

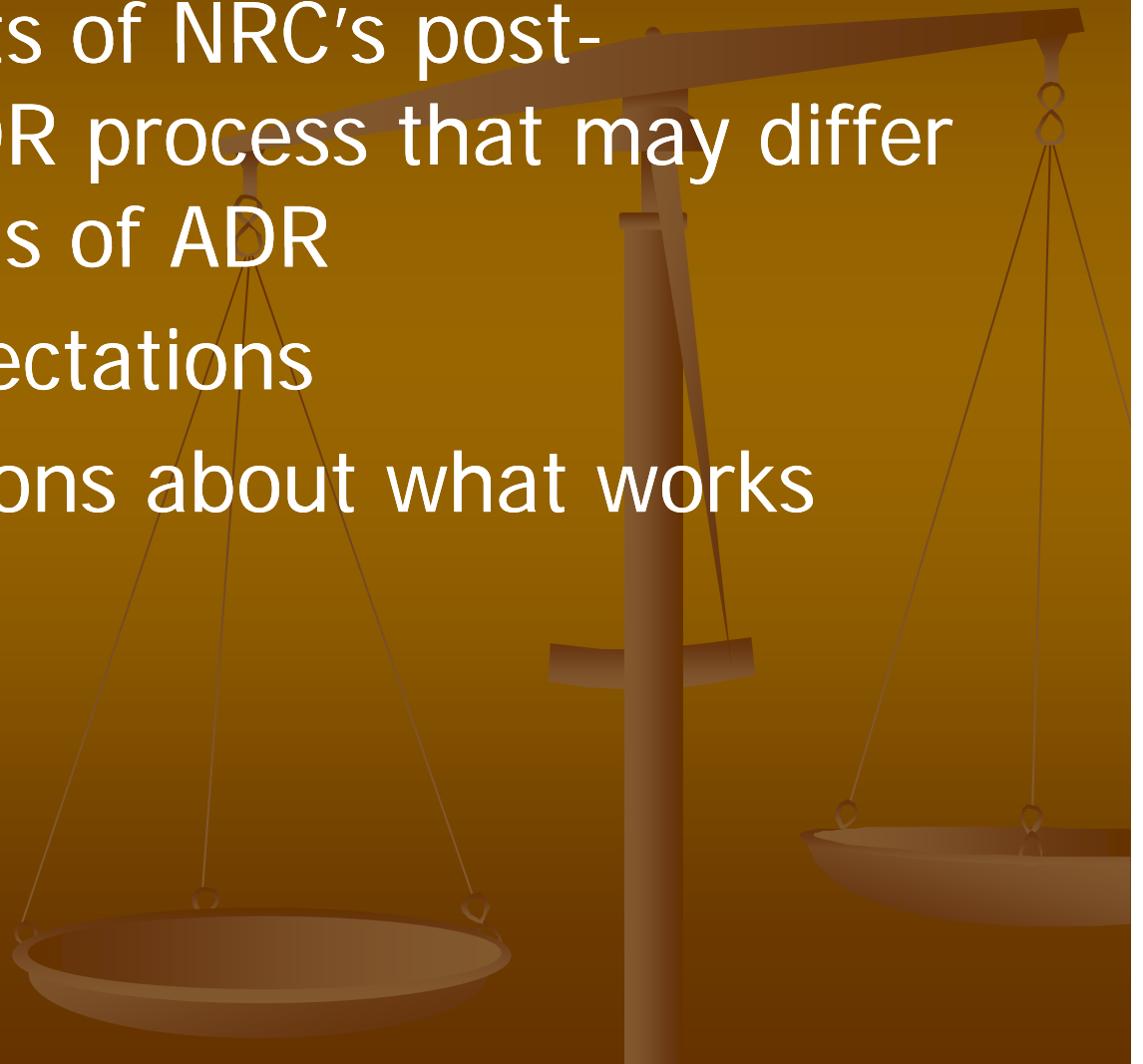


# NRC Post-Investigation ADR: An Insider's Perspective

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NRC Region III

# Purpose

- Highlight aspects of NRC's post-investigative ADR process that may differ from other forms of ADR
- Help frame expectations
- Share observations about what works



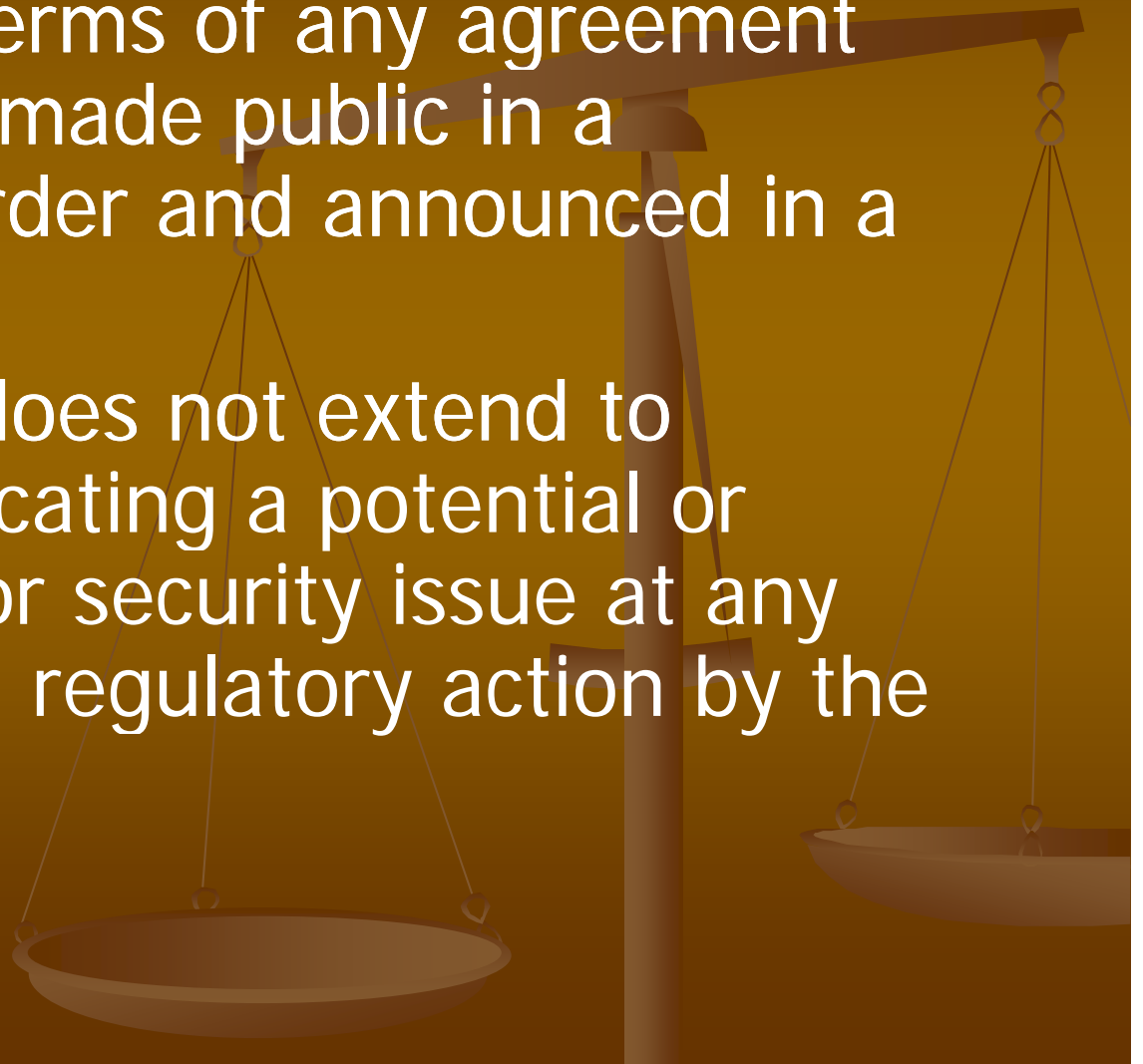
# Common ADR Principles

- Confidentiality
- Voluntary Participation
- Participants Have Decision-Making Authority
- Participants act in Good Faith



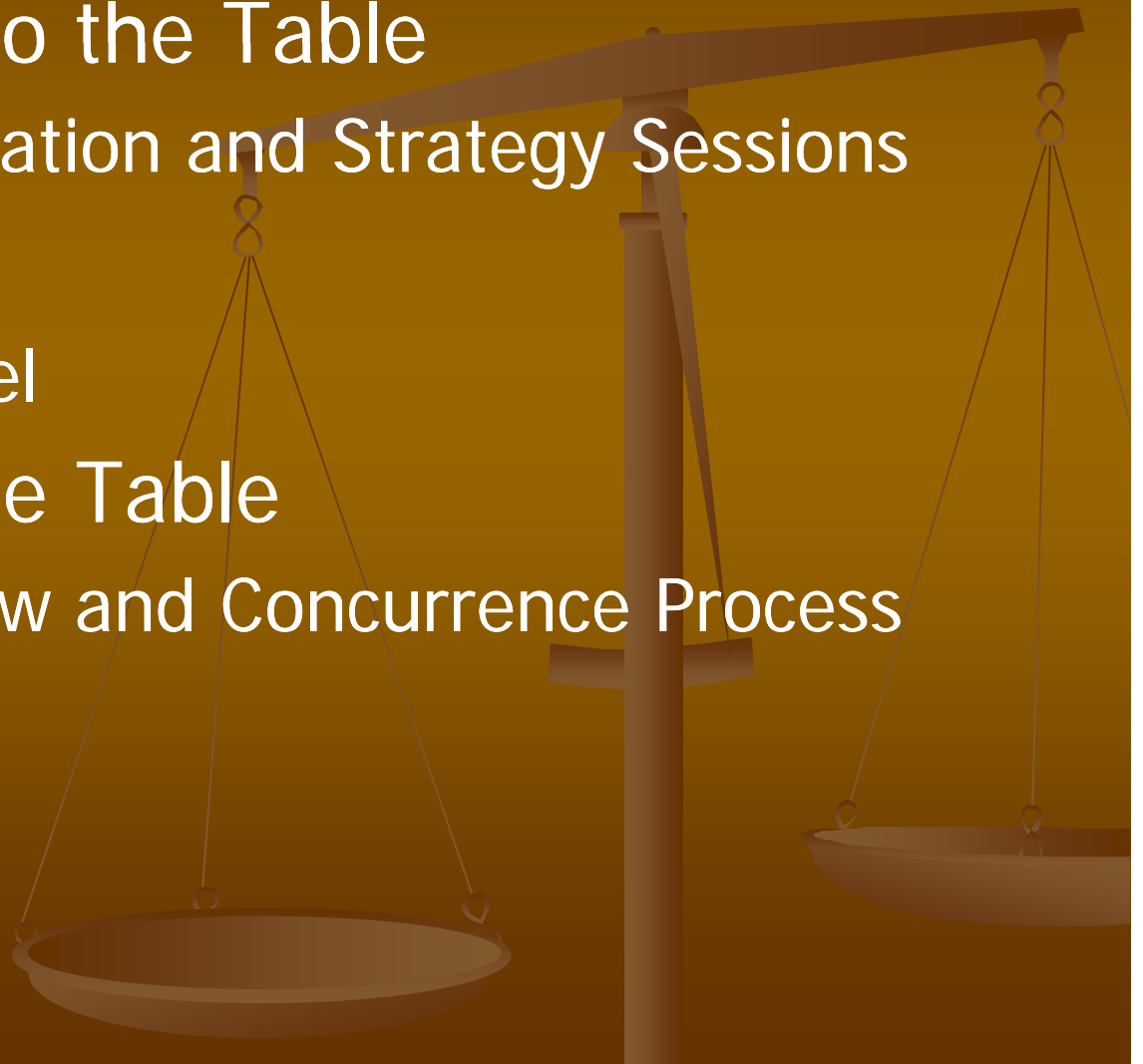
# Confidentiality in Post-Investigation ADR

- Generally, the terms of any agreement reached will be made public in a Confirmatory Order and announced in a Press Release
- Confidentiality does not extend to information indicating a potential or existing safety or security issue at any facility requiring regulatory action by the NRC



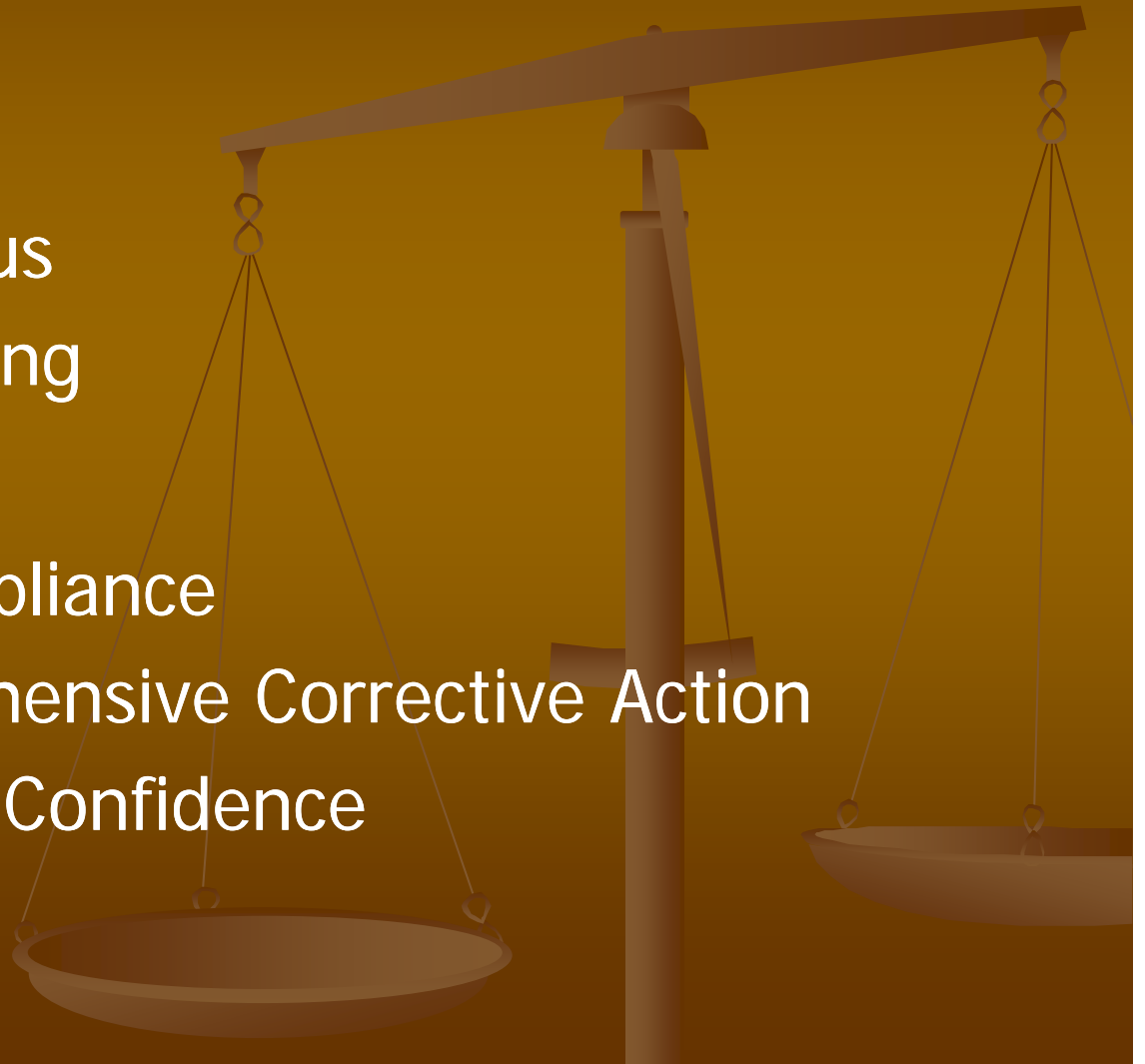
# Decision-Making Authority in Post-Investigation ADR

- Before Getting to the Table
  - Pre-ADR Preparation and Strategy Sessions
- At the Table
  - Region III Model
- After Leaving the Table
  - Post-ADR Review and Concurrence Process



# Observations

- Logistics
  - Fewer is Better
  - Space for Caucus
  - Timely Scheduling
- NRC Interests
  - Deter Non-compliance
  - Obtain Comprehensive Corrective Action
  - Maintain Public Confidence



# Observations

- Agreement in Principle
  - Agree to Disagree
  - Enforceable Language
  - Terms that Include Non-Parties
  - Terms Should Not Change in Confirmatory Order

