

From: JSheaIA-Hearing Resource
Sent: Tuesday, February 16, 2021 8:42 AM
To: JSheaIA-HearingNPEm Resource
Subject: TVA discrim cases - followup needed Monday 9/28
Attachments: ML21044A096_Redacted.pdf

Hearing Identifier: JShea_IA_NonPublic
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Subject: TVA discrim cases - followup needed Monday 9/28
Sent Date: 2/16/2021 8:42:25 AM
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From: JShealA-Hearing Resource

Created By: JShealA-Hearing.Resource@nrc.gov

Recipients:
"JShealA-HearingNPEm Resource" <JShealA-HearingNPEm.Resource@nrc.gov>
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MESSAGE	3	2/16/2021 8:42:26 AM
ML21044A096_Redacted.pdf	140510	

Options
Priority: Normal
Return Notification: No
Reply Requested: No
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From: Solorio, Dave
Sent: Friday, September 25, 2020 11:39 AM
To: Gifford, Ian; Thompson, Catherine
Subject: RE: TVA discrim cases - followup needed Monday 9/28

Kitty

2 items below to followup on please... for Monday of course.

Didn't say previously the letter TVA was sent mentions the we issue order for CP if they deny NOV before they can technically request the hearing. So there must be guidance in the manual laying out steps. Please find it for us.

1. Ian did ask Nick about this and Nick said we have to panel the TVA submittal George sent us this week that he got from TVA. And good idea before we go to panel to have draft of the order imposing the CP ready. Nick knew of no timeliness requirement for how fast to schedule panel etc. so again why **we have to find guidance.**

And apparently we issue an EN to the commission when we issue the order just informing them we did. But again we need to confirm process from our guidance. Ian added he knows there are templates in the manual for the order imposing the CP, so maybe they refer to where guidance is in the manual.

2. Ian also mentioned that all the recent submittals on behalf of Henderson, Shea, TVA have to have been submitted by TVA to ADAMS. **So can you follow up with ADMS help desk staff, if you can't find them yourself having a copy of the document, Monday. If they aren't in ADAMS I will ask you to work with Nasreen to put them in ADAMS.**

It just occurred to me Ian.... I wouldn't be surprised if TVA made OIG referral as well.

Thanks
Dave

From: Gifford, Ian
Sent: Friday, September 25, 2020 10:52 AM
To: Solorio, Dave ; Thompson, Catherine
Subject: RE: TVA discrim cases

I'm on the phone with Nick now talking about something else and we started discussing that. I will give you a call after to share what I hear.

Thanks,
Ian

From: Solorio, Dave <Dave.Solorio@nrc.gov>
Sent: Friday, September 25, 2020 10:26 AM
To: Thompson, Catherine <Catherine.Thompson@nrc.gov>
Cc: Gifford, Ian <Ian.Gifford@nrc.gov>

Subject: FW: TVA discrim cases

Importance: High

Kitty

Can you do some research today for how we go about issuing the order to impose the CP as Scott is suggesting below. Ian thought you might find guidance in the manual. After reading it call me to tell me what you learned then I would probably have you give Nick a call or we will see if we can add him to the call.

Nobody in my recollection in OE has issued an order for a CP so nobody else I think we can ask beyond what we learn from the manual. I'd also search the Policy at some point as well once your sure about key words to save time. Even all ex OEers who would know have retired. Like Jim Leahman.

Thanks

Dave

From: Gifford, Ian <Ian.Gifford@nrc.gov>

Sent: Friday, September 25, 2020 8:28 AM

To: Sparks, Scott <Scott.Sparks@nrc.gov>

Cc: Kowal, Mark <Mark.Kowal@nrc.gov>; Thompson, Catherine <Catherine.Thompson@nrc.gov>;

Solorio, Dave <Dave.Solorio@nrc.gov>

Subject: RE: TVA discrim cases

Good morning Scott,

Sorry for the delay getting back to you, I was on leave yesterday. TVA responded to the NOV and Proposed CP by denying the violation and documenting why they believe the CP should not be issued. The next steps are to evaluate their response and determine if anything they describe changes our decision to issue the violations and CP. OE will then impose the CP via an Order and TVA will either pay the CP or request a hearing. I don't believe we plan to offer TVA another opportunity for ADR, since it was offered and not accepted when we issued the NOV and Proposed CP, although I suppose that could change if George wants to offer ADR again.

Thanks,

Ian

From: Sparks, Scott <Scott.Sparks@nrc.gov>

Sent: Thursday, September 24, 2020 11:21 AM

To: Solorio, Dave <Dave.Solorio@nrc.gov>; Gifford, Ian <Ian.Gifford@nrc.gov>

Cc: Kowal, Mark <Mark.Kowal@nrc.gov>; Thompson, Catherine <Catherine.Thompson@nrc.gov>

Subject: RE: TVA discrim cases

Thanks, Dave.

So is the next step for OE to impose the CP? Then TVA can request a hearing or ADR, or pay the CP?

From: Solorio, Dave <Dave.Solorio@nrc.gov>
Sent: Thursday, September 24, 2020 11:17 AM
To: Sparks, Scott <Scott.Sparks@nrc.gov>; Gifford, Ian <Ian.Gifford@nrc.gov>
Cc: Kowal, Mark <Mark.Kowal@nrc.gov>
Subject: RE: TVA discrim cases

Hi Scott

Hopefully you saw bounce back Ian is off but knowing him he could reply at some point since he uses his phone to check emails.



Dave

From: Sparks, Scott <Scott.Sparks@nrc.gov>
Sent: Thursday, September 24, 2020 10:53 AM
To: Gifford, Ian <Ian.Gifford@nrc.gov>; Solorio, Dave <Dave.Solorio@nrc.gov>
Subject: RE: TVA discrim cases

Hi Ian, Dave, I saw where Shea and Henderson have both requested hearings.

Any idea how TVA wants to proceed?

From: Gifford, Ian <Ian.Gifford@nrc.gov>
Sent: Thursday, September 17, 2020 10:46 AM
To: Sparks, Scott <Scott.Sparks@nrc.gov>
Cc: Kowal, Mark <Mark.Kowal@nrc.gov>; Checkle, Melanie <Melanie.Checkle@nrc.gov>; Mendez, Sandra <Sandra.Mendez-Gonzalez@nrc.gov>; Toth, Matthew <Matthew.Toth@nrc.gov>; Thompson, Catherine <Catherine.Thompson@nrc.gov>; Solorio, Dave <Dave.Solorio@nrc.gov>
Subject: RE: TVA discrim cases

Good morning Scott,

None of the parties requested ADR and that deadline has passed.

Henderson filed a hearing request on Sep. 13th despite only receiving an NOV and not typically being eligible for a hearing. OGC has 25 days to respond.

No word yet from Shea or TVA and they have until Sep. 23rd to respond.

Thanks,
Ian

From: Sparks, Scott <Scott.Sparks@nrc.gov>

Sent: Thursday, September 17, 2020 10:13 AM

To: Gifford, Ian <Ian.Gifford@nrc.gov>; Thompson, Catherine <Catherine.Thompson@nrc.gov>; Solorio, Dave <Dave.Solorio@nrc.gov>

Cc: Kowal, Mark <Mark.Kowal@nrc.gov>; Checkle, Melanie <Melanie.Checkle@nrc.gov>; Mendez, Sandra <Sandra.Mendez-Gonzalez@nrc.gov>; Toth, Matthew <Matthew.Toth@nrc.gov>

Subject: TVA discrim cases

Any feedback on what TVA, Shea, and Henderson plan to do in response to the enforcement actions?

Hearing Identifier: JShea_IA_NonPublic
Email Number: 949

Mail Envelope Properties (MN2PR09MB594726BD26E6FC98D2B33FCD86360)

Subject: RE: TVA discrim cases - followup needed Monday 9/28
Sent Date: 9/25/2020 11:38:31 AM
Received Date: 9/25/2020 11:38:31 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

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MESSAGE	7749	9/25/2020 11:38:31 AM

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