

Nuclear Compliance, Investigations, and Enforcement

Our team has significant experience representing clients on nuclear compliance matters and related internal investigations, and with external investigations by the NRC.

U.S. Nuclear Regulatory Commission (NRC) licensees and suppliers are subject to strict regulatory requirements that the NRC and other nuclear regulators actively enforce. Strong representation is critical in navigating an investigation and any resulting enforcement action.

Investigations and enforcement actions related to the handling of nuclear materials or the operation of nuclear facilities can carry significant economic consequences for the companies, and career-altering or even criminal consequences for the individuals involved. We have experience in internal and external investigations, enforcement proceedings, and settlement discussions before the NRC's Office of Enforcement and Office of Investigations, and the various technical departments and regions within the NRC. We also have experience before other federal and state nuclear regulators. From safety culture to transportation of radioactive material, we have helped clients address a wide variety of complex enforcement

Contacts

Daniel F. Stenger,
Washington, D.C.

Amy C. Roma,
Washington, D.C.

Mary Anne Sullivan,
Washington, D.C.

Practices

Litigation Services

Nuclear Energy and
Materials

actions. We also provide training on safety culture and safety conscious work environment (SCWE), from staff to specialized executive training.

In addition to a detailed knowledge of the relevant regulatory frameworks, we appreciate many other factors involved in an enforcement proceeding; and can provide practical guidance on when to fight, when to settle, and how to develop practical and effective compliance programs. Our team's strong technical and regulatory capabilities allow us to get to the root of complex enforcement actions and distill complex analyses into a clear story for regulators. We also work well as part of teams in multiparty proceedings.

Representative experience

Providing clients training on NRC enforcement processes, investigations practice, safety culture, and safety-conscious work environment.

Assisted in investigations and enforcement actions by the NRC and USDOT for licensees and individual managers, and by DOE with respect to its contractors, including internal corporate investigations.

Advise major nuclear suppliers and nuclear utilities on NRC-requested internal nuclear safety culture/safety conscious work environment investigations and associated corrective actions.

Advised a nuclear utility on multiple NRC investigations and enforcement matters pertaining to completeness and accuracy of information and willful misconduct.

Routinely represent utility and suppliers in all manners of enforcement actions, including enforcement conferences and alternate dispute resolution (ADR).

Advised a nuclear utility in a retaliation allegation matter.

Conducted an internal investigation at a large supplier into a retaliation and nuclear safety culture/SCWE investigation.

Represented an individual employee in an NRC enforcement action alleging willful misconduct.

Represented a utility in an NRC ADR proceeding that resulted in a successful settlement agreement terminating the enforcement action.

Advised a fuel cycle facility in an internal investigation and external NRC investigation pertaining to a security matter and retaliation allegations.

Advised a nuclear supplier on a self-disclosure for export control violations and related investigations and enforcement matters.

Advised licensees and vendors in defending whistleblower complaints under the Energy Reorganization Act and related investigations by the NRC for alleged violations of the employee protection requirements.

Assisted nuclear suppliers in addressing a number of DOE, U.S. Department of Commerce, and NRC export control compliance issues and disclosures, with successful resolutions before the regulators.

Assisted nuclear operators in understanding changing NRC enforcement positions, in particular around safety culture and safety conscious work environment.

Assisted an NRC licensee in analyzing complex financial data in order to successfully demonstrate to regulators that an allegation regarding decommissioning funding was unsubstantiated.

Supported licensees in responding to and evaluating multiple whistleblower allegations.