


United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of:	Charlissa C. Smith (Denial of Senior Reactor Operator License)
	ASLBP #: 13-925-01-SP-BD01
	Docket #: 05523694
	Exhibit #: NRC-027-00-BD01
	Admitted: 7/17/2013
	Rejected:
	Other:
	Identified: 7/17/2013 Withdrawn: Stricken:

NRC-027
Submitted: May 31, 2013

May 30, 2013

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CHARLISSA C. SMITH)	Docket No. 55-23694-SP
)	
(Denial of Senior Reactor)	
Operator License Application))	
)	

NRC STAFF TESTIMONY OF MALCOLM T. WIDMANN CONCERNING THE CLAIM
BY CHARLISSA C. SMITH THAT THE NRC IMPROPERLY DENIED HER
SENIOR REACTOR OPERATOR LICENSE APPLICATION

Introduction

Q.1. Please state your name, occupation, and by whom you are employed.

A.1. My name is Malcolm T. Widmann, Chief, Operator Licensing Branch 1, Division of Reactor Safety, Region II. I started working for the NRC in March 1991. I have been in a supervisory position in Operator Licensing since September 2007 and have been a Branch Chief since October 2004. I am a former Senior Resident and Resident Inspector at Vogtle, V. C. Summer, and North Anna. I have been a reactor inspector in the Region and a Technical Reviewer in NRR. A statement of my professional qualifications is attached hereto, as Exhibit NRC-011.

Background

Q. 1. Please state what duties you had in connection with Ms. Smith's examination, review and subsequent denial of her Senior Reactor Operator License?

A.1. As Chief of the Operations Branch I have responsibility to review and approve any licensing actions. These actions include whether to pass or fail a license application, granting of waivers, and approval of the operating test and written examination. In the case of Ms. Smith I reviewed the ES 303-1 forms (i.e., simulator and JPM performance) and the results of her written examination as I do with all applicants. I signed out her 2011 and 2012 examination results that culminated in the denial of her SRO application twice.

Q. 2. Explain what duties Mr. Edwin Lea, Jr. had regarding the Smith review or denial.

A. 2. Mr. Lea was not directly involved or assigned to review the applicant's performance. He has no specific knowledge of actual performance in the simulator and therefore can only base any judgment solely on the written documentation or hearsay.

Q.3. Did you speak to Mr. Lea about the Smith review or denial?

A. 3. No.

Q. 4. Mr. Lea's December 12, 2012 e-mail to Mr. Michael Johnson and subsequent Affidavit of May 29, 2013 states that you, Malcolm Widmann, Branch Chief OLB 1, said, "We did ourselves proud." This was said by you in a monthly branch meeting in November or December. While Mr. Lea did not confirm what you mean by that statement, he believed that it had to do with having the applicant's failure upheld. Furthermore, during the December current events meeting, several individuals involved in the licensing decision for the applicant were given an award. Please explain.

A. 4. These words were spoken in branch meeting in the winter of 2012; however, they are portrayed out of context. Those words were not spoken in regards to the applicant's failure and subsequent denial of license rather to the preparation work the team completed in a very short timeframe to support the Independent Review Team (led by Region I) visit to the Region. The Team was requested on three (3) days' notice to develop supporting documentation of the applicant's performance. The Team built a binder of information to support the IRT review and

for this effort they were given an award. It was warranted as they put a great amount of effort in the product to be ready to discuss the applicant's performance and associated errors.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CHARLISSA C. SMITH) Docket No. 55-23694-SP
)
(Denial of Senior Reactor)
Operator License Application))
)

AFFIDAVIT OF MALCOLM T. WIDMANN CONCERNING THE CLAIM BY CHARLISSA C.
SMITH THAT THE NRC IMPROPERLY DENIED HER SENIOR REACTOR OPERATOR
LICENSE APPLICATION

I, Malcolm T. Widmann, do hereby declare under penalty of perjury that my statements
in the foregoing testimony and my statement of professional qualifications are true and correct
to the best of my knowledge and belief.

**Executed in Accordance with 10 C.F.R. §
2.304(d)**

Malcolm T. Widmann
Chief
Operations Branch 1
Division of Reactor Safety
Region II Office
U.S. Nuclear Regulatory Commission
Atlanta, GA 30303
(404) 997-4550
Malcolm.Widmann@nrc.gov

Executed in Rockville, Maryland
this 30th day of May, 2013