

From: Walsh, Timothy J. <timothy.walsh@pillsburylaw.com>
Sent: Friday, January 15, 2021 6:14 PM
To: Roach, Kevin; Hammond, Meghan C.; Leidich, Anne; Lepre, Michael G.; mpbrown@omm.com; lrimon@omm.com
Cc: Kirkwood, Sara; Steinfeldt, Thomas
Subject: [External_Sender] RE: NRC staff plan for disclosure of certain TVA documents

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Roach,

Thank you very much for your email. TVA greatly appreciates the consideration the Staff has given to these issues. In particular, TVA appreciates, and agrees with, the Staff's determination to withhold from public disclosure the records and information related to docket no. IA-20-022 identified in your email, including the PEC transcript for that docket, and associated information identifying that a PEC was held for that individual across the other records. In addition, TVA agrees with the NRC determination to withhold from public disclosure the exhibits identified from the Shea and Henderson PECs.

TVA would like the opportunity to make two requests of the Staff: (1) TVA would like to review your proposed redactions to records not being withheld in their entirety regarding Docket No. IA-20-022/the individual involved in that matter to confirm all appropriate identifying information will be redacted; and (2) TVA would like to review the records to potentially propose additional redactions, for example to protect the identities of certain TVA personnel who were not directly involved in the violations to protect their privacy.

Please let us know if you agree with these requests.

Sincerely,

Tim Walsh

Counsel for TVA

Timothy J. Walsh | Partner

Pillsbury Winthrop Shaw Pittman LLP

1200 Seventeenth Street NW | Washington, DC 20036-3006

t +1.202.663.8455 | m +1.202.306.2691

timothy.walsh@pillsburylaw.com | website bio

From: Roach, Kevin
Sent: Tuesday, January 12, 2021 11:12 AM
To: Hammond, Meghan C. ; Leidich, Anne ; Lepre, Michael G. ; Walsh, Timothy J. ; mpbrown@omm.com; lrimon@omm.com
Cc: Kirkwood, Sara ; Steinfeldt, Thomas
Subject: NRC staff plan for disclosure of certain TVA documents

*** EXTERNAL EMAIL ***

Dear counsel,

This email describes the scope of the NRC staff's intended disclosures of TVA documents from: 1) documents provided by TVA during the course of the investigations (2-2018-033 and 2-2019-015) by the NRC's Office of Investigations (OI) and 2) four Pre-Decisional Enforcement Conferences (PECs) related to

the present enforcement proceedings for Joseph Shea (docket no. IA-20-008) and TVA (docket nos. EA-20-006 and EA-20-007). The NRC staff further anticipates that the parties will pursue agreement on a draft protective order to submit to the ASLBs to govern these and other disclosures in the proceedings. The NRC staff requests that Mr. Shea and TVA provide information on any concerns with the scope of disclosures by Friday, January 15, 2021.

The NRC staff intends to provide Mr. Shea and TVA with all of the documents TVA provided during the course of the investigations by OI and the unredacted PEC transcripts, presentations, and exhibits for the PECs conducted on June 23, 24, 25, and 30, 2020, on or before February 18, 2021. The NRC staff intends to make the same documents publicly available, except that the Staff intends to withhold or redact the following in its release of information to the public:

- The entirety of the PEC transcript associated with the PEC occurring on June 24, 2020, in relation to docket no. IA-20-022
 - Basis: 10 CFR 2.390(a)(7)(iii)
- Portions of the PEC exhibits and presentation showing that the PEC occurring on June 24, 2020, was held for the individual associated with docket no. IA-20-022 (i.e., cover pages throughout the presentation and exhibits)
 - Basis: 10 CFR 2.390(a)(7)(iii)
- Portions of PEC transcripts for TVA, Joseph Shea, and Erin Henderson indicating that the PEC conducted on June 24, 2020 was held for the individual associated with docket no. IA-20-022
 - Basis: 10 CFR 2.390(a)(7)(iii)
- The entirety of the following exhibits provided for Erin Henderson's PEC: EH31 and EH32
 - Basis: 10 CFR 2.390(a)(7)(iii)
- The entirety of the following exhibit provided for Joseph Shea's PEC: JS2
 - Basis: 10 CFR 2.390(a)(7)(iii)

We are available to discuss any questions you have regarding the disclosure plan for the documents referenced above.

Sincerely,

Kevin

[Kevin C. Roach](#)

U.S. Nuclear Regulatory Commission

Senior Attorney

Office of the General Counsel

MS O14-A44

11555 Rockville Pike

Rockville, MD 20852

Phone: (201)521-2078

Kevin.Roach@nrc.gov

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify the

original sender or the Pillsbury Winthrop Shaw Pittman Service Desk at Tel: 800-477-0770, Option 1, immediately by telephone and delete this message, along with any attachments, from your computer. Nothing in this message may be construed as a digital or electronic signature of any employee of Pillsbury Winthrop Shaw Pittman. Thank you.

Hearing Identifier: JShea_IA_NonPublic
Email Number: 723

Mail Envelope Properties (5b703e61-cf11-4d0d-b8a5-bc7ee6927f65)

Subject: [External_Sender] RE: NRC staff plan for disclosure of certain TVA documents
Sent Date: 1/15/2021 6:13:43 PM
Received Date: 1/15/2021 6:14:01 PM
From: Walsh, Timothy J.

Created By: timothy.walsh@pillsburylaw.com

Recipients:

"Kirkwood, Sara" <Sara.Kirkwood@nrc.gov>
Tracking Status: None
"Steinfeldt, Thomas" <thomas.steinfeldt@nrc.gov>
Tracking Status: None
"Roach, Kevin" <Kevin.Roach@nrc.gov>
Tracking Status: None
"Hammond, Meghan C." <meghan.hammond@pillsburylaw.com>
Tracking Status: None
"Leidich, Anne" <anne.leidich@pillsburylaw.com>
Tracking Status: None
"Lepre, Michael G." <michael.lepre@pillsburylaw.com>
Tracking Status: None
"mpbrown@omm.com" <mpbrown@omm.com>
Tracking Status: None
"Irimon@omm.com" <Irimon@omm.com>
Tracking Status: None

Post Office: DW2DAG0102.PillsburyWinthrop.com

Files	Size	Date & Time
MESSAGE	5284	1/15/2021 6:14:01 PM

Options

Priority: Normal
Return Notification: No
Reply Requested: Yes
Sensitivity: Normal
Expiration Date: