

From: Kirkwood, Sara
Sent: Monday, December 16, 2019 2:52 PM
To: tpresnell@bradley.com
Cc: Price, Sarah; Luina, Scott; Echavarria, Alex; Shuttleworth, Andy
Subject: Response to your recent correspondence
Attachments: Letter to T. Presnell.docx

Please see attached response to your recent correspondence.

Sincerely,
Sara Kirkwood

Hearing Identifier: JShea_IA_NonPublic
Email Number: 921

Mail Envelope Properties (SN6PR09MB2686A5AF327EAC89E0A1686BF2510)

Subject: Response to your recent correspondence
Sent Date: 12/16/2019 2:51:35 PM
Received Date: 12/16/2019 2:51:37 PM
From: Kirkwood, Sara

Created By: Sara.Kirkwood@nrc.gov

Recipients:

"Price, Sarah" <Sarah.Price@nrc.gov>
Tracking Status: None
"Luina, Scott" <Scott.Luina@nrc.gov>
Tracking Status: None
"Echavarria, Alex" <Alejandro.Echavarria@nrc.gov>
Tracking Status: None
"Shuttleworth, Andy" <andy.shuttleworth@nrc.gov>
Tracking Status: None
"tpresnell@bradley.com" <tpresnell@bradley.com>
Tracking Status: None

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MESSAGE	92	12/16/2019 2:51:37 PM
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Options

Priority: Normal
Return Notification: No
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Sensitivity: Normal
Expiration Date:



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 16, 2019

E. Todd Presnell
Bradley Arant Boult Cummings LLP
Roundabout Plaza
1600 Division Street, Suite 700
Nashville, TN 37203-2754
sent via email

SUBJECT: NRC CASE NO. 2-2019-215 ("WETZEL INVESTIGATION")

Dear Mr. Presnell,

Your letter to Scott Luiña, Senior Special Agent (SSA), dated December 11, 2019, regarding the Wetzel investigation was referred to me. I provide counsel to the Office of Investigations regarding this matter. I understand your letter to seek return of a document that the Office of Investigations lawfully obtained as part of its investigation. Your letter asserted attorney-client privilege for the document, and demanded the return of the document, as well as the destruction of all copies of the document, within three business days.

Your letter demanding return of the document did not appear to provide any legal authority which would require the NRC to return this legally obtained document to TVA. If you would like us to consider your request to return the document to TVA, and not further rely on it, please provide legal authority justifying the demand to return the document. Please note that our acknowledgement that you have asserted attorney-client privilege for this document should not be construed as NRC's agreement that such a privilege actually exists for this document.

Sincerely,

/signed (electronically) by/

Sara Kirkwood
Senior Attorney
Office of the General Counsel

cc via email: S. Luiña
A. Echavarría
A. Shuttleworth
S. Price