

June 16, 2000

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NORTHEAST NUCLEAR ENERGY)
COMPANY)
) Docket No. 50-423-LA-3
(Millstone Nuclear Power Station,)
Unit No. 3))
)

NRC STAFF'S FOURTH SUPPLEMENTAL RESPONSE TO CONNECTICUT COALITION
AGAINST MILLSTONE AND LONG ISLAND COALITION AGAINST MILLSTONE'S
FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION
DIRECTED TO U.S. NUCLEAR REGULATORY COMMISSION

The Nuclear Regulatory Commission staff (Staff) hereby files this fourth supplement to Staff's Response to Connecticut Coalition Against Millstone (CCAM) and Long Island Coalition Against Millstone's (CAM) First Set of Interrogatories and Requests for Production, filed April 10, 2000.

I. GENERAL INTERROGATORIES

GENERAL INTERROGATORY G-2. For each admitted contention, identify each person whom NRC expects to provide sworn affidavits and declarations for the written filing for the Subpart K proceeding and each person who would testify in any subsequent evidentiary hearing. For each person identified, describe that person's professional affiliation, address, area of professional expertise, qualifications, and subject matter on which each person is expected to provide sworn affidavits or testimony in the proceeding.

STAFF RESPONSE: Barry R. Letts
Field Office Director, Office of Investigations
Region I, King of Prussia, Pennsylvania
General subject matter: Contention 4

A copy of Mr. Letts's resume is annexed hereto as Exhibit 1.

GENERAL INTERROGATORY G-3. For each person identified under Interrogatory G-2, provide a list of all publications authored by

the expert within the preceding 10 years, and a listing of any other cases in which the expert has testified as an expert at a trial or hearing, or by deposition within the preceding four years.

STAFF RESPONSE: Barry R. Letts
Publications: none
Testimony within four years: none

II. SPECIFIC INTERROGATORIES

INTERROGATORY 4-1. Please identify any and all documents on which NRC intends to rely in support of its position on Contention 4.

STAFF RESPONSE: In addition to the documents identified in the Staff's Responses dated April 10, 2000, May 25, 2000, and June 2, 2000, the Staff intends to rely on the following documents: NRC Inspection Manual Chapter 0350, "Staff Guidelines for Oversight of Operating Reactor Facilities in an Extended Shutdown as a Result of Significant Performance Problems," March 16, 2000; NRC Millstone Independent Review Team, "Report of Review of Allegations in NRC Office of Investigations Case Nos. 1-96-002, 1-96-007, 1-97-007, and Associated Lessons Learned," March 12, 1999; Memorandum from W.D. Travers, NRC, to Chairman Jackson, "Your Memorandum of January 7, 1999, Regarding OIG, Inquiry, Case No. 99-01S," January 27, 1999; Transcript of "Commission Briefing on Operating Reactors and Fuel Facilities," May 25, 2000, NRC ADAMS Accession No. ML003718805; NRC Staff Requirements Memorandum 99-10, NRC NUDOCS Accession No. 9906030173; SECY-99-10, "Closure of Order Requiring Independent, Third-Party Oversight of Northeast Nuclear Energy Company's Implementation of Resolution of the Millstone Station Employees' Safety Concerns," January 12, 1999, NUDOCS Accession No. 9901260033; SECY-97-003, "Millstone Restart Review Process," January 3, 1997, NRC Accession No. 9701100059. These documents may be found in the Public Document Room (PDR) and on the NRC external website, <http://www.nrc.gov>.

In addition, it has come to our attention that two documents responsive to Interrogatory 4-1, identified in the Staff's Second Supplemental Response to Intervenors' Interrogatories, dated May

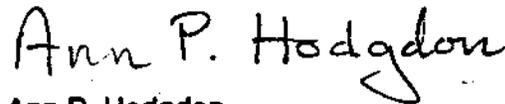
25, 2000, were incorrectly identified. First, SECY-98-119, "Remaining Issues Related to Recovery of Millstone Nuclear Power Station, Unit 3," is NUDOCS Accession No. 9806030200. Second, the filing should have referred to Millstone Restart Assessment Plan, Revision 5, NUDOCS Accession No. 9809160145. These documents may be found in the PDR and on the NRC external website.

III. GENERAL DOCUMENT PRODUCTION REQUESTS

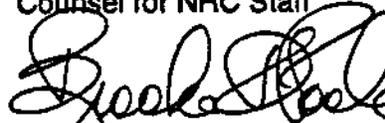
GENERAL DOCUMENT PRODUCTION REQUEST G-1. All documents that are identified, or referred to, in responding to all of the above interrogatories.

STAFF RESPONSE: As noted in the response to Specific Interrogatory 4-1, above, the documents that are identified or referred to in responding to that interrogatory are available for public inspection and copying at the NRC external web site and at the PDR pursuant to 10 C.F.R. § 2.790.

Respectfully submitted,



Ann P. Hodgdon
Counsel for NRC Staff



Brooke D. Poole
Counsel for NRC Staff

Dated at Rockville, Maryland
this 16th day of June 2000

EXHIBIT 1

BARRY R. LETTS

EDUCATION: Gettysburg College, B.A., Business Administration, 1974.

EXPERIENCE: **U.S. NUCLEAR REGULATORY COMMISSION, 1983-PRESENT**

Field Office Director, Office of Investigations

Region I, King of Prussia, Pennsylvania, February 1992-Present

- **Manage investigative activities of regional office staffed by senior special agents, special agents, and an investigations assistant.**
- **Office conducts investigations into potential wrongdoing by NRC licensees, their contractors, and vendors to the commercial nuclear industry.**
- **Serve as primary point of contact between field office and senior regional and headquarters personnel, as well as with other law enforcement agencies, the United States Department of Justice, and United States Attorneys' offices.**

Senior Investigator/Operations Officer, Office of Investigations

Rockville, Maryland, January 1989-February 1992

Investigator, Office of Investigations

Region I, King of Prussia, Pennsylvania, November 1983-January 1989

Special Agent, U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, March 1976-June 1981

June 15, 2000

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
NORTHEAST NUCLEAR ENERGY)
COMPANY)
) Docket No. 50-423-LA-3
(Millstone Nuclear Power Station,)
Unit No. 3))
)

AFFIDAVIT OF JAMES C. LINVILLE, JR.

1. I am providing this affidavit pursuant to 10 C.F.R. § 2.740b(b).
2. I have been employed by the U.S. Nuclear Regulatory Commission (NRC) since 1980. My current position is Acting Director, Millstone Inspection Directorate, Division of Reactor Projects, Region I. My responsibilities include planning, directing, and coordinating inspection activities, and related management functions, for Millstone Units 2 and 3. I also supervise and train members of my staff, including the resident inspectors. In addition, I assess performance at these facilities, which includes enforcement activities and allegation follow-up. I have a Master of Business Administration degree from Drexel University, and a Bachelor of Science degree from the United States Naval Academy. I have 29 years experience in the nuclear power industry, including six years with the United States Navy, and three years with the Stone and Webster Engineering Corporation.
3. I have supplied information in response to the following interrogatory, as specified in the Connecticut Coalition Against Millstone and the Long Island Coalition Against Millstone's "First Set of Interrogatories and Requests for Production," dated March 22, 2000, in the above-captioned proceeding: Interrogatory No 4-1, as to NRC Inspection Manual Chapter

0350, "Staff Guidelines for Oversight of Operating Reactor Facilities in an Extended Shutdown as a Result of Significant Performance Problems," March 16, 2000.

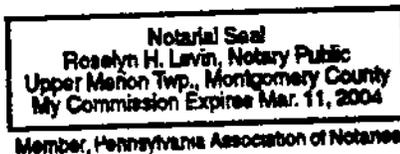
4. I hereby certify that the foregoing is true and correct to the best of my knowledge, information and belief.

James C. Linville, Jr.
James C. Linville, Jr.

Subscribed and sworn to before me
this 15th day of June, 2000

Roselyn H. Lavin
Notary Public

My commission expires: 3/11/2004



June 16, 2000

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
NORTHEAST NUCLEAR ENERGY)	
COMPANY)	
)	Docket No. 50-423-LA-3
(Millstone Nuclear Power Station,)	
Unit No. 3))	
)	

AFFIDAVIT OF BARRY R. LETTS

1. I am providing this affidavit pursuant to 10 C.F.R. § 2.740b(b).

2. I have been employed by the U.S. Nuclear Regulatory Commission (NRC) since 1983. My current position is Field Office Director, Region I, Office of Investigations. My responsibilities include managing the investigative actions of a regional office staffed by senior special agents, special agents, and an investigations assistant. The office conducts investigations into potential wrongdoing by NRC licensees, their contractors, and vendors to the commercial nuclear industry. I also serve as the primary point of contact between the field office and senior regional and headquarters personnel, as well as with other law enforcement agencies, the Department of Justice, and United States Attorney's offices. I have a Bachelor of Arts degree in business administration from Gettysburg College. I have approximately 22 years experience in conducting and supervising investigations, including five years with the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms.

3. I have supplied information in response to the following interrogatory, as specified in the Connecticut Coalition Against Millstone and the Long Island Coalition Against Millstone's "First Set of Interrogatories and Requests for Production," dated March 22, 2000, in the above-captioned proceeding: Interrogatory No 4-1.

4. I hereby certify that the foregoing is true and correct to the best of my knowledge, information and belief.

Barry R. Letts

Barry R. Letts

Subscribed and sworn to before me
this 16th day of June, 2000

Roselyn H. Levin

Notary Public

My commission expires: 3/11/2004

Notarial Seal
Roselyn H. Levin, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires Mar. 11, 2004

Member, Pennsylvania Association of Notaries

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
JUN 16

'00 JUN 16 P3:50

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)

NORTHEAST NUCLEAR ENERGY)
COMPANY)

(Millstone Nuclear Power Station,)
Unit No. 3))

Docket No. 50-423-LA-3

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S FOURTH SUPPLEMENTAL RESPONSE TO CONNECTICUT COALITION AGAINST MILLSTONE AND LONG ISLAND COALITION AGAINST MILLSTONE'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION DIRECTED TO U.S. NUCLEAR REGULATORY COMMISSION" in the above-captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system or, by deposit in the Nuclear Regulatory Commission's internal mail system with copies by electronic mail, as indicated by an asterisk; or by E-mail as indicated by a double asterisk, followed by a conforming copy via first-class mail this 16th day of June 2000.

Charles Bechhoefer, Chairman*
Administrative Judge
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Office of the Secretary
ATTN: Rulemaking and Adjudications
Staff
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Brooke D. Poole
Counsel for NRC Staff