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Office of Investigations Annual Report Fiscal Year 2021

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Office of Investigations Annual Report Fiscal Year 2021

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ABSTRACT

This report provides the U.S. Nuclear Regulatory Commission with an overview of the activities, mission, and purpose of the Office of Investigations (OI), along with the case inventory framework and highlights of significant cases that OI completed during fiscal year 2021 (see staff requirements memorandum COMJC-89-8, dated June 30, 1989). This is the 33rd OI annual report.

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DIRECTOR'S MESSAGE



In this edition, the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) will celebrate some of this year's major accomplishments that will advance us for many exciting years to come in areas such as technology, innovation, investing in our culture, and playing a key role in the agency becoming more risk-informed. We achieved this year's success despite challenging times, conducting critical investigative activities amidst the global Coronavirus Disease 2019 (COVID-19) pandemic, its surge of new variants, and the resulting new hybrid work environment. Although we don't know what new challenges lie ahead, I take great pride in knowing that the sheer commitment and resilience demonstrated by OI will continue to shine and carry us well into 2022 and beyond.

This annual report will be my first since my appointment as the Director of OI in November 2021. I'd like to start by thanking the Chairman, the Commission, and the Office of the Executive Director for Operations for granting me this opportunity to serve the NRC. I'd also like to thank my predecessors for their tremendous leadership and guidance over the past 4 years of my career here at the NRC. Additionally, I'd like to send a big thanks to the entire OI staff and the OI senior leadership team, who share greatly in the profound work reported in this year's annual report!

From October 1, 2020, through September 30, 2021, OI concluded 69 investigations and 27 assists to staff. The investigations summarized in this annual report reflect our devotion to promoting the NRC mission to protect public health and safety, promote the common defense and security, and protect the environment. The investigative activities during this period reflect OI's commitment to standards of excellence to produce credible, independent, thorough, and timely investigations of alleged wrongdoing by licensees, their applicants, their contractors, or vendors. As we approach OI's 40th anniversary in April 2022, we celebrate the talented workforce whose primary mission and duty are to ensure the Commission has an independent office, backed with specialized training and expertise, to investigate wrongdoing.

During the year, OI invested in transforming our Case Management System (CMS) to advance our investigative report writing process, which allows for real-time reporting and effective management of direct and immediate information sharing with our stakeholders. This revolutionized OI to become 100-percent paperless and equally benefitted our ability to completely merge (scan) archived hard-copy files into the CMS for efficiency and ease of access by stakeholders. OI's transformation efforts further led to the development of OI Dashboards through Power BI, which captures OI's quarterly and annual performance reporting results. In addition, OI modernized its SharePoint site, highlighting culture improvement and rewards strategies along with an "OI Shout Outs & Recognitions" link to encourage the staff's acknowledgment of support to one another. OI will continue to our journey towards improving our culture, technology, and innovation and in supporting the overall development of OI staff.

As the OI Director, I am truly honored to stand with an incredible force of highly tenured, expert Federal criminal investigators and technical and professional support staff who drive the program's mission in accordance with Commission policies. I greatly appreciate their professionalism, ability to maintain the highest standards, outstanding work ethic, and dedicated performance in ensuring public health and safety. These efforts demonstrate OI's commitment to achieve excellence in fulfilling the NRC's goals as a modern risk-informed regulator.

A handwritten signature in black ink, appearing to read "Tracy Higgs".

Tracy Higgs
Director

FOCUSING ON OUR MISSION

As the law enforcement arm of the U.S. Nuclear Regulatory Commission (NRC), the Office of Investigations (OI) protects the American public by conducting criminal, civil, and administrative investigations of alleged violations by NRC licensees.

Since 1982, OI has investigated a broad range of violations. OI continues to focus on criminal violations that undermine the safe and secure use of radioactive materials, the common defense and security of the United States, and the protection of the environment, such as the following:

- criminal violations that pose a particularly significant risk of harm to public health and safety
- criminal conduct, including making material false statements to the NRC during the regulatory process, affecting proper regulatory actions by the NRC
- criminal violations by individuals who discriminate against whistleblowers who raise and pursue certain protected activities regulated by the NRC
- criminal violations in situations where the normal regulatory process may be unable to remedy the problem
- criminal violations by individuals and organizations that attempt to introduce counterfeit, fraudulent, and suspect items into the nuclear supply chain
- proactive investigative partnerships with other Federal, State, local, and international law enforcement agencies

FISCAL YEAR 2021 HIGHLIGHTS

The worldwide challenges that continued during fiscal year (FY) 2021 saw the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) maintain a mission-driven, high-performing workforce and continue the commitment to investigative independence, excellence, and adherence to established quality standards. OI personnel include criminal investigators who bring a wide range of experience from across the Federal enterprise and professional support staff who continuously work to exceed the expectations of internal and external stakeholders.

The majority of investigations closed by OI in FY 2021 involved operating reactors, with over one-quarter of the closed investigations related to materials and a very small percentage concerning new reactors. This report discusses the specific numbers in detail.

The ongoing challenges posed by the global Coronavirus Disease 2019 (COVID-19) pandemic and associated restrictions forced OI to continually adapt and revise strategies to carry out its investigative role within the NRC:

- OI personnel demonstrated flexibility and resilience while enduring maximum telework and later shifting to hybrid telework this year. Throughout these adjustments, OI continued to effectively accomplish its assigned investigative mission.
- OI was able to again travel and conduct in-person interviews while adhering to domestic and international travel restrictions as well as to the guidelines of the Centers for Disease Control and Prevention and the NRC.
- During FY 2021, OI leadership and staff attended NRC-led and external virtual training sessions and conferences to improve organizational effectiveness and gain further knowledge and develop skills. Additionally, OI presented training as part of a nationwide knowledge management transfer to NRC colleagues throughout the agency.
- Having previously adopted NRC Futures and Transformation initiatives, OI continues to coordinate with the NRC staff on advancing the functions and features of the electronic OI Case Management System (CMS). During 2021, OI has transformed its existing CMS Report of Investigation process, allowing for immediate and efficient investigative reporting. This collaborative effort with the Office of the Chief Information Officer, the Office of Enforcement, the Office of the General Counsel, and other agency partners, along with plans to integrate the CMS, will ultimately result in a more efficient and streamlined process for documenting investigative case information.
- In coordination with NRC programs, OI completed its OI File Plan project by digitizing all investigative records into the CMS, transitioning from hard-copy files to a 100-percent paperless process. This transformation effort resulted in a tremendous cost savings to the agency.
- Using virtual means, OI maintained collaboration on export enforcement, deconfliction, and counterproliferation investigations with other Federal agencies with law enforcement responsibilities, such as the U.S. Department of Commerce, the Federal Bureau of

Investigation, and the U.S. Department of Homeland Security at both the Counter Proliferation Strike Force in Atlanta, GA, and the Export Enforcement Coordination Center in Vienna, VA.

- OI has maintained partnerships with the U.S. Department of Homeland Security, National Intellectual Property Rights Coordination Center (IPR Center), to collaborate on investigative efforts and share information related to counterfeit, fraudulent, and suspect items, including those in nuclear power plants and in devices using nuclear material. OI continues to collaborate with 16 other Federal agencies as part of Operation Chain Reaction within the IPR Center.
- OI also maintained a collaborative partnership between OI and the U.S. Department of Justice Environmental Crimes Section through work on multiple OI-initiated criminal investigations into alleged violations of the Atomic Energy Act of 1954, as amended. One such investigation about the use of special nuclear material resulted in an indictment issued by a Federal grand jury.

1 INTRODUCTION AND OVERVIEW

HISTORY

In 1982, with the support of the U.S. Department of Justice (DOJ) and the U.S. Congress, the U.S. Nuclear Regulatory Commission (NRC) established the Office of Investigations (OI) as part of an agency effort to improve the quality of its investigative work and to support the NRC's overall mission. The Commission announced the formation of OI on April 20, 1982, to improve the NRC's capability "to perform credible, thorough, timely and objective investigations."¹ OI has the responsibility to conduct independent investigations either at the request of specific NRC officials or on its own initiative. OI subsequently hired experienced Federal criminal investigators, a practice it continues today, who probe alleged wrongdoing in accordance with DOJ guidelines and the Quality Standards for Investigations established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

AUTHORITY

The Commission delegated to the Director of OI the authority to take the necessary steps to accomplish the OI mission, as described in Title 10 of the *Code of Federal Regulations* (10 CFR) 1.36, "Office of Investigations" (see Section 161(c) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2201(c)), and Section 206 of the Energy Reorganization Act of 1974 (42 U.S.C. 5846)). OI jurisdiction extends to the investigation of alleged wrongdoing by licensees, certificate holders, permittees, and applicants; by contractors, subcontractors, and vendors of such entities; and by management, supervisors, and other employed personnel of such entities who may have violated the Atomic Energy Act, the Energy Reorganization Act, and rules, orders, and license conditions issued by the Commission.

Additionally, during investigations, OI may uncover issues that are potentially significant to safety that may, or may not, be related to wrongdoing. OI promptly delivers such information to the NRC technical staff for appropriate action. OI also provides professional investigative expertise to the NRC staff in the form of assists to staff. Generally, these assists to staff are associated with matters of regulatory concern for which the NRC staff has requested OI's investigative expertise but that do not initially involve a specific indication of wrongdoing.

MISSION

As stated in the NRC's Strategic Plan for fiscal years (FYs) 2022–2026, the agency's mission is to license and regulate the Nation's civilian use of radioactive materials to protect public health and safety, promote the common defense and security, and protect the environment. The NRC's vision in fulfilling its mission is to demonstrate the Principles of Good Regulation (independence, openness, efficiency, clarity, and reliability). The NRC's Strategic Plan defines the strategic goals and objectives that will allow the agency to carry out its mission and identifies activities that will contribute to achieving these goals.

OI fully aligns with the agency's regulatory programs and strategic values and goals to provide for the safe, civilian use of radioactive materials and nuclear power. OI's national investigations program consistently operates under the agency's Principles of Good Regulation to support regulatory actions that are effective, realistic, and timely.

¹ U.S. Nuclear Regulatory Commission, Announcement No. 38 "Formation of the New Office of Investigations", dated April 20, 1982.

2 THE OFFICE OF INVESTIGATIONS

The Director of OI reports to the Deputy Executive Director for Materials, Waste, Research, State, Tribal, and Compliance Programs and supports the reactor and materials programs.

OI is an independent, national investigations program, which consists of four regionally co-located field offices led by special agents in charge who report directly to OI senior executives located at OI headquarters. The main body of OI personnel consists of Federal criminal investigators and special agents (GG-1811s) as well as professional support and technical staff located in both OI field and headquarters offices.

All NRC OI special agents have extensive backgrounds and experience in Federal criminal investigations. During FY 2021, the professional cadre of OI special agents had an average of 19 years of Federal law enforcement experience. OI special agents have previously served in law enforcement roles at other Federal agencies, including the Secret Service, U.S. Department of Energy, Naval Criminal Investigative Service, U.S. Department of Labor, Air Force Office of Special Investigations, Federal Bureau of Investigation, Drug Enforcement Administration, Bureau of Alcohol Tobacco Firearms and Explosives, Coast Guard Investigative Service, Internal Revenue Service, Army Criminal Investigative Division, and various offices of Inspectors General.

OI plans and conducts investigations of allegations of wrongdoing to determine whether there are willful and deliberate actions in violation of NRC regulations and criminal statutes. OI also develops and implements policies, procedures, and quality control standards for investigations. OI conducts investigations in accordance with the DOJ guidelines and the CIGIE's Quality Standards for Investigations. Additionally, OI maintains proactive investigative partnerships with other Federal, State, and local law enforcement agencies.

3 QUALITY ASSURANCE REVIEWS

OI quality assurance reviews (QARs) are annual self-assessments of OI's national investigations program. Each year, OI selects a team of senior OI personnel to conduct the QARs of each OI office, including headquarters and the OI field offices. The aim of the QARs is to support the continuing initiative of self-assessment, and to determine ways to improve efficiency and productivity. To ensure compliance with accepted guidelines for each regional office, OI has adopted the CIGIE's Quality Standards for Investigations and the U.S. Attorney General's Guidelines to provide a framework for conducting high-quality investigations. The review was conducted to ascertain the existence of, and compliance with, law enforcement data systems, adequate policies and procedures, and applicable investigative standards within the program. The review focused on three major areas: operations, management, and administration.

Due to the global rise of the Coronavirus Disease (COVID-19) public health emergency, the operational posture for OI continued to be affected for most of 2021. Given the maximum telework posture across the NRC, this warranted this year's QAR to be completed entirely on a virtual platform. Regardless of the virtual environment, the QAR teams successfully completed all review items as required by OI internal procedure. The 2021 QAR addressed the following items:

- internal stakeholder meetings
- randomly selected case reviews for quality overview
- sensitive equipment verification
- program quality checks
- OI and external law enforcement data system review

During the review, the QAR teams checked a random selection of 38 closed cases. The case reviews resulted in no significant case findings. A review of OI operational programs found that OI was generally in compliance with all pertinent governing policies and procedures.

The QAR teams met with internal stakeholders for each of the reviewed OI offices, including staff from the Office of the Executive Director for Operations, Regional Administrators, the Regional Council, the Office of the General Counsel, and Allegations and Enforcement personnel. These meetings solicited feedback on OI's performance and the delivery of OI work products. The stakeholders communicated that they were satisfied overall with the OI program and provided constructive feedback on several administrative items relevant to OI practices.

After each office review, the QAR team conducted an exit briefing with the OI field office special agent in charge to discuss the team's findings and recommendations. OI headquarters management was also apprised of the results at the conclusion of all QARs.

This year's QAR also addressed procedural areas that were updated since the issuance of the revised OI Investigative Procedural Manual in late 2020. Additionally, the review highlighted investigative reporting that was completed using a newly adopted all-digital reporting format through the OI Case Management System (CMS).

4 CASES

Figure 1 shows the OI case inventory, which includes all investigations² and assists to staff³ conducted from FY 2017 through FY 2021. The total case inventory in FY 2021 was 130, which was a 2-percent decrease from 155 in FY 2020. This includes 95 investigations, 57 of which were carried over from FY 2020. Also included are 35 assists to staff, 8 of which were carried over from FY 2020.

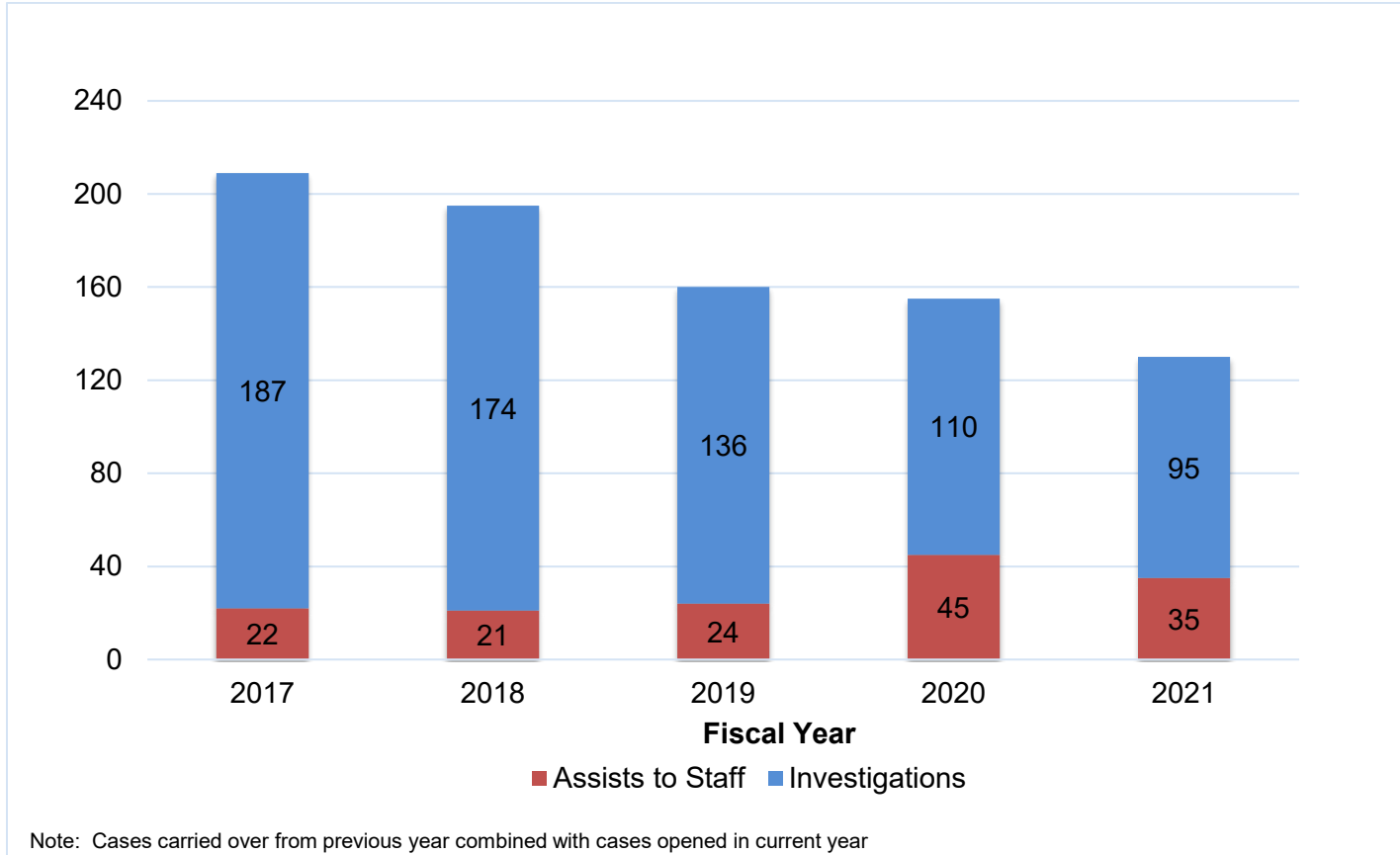


Figure 1 Case Inventory

² An investigation is the detailed and systematic collection, development, and examination of evidence and other relevant information to uncover the facts and circumstances or to establish the truth concerning potential wrongdoing within the jurisdiction of the NRC.

³ Assists to staff are cases that are brief and focused inquiries not involving a specific allegation of wrongdoing. OI does not evaluate the concerns addressed in assists to staff for substantiation. Assists to staff serve to provide the NRC staff with clarifying information about concerns to better inform the decision-making process, allowing for the agency to pursue the most appropriate course of action.

5 CASES OPENED

Table 1 shows the number of cases opened by category from FY 2017 through FY 2021. OI opened 65 cases in FY 2021 in the categories listed below; this represents a 28-percent decrease in total cases opened from FY 2020. The number of investigations of suspected material false statements decreased by 67 percent, and violations of other NRC regulatory requirements decreased by 5 percent. In FY 2021, the number of discrimination investigations increased by 10 percent, and the number of assists to staff decreased by 33 percent.

Table 1 Cases Opened by Category

Category	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Total	115	101	80	90	65
Material False Statements	23	16	15	18	6
Violations of Other NRC Regulatory Requirements	30	27	20	22	21
Discrimination	41	40	22	10	11
Assists to Staff	21	18	23	40	27

Figure 2 shows the distribution of cases opened during FY 2017 through FY 2021 for the reactor and materials programs. From FY 2020 to FY 2021, the overall number of reactor cases decreased by 44 percent. Reactor investigations decreased by 42 percent, and reactor-related assists to staff decreased by 46 percent.

The number of materials cases increased by 12 percent, with an increase of 21 percent in the number of materials investigations. The number of materials-related assists to staff remained the same.

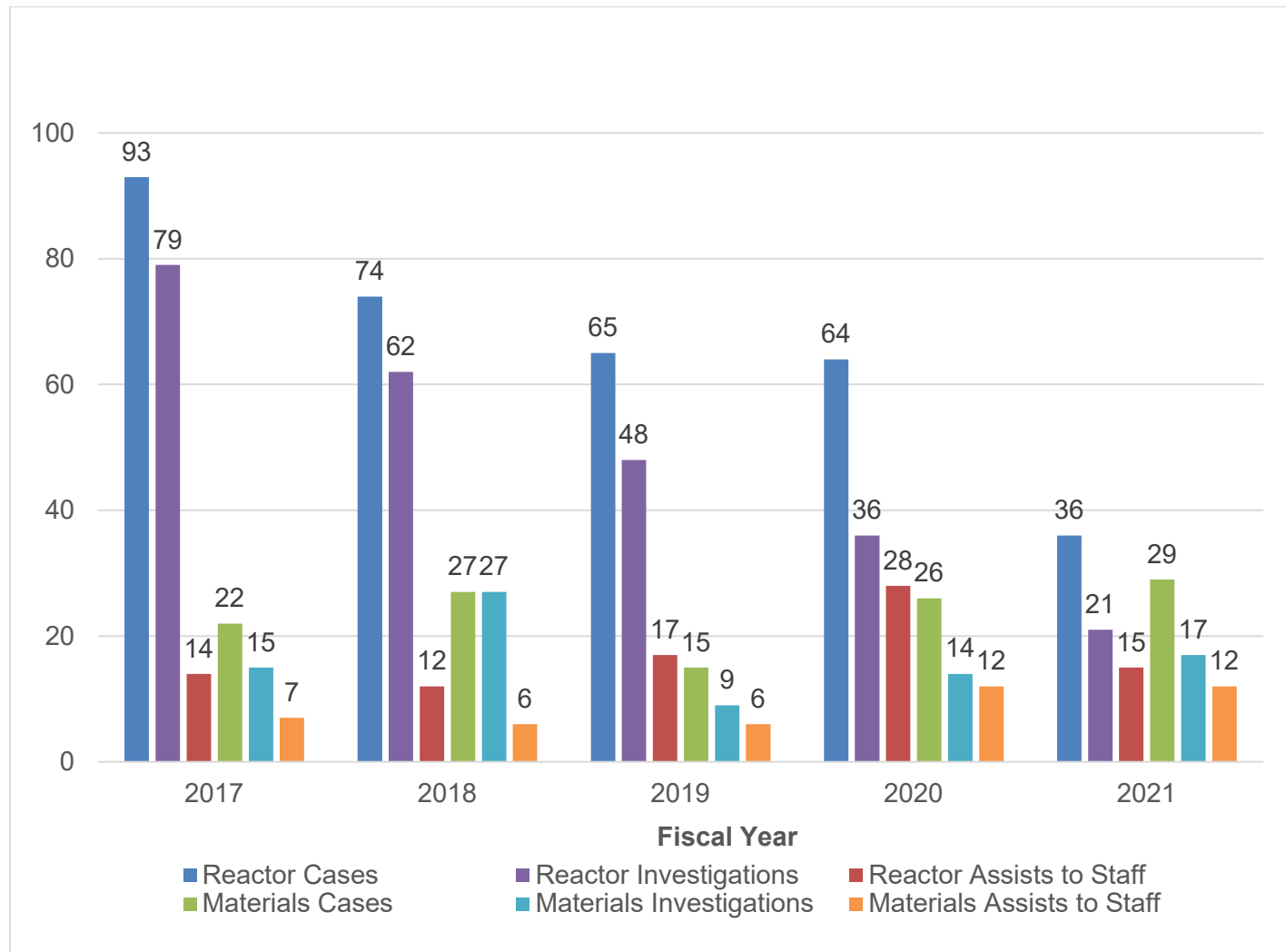


Figure 2 Reactors and Materials Cases Opened

Reactor cases: 36
Reactor investigations: 21
Reactor assists to staff: 15

Materials cases: 29
Materials investigations: 17
Materials assists to staff: 12

6 CASES CLOSED

Table 2 shows the number of cases closed by category from FY 2017 through FY 2021. OI closed 96 cases in FY 2021 in the categories listed below; this represents a 7-percent increase from the number closed in FY 2020. Investigations of material false statements increased by 25 percent, while investigations involving violations of other NRC regulatory requirements increased by 111 percent. Discrimination investigations decreased by 30 percent and assists to staff decreased by 27 percent.

Table 2 Cases Closed by Category

Category	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Total	115	115	95	90	96
Material False Statements	23	22	18	12	15
Violations of Other NRC Regulatory Requirements	26	32	28	18	38
Discrimination	47	41	30	23	16
Assists to Staff	19	20	19	37	27

Figure 3 shows the cases closed from FY 2017 through FY 2021 for the reactor and materials programs. OI closed 96 cases in FY 2021, which included 69 investigations and 27 assists to staff. From FY 2020 to FY 2021, the overall number of reactor cases decreased by 3 percent. Reactor investigations increased by 20 percent, and reactor-related assists to staff decreased by 38 percent.

The overall number of materials cases increased by 35 percent for the same period. Materials investigations increased by 67 percent, and the number of materials-related assists to staff remained the same.

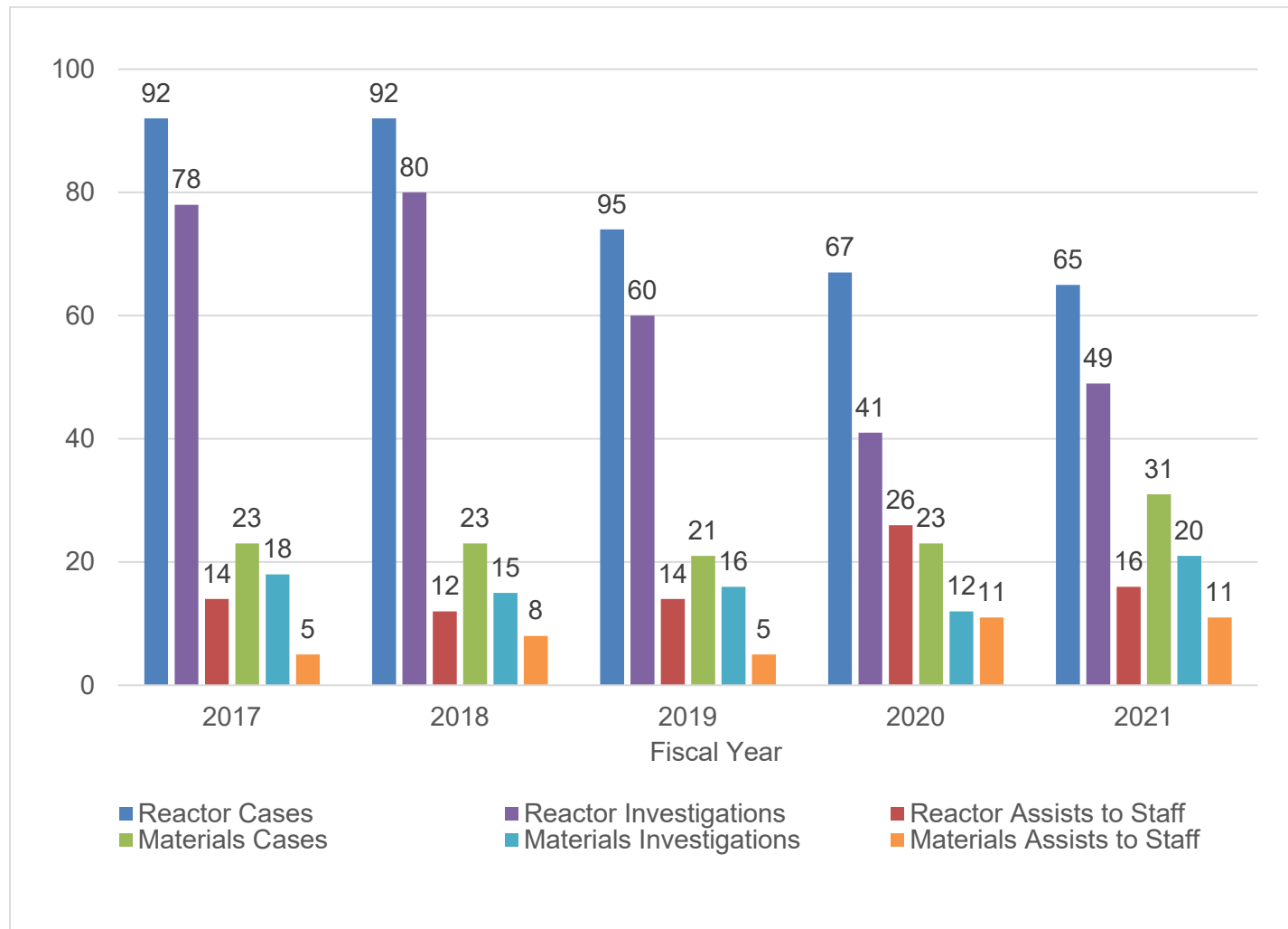


Figure 3 Reactors and Materials Cases Closed

Reactor cases: 65
Reactor investigations: 49
Reactor assists to staff: 16

Materials cases: 31
Materials investigations: 20
Materials assists to staff: 11

7 SIGNIFICANT INVESTIGATIONS

This section highlights investigative conclusions by OI. Final enforcement action by the NRC or the DOJ is pending unless otherwise stated.

FALSE STATEMENTS—INACCURATE AND INCOMPLETE INFORMATION

POWER REACTOR

OI substantiated deliberate misconduct by a (now former) security training superintendent at a power reactor who intentionally failed to implement the firearms testing and maintenance program in accordance with NRC regulations and licensee procedures and provided incomplete and inaccurate information to the licensee, which caused the licensee to be in violation of NRC requirements. OI obtained evidence determining that the security training superintendent deliberately failed to perform the required annual material condition inspection on all duty firearms during the 2019 calendar year.

Additionally, OI established that when questioned by the NRC about the annual material condition firearms inspection for 2019, the security training superintendent inaccurately documented in the firearms maintenance logs that the inspections were performed for the 2019 calendar year and submitted the inaccurate information to the licensee, which then submitted it to the NRC.

The results of this investigation remain under regulatory review by the NRC staff.

RIVER BEND STATION

The following three cases involving River Bend Nuclear Generating Station (RBNGS) were predicated on information received from an OI assist to staff.

Case #1: An OI investigation substantiated deliberate misconduct when the former Level III nondestructive examination (NDE) proctor, employed by Entergy Operations, Inc., at RBNGS, falsified a General Magnetic Particle Examination (MPE) after losing several pages of a Level II NDE examinee's General MPE. The former NDE proctor acknowledged to OI that these actions violated an Entergy procedure.

The NRC determined that the Level III NDE proctor committed a violation of 10 CFR 50.5, "Deliberate Misconduct," that caused a licensee to be in violation of Criterion V, "Instructions, Procedures, and Drawings," of Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," for RBNGS's failure to accomplish activities affecting quality in accordance with Procedure CEP-NDE-0100, "Administration and Control of NDE."

Case #2: An OI investigation substantiated deliberate misconduct when a former Senior Nuclear Equipment Operator (SNEO), employed by RBNGS, performing in the position of Over Instructor of an SNEO conducting rounds as the Under Instruction watch stander, deliberately abandoned not only assigned tour duties but also oversight and training, which required the Over Instructor to stay in close proximity to the SNEO under instruction, in accordance with 10 CFR Part 50, Appendix B, Criterion V, and licensee procedure.

Case #3: An OI investigation substantiated deliberate misconduct of a former Senior Reactor Operator (SRO) who provided a critical digital asset (CDA) access key to an unauthorized individual. In an OI interview, the former SRO testified to being aware of the processes and procedures for issuing CDA keys and confirmed knowing the unauthorized individual was not a member of the critical group.

The NRC determined that the SRO committed a violation of 10 CFR 50.5 that caused the licensee to be in violation of 10 CFR 73.54, "Protection of digital computer and communication systems and networks," and a licensee procedure.

Combined Enforcement Action for Cases #1, #2, and #3: The NRC issued Entergy a notice of violation and proposed imposition of a \$150,000 civil penalty for these three RBNGS investigations that involved deliberate misconduct by multiple individuals and the failure to (1) ensure that training examinations were appropriately proctored, (2) ensure a tour of all required non-licensed operator watch station areas was completed, and (3) control CDA access keys. The NRC categorized each of the three violations as Severity Level III violations, and a base civil penalty is considered for each Severity Level III violation.

TECHNICAL VIOLATIONS—ATOMIC ENERGY ACT/LICENSE CONDITIONS

MATERIALS LICENSEE

OI substantiated deliberate misconduct when the owner of an industrial radiography company (Company 1) engaged in licensed activities in West Virginia, a non-Agreement State, on numerous occasions between December 2019 and March 2020 without filing for reciprocity. OI determined that the owner of Company 1, which held a radioactive materials license issued by the Commonwealth of Pennsylvania, was operating under the name of a different, unlicensed company (Company 2) owned by an associate of the owner of Company 1. The evidence revealed that the owner of Company 1 was representing himself as an employee of Company 2, and that the two companies were being operated as the same entity. OI obtained evidence that the owner of Company 1 understood at the time of the violation the existence, meaning, and applicability of the NRC requirements to file for reciprocity.

Additionally, the OI investigation revealed that on March 10, 2020, the Commonwealth of Pennsylvania issued an administrative order (AO) to Company 1 which modified its license to "possession and storage" and no longer authorized use of its radiography camera. The AO directed Company 1 to immediately deliver the radiography camera to the Pennsylvania Department of Environmental Protection (PA DEP) for secure storage. OI obtained evidence that the owner of Company 1 failed to surrender the radiography camera until April 10, 2020, and continued to use the camera to perform licensed radiography activities at a site in West Virginia between March 10, 2020 and April 9, 2020, without a valid NRC or Agreement State license. OI determined that the owner of Company 1 understood the existence, meaning, and applicability of the requirements for activities requiring a license at the time of the violation.

The results of this investigation remain under regulatory review by the NRC staff.

TURKEY POINT 3

An OI investigation substantiated that two former instrument and control (I&C) technicians at Florida Power & Light's Turkey Point Nuclear Plant deliberately falsified a Work Order Package after they incorrectly performed work on the Unit 3 (U3C) Charging Pump, a safety-related component, instead of the Unit 4 (U4C) Charging Pump. After mistakenly working on the Unit 3 pump, and causing the Unit 3 pump to trip, the I&C technicians did not report to the main control room (MCR) that they had worked on the wrong pump, as required by licensee procedure. Instead, they falsified the Work Order Package to indicate that they had worked on the Unit 4 pump. In doing so, the I&C technicians submitted incomplete and inaccurate information to the licensee.

Additionally, OI substantiated after learning of the incident, that an I&C supervisor and a department head engaged in deliberate misconduct by not immediately notifying the MCR that the I&C technicians had worked on wrong component, as required by licensee procedure. The investigation revealed that the I&C supervisor and the department head had several opportunities to inform the MCR but failed to do so.

Based on this OI investigation, the NRC issued a Notice of Violation (Severity Level III) and a Proposed Civil Penalty of \$150,000 to the licensee. The NOV was issued for substantiated violations of 10 CFR 50.9, "Completeness and Accuracy of Information," and failing to comply with plant procedures based on the conduct described above, as well as another violation of 10 CFR 50.9 resulting from the falsification of a different work order package at Turkey Point Unit 3 in 2019, which was substantiated in a different OI investigation. The I&C supervisor was issued a NOV (Severity Level III) and the I&C department head was issued an NOV (Severity Level II).

POWER REACTOR

An OI investigation substantiated deliberate misconduct when a former Senior Security Supervisor at an NRC licensed power reactor willfully failed to follow procedures in adjusting the reject operational threshold setting of the MAC8 turnstile Hand Geometry Unit (HGU) without initiating a Condition Report (CR) and work order. Specifically, OI obtained evidence that the Senior Security Supervisor logged into the security system and lowered the reject operational threshold setting of the HGU, without having the documentation to support the action. This caused the licensee to be in violation of License Condition 2.E of its facility operating license.

The results of this investigation remain under regulatory review by the NRC staff.

8 FUTURES INITIATIVES

In 2021, OI addressed several NRC Futures initiatives, specifically focusing on its people, advancing technology and innovation, and becoming risk smart. With considerations towards much needed technological improvements, OI concentrated efforts on modernizing functions in its existing electronic CMS; collaborating with the Office of the Chief Information Officer (OCIO), Office of Enforcement (OE), and other agency partners to integrate the CMS into a new case management system; and fully digitizing investigative files becoming 100% paperless.

Current Case Management System Upgrades

Through this initiative, OI identified and reduced inefficiencies in the existing CMS by eliminating redundant documentation functions and adding a Report of Investigation (ROI) writing tool function. The ROI writing tool allows the staff to develop the ROI as the investigation unfolds, creating a more efficient work process while continuing to meet agency standards.

The new reporting method has also increased efficiency by adopting an activity-based documentation standard, requiring case activities to be documented in the ROI contemporaneous to the activity being completed. Upon approval, these activity-based reports are populated onto a draft ROI within CMS immediately following the activity taking place. With the new ROI development tool, and activity-based reporting in place, an up-to-date PDF style draft ROI can be generated at any time during the investigation showing approved investigative work. These adjustments have improved OI's performance by refining the overall investigative report writing process and effectively streamlined the ease of sharing information to stakeholders.

Case Management System Modernization and Integration

Coordinated efforts are underway with OCIO to develop a new integrated CMS that will include OI, OE, Allegations, and Office of General Counsel data systems. Funding for this new system has been approved and the development work is underway. OI plans for the new integrated CMS to include the existing OI CMS upgrades along with the ability to seamlessly access and share critical data essential to the NRC mission between partner offices. This integration of joint data systems will provide accurate analysis of trends, and metrics, further efficiencies among each of the programs and provide a better workflow.

Office of Investigations Electronic Data File Plan

In late 2020, OI initiated the transfer all paper files and records to a digital format. The aim of the file digitization process was to streamline OI's system of records to provide a more efficient method of storing and safeguarding materials. Additionally, this transformation resulted in a significant cost savings, alleviated the burden on OI's stakeholders, and ensured compliance with government directives regarding the reduction of paper files by 2022. In 2021, OI successfully completed the transition of hard copy files to CMS converting entirely to 100% paperless.

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This report describes Office of Investigations case activities during fiscal year 2021.

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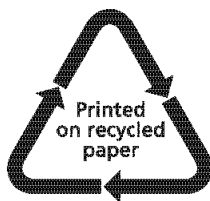
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