CONFIDENTIALITY AGREEMENT

Mediation No.: NRC ADR -	Mediation	No.:	NRC	ADR	-	
--------------------------	-----------	------	------------	------------	---	--

- 1. The parties agree to participate voluntarily in mediation in an effort to resolve the above- referenced dispute.
- 2. The parties agree that all matters discussed during the mediation are confidential, unless otherwise discoverable, and cannot be used as evidence in any subsequent administrative or judicial proceeding. Confidentiality, however, will not extend to threats of imminent physical harm, incidents of actual violence that occur during the mediation, or information indicating a potential or existing safety or security issue at any facility requiring regulatory action by the NRC.
- 3. Any communications between the ADR Program Manager and the mediator(s) and/or the parties are considered dispute resolution communications with a neutral and will be kept confidential.
- 4. The parties agree not to subpoen the mediator(s) or compel the mediator(s) to produce any documents provided by a party in any pending or future administrative or judicial proceeding. The mediator(s) will not voluntarily testify on behalf of a party in any pending or future administrative or judicial proceeding. The parties further agree that the mediator(s) will be held harmless for any claim arising from the mediation process.
- 5. Mediation sessions will not be tape-recorded or transcribed by the NRC, the mediator or any of the participants. All information or materials provided to or created by the mediator including all notes, records, or documents generated during the course of the mediation shall be destroyed by the mediator after conclusion of the mediation. Parties or their representatives are not prohibited from retaining their own notes. However, the NRC will not maintain any such notes or records as part of its record keeping procedures.
- 6. If a settlement is reached by the parties, the agreement shall be reduced to writing and when signed shall be binding upon the parties to the agreement. If the dispute is not resolved through mediation, it is understood by the parties that the organization has the right to pursue their rights under the formal dispute resolution processes, as appropriate.

If the NRC is a party, the final settlement is confirmed by order. Any agreement signed during negotiations will be preliminary in nature, pending issuance of the confirmatory order. The parties have the right to discuss with members of their organization, on a need-to-know basis, the results of the mediation session while developing, accepting, and issuing the confirmatory order.

Party	Date	For NRC	Date	
Party's Representative	Date			