



Tennessee Valley Authority, Post Office Box 2000, Spring City, Tennessee 37381-2000

SEP 25 2000

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555

Gentlemen:

In the Matter of ) Docket No. 50-390  
Tennessee Valley Authority )

WATTS BAR NUCLEAR PLANT (WBN) UNIT 1 - DEPARTMENT OF LABOR (DOL)  
CASE NO. 97-ERA-53 (CURTIS C. OVERALL V. TENNESSEE VALLEY  
AUTHORITY)

In letters to J. A. Scalice dated July 17, 1998, and September 4, 1998, NRC requested that TVA provide copies of future filings made to DOL by TVA in the Curtis C. Overall case. TVA committed to that requested action in a letter dated August 7, 1998. Accordingly, enclosed is TVA's most recent filing. The enclosed filing is entitled, "Addendum to Respondent's Motion to Supplement the Record."

If you have any questions concerning this latest filing, please telephone me at (423) 365-1824.

Sincerely,

P. E. Pace  
Manager, Site Licensing  
and Industry Affairs

Enclosure  
cc: See page 2

DO30

U.S. Nuclear Regulatory Commission

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cc (Enclosure):

NRC Resident Inspector  
Watts Bar Nuclear Plant  
1260 Nuclear Plant Road  
Spring City, Tennessee 37381

Mr. Robert E. Martin, Senior Project Manager  
U.S. Nuclear Regulatory Commission  
One White Flint North  
11555 Rockville Pike  
Rockville, Maryland 20852

Mr. Luis A. Reyes  
U.S. Nuclear Regulatory Commission  
Region II  
Sam Nunn Atlanta Federal Center  
61 Forsyth St., SW, Suite 23T85  
Atlanta, Georgia 30303

Mr. R. W. Borchardt, Director  
Office of Enforcement  
U.S. Nuclear Regulatory Commission  
One White Flint North  
11555 Rockville Pike  
Rockville, Maryland 20852

ENCLOSURE

ADMINISTRATIVE REVIEW BOARD (ARB) BRIEF  
ARB CASE NOS. 98-111 AND 98-128  
(ADMINISTRATIVE LAW JUDGE (ALJ) CASE NO. 97-ERA-53)

ADDENDUM TO RESPONDENT'S MOTION TO SUPPLEMENT THE RECORD

BEFORE THE ADMINISTRATIVE REVIEW BOARD  
UNITED STATES OF AMERICA  
DEPARTMENT OF LABOR

IN THE MATTER OF	)	
	)	
CURTIS C. OVERALL	)	
	)	
Complainant	)	
	)	
v.	)	ARB Case Nos. 98-111 and
	)	98-128
TENNESSEE VALLEY AUTHORITY	)	(ALJ Case No. 97-ERA-53)
	)	
Respondent	)	

**ADDENDUM TO RESPONDENT'S MOTION TO SUPPLEMENT THE RECORD**

Respondent Tennessee Valley Authority (TVA) requests that the attached documents, entitled "Enclosure 3," be included as pages 11 and 12 of proposed respondent's exhibit 21 (RX21).

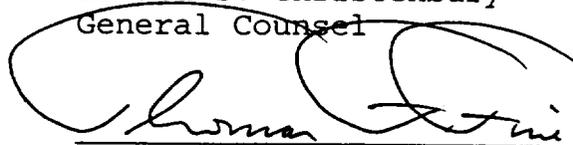
Complainant correctly pointed out in his response (at 2 n.2) to the motion to supplement the record that proposed RX21—the July 17, 2000, letter from Luis A. Reyes, Regional Administrator, Nuclear Regulatory Commission (NRC) Region II, to J. A. Scalice, TVA's Chief Nuclear Officer—refers to an "Enclosure 3" which was inadvertently not included with the rest of proposed RX21.

Enclosure 3 is an e-mail from Paul Pace, Manager of Licensing and Industry Affairs at TVA's Watts Bar Nuclear Plant, to several NRC officials (proposed RX21 at 11). The e-mail transmitted a set of photomicrographs (proposed RX21 at 12)

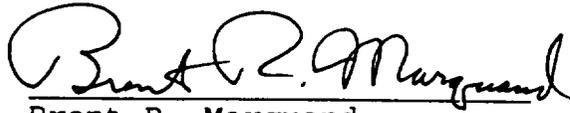
showing that the cracked ice condenser ice basket screw which had been of such concern to the Administrative Law Judge in this case and to the NRC was in fact not a screw from the warehouse but was one of the screws recovered from the ice melt tank. While the quality of the copy is not good, the text is sufficiently clear for present purposes. TVA would also note that page 12 of proposed RX21, the set of photomicrographs, was originally in color to highlight the similarities in the crack in the screw between the several times it was illustrated in the reports from Central Labs.

Respectfully submitted,

Edward S. Christenbury  
General Counsel



Thomas F. Fine  
Assistant General Counsel



Brent R. Marquand  
Senior Litigation Attorney

Tennessee Valley Authority  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902-1401  
Telephone No. 865-632-2061

Attorneys for Respondent

003679627

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing addendum to motion to supplement the record has been served on complainant by mailing a copy to Lynne Bernabei, Esq., Bernabei & Katz, PLLC, 1773 T Street, NW, Washington, D.C. 20009-7139; on the Chief Administrative Law Judge by mailing a copy to The Honorable John Vittone, Office of Administrative Law Judges, United States Department of Labor, Suite 400 North, 800 K Street, Washington, D.C. 20001-8002; on the Assistant Secretary, Occupational Safety and Health Division, by mailing a copy to Charles N. Jeffress, United States Department of Labor, 200 Constitution Avenue, NW, Room S2315, Washington, D.C. 20210; and on the Associate Solicitor, Division of Fair Labor Standards, by mailing a copy to Steven J. Mandel, Esq., United States Department of Labor, 200 Constitution Avenue, NW, Room N2716, Washington, D.C. 20210.

This 12th day of September, 2000.

  
\_\_\_\_\_  
Attorney for Respondent

**Pace, Paul L.**

**From:** Pace, Paul L.  
**Sent:** Monday, March 27, 2000 7:58 AM  
**To:** 'CAB@NRC.GOV'; 'PEF@NRC.GOV'  
**Subject:** New Ice Screw Information

AVPaul

As we were preparing the information for the upcoming enforcement conference, we interviewed the original lab analyst who told us that in 1995 there were never any cracks found in 'new screws' (Set B). He prepared the attached to show that the original report screw crack in Fig. 7 labelled "Set B" was changed in the second report to be correctly labelled as Set A since it was one of the screws from the melt tank in the plant. The difference in the figures was due to the preparation of the metal to show the graining visible in the 2nd report.

Because this information was missed in our LAB report reconciliation PER in 1998, I have issued a corrective action document (PER) to correct the existing QA records.

Since the citation for the conference is largely about not dealing with cracks in the warehouse screws and there actually were none found at that time, I didn't want to surprise you with this information at the conference.

Paul Pace, Licensing & Industry Affairs

ENCLOSURE 3

03/27/00 P. 02/03 615 265 1924

Tue Mar 27 09:18 AM '00

MAR-27-2000 09:18

