

**From:** Solorio, Dave  
**Sent:** Monday, September 28, 2020 11:32 AM  
**To:** Thompson, Catherine  
**Cc:** Gifford, Ian  
**Subject:** RE: TVA next steps

Well done!

Thank you Kitty

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**From:** Thompson, Catherine  
**Sent:** Monday, September 28, 2020 11:30 AM  
**To:** Solorio, Dave  
**Cc:** Gifford, Ian  
**Subject:** TVA next steps

Dave – I just spoke to Ian, and have identified the next actions for TVA:

1. On page 147 of the Manual, it says the below, so we believe that we have 45 days to evaluate TVA's response and provide a recommendation. Then we prepare and issue the order to impose the CP.
2. We will schedule a panel the week of October 26, (45 days ends Nov 6).
3. I will begin preparing a summary document for the panel, as well as the draft cover letter, order and appendix.
4. I am also making sure all responses from TVA, Shea and Henderson are in ADAMS
5. An EN also has to be issued the same day of the order.

#### **2.6.4 Licensee Response to NOV/CPs**

If the licensee denies the violation, contests the staff's facts or conclusions, or requests mitigation of the civil penalty (in whole or in part), and does not pay the civil penalty, the regional office should:

1. Review the licensee's response;
2. Decide whether the civil penalty should be imposed, partially mitigated, or withdrawn; and
3. Prepare a written evaluation of the licensee's response.
  - a. The evaluation should:
    - Be submitted to OE within 45 days;
    - Address the licensee's points of contention; and
  - b. The evaluation should include:

- A restatement of each disputed violation;
- A summary of the licensee's position concerning each disputed violation;
- The NRC's evaluation of the licensee's position; and
- The NRC's conclusion.

4. If the region recommends that the civil penalty should be imposed, an Order Imposing Civil Monetary Penalty should be prepared with the staff's evaluation included as an appendix to the order.

5. If the region recommends that the civil penalty should be partially mitigated, an Order Imposing Civil Monetary Penalty should be prepared to reflect partial mitigation with the staff's evaluation included as an appendix to the order.

6. If the region recommends that the civil penalty should be withdrawn, the region should prepare a cover letter, for OE issuance, to the licensee with the staff's evaluation as an appendix to the letter.

**Hearing Identifier:** JShea\_IA\_NonPublic  
**Email Number:** 952

**Mail Envelope Properties** (MN2PR09MB594785067C742D02327FC9FD86350)

**Subject:** RE: TVA next steps  
**Sent Date:** 9/28/2020 11:32:11 AM  
**Received Date:** 9/28/2020 11:32:11 AM  
**From:** Solorio, Dave

**Created By:** Dave.Solorio@nrc.gov

**Recipients:**  
"Gifford, Ian" <Ian.Gifford@nrc.gov>  
Tracking Status: None  
"Thompson, Catherine" <Catherine.Thompson@nrc.gov>  
Tracking Status: None

**Post Office:** MN2PR09MB5947.namprd09.prod.outlook.com

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	2260	9/28/2020 11:32:11 AM

**Options**  
**Priority:** Normal  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**