

ALLEGATION REVIEW BOARD  
MEETING

June 30, 1998

2:00 P.M., INCIDENT RESPONSE CENTER  
\*MINUTES REVIEWED & APPROVED AT ARB\*

DOCUMENT CONTAINS ALLEGATION INFORMATION  
SPECIAL HANDLING REQUIRED

SHRED THIS DOCUMENT WHEN NO LONGER NEEDED

ORA

REYES  
 JOHNSON  
 EVANS  
 BOLAND  
 DEMIRANDA  
 IGNATONIS  
 SLACK

DRP

PLISCO  
 CASTO  
 JOGLE  
 SKINNER  
 SCHIN  
 ERNSTES  
 HAAG  
 CHRISTENSEN

DRS

JAUDON  
 MALLET  
 McCREE  
 BARR  
 BELISLE  
 LANDIS  
 FREDRICKSON  
 PEEBLES  
 JULIAN

DNMS

COLLINS  
 HOSEY  
 DECKER  
 LESSER  
 McALPINE

OI

MCNULTY

ATTACHED IS THE ARB AGENDA

Information in this record was deleted  
in accordance with the Freedom of Information  
Act, exemptions 7c  
FOIA- 2001-0012

X/2

Telephone Discussion with Alleger

*Handwritten notes:*  
- re/le APB  
- technical issues  
- Response to APB OAC (152)  
- RTI  
- evaluate  
- full of no  
- new tech  
- issues  
- W/CP  
- answer

On Friday, June 26, 1998, the alleger contacted the Region II office to discuss whether the NRC had obtained a copy of the Department of Labor (DOL) Administrative Law Judge (ALJ) decision in his case. He also wanted to know if the NRC planned any enforcement action in the case.

After returning the alleger's call, I informed him that we did have the ALJ decision, the transcripts, and exhibits and that they were currently under review by the staff. I indicated that should the NRC decide to proceed with a predecisional enforcement conference that we would notify him. Additionally, if such a conference were to occur, it would be open to the public and he would be provided the opportunity to make a statement.

Following our discussion of the Enforcement Policy, the alleger began recounting his issues related to the ice condenser at Watts Bar. In general, the information he was providing was repetitive of issues previously provided to the NRC or containing in the DOL ALJ decision. Particularly, he discussed the following:

- In a recent newspaper article, Mr. Reyes indicated that the issues at D.C. Cook were not present at Watts Bar. He indicated that this statement was too broad and that he had no basis for this conclusion. (Johnson discussed this same concern with the alleger earlier in the day.)

*Handwritten note:*  
Opinion not on alleger's

- He indicated that RIII had substantiated his concerns at D.C. Cook; however, his concerns fell on deaf-ears in Region II. I assured him that we had investigated his previously provided concerns and were reviewing the DOL testimony for any new technical issues that may need to be addressed.

*Handwritten note:*  
an alleger  
David  
brief

- He indicated that his biggest issue was the two copies of the metallurgical report.

*Handwritten notes:*  
DPA  
for  
points  
IB  
reference

- He indicated that missing and/or cracked screws were a safety issue because if enough are missing and or cracks propagated then under certain accident conditions the ice baskets could become missiles.

- He stated that the screws had serious flaws and this was a potential generic issue. In addition the screws found in the melt tank, screws with cracks were found in stores.

- PER was closed without a field inspection and due to the lack of this inspection you cannot say that the plant is not outside the design basis.

*Handwritten note:*  
question

- He indicated that he had received additional threats which he has reported to the TVA OIG (at his lawyer's request) and to the local authorities. Most recently, he had been left

*Handwritten notes:*  
No  
OI  
6.0

noted on his car and home indicating "Silkwood" and "Boo". He also related a recent incident with his car and apparent tampering of his gas cap.

- He stated that as of May 8, 1998, he had been placed on administrative leave from TVA with pay. He was to return to work at Watts Bar on June 29, 1998, in a role related to the ice condenser. He was concerned that he was not getting back-pay pending the ARB appeal process.

- He could not understand how the Region could not substantiate his discussion with [redacted] of Duke Power. The alleged indicated that he [redacted] advised him after the [redacted] that someone in the Region had approached him [redacted] to discuss ice condenser screws. *Not an allegation.*

AC

- He has also spoken with Art Tetlov and Brenda Shears who found problems at D.C. Cook.

- The alleged stated that he had attempted to go to work for D.C. Cook through MDM; however, it ended up that there was no money to hire him. He made the statement that he didn't think that they wanted him working for them. *Not an allegation*

- He related that during a recent outage in May at Sequoyah that the licensee found some basket which were buckled at the bottom, indicating that they may have been dropped. He was familiar with the fact that Sequoyah had just been to the Region to discuss the status of their ice condenser program. He indicated that Watts Bar had not conducted such an assessment. I indicated that at the public meeting, Watts Bar stated that a similar self-assessment was being conducted.

baskets were jacked.  
not dropped

I indicated that it appeared that the information that he was currently providing appeared to be the same as that previously provided to us and/or presented at the ALJ hearing. He agreed, and indicated that he wasn't sure how familiar I was with his case and wanted to give me the background. Again, I informed him that the discrimination and technical aspects of the DOL decision were still under review by the Agency and that we would contact him in the future should it be decided to proceed with any enforcement in the case.

ARB SUMMARY  
June 30, 1998

SEQUOYAH, WATTS BAR Received: June 25, 1998 Days Open: 5

REASON FOR ARB: DISCUSS INDIVIDUAL'S STATEMENT FOR APPROPRIATE ACTION.

CONCERN 1  
INDIVIDUAL QUESTIONED COMMENT MADE BY THE REGIONAL ADMINISTRATOR IN THE JUNE 17, 1998, CHATTANOOGA FREE PRESS ARTICLE REGARDING ICE CONDENSER PROBLEMS AT TVA FACILITIES. THE ARTICLE QUOTES THE REGIONAL ADMINISTRATOR AS SAYING THAT SEQUOYAH AND WATTS BAR PLANTS DO NOT HAVE THE SAME PROBLEMS AS D.C. COOK. THE INDIVIDUAL DISAGREES AND WANTS TO KNOW IF THIS WAS A DIRECT QUOTE. THE INDIVIDUAL ALSO DISAGREES WITH THE ARTICLE QUOTE "THEY HAVE HAD ONLY ONE-AND-A-HALF CYCLES OF OPERATION AT WATTS BAR." NOT TRUE, ACCORDING TO THE INDIVIDUAL. WATTS BAR MADE ICE IN 1984 AND HAD PLENTY OF TIME TO RUST.

ACTION: THIS IS NOT AN ALLEGATION. EICS CONTACT RII PUBLIC AFFAIRS FOR BETTER COPY OF ARTICLE. DRS DIRECTOR (J. JAUDON) DISCUSS INDIVIDUAL'S COMMENT WITH THE REGIONAL ADMINISTRATOR (RA). RA'S STATEMENT MAY HAVE BEEN TAKEN OUT OF CONTEXT. EICS ASSIGN NON-ALLEGATION NUMBER FOR RESPONSE TO INDIVIDUAL. EICS PREPARE RESPONSE WITH CONCURRENCE FROM RA AND COORDINATION WITH NRR.

LEAD DIVISION/BRANCH: EICS (IGNATONIS)

LICENSEE REFERRAL: NO

ROI ACTION: NONE

ROI PRIORITY: N/A

GENERIC ISSUES: NONE

SAFETY SIGNIFICANCE: N/A

COMPLETION DATE: JULY 27, 1998

SEQUOYAH, WATTS BAR Received: June 25, 1998 Days Open: 5

REASON FOR ARB: DISCUSS INDIVIDUAL'S STATEMENT FOR APPROPRIATE ACTION.

CONCERN 2 - INDIVIDUAL'S CONCERNS "FELL ON DEAF EARS" IN REGION II

ACTION: DRS DIVISION DIRECTOR (J. JAUDON) BRIEF DRA FOR POSSIBLE REFERRAL.

CONCERN 3 - CONCERNS RECEIPT OF ADDITIONAL THREATS IN WHICH INDIVIDUAL REPORTED TO TVA OIG, RECEIPT OF NOTES ON CAR AND HOME, AND TAMPERING OF CAR'S GAS CAP.

ACTION: OI HAS NO INTEREST

THE REMAINING COMMENTS MADE BY THE INDIVIDUAL WERE DETERMINED TO BE OPINIONS NO ALLEGATIONS WERE IDENTIFIED. TECH ISSUES HAVE ALREADY BEEN INSPECTED.

LEAD DIVISION/BRANCH: EICS (IGNATONIS)

LICENSEE REFERRAL: NO

OI ACTION: NONE

OI PRIORITY: N/A

GENERIC ISSUES: NONE

SAFETY SIGNIFICANCE: N/A

COMPLETION DATE: JULY 27, 1998

ATTENDEES			
ORA	DRP	DRS	DNMS
<input type="checkbox"/> BOLAND	<input checked="" type="checkbox"/> PLISCO	<input checked="" type="checkbox"/> JAUDON	<input type="checkbox"/> COLLINS
<input type="checkbox"/> EVANS	<input type="checkbox"/> CASTO	<input type="checkbox"/> MALLET	<input type="checkbox"/> HOSEY
<input checked="" type="checkbox"/> IGNATONIS	<input type="checkbox"/> OGLE	<input type="checkbox"/> BELISLE	<input type="checkbox"/>
<input checked="" type="checkbox"/> DEMIRANDA	<input type="checkbox"/> SKINNER	<input type="checkbox"/> BARR	
<input type="checkbox"/> SPARKS	<input type="checkbox"/> SCHIN	<input type="checkbox"/> LANDIS	OI
<input checked="" type="checkbox"/> SLACK	<input type="checkbox"/> CHRISTENSEN	<input checked="" type="checkbox"/> FREDRICKSON	<input type="checkbox"/> MCNULTY
	<input type="checkbox"/> HAAG	<input type="checkbox"/> PEEBLES	<input checked="" type="checkbox"/> VORSE
	<input type="checkbox"/>	<input checked="" type="checkbox"/> JULIAN	
NOTE: ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB MEETING			