



NRC NEWS

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ATOMIC SAFETY AND LICENSING BOARD APPROVES SETTLEMENT IN SIEMASZKO CASE REGARDING DAVIS-BESSE MISCONDUCT

The Atomic Safety and Licensing Board (ASLB) has approved a settlement in the NRC enforcement hearing against former nuclear power plant engineer Andrew Siemaszko, ending the proceeding and prohibiting his involvement in any agency-licensed activities until April 2010.

The Siemaszko case stemmed from violations of NRC regulations associated with the significant reactor vessel head damage discovered in March 2002 at the Davis-Besse Nuclear Power Station in Oak Harbor, Ohio. The settlement requires Siemaszko, once the ban ends, to notify the agency within 20 days of accepting an NRC-regulated job; he must explain why the agency should have confidence he will comply with NRC rules.

“As a result of the NRC’s investigations and enforcement actions, Mr. Siemaszko will have been absent from the nuclear power industry for almost eight years,” said Cynthia Carpenter, Director of the NRC’s Office of Enforcement. “This settlement sends a strong message to the industry about the serious consequences of failing to provide complete and accurate information and not complying with our safety regulations.”

Siemaszko was responsible for reactor vessel head cleaning during a 2000 outage. The agency found that he deliberately provided incomplete and inaccurate information regarding the cleaning and condition of the head.

The NRC originally issued an Order to Siemaszko on April 21, 2005, which would have prohibited his involvement in agency-regulated activities for five years. He requested a hearing on the Order, which the ASLB granted but held in abeyance during the Department of Justice’s parallel criminal case against Siemaszko. A federal jury found him guilty in August 2008 of lying to the NRC. Siemaszko’s federal sentence of three years’ probation including a fine of \$4500 and a restriction on any nuclear industry employment until February 2012, without prior approval of his probation officer.

As a result of the NRC's investigation, the agency also fined Davis-Besse's owner, FirstEnergy Nuclear Operating Company, \$5.45 million for the company's role in the reactor head damage.

The ASLB is the NRC's quasi-judicial arm dealing with licensing and enforcement matters. More information about the ASLB can be found at: <http://www.nrc.gov/about-nrc/organization/aslbpfundesc.html>.

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