-023) I sending this hard copy to you and I have also sent copies to the 3 other organizations listed below.

Exelon - James Armstrong

[REDACTED]

PROS - Mark Rasmussen

[REDACTED]

INPO - Michael J. Klodnicki

[REDACTED]

The above three individuals have acknowledged receipt of the article.

You can send me an email at [REDACTED] acknowledging you have received this.

Thank You

Duane Kuhn

[REDACTED]

MY FAULT

At the time of the writing of this article, It's been about 2 years since I last held a Reactor Operators License. Why did I lose my License. I'm about to tell my story in hopes no one else will ever find themselves in my situation.

I was hired in 1992 as a floor operator in a nuclear facility and worked my way to control room operator. I worked at this facility for 16 years. I mention this because I worked very hard to earn my License and put in 16 years. And due to my error, my job, my career, my 16 years and my operators License all went away and I have nobody to blame but myself.

The start of my story is not last week, last month or even last year, I must go back two and a half years ago. It seems so long ago, and I'm still dealing with the consequences which started on that particular evening.

It was September of 2007, and my plant was in a scheduled unit outage. I was working twelve hour night shifts as a clearance writer. I had a rare two nights off in a row. Well, unfortunately I made a very bad decision on that first night off and receive a DUI citation that evening. I use the word citation which is very important to the story. Well , I received this citation and had to call a friend to come pick me up and take me home.

I knew that having received this DUI was going to be a very tough learning experience, but thank god I wasn't arrested, or so I thought.

I returned to work from my scheduled time off. As is normal with outage time, I was back to the very busy and hectic work load. I was thinking about the consequences associated with my actions such as fines and possible suspension of drivers licence, however I was not thinking about the requirements and consequences associated with my employer.

As far as telling people of my issue. It is not something you are proud off , so you tend to keep quiet as well as some people such as myself are not as willing to share their personal life information with fellow employees as are others.

Over the next few months, I dealt with the consequences associated with a DUI under state law. Official citation arrived in the mail, I applied for ARD which is for first time offenders to have their record expunged after performing required actions.

So as time went by, I performed required actions as per state law. I did not notify my employer, since thank god I wasn't arrested, or so I thought.

This is were a bad situation got even worse for me. It's springtime and one day I was reading a article published by my employer in a weekly newsletter about whats reportable. This article talked about the definition of arrest. At this moment, my life took a turn. You see, if you think you have to be handcuffed and taken to prison or any detention facility to qualify as arrested, that is far from the truth. At this point I discovered my DUI means I was arrested.

I immediately notified my supervisor and then went to and notified security. Some information was taken and I returned to my desk. It wasn't until later in the day when my supervisor came to me so we could sit down and get all the information. Following collection of information, I was told to go home and they would give me a call tomorrow. As I walked to my car, I knew this delay on my part to notify them of a arrest would probably result in maybe being written up, or possibly even days off. Little did I know that this walk to me car would be the last time I ever walked it.

Over the next few weeks I had discussions with management, security and human resources. Then weeks away from work turned into months and about 4 months from the time I notified my employer of my arrest, my employment was terminated. Not for receiving a DUI, but for failure

to notify them of the DUI in a timely manner. And when I say timely manner, I mean the day returning to work after it occurred. Also security put a block on my access. This security block means that if I apply for another nuclear facility, when asked if I was ever denied unescorted access to a nuclear facility, I must answer yes. Hmmmm, I don't think I would hire someone who answers that question yes.

So here I am unemployed, and with the country in the worst recession in my lifetime. So, time to leave all this behind me right and move on, wrong.

About a year from the beginning of all this, the NRC started collecting information. I met with several individuals from the NRC giving details from day one. As you can imagine this is not a fun experience. Just when you think everything is in the past, and its time to move on, here it is again.

I understand the NRC's concern. They have rules to maintain safety of the nuclear industry and when a rule is not followed, they must determine why wasn't it followed and what are the consequences for not following it and what can be done to make sure this issue does not occur again.

Did I intentionally not disclose my arrest in a timely manner- NO
Should I have known it needed reported immediately - YES

I know everyone in the nuclear facilities takes general fundamental exams every year and after your use to very intense operator testing, these general fundamental exams don't maybe get as much attention as your operator testing. However GF testing is very important and contains information that everyone needs to understand, don't take this test lightly as well as policy procedures. There put in place for a reason. Pay attention to them.

So here I sit writing this article, its been one hell of a unpleasant ride. I have not been banned from working in a nuclear facility, but chances of being hired into the nuclear environment with this incident in my past, I believe is slim. So, don't let this happen to you. I'm not talking just about the arrest policy, I'm talking about all procedures and policies. Follow them. If your not sure about one, question it, ask your supervision. Your lack of knowledge of a policy or procedure is not an excuse.

Sixteen years in the business, countless hours of studying to obtain and maintain my operators licence. All gone. I'd like to blame others, but

MY FAULT

Duane Kuhn