



AEROTEST OPERATIONS, INC.

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August 22, 2024

Robert J Feitel
Inspector General
U.S. Nuclear Regulatory Commission
Office of the Inspector General
Mail Stop O12-A12
11555 Rockville Pike
Rockville, Maryland 20852

RE: OIG case 21-012 closed to file with no report issued to NRC, Congress or Licensee, and NRC-OIG did not follow up with the justice department for civil charges against the NRC. OIG Case 21-012 "Special Inquiry Report on the NRC's Oversight of the Research and Test Reactor Program" Issued September 29, 2023 (ADAMS #ML23272A039) and OIG Audit #24-A-07 "Audit of the U.S. Nuclear Regulatory Commission's Safety Inspections of Class II Research and Test Reactors" issued April 11, 2024 (ADAMS #ML24102A254) support Aerotest Operations, Inc. case for misconduct by NRC and repayment of fees and damage caused by the NRC.

Dear Mr. Robert J. Feitel:

Who holds the NRC accountable for their actions if the NRC-OIG office does not?

Aerotest Operations, Inc (AO) had and continues to have a dispute with the NRC. I was led to believe the way to a resolve the dispute was to:

1. File a complaint (including a solution) against the Governmental Agency in this case the NRC, ¹ If the complaint does not result in a satisfactory outcome,
2. File a complaint with the Agencies OIG in this case NRC OIG. Case 21-012 was opened in February 2021.

My understanding is The Office of Inspector General (OIG) plays a crucial role in investigating disputes related to various government programs and operations. Some key responsibilities of OIGs are listed below:

¹ Once I was aware of the problem/ dispute with the NRC I wrote to the CFOs about the problem, NRC role in creating the problem and practical solutions. I have worked with 5 CFOs since 2018 – 2024. (Maureen E Wylie, Cherrish K Johnson, Howard K Osborne, Jenifer Golder, and Owen F Barwell) and 2 Deputy General Counsel (Mariian Zober and Brooke P Clark) ADAMS #ML18163A111, ML182401A141, ML1903A581, ML20325A176, ML21651A296, ML231571A066. ML23177A256, ML24058A360, ML24009A088, ML24197A111, ML23094A070, ML24011A224, ML24060A058, 24145A122

- Criminal, Civil, and Administrative Investigations:
 - OIGs conduct thorough investigations into possible violations of laws, regulations, or policies. These investigations cover criminal, civil, and administrative matters
- OIGs audit, inspect, evaluate, and review activities, records, and individuals affiliated with contracts, procurements, and other official acts or functions of the governmental entity.
- Collaboration and Reporting:
 - OIGs collaborate with other oversight or law enforcement agencies, conducting joint investigations and projects.
 - They issue public reports to enhance transparency and accountability. Additionally, OIGs refer matters for further civil, criminal, and administrative action to appropriate agencies.

Unfortunately, The NRC-OIG did not follow their obligations:

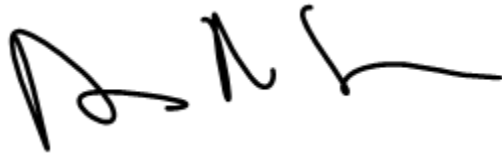
- NRC-OIG did not issue a public report on case 021-012 to enhance transparency and accountability on the AO's initial specific investigation. I needed to file a Freedom of Information Act request to get a copy of case 21-012 memorandum to file. I send the information to Marian Zober on May 24, 2023, ADAMS ML23157A066 in hopes of her reconsidering her denial of the claim on May 4, 2023.
- NRC-OIG case 021-012 found that the inspector did not perform his duties as stated in the NRC Inspection Manual Chapter 2545-06 "That is, the licensee is responsible for facility safety and compliance with regulatory requirements, and the NRC inspector is responsible to independently assess the licensee's fulfilment of those responsibilities." And NRC Inspection Manual Chapter 2545-7.02 "NRC inspectors perform a basic mission in determining whether a licensee's RTR is acceptably safe and meets current regulatory requirements and commitments."
- NRC OIG case 021-012 found that NRC was partly culpable in the condition at AO but fell short on providing an assessment of NRC's contribution to the damages at AO.
- NRC OIG did not forward the AO case to civil claims on AO behalf to recover damages caused to AO equipment as stated in their investigation.
- NRC-OIG case 021-012 found misconduct by NRC employees like actions by AO and other licensees which were punished by NRC enforcement.

Who holds the NRC accountable for their actions if the NRC-OIG office does not? I am hoping the NRC-OIG office will hold the NRC accountable for the damage that they caused at AO and to reimburse AO for fees they billed but did not perform their duties to earn that money.

If the NRC-OIG office does not hold the NRC accountable for their actions, then it is important that Senate and/or House congressional oversight committees act. Independent of congressional involvement, the Council of the Inspectors General on Integrity and Efficiency needs to review the handling of NRC-OIG Case 21-012.

If any additional information or clarification is required, please contact me at dmsraven@gmail.com or (801) 631-5919.

Respectfully,



David M Slaughter, PhD
AO President, Reactor Administrator, General Manager. NRC-RO and Manager
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