

June 1, 2006

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

STEVEN P. MOFFITT )

) Docket No. IA-05-054

) ASLBP No. 06-847-03-EA

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THE NRC STAFF'S INTERROGATORIES AND REQUEST FOR ADMISSIONS

Pursuant to 10 C.F.R. §§ 2.706(b), 2.707, 2.708, the NRC Staff (Staff) hereby requests that Mr. Steven P. Moffitt respond to the following requests for admissions and interrogatories and produce, for inspection and copying, the documents requested below.

Each interrogatory shall be answered separately and fully, in writing, and under oath or affirmation and shall include all pertinent information available to Mr. Moffitt, his counsel and individuals assisting Mr. Moffitt in the challenge to the NRC enforcement order applicable to Mr. Moffitt, based upon their personal knowledge, unless it is objected to, in which event the reasons for objection shall be stated in full. The answers shall be signed by the person making them, and the objections by the attorney making them. The production of documents requested herein shall take place at the Office of the General Counsel, 11555 Rockville Pike, Rockville, MD, unless other arrangements are made, by agreement, in this regard. Documents produced may be copies, or may be originals sent to Staff Counsel for copying and return.

GENERAL INSTRUCTIONS

1. To the extent that Mr. Moffitt does not have specific, complete, and accurate information with which to answer any interrogatory, Mr. Moffitt should so state, and the interrogatory should be answered to the extent information is available, identifying each person who is believed to have accurate information with respect thereto.

2. Each interrogatory shall be deemed to be continuing, and Mr. Moffitt is required seasonably to supplement answers with additional facts, documents, information, and names of witnesses which become known, in accordance with 10 C.F.R. § 2.705(e).

3. The words "and" and "or" shall be construed either conjunctively or disjunctively so as to bring within the scope of these discovery requests any information that might otherwise be construed to be outside their scope.

4. Wherever appropriate, the singular form of a word shall be interpreted in the plural, and vice versa, so as to bring within the scope of these discovery requests any information that might otherwise be construed to be outside their scope.

5. Please produce a copy of each document requested in the form and condition in which it exists on the date of service of this request, including all comments, notes, remarks, and other material that may have been added to the document after its initial preparation.

6. If Mr. Moffitt objects to or claims a privilege (*e.g.*, attorney-client, work product, or other) with respect to any interrogatory or document request, in whole or in part, or seeks to withhold documents or information because of the alleged proprietary or other nature of the data, please set forth all reasons and the underlying factual basis for the objection or claim of privilege in sufficient detail to permit the Atomic Safety and Licensing Board to determine the validity of the objection or claim of privilege. This description by Mr. Moffitt should include, with respect to any document:

- a. author, addressor, addressee, and recipients of indicated and "blind" copies together with their job titles;
- b. date of preparation;
- c. subject matter;
- d. purpose for which the document was prepared;
- e. all persons to whom distributed, shown, or explained;

- f. present custodian;
- g. all persons believed to have a copy of the document; and
- h. the nature of the privilege or objection asserted.

7. For any document or part of a document that was at one time, but is no longer, in Mr. Moffitt's possession, custody or control, or which is no longer in existence, or which cannot be located or produced, identify the document, state where and how it passed out of existence or why it can no longer be located or produced and the reasons therefore, and identify each person having knowledge concerning such disposition or loss and the contents of the document, and identify each document evidencing its prior existence and/or any fact concerning its nonexistence or loss.

**DEFINITIONS AND GUIDELINES TO BE USED  
IN RESPONDING TO THESE DISCOVERY REQUESTS**

1. "Communication" shall mean correspondence, contact, discussion, or any other kind of written or oral exchange between two or more persons or entities including, but not limited to, all telephone conversations, face-to-face meetings or conversations, visits, conferences, and internal and external discussions, and exchange of a document or documents.

2. "Computer file" means all computer files, disks and diskettes of whatever type without regard to the manner in which the file is stored.

3. "Concerns," "Concerning," or any other derivative thereof, includes referring to, responding to, relating to, pertaining to, in connection with, comprising, memorializing, commenting on, regarding, discussing, showing, describing, reflecting, analyzing, supporting, contradicting, and constituting.

4. "Document" or "writing" as used herein shall mean any written matter, whether

produced, reproduced or stored on paper, cards, tapes, disks, belts, charts, film, computer file, computer storage devices or any other medium and shall include, without limitation, matter in the form of books, reports, studies, statements, speeches, notebooks, agreements, appointment calendars, working papers, manuals, memoranda, notes, procedures, orders, instructions, directions, training materials, records, correspondence, electronic mail, diaries, plans, diagrams, drawings, periodicals, lists, telephone logs, minutes, photographs, and any published materials and shall also include, without limitation, originals, copies (with or without notes or changes thereon) and drafts.

5. "Identify" when used in reference to a natural person means to set forth the following:

- a. his/her name;
- b. his/her last known residential address;
- c. his/her last known business address;
- d. his/her current employer (if no current employer, his/her last employer);
- e. his/her employer at the time relevant to the interrogatory;
- f. his/her title or position;
- g. his/her area of responsibility;
- h. his/her business, professional, or other relationship with Mr. Moffitt; and
- i. If any of the information is changed subsequent to the time period referenced in a particular interrogatory, then set forth in the answer, and label appropriately, current information as well as the information applicable to the time period referenced in the interrogatory.

6. "Identify" when used in reference to a document shall mean to set forth the

following:

- a. its title;
- b. its subject matter;
- c. its date;
- d. its author;
- e. its addressee;
- f. its file designation or other identifying designation; and
- g. its present location and present custodian.

7. "Identify" with respect to a contact or communication shall set forth the following:

- a. the date of the communication;
- b. the place of the making and the place of receipt of the communication;
- c. the type and means of communication;
- d. the substance of the communication;
- e. each person making the communication, and his/her location at the time the communication was made;
- f. each person to whom the communication was made, and his/her location at the time the communication was made;
- g. all other persons present during, participating in, or receiving the communication and the location of each such person at the time;
- h. each document concerning such communication; and
- i. each document upon which the communication is based or which is referred to in the communication.

8. Documents produced in compliance with this request are to be accompanied with a specific indication as to the particular paragraph(s) of the Staff's discovery request under which the particular document(s) are being produced.

INTERROGATORIES AND REQUESTS FOR  
PRODUCTION OF DOCUMENTS

INTERROGATORY 1

Identify all individuals likely to have discoverable information relative to disputed issues and who were not listed in Mr. Moffitt's initial disclosures dated April 26, 2006.

INTERROGATORY 2

Identify every position, including the position of Shift Director during 12RFO, held by Mr. Moffitt at nuclear power plants.

- a. For each position identified, provide the name of the facility.
- b. For each position identified, describe the duties/responsibilities of that position including supervisory responsibilities.
- c. For each position identified, state whether the position was considered a management level position.
- d. For each position identified at DBNPS, describe Mr. Moffitt's interactions, if any, with other offices of the DBNPS organization and with industry groups, including, but not limited to, EPRI, B&W Owners Group, and/or MRP.
- e. For each position identified, describe Mr. Moffitt's interactions with the NRC, including, but not limited to, interactions with the NRC as DBNPS' Technical Services Director concerning Bulletin 2001-01.
- f. For each position identified, describe the education/subject matter expertise required to fill the position and the training Mr. Moffitt received while in that position.
- g. For each position identified, state whether Mr. Moffitt's duties/responsibilities included drafting or reviewing condition reports (CRs), modification requests (MODs), work orders, possible condition adverse to quality reports (PCAQRs), licensee event reports (LERs), INPO reports, NRC Bulletins, or NRC Generic Letters (GLs), either in the ordinary course of his position or under special circumstances. If while holding a particular position Mr. Moffitt was responsible for reviewing or drafting the aforementioned documents only in special circumstances, identify those circumstances.

INTERROGATORY 3

Did Mr. Moffitt hold any position other than Technical Services Director at DBNPS?

INTERROGATORY 4

Describe Mr. Moffitt's education and training with regard to metallurgy, circumferential and axial cracking in CRDM nozzles, boric acid corrosion control, and reactor vessel head inspection methods/procedures at DBNPS and at other plants, including, but not limited to, VT-2 examinations.

INTERROGATORY 5

Describe Mr. Moffitt's employment situation as the Technical Services Director with regard to the following:

- a. promotions/opportunities for advancement;
- b. raises (increases in salary);
- c. incentive/performance-based pay and criteria for receipt; and
- d. performance evaluations, including but not limited to, criteria to evaluate performance and individuals evaluating Mr. Moffitt.

INTERROGATORY 6

Provide copies of all documents not previously disclosed concerning the subject matter of Interrogatory 5.

INTERROGATORY 7

State whether Mr. Moffitt, while employed as the Technical Services Director at DBNPS, ever drafted/created or reviewed the following types of documents, photographs, and videos: CRs, LERs (including, but not limited to, other licensees' event reports), INPO reports, PCAQRs, work orders, MODs, videos or photographs of the condition of the RVH, videos or photographs of the service structure, videos or photographs of past inspections, or NRC information notices.

- a. For each type of document, photograph, or video, state whether Mr. Moffitt drafted or reviewed that type of document, photograph, or video in the ordinary course of his position as the Technical Services Director at DBNPS.
- b. If Mr. Moffitt did not draft or review the types of documents, photographs, and videos listed above in the ordinary course of his position as the

Technical Services Director at DBNPS, identify any special circumstances in which he drafted or reviewed any of the types of documents, photographs, or videos listed above. In so doing:

1. identify the document, photograph or video; and
2. identify the special circumstances involved.

c. Was Mr. Moffitt briefed on or otherwise made aware of the contents of these types of documents, photographs, or videos in the ordinary course as the Technical Services Director? Is so, identify:

1. the documents, photographs, or videos;
2. how Mr. Moffitt learned about the documents, photographs, or videos; and
3. when Mr. Moffitt learned about them.

d. If Mr. Moffitt was not briefed on or otherwise made aware of the types of documents, photographs, and videos listed above in the ordinary course of his position as the Technical Services Director at DBNPS, identify any special circumstances in which he was briefed on or was otherwise made aware of the contents of the types of documents, photographs, and videos listed above.

#### INTERROGATORY 8

Identify all documents not previously disclosed which provide support to Mr. Moffitt's position on the validity of the Order. As to each such document, state what fact or opinion Mr. Moffitt intends to establish if the document is admitted into evidence.

#### INTERROGATORY 9

Identify Mr. Moffitt's role(s) in outages during his time at Davis-Besse, including, but not limited to: planning outages (e.g. scheduling maintenance activities), drafting or approving work orders, writing or reviewing CRs, writing or reviewing modification requests, writing or reviewing PCAQRs, writing/reviewing LERs, and/or reviewing photos/videos of inspections. For each role, identify the outage in which Mr. Moffitt performed that role.

#### INTERROGATORY 10

Identify Mr. Moffitt's role(s) in outages at the facilities he worked at prior to coming to Davis-Besse, including, but not limited to: planning outages (e.g. scheduling maintenance activities), drafting or approving work orders, writing or reviewing CRs, writing or reviewing PCAQRs, writing or reviewing licensee event reports, and/or reviewing photos/videos of inspections.

#### INTERROGATORY 11

Identify Mr. Moffitt's role(s) in preparing for and carrying-out 12RFO, including, but not limited to, review of documents, photographs, and videos.

#### INTERROGATORY 12

Identify what Mr. Moffitt knew about flange leakage problems both at DBNPS and at other facilities as of August 2001.

#### INTERROGATORY 13

Identify what Mr. Moffitt learned about flange leakage problems both at DBNPS and at other facilities between August 1, 2001, and October 31, 2001. In so doing:

- a. identify the source of the information; and
- b. identify when Mr. Moffitt acquired the information.

#### INTERROGATORY 14

Identify what Mr. Moffitt knew in August 2001 about the scope of past flange inspections both at DBNPS and at other facilities, including, but not limited to, Mr. Moffitt's knowledge of: gasket replacement, number of flanges found to be leaking during each outage, number of gaskets replaced each outage, and efforts to correlate flange leakage with boron deposits on the head. In so doing:

- a. identify the source of the information; and
- b. identify when the information was acquired.

#### INTERROGATORY 15

Identify what Mr. Moffitt learned between August 1, 2001, and October 31, 2001, about the scope of past flange inspections both at DBNPS and at other facilities, including, but not limited to, what Mr. Moffitt learned about: gasket replacement, number of flanges found to be leaking during each outage, number of gaskets replaced each outage, and efforts to correlate flange leakage with boron deposits on the head. In so doing:

- a. identify the source of the information; and
- b. identify when the information was acquired.

#### INTERROGATORY 16

Explain the factual basis for Mr. Moffitt's asserted lack of knowledge of the scope of previous inspections of DBNPS' reactor vessel head.

INTERROGATORY 17

There were two events involving significant boric acid degradation at DBNPS prior to 2002. In 1998, it was discovered that reactor coolant system pressure spray valve two (RC-2) was degraded, two of eight carbon-steel body to bonnet nuts had been dissolved by boric acid, and a third was significantly corroded. Describe Mr. Moffitt's involvement, if any, in the RC-2 event or its aftermath.

- a. Identify any and all documents that Mr. Moffitt drafted, reviewed, or was otherwise made aware of the contents thereof concerning this event.
- b. Identify any training Mr. Moffitt received concerning/related to this event.
- c. Identify any videos or photographs reviewed by Mr. Moffitt or of which he was otherwise made aware of concerning this event.

INTERROGATORY 18

DBNPS had boric acid corrosion control (BACC) procedures in 2001 (NG-EN-00324).

- a. Identify what Mr. Moffitt knew about DBNPS' BACC as of August 2001.
- b. Identify training received by Mr. Moffitt concerning BACC as of August 2001.
- c. Identify training received by Mr. Moffitt concerning BACC between August 1, 2001, and October 31, 2001.
- d. Identify what Mr. Moffitt's knew about DBNPS' BACC procedures as:
  - 1. October 3, 2001;
  - 2. October 11, 2001; and
  - 3. October 17, 2001.
- e. Identify what Mr. Moffitt knew about DBNPS' compliance with its BACC procedures as of:
  - 1. October 3, 2001;
  - 2. October 11, 2001; and
  - 3. October 17, 2001.

INTERROGATORY 19

Identify Mr. Moffitt's knowledge of/familiarity with NRC Generic Letter 97-01 "Degradation of Control Rod Drive Mechanisms Nozzle and other Vessel Closure Head Penetrations." In so doing, identify the extent of Mr. Moffitt's knowledge of/familiarity, and when that knowledge of/familiarity was acquired.

INTERROGATORY 20

Identify every meeting/gathering/briefing (formal or informal, scheduled or unscheduled), including teleconferences, attended/participated in by Mr. Moffitt between August 1, 2001, and October 31, 2001, concerning Bulletin 2001-01.

- a. For each meeting identified, provide copies of all documents related thereto, such as agendas, notes, and attendance sheets.
- b. For each meeting identified, identify everyone involved, including those attending via telephone.

INTERROGATORY 21

Describe Mr. Moffitt's involvement/interactions with the utility response group organized by Mr. Miller in August 2001.

INTERROGATORY 22

Identify every communication involving Mr. Moffitt and concerning boric acid corrosion control, circumferential cracking, DBNPS' reactor vessel service structure, or reactor coolant leakage at DBNPS prior to August 2001.

INTERROGATORY 23

Identify every communication involving Mr. Moffitt during August, September, and October 2001 concerning the following topics:

- a. boric acid corrosion control;
- b. circumferential cracking;
- c. DBNPS' reactor vessel service structure;
- d. reactor coolant leakage at DBNPS;
- e. other plants' response(s) to Bulletin 2001-01;

- f. other plants' meetings with the NRC to discuss Bulletin 2001-01;
- g. the NRC's anticipated reaction to DBNPS' Bulletin response(s);
- h. the NRC's reaction to DBNPS' Bulletin response(s); and
- i. the NRC's reaction to other plants' Bulletin responses.

#### INTERROGATORY 24

Identify any information Mr. Moffitt received or obtained during August, September, and/or October 2001 either directly or indirectly from Roger Huston, including but not limited to, Mr. Huston's September 7, 2001 e-mail to Dale Wuokko. In so doing, identify the date Mr. Moffitt received the information.

#### INTERROGATORY 25

Identify all nuclear industry events (i.e. conferences, meetings, or gatherings, sponsored by industry groups such as EPRI and MPR) attended by Mr. Moffitt in 2001, and the dates on which Mr. Moffitt attended.

#### INTERROGATORY 26

Identify industry and NRC publications Mr. Moffitt read, reviewed, or was made aware of in 2001.

#### INTERROGATORY 27

Did Mr. Moffitt at any time question the completeness and accuracy of any of the information presented to NRC Staff: during the October 3, 2001 teleconference, during the October 11, 2001 briefing, or in Serial 2735?

- a. If Mr. Moffitt had questions/concerns:
  - 1. identify Mr. Moffitt's questions/concerns;
  - 2. identify the person or persons to whom he addressed them; and
  - 3. explain how Mr. Moffitt's concerns were resolved to his satisfaction. If his concerns were not resolved to his satisfaction, explain why not.
- b. If Mr. Moffitt never questioned the completeness and accuracy of information presented to the NRC in the aforementioned teleconference, briefing, or Serial 2735, explain why.

INTERROGATORY 28

Identify all of Mr. Moffitt's activities related to preparing for the October 3, 2001 teleconference with NRC Staff, including but not limited to:

- a. identification of all meetings/briefings/rehearsals attended, including, but not limited to, the October 1, 2001 meeting and the October 2 "dry-run" meeting;
- b. identification of individuals consulted;
- c. identification of all documents, including photographs and videos, reviewed, used, or consulted by Mr. Moffitt; and
- d. identification of all documents, including photographs and videos, the contents or existence of which Mr. Moffitt was made aware of or briefed.

INTERROGATORY 29

Identify all of Mr. Moffitt's activities related to preparing for the October 11, 2001 briefing of the Commissioners' Technical Assistants, including but not limited to:

- a. identification of all meetings/briefings/rehearsals attended;
- b. identification of all individuals consulted;
- c. identification of all documents, including photographs and videos, reviewed, used, or consulted; and
- d. identification of all documents, including photographs and videos, the contents or existence of which Mr. Moffitt was made aware of or briefed.

INTERROGATORY 30

Identify all of Mr. Moffitt's activities related to Serial 2735, including but not limited to:

- a. identification of all meetings/briefings/rehearsals attended;
- b. identification of all individuals consulted;
- c. identification of all documents, including photographs and videos, reviewed, used, or consulted; and
- d. identification of all documents including photographs and videos, the contents or existence of which Mr. Moffitt was made aware of

or briefed.

INTERROGATORY 31

Identify all changes, and all suggestions for changes, made by Mr. Moffitt to documents (including, but not limited to, the agenda) prepared for the October 3, 2001 teleconference with NRC Staff. For each suggestion or change:

- a. explain why he suggested the change or made the change;
- b. state when he suggested the changes or made the change; and
- c. state whether the change appeared in the final version of the materials prepared for and/or used on October 3, 2001.

INTERROGATORY 32

Identify all changes, and all suggestions for changes, made by others to materials prepared for the October 3, 2001 teleconference and of which Mr. Moffitt was aware. For each change or suggestion:

- a. identify the individual(s) making or suggesting the change;
- b. identify the affected material(s);
- c. identify when the change was made;
- d. identify what Mr. Moffitt thought of the change or suggestion; and
- e. state whether the change or suggestion was incorporated into the final version of materials prepared for and/or used on October 3, 2001.

INTERROGATORY 33

Identify all changes, and all suggestions for changes, made by Mr. Moffitt to documents including, but not limited to, presentation slides prepared for the October 11, 2001 briefing of the Commissioners' Technical Assistants. For each suggestion or change:

- a. explain why he suggested the change or made the change;
- b. state when he suggested the change or made the change; and
- c. state whether the change appeared in the final version of the materials prepared for and/or used on October 11, 2001.

INTERROGATORY 34

Identify all changes, and all suggestions for changes, made by others to materials prepared for the October 11, 2001, briefing of the Commissioners' Technical Assistants and of which Mr. Moffitt was aware. For each change or suggestion:

- a. identify the individual making or suggesting the change;
- b. identify the affected material(s);
- c. identify when the change was made;
- d. identify what Mr. Moffitt thought of the change or suggestion; and
- e. state whether the change appeared in materials prepared for and/or used on October 11, 2001.

INTERROGATORY 35

Identify all changes, and all suggestions for changes, made by Mr. Moffitt to documents/materials prepared for FENOC's presentation to Senator Voinovich's Staff in October 2001, including, but not limited to, presentation slides prepared for that briefing. For each suggestion or change:

- a. explain why he suggested the change or made the change;
- b. when he suggested the change or made the change; and
- c. state whether the change appears in the final version of the materials prepared for and/or used during the presentation to Senator Voinovich's Staff.

INTERROGATORY 36

Identify all changes, and all suggestions for changes, made by others to materials prepared for the presentation to Senator Voinovich's Staff and of which Mr. Moffitt was aware. For each change or suggestion:

- a. identify the individual(s) making or suggesting the change;
- b. identify the affected material(s);
- c. identify when the change was made;
- d. identify what Mr. Moffitt thought of the change or suggestion;
- e. state whether the change appears in the final version of the

materials prepared for and/or used in the presentation to Senator Voinovich's Staff.

### INTERROGATORY 37

References to the discovery of circumferential cracks at Crystal River 3 were included in drafts of slides prepared for presentation to Senator Voinovich's Staff and the Commissioners' Technical Assistants.

- a. Explain why reference to the discovery of the circumferential cracks Crystal River-3 was deleted from the final version of the slides for the presentation to Senator Voinovich's Staff and identify the individual(s) initiating/suggesting/recommending the deletion.
- b. Explain why reference to the discovery of circumferential cracks at Crystal River-3 was deleted from the final version of the slides for the presentation to the Commissioners' Technical Assistants and identify the individual(s) initiating/suggesting/recommending the deletion.
- c. If Mr. Moffitt does not know why the references to Crystal River were deleted, was he aware of the deletions?

### INTERROGATORY 38

Drafts of the slides prepared for presentation to Senator Voinovich's Staff and the Commissioner's Technical Assistants' included references to the DBNPS' 10RFO inspection results.

- a. Explain why reference to DBNPS' 10RFO inspection results were deleted from the final version of the slides for the presentation to Senator Voinovich's Staff and identify the individual(s) initiating/suggesting/recommending the deletion.
- b. Explain why reference to the DBNPS' 10RFO inspection results was deleted from the final version of the slides for the presentation to the Commissioners' Technical Assistants and identify the individual(s) initiating/suggesting/recommending the deletion
- c. If Mr. Moffitt does not know why references to the DBNPS' 10RFO inspection results were deleted, was Mr. Moffitt aware of the deletion?

### INTERROGATORY 39

Slide 6 (NRC015-2717/S14N-00668) of DBNPS' October 11, 2001 presentation to the

Commissioners' Technical Assistance states: "no head penetration leakage was identified" at DBNPS during either 11RFO or 12RFO or review of 11RFO and 12RFO inspection videos.

- a. Did Mr. Moffitt believe that this statement had a basis in fact?
- b. If Mr. Moffitt believed that this statement had a basis in fact, explain the factual basis.

#### INTERROGATORY 40

Identify the factual basis for Mr. Moffitt's assertion on page 13 of his Answer that FENOC did not represent to the Commissioners' Technical Assistants on October 11, 2001, that all the CRDM nozzles were inspected in 2000.

#### INTERROGATORY 41

Identify the factual basis for Mr. Moffitt's assertion on page 13 of his Answer that, at the time of the briefing of the Commissioners' Technical Assistants on October 11, 2001, he and others believed that the 1998 outage (11RFO) provided an adequate baseline.

#### INTERROGATORY 42

Identify all changes, and all suggestions for changes, made by Mr. Moffitt to Serial 2735. For each suggestion or change:

- a. explain why he suggested the change or made the change;
- b. state when he suggested the change or made the change; and
- c. state whether the change appears in the final version of the response.

#### INTERROGATORY 43

Identify all changes, and all suggestions for changes, made by others to Serial 2735 and of which Mr. Moffitt was aware. For each change of suggestion:

- a. identify the individual making or suggesting the change;
- b. state when the change was made;
- c. identify what Mr. Moffitt thought of the change; and
- d. state whether the change appears in the final version of Serial 2735.

INTERROGATORY 44

Identify the factual basis for the assertion in Serial 2735 that boron leakages was clearly attributable to leaking flanges?

INTERROGATORY 45

Provide copies of documents and notes containing Mr. Moffitt's comments, suggestions, changes, etc. related to the October 3, 2001 teleconference, the October 11, 2001 briefing, and Serial 2735, not previously disclosed.

INTERROGATORY 46

Identify the photographs reviewed by Mr. Moffitt and his staff in October 2001, and the date the photographs were reviewed. See Answer at p.16.

INTERROGATORY 47

Did Mr. Moffitt believe he had a duty to ensure the completeness and accuracy of information presented during the October 3, 2001 teleconference, the October 11, 2001, briefing, and in Serial 2735? If not:

- a. Did Mr. Moffitt believe that someone else was responsible for assuring completeness and accuracy?
- b. Identify the person or persons Mr. Moffitt believed were responsible for assuring completeness and accuracy.
- c. Did Mr. Moffitt verify that those he believed to be responsible for assuring completeness and accuracy were in fact so doing?

INTERROGATORY 48

Identify when and how Mr. Moffitt learned that DBNPS planned to replace the RPV head and the service structure during 14RFO.

INTERROGATORY 49

Describe Mr. Moffitt's knowledge of the RPV service structure.

- a. Describe Mr. Moffitt's knowledge of Mod 94-0025 and Mr. Moffitt's knowledge of plans/requests to cut larger mouse/weep holes in the service structure in general. Specifically, describe Mr. Moffitt's knowledge as to why plans to cut larger holes were repeatedly

postponed.

- b. Identify all meetings (formal or informal, internal or external) attended by Mr. Moffitt during his career at Davis-Besse at which the service structure was discussed.
- c. Identify all communications Mr. Moffitt had concerning the service structure during his career at Davis-Besse.
- d. Did Mr. Moffitt know in the Fall of 2001 that Davis-Besse and ANO-1 were the only B&W plants that had not cut larger holes in the service structure for cleaning and inspection? If not, why? If he learned later, identify when and how.
- e. Was Mr. Moffitt aware of a May 8, 1996 white paper by Prasoon Goyal concerning reactor vessel nozzle cracking (NRC028-1295 to NRC028-1330):
  - 1. prior to August 2001?
  - 2. as of October 3, 2001?
  - 3. as of October 11, 2001? or
  - 4. as of October 17, 2001?

#### INTERROGATORY 50

Mr. Moffitt reviewed DBNPS documents, including but not limited to PCAQRs 94-0295 and 96-551, CRs 2000-0782 and 2000-1037, in connection with Bulletin 2001-01 and its aftermath (August 2001 through May 2002).

- a. Identify all DBNPS documents reviewed by Mr. Moffitt during this time period (August 2001 to May 2002) in connection with Bulletin 2001-01 and its aftermath.
- b. For each document, identify when Mr. Moffitt reviewed it.
- c. For each document, identify why Mr. Moffitt reviewed it.

#### REQUEST FOR ADMISSIONS<sup>1</sup>

- A. Mr. Moffitt knew that the reactor head was not completely cleaned during 12RFO:
  - 1. on October 3, 2001, when he participated in a teleconference with NRC Staff;

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<sup>1</sup> This request for admissions may be supplemented or enlarged upon completion of discovery.

2. on October 11, 2001, when he participated in a briefing of the Commissioners' Technical Assistants; and/or
3. on October 17, 2001, when he concurred on Serial 2735.

B. Mr. Moffitt knew that boric acid deposits impeded a complete (100%) inspection of the Davis-Besse's RPV head:

1. on October 3, 2001, when he participated in a teleconference with NRC Staff;
2. on October 11, 2001, when he participated in a briefing of the Commissioners' Technical Assistants; and/or
3. on October 17, 2001, when he concurred on Serial 2735.

C. Mr. Moffitt knew that boric acid was left on the head after 12RFO:

1. on October 3, 2001, when he participated in a teleconference with NRC Staff;
2. on October 11, 2001, when he participated in a briefing of the Commissioners' Technical Assistants; and/or
3. on October 17, 2001, when he concurred on Serial 2735.

D. Andrew Siemaszko told Mr. Moffitt in August 2001 that 80% of the head was cleaned during 12RFO.

E. Mr. Moffitt received a letter from Gregory Gibbs of Piedmont Management and Technical Services dated September 14, 2001.

F. Mr. Moffitt received and read Praseon Goyal's June 27, 2001 Memo: "Mode 5 Reactor Vessel Head Inspection Recommendation" prior to August 3, 2001.

G. Mr. Moffitt attended the meeting held in David Lockwood's office on August 11, 2001 at 8:30 a.m.

H. Mr. Moffitt received drafts of the agenda for the October 3, 2001 teleconference.

I. On October 1, 2001, a meeting was held in Mr. Moffitt's office to discuss DBNPS'

response to the NRC's response to Serial 2731. Mr. Moffitt was present as were Campbell, Cook, Goyal, Geisen, Wuokko, Coakley, Worley, and McLaughlin.

J. Mr. Moffitt participated in a "dry-run" of DBNPS' presentation to the NRC in preparation for DBNPS' October 3, 2001 teleconference with NRC Staff.

K. During the October 3, 2001 teleconference with NRC Staff, Mr. Moffitt's direct subordinate, David Geisen, stated that FENOC had done a 100% head inspection in 2000.

L. Mr. Moffitt did not correct his subordinate's statement during that October 3, 2001 teleconference with NRC Staff that FENOC had done a 100% inspection in 2000.

M. Mr. Moffitt was Director of Nuclear Support Services at DBNPS in September 1998.

Respectfully Submitted,

***/RA by Mary C. Baty/***

Sara E. Brock  
Mary C. Baty  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 1st day of June, 2006

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
STEVEN P. MOFFITT ) Docket No. IA-05-054  
)  
) ASLBP No. 06-847-03-EA  
)  
)

CERTIFICATE OF SERVICE

I hereby certify that copies of "THE NRC STAFF'S INTERROGATORIES AND REQUESTS FOR ADMISSIONS" in the above captioned proceeding have been served on the following persons by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk (\*); and by electronic mail as indicated by a double asterisk (\*\*) on this 1<sup>st</sup> day of June, 2006.

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*/RA/*

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