

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Paul S. Ryerson, Chairman  
E. Roy Hawkens  
Dr. Sue H. Abreu

In the Matter of  
TENNESSEE VALLEY AUTHORITY  
(Enforcement Action)

Docket Nos. EA-20-006 and EA-20-007

ASLBP No. 21-969-01-EA-BD01

December 11, 2020

Order  
(Scheduling Initial Prehearing Conference)

The Board will conduct an initial prehearing conference, by telephone, on Thursday December 17, 2020 at 2:00 PM EST.

In preparation, the parties should review the December 9, 2020 Initial Scheduling Order in the Joseph Shea enforcement proceeding.<sup>1</sup> Except for matters pertaining to the pending Commission review in that case (which do not apply to this proceeding), the parties should be prepared to discuss, in the context of this case, each of the subjects addressed in the Shea Order.

In addition, the parties should consider how the procedural schedule in the Shea Order should affect scheduling this proceeding. In particular, is there a reason why this case could not be heard first? Is this case likely to be appropriate for resolution on summary disposition? If

---

<sup>1</sup> Licensing Board Order (Initial Scheduling Order), Joseph Shea (Order Prohibiting Involvement In NRC-Licensed Activities, Immediately Effective), No. IA-20-008-EA (Dec. 9, 2020) (unpublished) [hereinafter Shea Order].

not, would it be most efficient to proceed directly to an evidentiary hearing shortly after the close of discovery?

The parties are encouraged to discuss and try to reach agreement on these issues, insofar as practicable.

The Board's law clerk will contact the parties with information on how to access the telephone conference. Listen-only telephone access will also be made available to members of the public and the press. Contact information for listen-only access may be obtained from the Board's law clerk, Ian Curry, at [Ian.Curry@nrc.gov](mailto:Ian.Curry@nrc.gov).

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

*/RA/*

---

Paul S. Ryerson, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
December 11, 2020

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
TENNESSEE VALLEY AUTHORITY ) Docket Nos. EA-20-006 and 20-007-EA  
)  
(Enforcement Action) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Initial Prehearing Conference)** have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate Adjudication  
Mail Stop: O-16B33  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop: O-16B33  
Washington, DC 20555-0001  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop - O-14A44  
Washington, DC 20555-0001

Paul S. Ryerson, Chairman  
Administrative Judge

Joe Gillespie, Esq.  
Sara Kirkwood, Esq.  
Mauri Lemoncelli, Esq.  
Patrick Moulding, Esq.

E. Roy Hawkens  
Chief Administrative Judge

Kevin Roach, Esq.  
Thomas Steinfeldt, Esq.

Dr. Sue H. Abreu  
Administrative Judge

Brian Newell, Paralegal  
Stacy Schumann, Paralegal

Ian Curry, Law Clerk  
Stephanie Fishman, Law Clerk

E-mail: [joe.gillespie@nrc.gov](mailto:joe.gillespie@nrc.gov)  
[sara.kirkwood@nrc.gov](mailto:sara.kirkwood@nrc.gov)  
[mauri.lemoncelli@nrc.gov](mailto:mauri.lemoncelli@nrc.gov)  
[patrick.moulding@nrc.gov](mailto:patrick.moulding@nrc.gov)  
[kevin.roach@nrc.gov](mailto:kevin.roach@nrc.gov)  
[thomas.steinfeldt@nrc.gov](mailto:thomas.steinfeldt@nrc.gov)  
[brian.newell@nrc.gov](mailto:brian.newell@nrc.gov)  
[stacy.schumann@nrc.gov](mailto:stacy.schumann@nrc.gov)

E-mail: [paul.ryerson@nrc.gov](mailto:paul.ryerson@nrc.gov)  
[roy.hawkens@nrc.gov](mailto:roy.hawkens@nrc.gov)  
[sue.abreu@nrc.gov](mailto:sue.abreu@nrc.gov)  
[ian.curry@nrc.gov](mailto:ian.curry@nrc.gov)  
[stephanie.fishman@nrc.gov](mailto:stephanie.fishman@nrc.gov)

On behalf of Tennessee Valley Authority

O'Melveny & Myers LLP  
Mary Patrice Brown, Esq.  
Laurel Loomis Rimon, Esq.  
1625 Eye Street, NW  
Washington, DC 20006  
Email: [mpbrown@omm.com](mailto:mpbrown@omm.com)  
[lrimon@omm.com](mailto:lrimon@omm.com)

TENNESSEE VALLEY AUTHORITY  
Docket Nos. EA-20-006 and 20-007-EA  
**ORDER (Scheduling Initial Prehearing Conference)**

On behalf of Erin Henderson and  
Tennessee Valley Authority

Pillsbury Winthrop Shaw Pittman LLP  
Meghan Hammond, Esq.  
Anne Leidich, Esq.  
Michael Lepre, Esq.  
Timothy Walsh, Esq.  
1200 Seventeenth Street, NW  
Washington, DC 20036-3006

Email: [meghan.hammond@pillsburylaw.com](mailto:meghan.hammond@pillsburylaw.com)  
[anne.leidich@pillsburylaw.com](mailto:anne.leidich@pillsburylaw.com)  
[michael.lepre@pillsburylaw.com](mailto:michael.lepre@pillsburylaw.com)  
[timothy.walsh@pillsburylaw.com](mailto:timothy.walsh@pillsburylaw.com)

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 11<sup>th</sup> day of December 2020.