

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSIONBEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	Docket Nos. 50-390-CivP; 50-327-CivP
TENNESSEE VALLEY AUTHORITY	)	50-328-CivP; 50-259-CivP
(Watts Bar Nuclear Plant, Unit 1	)	50-260-CivP; 50-296-CivP
Sequoyah Nuclear Plant, Units 1 & 2	)	
Browns Ferry Nuclear Plant, Units 1,2 &3)	)	
	)	ASLBP No. 01-791-01-CivP
	)	
	)	EA 99-234

NRC STAFF REVISED DOCUMENT LIST

Pursuant to the Atomic Safety and Licensing Board's (Board) Third Prehearing Conference Order, dated January 30, 2002, the Nuclear Regulatory Commission (NRC) Staff hereby notifies the Board and the Tennessee Valley Authority (TVA) that it proposes to use the following documents during direct and cross examination of witnesses. This list of documents includes both documents that the Staff intends to introduce as evidence at the evidentiary hearing and documents that the Staff intends to use for impeachment or other cross examination purposes. This list eliminates those documents from the original document list that the Staff and TVA have agreed to submit to the Board as joint exhibits. This list also supplements the Staff's original document list.

1. TVA OIG Record of Interview of Albert Black, January 11, 1994.
2. TVA OIG Record of Interview of James E. Boyles, July 10, 1996.
3. Interview transcript of TVA OIG Record of Interview of James E. Boyles, July 10, 1996.
4. Department of Labor (DOL) Personal Interview Statement of James E. Boyles, May 22, 1997.
5. DOL Declaration of James E. Boyles, filed January 20, 1998.

6. NRC Office of Investigations (OI) Interview of James E. Boyles, October 22, 1998.
7. Deposition of James E. Boyles, November 9, 2001.
8. TVA OIG Record of Interview of Ronald Brock, January 12, 1994.
9. Interview transcript of TVA OIG Record of Interview of Joseph Bynum, August 12, 1993.
10. TVA OIG Record of Interview of Joseph Bynum, March 3, 1994.
11. Joseph Bynum, "Order Prohibiting Involvement in NRC-Licensed Activities," January 27, 1997.
12. Memorandum from Joseph Bynum regarding RadCon/Chemistry/Environmental Organization at Sequoyah and Browns Ferry, with organizational chart.
13. TVA OIG Record of Interview of John Corey, August 21, 1996.
14. DOL Personal Interview Statement of John Corey, April 16, 1997 (handwritten version).
15. DOL Personal Interview Statement of John Corey, April 16, 1997 (typed version).
16. NRC OI Interview of John Corey, October 22, 1998.
17. Deposition of John Corey, November 28, 2001.
18. NRC OI Interview of Jack Cox, October 22, 1998.
19. Deposition of Jack Cox, November 28, 2001.
20. TVA OIG Record of Interview of Kyle R. Cunningham, September 10, 1996.
21. TVA OIG Record of Interview of Ben Easley, October 25, 1993.
22. TVA OIG Record of Interview of Ben Easley, July 10, 1996.
23. Interview transcript of TVA OIG Record of Interview of Ben Easley, July 10, 1996.
24. Interview transcript of TVA OIG Record of Interview of Ben Easley, October 29, 1996.
25. DOL Personal Interview Statement of Ben Easley, December 10, 1996.
26. NRC OI Interview of Ben Easley, October 29, 1998.
27. Deposition of Ben Easley, November 29, 2001.

28. TVA OIG Record of Interview of Dana Eckard, September 23, 1996.
29. Letter to Senator James Sasser from Gary Fiser, William, Jocher, and D.R. Matthews, August 16, 1993.
30. Letter to Senator Sasser from William Hinshaw, II, Inspector General, September 9, 1993.
31. Memorandum from E.B. Ditto to Wilson McArthur regarding a response to Senator Sasser's letter, September 22, 1993.
32. Letter to Senator Sasser from William Hinshaw, II, Inspector General, October 22, 1993.
33. Letter to Senator Sasser from George Prosser, Inspector General, April 22, 1994.
34. Gary Fiser DOL complaint, letter to Carol Merchant, September 23, 1993.
35. TVA OIG Record of Interview of Gary Fiser, December 14, 1993.
36. Interview transcript of TVA OIG Record of Interview of Gary Fiser, December 14, 1993.
37. Gary Fiser DOL complaint, letter to Carol Merchant, June 25, 1996.
38. TVA OIG Record of Interview of Gary Fiser, July 17, 1996.
39. NRC OI Interview of Gary Fiser, August 6, 1998.
40. Deposition of Gary Fiser, December 11-12, 2001.
41. Transcript of conversation between Gary Fiser and Wilson McArthur, March 16, 1993.
42. Transcript of conversation between Gary Fiser and Ben Easley, March 16, 1993.
43. Position Description for Gary Fiser, Chemistry and Environmental Protection Senior Program Manager, October 17, 1994.
44. TVA Employee Appraisal for Manager and Specialist Employees for Gary Fiser, November 7, 1990.
45. TVA Employee Appraisal for Manager and Specialist Employees for Gary Fiser, January 29, 1991.
46. Performance Review and Development Plan for Gary Fiser, October 1, 1993 to September 30, 1994.
47. Performance Review and Development Plan for Gary Fiser, October 1, 1994 to September 30, 1995.

48. Employee Status and Information Record for Gary Fiser, March 9, 1992.
49. TVA OIG Record of Interview of Ronald Grover, July 11, 1996.
50. Interview transcript of TVA OIG Record of Interview of Ronald Grover, July 11, 1996.
51. DOL Personal Interview Statement of Ronald Grover, September 27, 1996.
52. DOL Deposition of Ronald Grover, January 29, 1998.
53. NRC OI Interview of Ronald Grover, December 18, 1998.
54. Deposition of Ronald Grover, December 14, 2001.
55. Employee Action Reasons for Ronald Grover.
56. Position Description for Ronald Grover, Chemistry and Environmental Protection Manager, July 24, 1995.
57. Position Description for Ronald Grover, Manager (Development Program), September 27, 1996.
58. TVA OIG Record of Interview of Sam Harvey, August 11, 1993.
59. Interview Transcript of TVA OIG Record of Interview of Sam Harvey, November 21, 1997.
60. DOL Personal Interview Statement of Sam Harvey, March 27, 1997.
61. DOL Declaration of Sam Harvey, undated.
62. NRC Declaration of Sam Harvey, November 19, 1999.
63. Deposition of Sam Harvey, December 7, 2001.
64. Position Description for Sam Harvey, Chemistry Program Manager (PWR), August 5, 1996.
65. Performance Review and Development Plan for Sam Harvey, October 1, 1994 to September 30, 1995.
66. Memorandum from William Osteen to Donald Hickman regarding the referral of a potential ethics issues, October 30, 1996.
67. Memorandum from R. Grover to James Boyles regarding employee harassment and intimidation by Sam Harvey, June 24, 1996.
68. DOL Personal Interview Statement of William Jocher, April 22, 1997.

69. TVA OIG Record of Interview of Charles Kent, August 11, 1993.
70. TVA OIG Record of Interview of Charles Kent, August 15, 1996.
71. Interview transcript of TVA OIG Record of Interview of Charles Kent, August 15, 1996.
72. DOL Personal Interview Statement of Charles Kent, April 18, 1997.
73. NRC OI Interview of Charles Kent, October 22, 1998.
74. Deposition of Charles Kent, November 28-29, 2001.
75. Nuclear Power Position Description for Chemistry and Environmental Superintendent, January 20, 1989.
76. Position Description for Manager Chemistry Control.
77. TVA OIG Record of Interview of Dan Keuter, August 23, 1993.
78. Interview transcript of TVA OIG Record of Interview of Dan Keuter, August 24, 1993.
79. Interview transcript of TVA OIG Record of Interview of Dan Keuter, September 1, 1993.
80. TVA OIG Record of Interview of Dan Keuter, January 11, 1994.
81. TVA OIG Record of Interview of Dan Keuter, April 4, 1994.
82. Deposition of Tresha Landers, December 3, 2001.
83. TVA OIG Record of Interview of James Manis, January 12, 1994.
84. TVA OIG Record of Interview of Wilson McArthur, July 26, 1993.
85. TVA OIG Record of Interview of Wilson McArthur, August 31, 1993.
86. TVA OIG Record of Interview of Wilson McArthur, October 1, 1993.
87. TVA OIG Record of Interview of Wilson McArthur, February 24, 1994.
88. TVA OIG Record of Interview of Wilson McArthur, July 24, 1996.
89. Interview transcript of TVA OIG Record of Interview of Wilson McArthur, July 24, 1996.

90. Notice of Sam Harvey's reassignment as Acting Corporate Chemistry Manager and Gary Fiser's reassignment to Program Manager in Corporate Chemistry, from Wilson McArthur, November 18, 1992.
91. Letter to Wilson McArthur from O.J. Zeringue, September 6, 1996.
92. TVA OIG Record of Interview of Wilson McArthur, September 24, 1996.
93. TVA OIG Record of Interview of Wilson McArthur, October 29, 1996.
94. Interview transcript of TVA OIG Record of Interview of Wilson McArthur, October 29, 1996.
95. DOL Personal Interview Statement of Wilson McArthur, April 24, 1997.
96. DOL Declaration of Wilson McArthur, January 15, 1998.
97. NRC OI Interview of Wilson McArthur, April 20, 1999.
98. Deposition of Wilson McArthur, December 13, 2001.
99. Employee Action Reasons for Wilson McArthur.
100. Position Description for Wilson McArthur, Manager, Technical Programs, April 2, 1990.
101. Position Description for Wilson McArthur, Corporate Radiological and Chemistry Control Manager, June 17, 1996.
102. Performance Review and Development Plan for Wilson McArthur, October 1, 1994 to September 30, 1995.
103. TVA OIG Record of Interview of Thomas McGrath, July 23, 1996.
104. Interview transcript of TVA OIG Record of Interview of Thomas McGrath, July 23, 1996.
105. DOL Personal Interview Statement of Thomas McGrath, April 17, 1997.
106. NRC OI Interview of Thomas McGrath, April 20, 1999.
107. Deposition of Thomas McGrath, November 30, 2001.
108. Dayton Herald News Article, "SQN chemistry problems were well known," June 12, 1994.
109. Interview Transcript of TVA OIG Record of Interview of Mike Pope, August 12, 1993.
110. DOL Declaration of Phillip Reynolds, January 20, 1998.

111. NRC OI Interview of Phillip Reynolds, December 18, 1998.
112. Deposition of Phillip Reynolds, November 8, 2001.
113. TVA OIG Record of Interview of Heyward (Rick) Rogers, August 23, 1996.
114. NRC OI Interview of Heyward (Rick) Rogers, April 20, 1999.
115. Deposition of Heyward (Rick) Rogers, November 30, 2001.
116. TVA OIG Record of Interview of David Voeller, July 16, 1996.
117. DOL Personal Interview Statement of David Voeller, March 25, 1997.
118. DOL Deposition of David Voeller, January 30, 1998.
119. Deposition of David Voeller, November 29, 2001.
120. DOL Declaration of Milissa Westbrook, January 20, 1998.
121. NRC OI Interview of Milissa Westbrook, December 18, 1998.
122. Deposition of Milissa Westbrook, November 8, 2001.
123. Vacant Position Announcement for Manager, Radiological Control, closing date May 25, 1994.
124. Vacant Position Announcement for Manager, Radiological Control, closing date August 31, 1994.
125. Interview Schedule - Chemistry and Environmental Protection Specialists, September 14, 1994.
126. Organizational Chart for Nuclear Power, Technical Support, Operations Support, Technical Programs, 1993.
127. Organizational Chart for Current RADCHEM Organization, FY96 Budget.
128. TVA Nuclear Corporate 1996 Re-Organization Impact on Headcount.
129. Organizational Chart for OPS Services with RadCon Manager and Chemistry and Environmental Protection Manager positions.
130. Organizational Chart for Nuclear Operations, Operations Support, Radiology and Chemistry Control, February 13, 1995.
131. Organizational Chart, Nuclear Operations, Operations Support, Radiology and Chemistry Control, September 17, 1996.

132. Operations Support Organization Changes, All-Hands Meeting, June 17, 1996.
  - A. Setting the Stage - FY97 & Beyond.
  - B. OPS Support - Alignment.
  - C. OPS Support - The Plan.
  - D. Organizational Chart, General Manager Operations Support and Direct Reports, June 12, 1996.
  - E. Organizational Chart, Maintenance Support, April 12, 1996.
  - F. Organizational Chart, Radiological and Chemistry Control.
  - G. The Plan - Schedule.
  - H. Organizational Chart, September 13, 1995.
  - I. Organizational Chart, General Manager, Operations Support and Direct Reports, April 24, 1996.
  - J. Operations Support FY 1996 vs. FY 1997 Summary Comparison.
133. Predecisional Enforcement Conference for Thomas McGrath, November 22, 1999.
134. Predecisional Enforcement Conference for Wilson McArthur, November 22, 1999.
135. Predecisional Enforcement Conference for TVA, December 10, 1999.
136. Letter from John Waters to W.F. Willis, Oliver Kingsley, and W.R. Cobean regarding Chemistry at SQN and BFN, November 27, 1990.
137. Note from W.C. McArthur to O.D. Kingsley regarding a response to the Waters letter, December 3, 1990.
138. Memorandum from O.D. Kingsley to John Waters regarding Chemistry at SQN and BFN, with attached report, "SQN/BFN Chemistry Status," January 16, 1991.
139. Prehearing Conference Transcript, July 19, 2001.
140. Prehearing Conference Transcript, November 14, 2001.
141. Prehearing Conference Transcript, January 9, 2002.
142. Prehearing Conference Transcript, February 5, 2002.



143. Letter from G. Donald Hickman, Assistant Inspector General, to Oswald J. Zeringue, regarding the completion of the investigation of Gary Fiser's 1993 DOL complaint with attached investigative report.
144. Report of Administrative Inquiry, TVA OIG, regarding Gary Fiser's 1993 DOL complaint.
145. Report of Administrative Inquiry, TVA OIG, regarding Gary Fiser's 1996 DOL complaint.
146. Gary Fiser v. Tennessee Valley Authority Investigation Report by DOL, Kenneth Stripling, March 27, 1998.
147. Department of Labor Brief in Support of Respondents Motion for Summary Decision.
148. DOL Order Denying Motion for Summary Decision in Gary Fiser v. Tennessee Valley Authority, April 21, 1998.
149. Performance Review and Development Process Instruction Guide.
150. TVA's Practice of Declaring Positions to be Surplus.
151. BP-101, Employee Conduct and Disciplinary Guidelines, December 20, 1993.
152. Announcement of Vacancies in the Manager and Specialist Pay Schedule - Revised Selection/Waiver Policy, March 23, 1993.
153. New Posting System for Managers and Specialist Pay Schedule - Revised Selection/Waiver Policy, April 14, 1993.
154. Revision to Selection/Waiver Policy - Selecting Career Skills Center Employees to Fill Management and Specialist Positions, July 7, 1994.
155. BP-103, Succession Planning, September 23, 1993.
156. Employment Selection of Outside Candidates for Salary Policy Positions, May 1997.
157. BP-104, Employee Evaluation, September 23, 1993.
158. Updated Reduction-in-Force (RIF) Instructions, May 20, 1997.
159. Deposition of Herbert Keith Fogleman, December 3, 2001.
160. TVA OIG Record of Interview of David Goetcheus, July 23, 1996.
161. Interview transcript of TVA OIG Record of Interview of David Goetcheus, July 23, 1996.
162. Declaration of G. Donald Hickman, April 4, 2002.
163. TVA OIG Record of Interview of William Jocher, November 5, 1993.

- 164. TVA OIG Record of Interview of Mike Pope, August 12, 1993.
- 165. Declaration of Edward J. Vigluicci, April 4, 2002.
- 166. TVA OIG Record of Interview of Katherine Welch, July 29, 1996.
- 167. TVA Today e-mail, Monday May 15, 2000.

In addition to these documents, the Staff is having the original cassette recordings made by Gary Fiser during 1992 and 1993 enhanced and transcribed. The Staff may submit the compact disc enhancement of the tapes as evidence, and may provide the Board with transcripts of the enhanced recordings as guidance in listening to the recordings.

Respectfully submitted,

**/RA/**

Jennifer M. Euchner  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 15th day of April, 2002

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NUCLEAR REGULATORY COMMISSION

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(Watts Bar Nuclear Plant, Unit 1;	)	
Sequoyah Nuclear Plant, Units 1 & 2	)	ASLBP No. 01-791-01-CivP
Browns Ferry Nuclear Plant, Units 1, 2, 3)	)	
	)	EA 99-234

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF REVISED DOCUMENT LIST" in the above-captioned proceeding have been served on the following by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission's internal system as indicated by an asterisk (\*), or by electronic mail as indicated by a double asterisk (\*\*) on this 15th day of April, 2002.

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