

10 C.F.R. 2.336(b)(5) DELIBERATIVE PROCESS PRIVILEGE LOG

Date	Bates Begin	Bates End	Full Name	Author(s)	Description
To Be Determined	00159	00160	Memo: Review of Two Emails from a Concerned Individual: (AITS S02-2252) (RIII-2002-A-0107 Davis-Besse) UNREDACTED		
To Be Determined	01649	01665	Draft Receipt of New Allegation RIII-2003-A-0005UNREDACTED		Contains preliminary discussion of allegations
??/??/2001	19998	20001	Risk Informed Evaluation with Handwritten Notes UNREDACTED		Hand-written notes withheld.
10/12/2001	19946	19946	Email: CRAM's	Roberts	Email from OCM to EDO
10/14/2001	19808	19864	Commissioners' Technical Assistants Brief with Handwritten Notes UNREDACTED	Nuclear Regulatory Commission	Handwritten notes withheld
10/24/2001	19963	19982	FENOC Slides- with Handwritten Notes	First Energy Nuclear Operating Company	Handwritten notes withheld
11/??/2001	20002	20027-1	FENOC Slides with Handwritten Notes UNREDACTED	First Energy Nuclear Operating Company	Handwritten notes withheld

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11/14/2001	19983	19997	FENOC Slides- with Handwritten Notes UNREDACTED	First Energy Nuclear Operating Company	Handwritten notes withheld
11/21/2001	19875	19895	Issuance of Order Regarding Response to NRC Bulletin 2001-01 with Handwritten Notes	Nuclear Regulatory Commission	Notes withheld
11/21/2001	19896	19916	Issuance of Order Regarding Response to NRC Bulletin 2001-01	Nuclear Regulatory Commission	Notes withheld
06/25/2002	NRC029-1076	NRC029-1078	LLTF Record of Interview Pete MainhardtUNREDACTED		Portions redacted-- Deliberative Process Privilege
06/26/2002	NRC029-1118	NRC029-1121	LLTF Record of Interview Kevin ZellersUNREDACTED		Portions redacted-- Deliberative Process Privilege
07/01/2002	NRC029-1088	NRC029-1089	LLTF Record of Interview Steve Moffitt		Portions redacted-- Deliberative Process Privilege
10/02/2002	02055	02056	Review of Documents from Davis-Besse 0350 Meeting (Davis-Besse) (AMS RIII-2002-A-0060), (AITS S02-2344)	J. Gavula	Discusses proposals for disposition of allegations

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01/30/2003	01629	01648	Receipt of New Allegation RIII-2003-A-0005UNREDACTED	A. Kock	Contains preliminary discussion of allegations
01/31/2003	01528	01548	Revisions to Package RIII-2003-A-0005UNREDACTED		Contains editing for write-up of concerns associated with this allegation
02/14/2003	00024	00028	Memo from J. Heller to C. Lipa Re Review of Congressional Document Submitted by Congress as Part of 2.206 Petition for AMS Case File No. RIII-2003-A-0014 (Davis-Besse) UNREDACTED	J. Heller	
03/17/2003	01459	01460	Email from AKock to CLipa, MPhillips	A. Kock	Discusses personal opinions of how to close out concerns
03/21/2003	01467	01467	Email from Phillips M to AKock, JHeller	M. Phillips	Discusses results of 0350 panel and how to proceed
04/07/2003	02027	02031	Follow-Up Allegation Plan UNREDACTED	C. Pederson	
06/10/2003	00870	008701	Memo from M. Phillips to A. Kock and J. Heller Re: Closure of Concern 3 in RIII-2002-A-0072 (Davis-Besse) UNREDACTED	M. Phillips	

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Date	Bates Begin	Bates End	Full Name	Author(s)	Description
06/11/2003	00460	00462	Memo to J. Heller from D. Hills Subj: Review of OI Report for Allegation No. RAI-2003-A-0030 UNREDACTED	D. Hills	
07/10/2003	02520	02537	Davis-Besse Preliminary Investigation Findings Review for Immediate Enforcement Action	B. Clayton	Discusses Review process and Charter for Review Team-schedule for deliberation
07/21/2003	02485	02508	Results of Davis Besse Enforcement Briefing	J. Grobe	Email Summary of task force presentation that provided advice to senior agency management on whether each individual represents a concern to the Nuclear Regulatory Commission. Also included as an Attachment to the email is the power point presentation

Date	Bates Begin	Bates End	Full Name	Author(s)	Description
07/23/2003	02453	02484	Davis-Besse Investigation Results Review Team Report on Charter Phase 1 Tasks	B. Clayton, L. Clark	Report of task force that provided advice to senior agency management on whether each individual represents a concern to the Nuclear Regulatory Commission
07/23/2003	32037	32072	Memorandum; Subject: Davis-Besse Investigation Results Review Team: Report on Charter 1 Tasks	B. Clayton	Provides a status report of Phase I of the investigation along with enforcement action recommendations
08/22/2003	30235	30468	OI Report of Investigation (ROI): Davis-Besse Nuclear Power Plant	Nuclear Regulatory Commission	Agent's Analysis Withheld
09/08/2003	00695	00702	Attachment to 00693: Memo to J. Dyer from R. Paul "Davis-Besse Nuclear Power Plant: NRR and Allegation Issues"		Discussion of Merits of Several Allegations
09/08/2003	00852	00860	Memo to J. Dyer from R. Paul "Davis-Besse Nuclear Power Plant: NRR and Allegation Issues"		Discussion of Merits of Several Allegations
11/03/2003	00684	00689	Memo to A. Kock from C. Lipa "Review of September 8, 2003 Memorandum from OI; Davis Besse Nuclear Power Plant"	A. Kock	Discussion of Merits of Several Allegations

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11/03/2003	00843	00848	Memo to A. Kock from C. Lipa "Review of September 8, 2003 Memorandum from OI; Davis Besse Nuclear Power Plant"		Discussion of Merits of Several Allegations
11/03/2003	02178	02183	Memo from C. Lipa to A. Kock: Review of September 8, 2003 Memo from OI UNREDACTED	C. Lipa	
11/03/2003	02419	02426	Review of September 8, 2003 Memorandum from OI -02419	A. Kock	Discusses merits of allegations
11/14/2003	02442	02452	Davis-Besse Investigation Results Review Team Phase 2 (Power POINT Presentation)	B. Clayton, M. Zabler	PowerPoint slide show presentation of task force that provided advice to senior agency management on legal/policy ramifications of going forward with individual actions
12/10/2003	02429	02438	Davis-Besse Investigation Results Review Team: Report on Charter Phase 2 Tasks	B. Clayton, M. Zabler	Recommendations of task force that provided advice to senior agency management on legal/policy ramifications of going forward with individual actions

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12/10/2003	32073	32081	Memorandum; Subject: Davis-Besse Investigation Results Review Team: Report on Charter Phase 2 Tasks	B. Clayton	Provides a status report of the investigation along with enforcement action recommendations
06/09/2004	00217	0220	Allegation Action Plan RI-2004-A-0058 UNREDACTED		
??/??/2005	02512	02519	Preliminary Notes on Individual Enforcement Actions		Discusses names of individuals possibly subject to individual actions and merits of the case against each
??/??/2005	04821	04821	Notes of Potential Individual Actions	Office of Enforcement	Preliminary notes regarding individual enforcement actions
04/13/2005	04726	04766	SECY-05-0060 for the Commissioners; Subject: Proposed \$5,450,000 Civil Penalty to FENOC Concerning Violations at DBNPS	L. Reyes	Consultation with the Commission regarding proposed Notice of Violation and issuance of a civil penalty

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04/13/2005	31911	31916	Memorandum for the Commissioners Subject: Proposed \$5,450,000 Civil Penalty to FirstEnergy Nuclear Operating Company Concerning Violations at Davis-Besse Nuclear Power Station	Luis A. Reyes, Executive Director for Operations (signed by Ellis W. Merschoff, Acting For)	Consultation with the Commission prior to issuance of civil penalty
04/19/2005	31897	31910	Presentation: Enforcement Action, Davis-Besse Nuclear Power Plant Degraded Reactor Vessel Head at Commission Meeting	Office of Enforcement	Briefing the Commission regarding proposed civil penalty
06/14/2005	04767	04769	Memorandum; Subject Supplemental SRM-discussion of Enforcement Issue	A. Vietti-Cook	Provides Commission recommendations regarding DBNPS enforcement issues
06/14/2005	31923	31925	Supplemental Staff Requirements--discussion of Enforcement Issue	A. Vietti-Cook	Suggestions to Staff regarding implementation of enforcement action

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08/18/2005	04839	04872	SDP/Enforcement Panel Worksheet (Draft)	Office of Enforcement	Outlines internal Nuclear Regulatory Commission deliberations regarding potential enforcement actions
08/26/2005	00827	00828	Email from M. Phillips to Oac3 Closure of Concern 1 to Case File RAI-2002-A-0072 (Closes All Concerns)UNREDACTED		Contains handwritten note Comments/Questions on closure language
09/09/2005	04873	04937	Commission Paper (Draft); Subject: Proposed Severity Level I Notices and Violation Orders Banning Involvement in NRC-Licensed Activities for Former Davis-Besse Employees for Deliberate Failure to Provide Complete and Accurate Information	L. Reyes	Consultation with the Commission regarding the imposition of Severity Level I violations
10/03/2005	04960	04961	Meeting Notes from Discussion of Davis-Besse Enforcement Actions Against Individuals	Nuclear Regulatory Commission Staff	Discusses and provides recommendations regarding subpoenaed documents and enforcement actions

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10/07/2005	04962	04966	Summary Regarding Updated Davis-Besse for Individual	Nuclear Regulatory Commission Staff	Provides, and discusses pros and cons of enforcement schedule
10/24/2005	04773	04775	Memorandum; Subject Need for Additional Time to Complete DBNPS Enforcement Actions	L. Reyes	Advises Commission on need for additional time for enforcement actions
11/07/2005	31926	31928	Staff Requirements Memorandum COMSECY-05-0050	A.. Vietti-Cook	Suggestions to Staff regarding steps to be taken in case enforcement action is delayed
11/16/2005	04776	04776	Memorandum; Subject Staff Requirements-- COMSECY-05-0050- Need for Additional Time to Complete Davis-Besse Enforcement Actions	A. Vietti-Cook	Disapproval of Staff request for additional time and request for additional information if circumstances change
12/08/2005	31929	31930	SDP/EA Request & Strategy Form	Region III Enforcement Panel	Provides Enforcement Panel's recommendations regarding action against a DBNPS employee

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01/17/2006	05010	05011	SDP/EA Request and Strategy Form, EA 05-182, Number 2	Nuclear Regulatory Commission Staff	Provides recommendations regarding future enforcement action