United States Nuclear Regulatory Commission

*Protecting People and the Environment*

NUREG-1830
Volume 21

# Office of Investigations Annual Report Fiscal Year 2024

Office of Investigations

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Office of Investigations

# ABSTRACT

This report provides the U.S. Nuclear Regulatory Commission with an overview of the activities, mission, and purpose of the Office of Investigations (OI). The information that follows also details the case inventory, priorities, and highlights of significant cases that OI completed during fiscal year 2024 (see staff requirements memorandum COMJC-89-8, “Reports on the Results of OI Investigations,” dated June 30, 1989). This is the 36th OI annual report.

# TABLE OF CONTENTS

ABSTRACT ..... iii
DIRECTOR'S MESSAGE ..... vii
FOCUSING ON OUR MISSION ..... ix
FISCAL YEAR 2024 HIGHLIGHTS ..... xi
1 INTRODUCTION AND OVERVIEW ..... 1
2 THE OFFICE OF INVESTIGATIONS ..... 3
3 QUALITY ASSURANCE REVIEWS ..... 5
4 CASES ..... 7
5 CASES OPENED ..... 9
6 CASES CLOSED ..... 11
7 SIGNIFICANT INVESTIGATIONS ..... 13
8 FUTURE INITIATIVES ..... 15

# DIRECTOR'S MESSAGE

It is a privilege to submit our Office of Investigations (OI) annual report for fiscal year (FY) 2024. First, I want to express my gratitude to the OI team for their resilience and excellence for another outstanding year of successful results. It is with these attributes that we conduct thorough and independent investigations for alleged wrongdoing by licensees, applicants, contractors, or vendors, through objectivity and integrity.

The Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy (ADVANCE) Act (Public Law 118-67) puts OI on a trajectory, alongside the rest of the U.S. Nuclear Regulatory Commission (NRC), the U.S. Government, and the industry, of innovation and change, giving us a once -in -a -generation opportunity to be a vital and key contributor to how energy is produced and distributed safely and securely across the United States and the world. In direct support of the ADVANCE Act, we have established new partnerships and reinvigorated existing longstanding partnerships with Federal, State, and local law enforcement agencies across the country. To note, we established senior executive -level partnerships with elements of the U.S. Department of Defense and U.S. Department of Justice (DOJ) that have a shared interest in the nuclear industry and defense industrial base. Another key partnership we established is with the Fairfax County Police Department in Northern Virginia—this, in tandem with our recently established relationship with the Federal Law Enforcement Training Centers (FLETC), ensures our personnel have access to the finest training available in the community. These relationships are already proving to be vital in our ability to conduct our nationwide law enforcement mission, from policy and legislative support to criminal investigations and analysis support. But this is only the beginning. These are but a few examples of how these mutually beneficial relationships will ensure we maintain a solid foundation and remain poised and ready to react to a changing and evolving global industry landscape. It was my honor to be one of the first beneficiaries of these new partnerships. As a recent graduate of the FLETC-Criminal Investigator Training Program, I witnessed the fundamental support this enhanced access to training can provide to OI's readiness.

In reflecting on the past year, investigative deliverables have played a significant role in OI's success. From October 1, 2023, through September 30, 2024, OI concluded 48 investigations (a 20 percent increase from FY 2023) and 34 assists to staff. The investigative activities described in this report reflect OI's unwavering interest in advancing the NRC's commitment to protect public health and safety, promote the common defense and security, and protect the environment. Key results include two criminal cases OI completed in collaboration with the DOJ leading to uncontested prosecutions. These investigative results demonstrate how our team of professionals focused their efforts to complete independent, thorough, and timely investigative products.

Another achievement OI celebrates in this report is the successful implementation of our plan to advance horizontal and vertical growth. With the support of the Office of the Chief Human Capital Officer, we initiated new hiring strategies, leading to multiple new employees in all OI offices. To further develop our team, we also implemented temporary rotations and promotional opportunities that allowed journeyman -level staff and OI leaders to expand their professional skills by facing unconventional challenges and new responsibilities.

Programmatic efficiency was also at the forefront of OI in FY 2024. OI adopted useful investigative tools this year, such as signing an interagency agreement with the Customs and Border Protection Communications Center Division for dispatching services and successfully implemented our newly modernizeddigital case management system (Allegations, Resolutions, Investigations, and Enforcement System (ARIES)), an integrated platform with operability across NRC partner offices.

In closing, I would like to again thank my OI team for their hard work throughout this fiscal year. Their exhibited professionalism is impressive and commendable.

Thomas G. Ashley Jr.
Director

# FOCUSING ON OUR MISSION

As the law enforcement arm of the U.S. Nuclear Regulatory Commission (NRC), the Office of Investigations (OI) protects the American public by investigating allegations of criminal, civil, and administrative violations by NRC licensees.

Since 1982, OI has investigated a broad range of violations. OI continues to focus on criminal violations that undermine the safe and secure use of radioactive materials, the common defense and security of the United States, and the protection of the environment, such as the following:

- criminal violations that pose a particularly significant risk of harm to public health and safety
- criminal conduct, including making material false statements to the NRC during the regulatory process that affect proper regulatory actions by the agency
- criminal violations by individuals who discriminate against whistleblowers who raise and pursue certain protected activities regulated by the NRC
- criminal violations in situations for which the normal regulatory process may be unable to remedy the problem
- criminal violations by individuals and organizations that attempt to introduce counterfeit, fraudulent, or suspect items into the nuclear supply chain
- proactive investigative partnerships with other Federal, State, local, and international law enforcement agencies

# FISCAL YEAR 2024 HIGHLIGHTS

During fiscal year (FY) 2024, the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) maintained a mission -driven, high -performing workforce. As part of the process, OI continued its commitment to investigative independence, excellence, and adherence to established quality standards. OI personnel include both criminal investigators, who bring a wide range of experience from across the Federal enterprise, and professional support staff, who continuously work to exceed the expectations of internal and external stakeholders.

The majority of investigations OI closed in FY 2024 involved operating reactors, closely followed by closed investigations related to materials. The overall number of closed investigations increased from that in FY 2023. This report discusses the specific numbers in detail and notes the following FY 2024 highlights:

- OI contributed to the NRC's safety strategic goals by conducting effective and efficient investigations to ensure that licensees meet the agency's regulatory requirements. In FY 2024, OI conducted 129 high -quality, thorough, and timely cases which include 82 closed cases and 47 cases carried over to FY2024.
    - OI closed 48 investigations during this reporting period, of which 100 percent developed sufficient information to substantiate or not substantiate allegations of wrongdoing.
    - 100 percent of these findings were reached in 12 months or less, exceeding OI's performance for the reactor and materials investigations standard of 90 percent.
- Of the 34 assists to staff closed, 100 percent were closed within 90 days, exceeding OI's performance measure of 90 percent.
- OI processed 14 actions resulting from Freedom of Information Act requests during FY 2024, a 27 percent decrease from the FY 2023 total of 19.
- OI conducted and completed 100 percent of annual field office and OI headquarters assessments and internal reviews to comply with requirements for organizational effectiveness. OI further ensured that it adhered to all applicable U.S. Department of Justice (DOJ) policies and Council of the Inspectors General on Integrity and Efficiency guidelines.
- OI continued outreach efforts to other law enforcement agencies. Whether this was formalizing long-standing relationships through written agreements with the NRC Office of the Inspector General or sending staff to attend interagency working groups at the National Counterterrorism Training Center for the first time, OI worked tirelessly this year to expand awareness of the agency's mission to State, local, and other Federal law enforcement and intelligence agencies.
- OI formally became a Partner Organization with the Federal Law Enforcement Training Centers (FLETC) to formalize and enhance professional relationships. This improved relationship enables OI to quadruple the current number of training and professional

development opportunities offered. OI is committed to formalizing this status and will begin regularly enrolling OI staff through the FLETC. By completing this initiative, OI will be able to further access world-class and formally accredited professional training on topics as diverse as crime scene photography, digital evidence discovery, advanced interviewing techniques, and criminal intelligence analysis.

- OI joined the U.S. Customs and Border Protection Communications Center Division (CCD). The CCD is a 24-7 law enforcement database and communication channel used by over 50 State, local, Federal, and international agencies to deconflict investigative activity.

- OI adopted new software and investigative tools necessary to help the office successfully address evolving challenges in a post pandemic setting. To that end, OI is using state -of -the -art technology to conduct investigations at a higher efficiency rate and enhance its ability to support the NRC's mission as a Federal regulator.

- As part of an agencywide hiring initiative, OI continues to undertake recruitment, hiring, and retention efforts. These activities also include staff rotations and promotion opportunities supporting professional growth, skill development, and knowledge management exchanges throughout the headquarters and regional offices.

# 1 INTRODUCTION AND OVERVIEW

## HISTORY

In 1982, with the support of the U.S. Department of Justice (DOJ) and the U.S. Congress, the U.S. Nuclear Regulatory Commission (NRC) established the Office of Investigations (OI) as part of its effort to improve the quality of its investigative work and to support the agency's overall mission. The Commission announced the formation of OI on April 20, 1982, to improve the NRC's capability "to perform credible, thorough, timely and objective investigations."[1] OI is responsible for conducting independent investigations either at the request of specific NRC officials or on its own initiative. OI subsequently hired experienced Federal criminal investigators, a practice it continues today, who probe alleged wrongdoing in accordance with DOJ guidelines and the Quality Standards for Investigations established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

## AUTHORITY

The Commission delegated to the director of OI the authority to take the necessary steps to accomplish the office's mission, as described in Title 10 of the *Code of Federal Regulations* (10 CFR) 1.36, "Office of Investigations" (see section 161(c) of the Atomic Energy Act of 1954, as amended (Title 42 of the *United States Code* (42 U.S.C.) section 2201(c)), and section 206 of the Energy Reorganization Act of 1974 (42 U.S.C. § 5846)). OI jurisdiction extends to the investigation of alleged wrongdoing by licensees, certificate holders, permittees, and applicants; by contractors, subcontractors, and vendors of such entities; and by management, supervisors, and other personnel employed by such entities who may have violated the Atomic Energy Act, the Energy Reorganization Act, or rules, orders, or license conditions issued by the Commission.

Additionally, during investigations, OI may uncover issues that are potentially significant to safety that may or may not be related to wrongdoing. OI promptly delivers such information to the NRC technical staff for appropriate action. OI also provides professional investigative expertise to the NRC staff in the form of assists to staff. Generally, these assists to staff are associated with matters of regulatory concern for which the NRC staff has requested OI's investigative expertise but that do not initially involve a specific indication of wrongdoing.

## MISSION

As stated in the NRC's Strategic Plan for Fiscal Years 2022–2026,[2] the agency's mission is to license and regulate the Nation's civilian use of radioactive materials, to provide reasonable assurance of adequate protection of public health and safety, to promote the common defense and security, and to protect the environment. The plan defines the strategic goals to ensure the safe and secure use of radioactive materials, to continue to foster a healthy organization, and to inspire stakeholder confidence in the NRC. The plan also provides an overview of the NRC's responsibilities and lays out how the agency uses data and evidence to inform decision--making to accomplish objectives and strategies to achieve its goals.

OI fully aligns with the NRC's regulatory programs and strategic values and goals to provide for the safe civilian use of radioactive materials and nuclear power. OI's national investigations program consistently operates under the agency's Principles of Good Regulation to support regulatory actions that are effective, realistic, and timely.

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[1] NRC Announcement No. 38, "Formation of the New Office of Investigations," dated April 20, 1982.
[2] NUREG-1614, Volume 8, "Strategic Plan: Fiscal Years 2022–2026," issued April 2022.

# 2 THE OFFICE OF INVESTIGATIONS

The director of OI reports to the Deputy Executive Director for Nuclear Materials, Administrative, and Corporate Programs and supports the reactor and materials programs.

OI is an independent national investigations program that consists of four regional field offices led by Special Agents in Charge who directly support the regional administrators and report directly to OI headquarters senior staff. The main body of OI personnel is made up of Federal criminal investigators and special agents (GG-1811s), as well as professional support and technical staff located in both OI field offices and headquarters.

All NRC OI special agents have extensive backgrounds and experience in Federal criminal investigations. During fiscal year (FY) 2024, the professional cadre of OI special agents had an average of over 17 years of Federal law enforcement experience. OI special agents have previously served in law enforcement roles at other Federal agencies, including the U.S. Secret Service; U.S. Department of Energy; Naval Criminal Investigative Service; U.S. Department of Labor; Air Force Office of Special Investigations; Federal Bureau of Investigation; Bureau of Alcohol, Tobacco, Firearms and Explosives; Coast Guard Investigative Service; Army Criminal Investigative Division; Diplomatic Security Service; and various offices of the Inspector General.

OI plans and conducts investigations of allegations of wrongdoing to determine whether there are willful or discriminatory actions in violation of NRC regulations and criminal statutes. OI also develops and implements policies, procedures, and quality control standards for investigations. OI conducts investigations in accordance with DOJ guidelines and the CIGIE Quality Standards for Investigations. Additionally, OI maintains proactive investigative partnerships with other Federal, State, and local law enforcement agencies.

# 3 QUALITY ASSURANCE REVIEWS

OI quality assurance reviews (QARs) are annual self-assessments of the office's national investigations program. Each year, OI selects a team of senior personnel to conduct the QAR of headquarters and each field office. The QARs aim to support the goal of continuous improvement and to assess three major focus areas: operations, management, and administration.

The 2024 QAR reviews were performed with assistance from regional and headquarters staff members. The 2024 QAR addressed the following items:

- internal NRC office stakeholder meetings and interviews
- random selection of case samples for quality overview
- inventory verification of sensitive equipment
- program quality checks
- OI data system review

During the review, the QAR team reviewed a random selection of 20 closed cases. The case reviews did not produce derogatory information adversely impacting OI's compliance with professional standards. A review of OI operational programs found that OI was generally in compliance with all pertinent governing policies and procedures.

The OI programmatic review also involved formal meetings with NRC officials, including the Office of the Executive Director for Operations staff, regional administrators, the Office of the General Counsel, and allegations and enforcement personnel. The discussions with senior staff provided feedback on OI headquarters and regions' overall performance, collaboration, and input on the delivery of the office's work products. The stakeholders reported overall satisfaction with the OI program and provided positive feedback on their interactions with the office's staff. They also offered valuable recommendations and suggestions on OI's investigative work products.

At the conclusion of the QAR, the team conducted exit briefings with both Special Agents in Charge and OI's senior leadership to confirm and address the noted findings and recommendations. This final step emphasized validating data supporting OI's continued adherence to professional standards, as well as internal and NRC policies and procedures.

# 4 CASES

Figure 1 shows the OI case inventory, which includes all investigations[3] and assists to staff[4] conducted from FY 2020 through FY 2024. The total case inventory in FY 2024 was 129, an 8 percent increase from 119 in FY 2023.

This total includes 92 investigations, 40 of which were carried over from FY 2023, and 37 assists to staff, 7 of which were carried over from FY 2023.

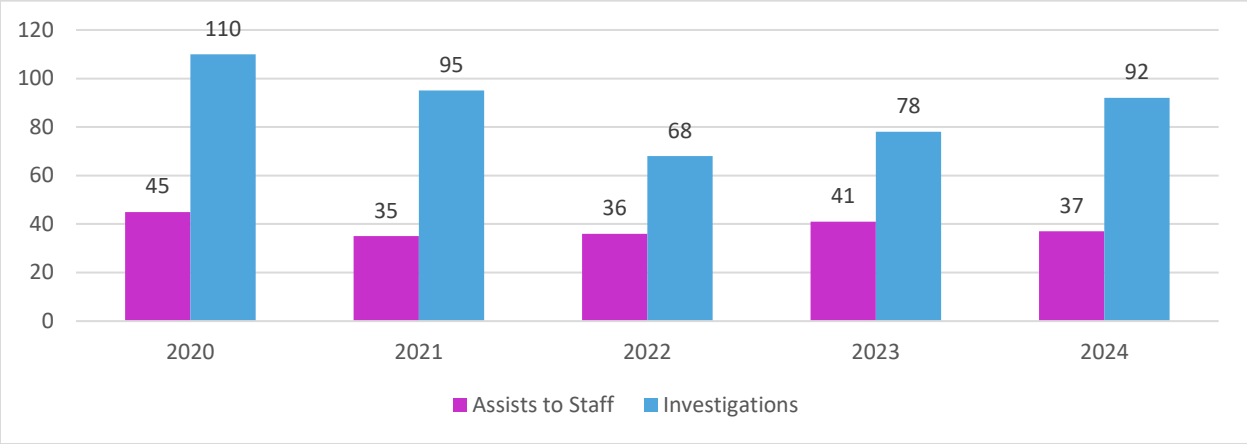


**Figure 1 Case Inventory by Fiscal Year**

3 An investigation is a detailed and systematic collection, development, and examination of evidence and other relevant information to uncover the facts and circumstances or to establish the truth concerning potential wrongdoing within the jurisdiction of the NRC.

4 Assists to staff are cases that are brief, focused inquiries not involving a specific allegation of wrongdoing. OI does not evaluate the concerns addressed in assists to staff for substantiation. Assists to staff serve to provide the NRC staff with clarifying information about concerns to better inform the decision-making process, allowing the agency to pursue the most appropriate course of action.

# 5 CASES OPENED

Table 1 shows the number of cases opened by category from FY 2020 through FY 2024, and figure 2 gives the percentage of cases opened in FY 2024 by category of alleged violation. OI opened 82 cases in FY 2024 in the categories listed below; this remains the same from the total cases opened in FY 2023. The number of investigations of suspected material false statements decreased by 30 percent, and violations of other NRC regulatory requirements increased by 30 percent. In FY 2024, the number of discrimination investigations increased by 19 percent and the number of assists to staff decreased by 17 percent.

**Table 1 Cases Opened by Category**

| Category | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---|---|---|---|---|---|
| Total | 90 | 65 | 70 | 82 | 82 |
| Material False Statements | 18 | 6 | 13 | 10 | 7 |
| Violations of Other NRC Regulatory Requirements | 22 | 21 | 19 | 20 | 26 |
| Discrimination | 10 | 11 | 10 | 16 | 19 |
| Assists to Staff | 40 | 27 | 28 | 36 | 30 |

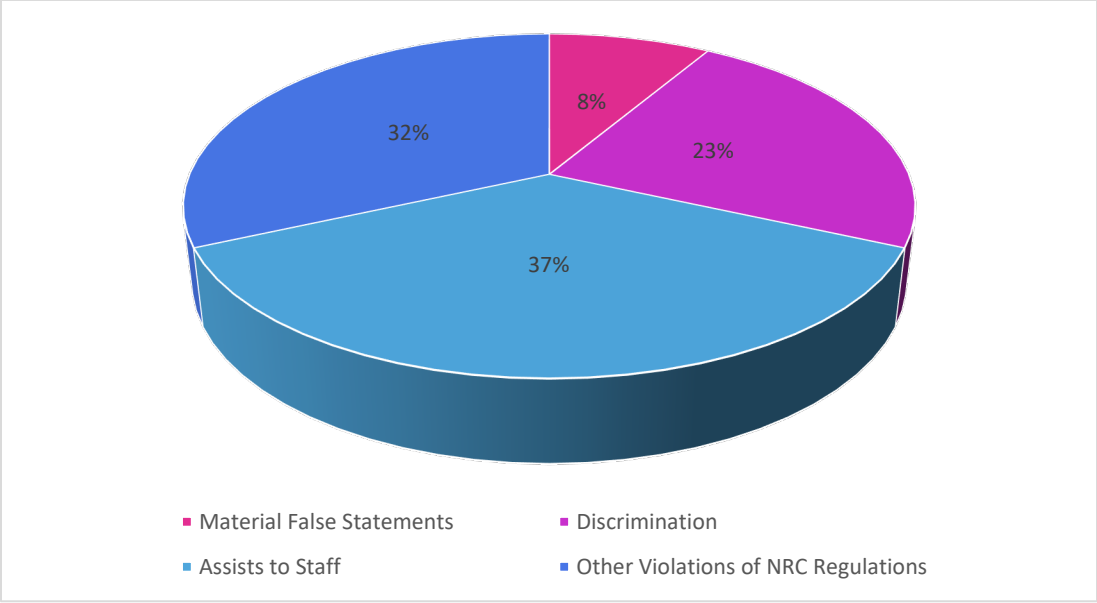


**Figure 2 Cases Opened in FY 2024 by Category of Alleged Violation**

Figure 3 shows the distribution of cases opened during FY 2020 through FY 2024 for the reactor and materials programs. From FY 2023 to FY 2024, the overall number of reactor cases increased by 19 percent. Reactor investigations increased by 12 percent and reactor -related assists to staff increased by 36 percent. The number of materials cases decreased by 26 percent. There was a 17 percent increase in the number of materials investigations and a 50 percent decrease in the number of materials -related assists to staff.

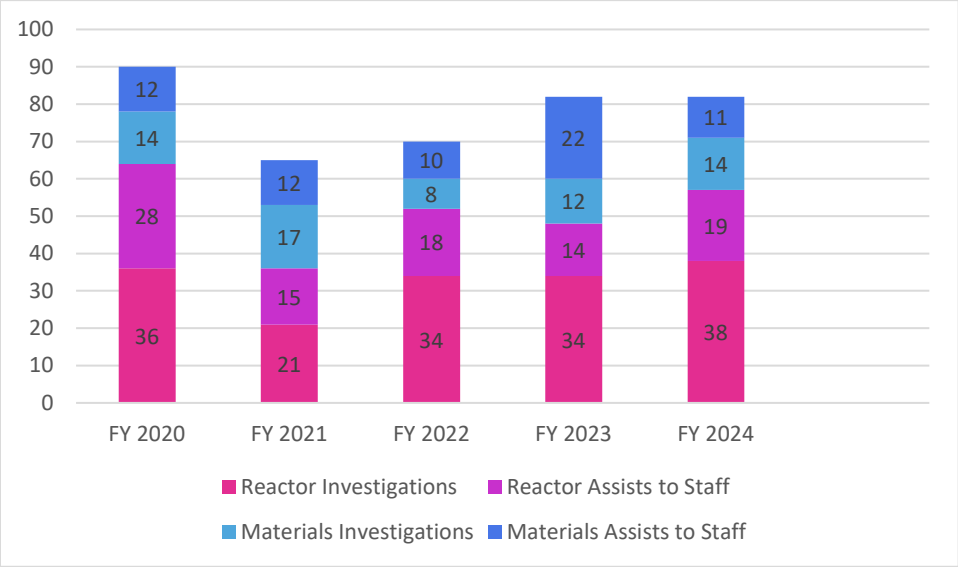


**Figure 3 Reactors and Materials Cases Opened From FY 2020 Through FY 2024**

**Total FY 2024 Reactor Cases: 57**

Reactor investigations: 38

Reactor assists to staff: 19

**Total FY 2024 Materials Cases: 25**

Materials investigations: 14

Materials assists to staff: 11

# 6 CASES CLOSED

Table 2 shows the number of cases closed by category from FY 2020 through FY 2024, and figure 4 shows cases closed in FY 2024 by category of alleged violation. OI closed 82 cases in FY 2024 in the categories listed below, representing a 14 percent increase from the number closed in FY 2023. Investigations of material false statements decreased by 8 percent, while investigations involving violations of other NRC regulatory requirements increased by 5 percent. Discrimination investigations increased by 125 percent and assists to staff remained the same.

**Table 2 Cases Closed by Category**

| Category | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 |
|---|---|---|---|---|---|
| Total | 90 | 96 | 67 | 72 | 82 |
| Material False Statements | 12 | 15 | 3 | 12 | 11 |
| Violations of Other NRC Regulatory Requirements | 18 | 38 | 21 | 18 | 19 |
| Discrimination | 23 | 16 | 12 | 8 | 18 |
| Assists to Staff | 37 | 27 | 31 | 34 | 34 |

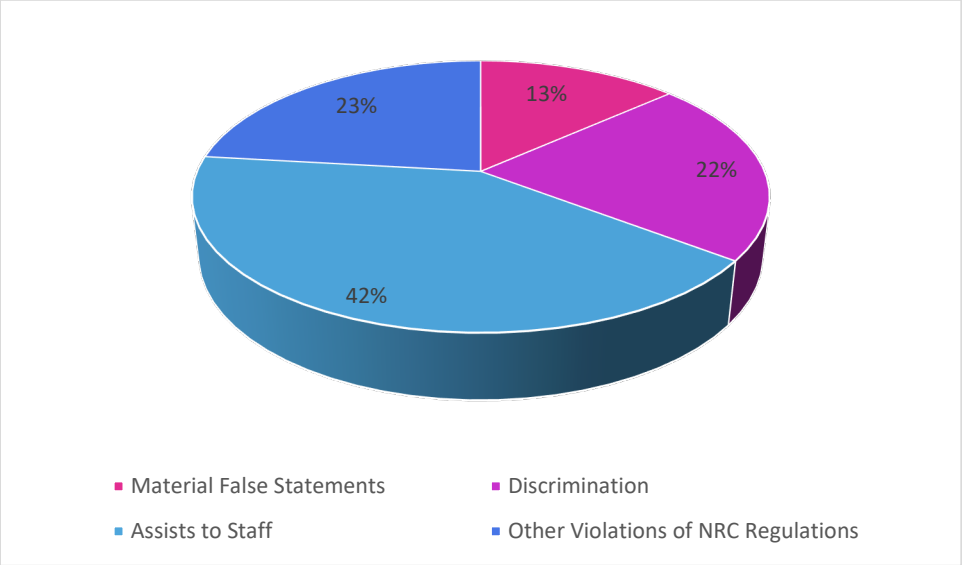


**Figure 4 Cases Closed in FY 2024 by Category of Alleged Violation**

Figure 5 shows the cases closed from FY 2020 through FY 2024 for the reactor and materials programs. OI closed 82 cases in FY 2024, which included 48 investigations and 34 assists to staff. From FY 2023 to FY 2024, the overall number of reactor cases increased by 16 percent. Reactor investigations increased by 9 percent, and reactor related assists to staff increased by 31 percent.

The overall number of materials cases increased by 9 percent for the same period. Materials investigations increased by 140 percent, and the number of materials -related assists to staff decreased by 28 percent.

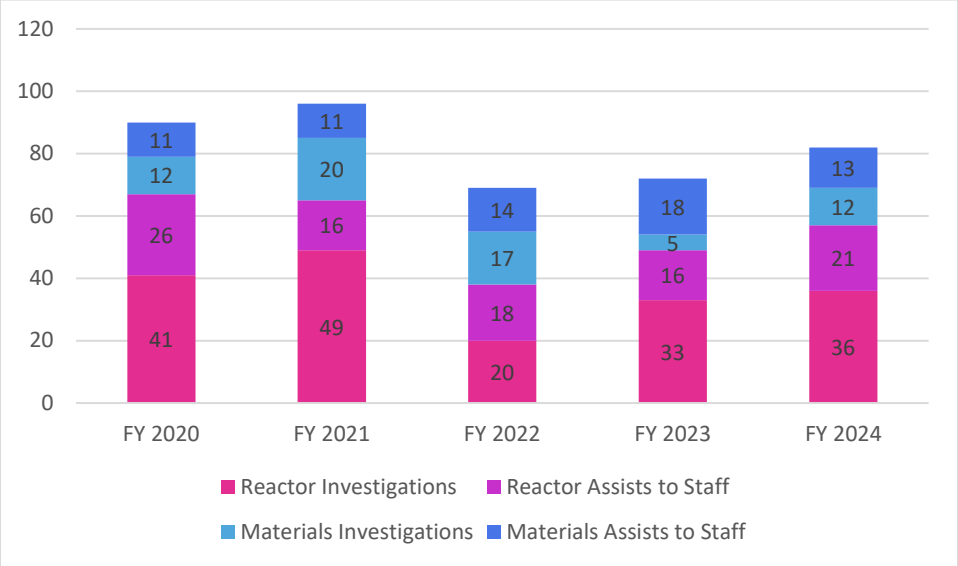


**Figure 5 Reactor and Materials Cases Closed From FY 2020 Through FY 2024**

**<u>Total FY 2024 Reactor Cases: 57</u>**

Reactor investigations: 36

Reactor assists to staff: 21

**<u>Total FY 2024 Materials Cases: 25</u>**

Materials investigations: 12

Materials assists to staff: 13

# 7 SIGNIFICANT INVESTIGATIONS

This section highlights criminal indictments and investigative conclusions by OI. Final enforcement action by the NRC or the DOJ is pending unless otherwise stated.

## APINDE

In July 2019, an OI investigation concerning APINDE[5] was referred to the U.S. Department of Justice—Environmental Crimes Division (DOJ-ECD) and was accepted for prosecution. On November 4, 2021, the subject was indicted in the U.S. District Court for the District of Hawaii and charged with making a false statement (18 U.S.C. § 1001), obstruction of a proceeding (18 U.S.C. § 1505), violations of the Atomic Energy Act (42 U.S.C. § 2273(a)), and bank fraud (18 U.S.C. § 1344).

On September 30, 2024, the subject of the investigation pled guilty to one count of violating the Atomic Energy Act. The subject was then sentenced on January 13, 2025, and received two years of probation including six months of home confinement actively monitored by GPS.

## MISTRAS SERVICES

In August 2022, two OI investigations concerning Mistras Services[6] were referred to the DOJ-ECD. In early 2023, the DOJ-ECD sent target letters to two subjects. Subsequent to proffer interviews conducted by OI and the DOJ-ECD, both subjects agreed to plead guilty to Count 1 of a Criminal Information, charging them with knowingly and willfully making and using a false document in violation of 18 U.S.C. § 1001(a)(3), arising from their creation and use of falsified calibration certificates for acoustic emissions testing equipment within the jurisdiction of the NRC. A Criminal Information for both subjects was filed on September 25, 2023, in the U.S. District Court for the Eastern District of Pennsylvania.

Both subjects pleaded guilty in October 2023. In January 2024, one subject was banned from participation or employment in NRC-licensed activities for 5 years and the other subject for 2 years.

## COLUMBIA GENERATING STATION

This OI investigation did not substantiate an allegation that Columbia Generating Station licensee employees were falsifying radiation surveys to avoid procedures required for locked high radiation areas. Specifically, it was alleged that a radiation protection technician (RPT) changed the characterization of dose rates to avoid posting of a locked high radiation area as required. After conducting numerous witness and subject interviews, OI determined that the technician made an appropriate correction to a previously submitted radiation survey. Therefore, OI found that the RPT did not willfully violate procedures by altering the survey data. OI identified no evidence the RPT was forced or coerced to make the correction, as initially alleged.

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5 See NUREG-1830, Volume 20, "Office of Investigations Annual Report Fiscal Year 2023," issued February 2024.

6 Ibid.

## TITAN INSPECTIONS

In November 2023, an OI investigation concerning Titan Inspections, Inc., concluded that a manager directed a radiographer to conduct radiographic operations without a required second qualified individual. The NRC determined that the subject's actions constituted deliberate misconduct under 10 CFR 30.10(a)(1) and caused Titan Inspections, Inc., to be in violation of 10 CFR 34.41(a). Despite being given numerous opportunities, the subject failed to engage in mediation through alternative dispute resolution. In December 2024, the NRC issued an order prohibiting the subject from participating in NRC-licensed activities for 3 years.

# 8 FUTURE INITIATIVES

In 2024, OI continued to implement and fulfill prior future initiatives, including enhancing institutional knowledge of the nuclear industry, and engaging with a broader audience for hiring and retention efforts.

Looking to the future, OI's strategic plan will prioritize the three key areas outlined below.

## AGENCYWIDE ADOPTION OF AI TOOLS

OI remains committed to leveraging innovative new tools to enhance efficiency and effectiveness. Beginning in 2025, the NRC and OI will integrate the Microsoft CoPilot artificial intelligence -powered large language model. CoPilot promises to assist the staff by streamlining data analysis, automate routine tasks, and improve document drafting processes. By adopting this technology, OI aims to optimize investigative workflows and enable investigators to focus on the office's primary investigative efforts.

## ADVANCE ACT ENGAGEMENT AND EDUCATION

Since Congress passed the Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy (ADVANCE) Act (Public Law 118-67) in June 2024, OI has initiated outreach efforts to Federal, State, and Local law enforcement agencies to socialize the ADVANCE Act and its national security implications, especially in the realms of counterintelligence, corporate espionage, and nonproliferation of advanced nuclear technologies. These outreach efforts will strengthen OI's interagency partnerships and ensure a shared commitment to the protection of nuclear safety and security.

## FOSTERING A POSITIVE AND COLLABORATIVE WORK CULTURE

OI has prioritized employee engagement, professional development, and open communication. This year OI conducted internal surveys to gain valuable insights into staff perspectives, identifying areas for improvement and methods to better the workplace environment. OI leadership will continue to implement new avenues of transparent dialogue and provide direct access for employees to engage the senior managers in the office. OI endeavors to strengthen trust, boost morale, and ensure a positive environment where employees feel heard, valued, and empowered to excel in their mission-critical duties.

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(12-2010)
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This report describes Office of Investigations case activities during fiscal year 2024.

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