



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

March 12, 2021

Administrative Judge
Paul S. Ryerson, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Dr. Sue H. Abreu
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Chief Administrative Judge
E. Roy Hawkens
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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

Dear Administrative Judges:

Pursuant to the Atomic Safety and Licensing Board's "Order (Granting Joint Motion Regarding Disclosures)," dated February 8, 2021, the staff of the U.S. Nuclear Regulatory Commission ("Staff") herein notifies the Licensing Board and the parties that NRC staff's March 2021 monthly update to its disclosures have been provided for this proceeding. These materials may be accessed through the Agencywide Documents Access and Management System (ADAMS). An index containing the ADAMS accession number, date, and title or description of each item in the updated disclosures is appended hereto as Attachment 1.

On March 12, 2021, the documents identified in the updated disclosures may be accessed through ADAMS or through the Electronic Hearing Docket (EHD), which may be accessed at <https://adams.nrc.gov/ehd/>. The hearing file will be contained in the "Staff Discovery Materials" tab of the EHD, in a sub-folder entitled, "Update 1" in the "TVA EA" folder. Any party who seeks access to a document listed in the NRC staff hearing file index prior to it populating the publicly available folder may contact NRC staff counsel.

In addition, as required by 10 C.F.R. § 2.709(a)(6)(i), the Staff is producing a privilege log that specifies the particular privilege being claimed. The Staff will preserve and maintain the documents identified in these logs during the pendency of this proceeding.

Judge Ryerson
Judge Hawkens
Judge Abreu

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March 12, 2021

Finally, the NRC Staff notes that it has made a good faith effort to identify and characterize all documents meeting the criteria of 10 C.F.R. § 2.709(a)(6)(i), as modified by the Joint Motion Regarding Disclosures submitted by the parties and approved by the Board in its February 8, 2021 Order in this proceeding. In identifying these documents, the Staff does not concede their relevance to the issues to be decided in this proceeding.

Sincerely,

/Signed (electronically) by/

Thomas Steinfeldt
Counsel for NRC Staff

Enclosures: Attachment 1 – Monthly Disclosure Update Index, March 2021
Attachment 2 – Monthly Update to Attorney-Client and Attorney Work Product
Privilege Log, March 2021

cc w/Encls.: Service List

Attachment 1 – TVA EA Hearing File Index
Disclosure Update – March 12, 2021

ID#	Accession Number	Document Date	Title
1-0323	ML21068A014	01/25/2021	2021/01/25 TVA EA - RE: path forward for TVA discrimination case
1-0324	ML21068A021	01/25/2021	2021/01/25 TVA EA - TVA Discrimination Severity Level and Civil Penalty Summary without Deliberate Misconduct
1-0325	ML21068A010	01/28/2021	2021/01/28 TVA EA - draft TVA revised letter
1-0326	ML21068A017	02/03/2021	2021/02/03 TVA EA - RE: revised TVA letter with CP discussion
1-0327	ML21068A020	02/03/2021	2021/02/03 TVA EA - revised TVA letter with CP discussion
1-0328	ML21068A013	02/05/2021	2021/02/05 TVA EA - RE: FYI: TVA letter reducing severity levels
1-0329	ML21068A008	02/12/2021	2021/02/12 TVA EA - draft email to ADAMS IM
1-0330	ML21068A009	02/12/2021	2021/02/12 TVA EA - draft email to ADAMS IM
1-0331	ML21067A795	03/08/2021	2021/03/08 TVA EA - NOV with rescission header
1-0332	ML21067A796	03/08/2021	2021/03/08 TVA EA - Order with rescission header
1-0333	ML21067A797	03/08/2021	2021/03/08 TVA EA - TVA letter reducing SL
1-0334	ML21067A798	03/08/2021	2021/03/08 TVA EA - TVA letter revision DRAFT 2.3.21
1-0335	ML21067A799	03/08/2021	2021/03/08 TVA EA - TVA letter revision DRAFT
1-0336	ML21067A800	03/08/2021	2021/03/08 TVA EA - TVA Imposition Order Appendix revision DRAFT

Attachment 1 – TVA EA Hearing File Index
Disclosure Update – March 12, 2021

ID#	Accession Number	Document Date	Title
1-0337	ML21067A802	03/08/2021	2021/03/08 TVA EA - TVA Discrimination Severity Level and Civil Penalty Summary
1-0338	ML21068A005	03/08/2021	2021/03/08 TVA EA - Order rescission JS
1-0339	ML21068A006	03/08/2021	2021/03/08 TVA EA - NOV rescission EH

Attachment 2 – TVA EA Disclosures Index
 Disclosure Update, Attorney-Client/Attorney Work Product Privilege Index – March 12, 2021

ID #	Accession Number	Author Name/“From” & Author Affiliation	Title	Document Date	Other Correspondence Fields Used	Description
ID-ACP-362	ML21067A793	Sarah Price NRC	2019/09/04 TVA EA - FW: FYI - FW: Documentation of Call RE: 18-111 TVA Phone Call with CI **Sensitive Allegation Information**	09/04/2019	To: Checkle, Melanie; Mendez, Sandra	Legal communication with client
ID-ACP-363	ML21068A007	Ian Gifford NRC	2021/01/19 TVA EA - BC turnover 1/19	01/19/2021	To: Solorio, Dave	Client discussion of legal advice
ID-ACP-364	ML21068A022	Ian Gifford NRC	2021/02/02 TVA EA - TVA letter revision	02/02/2021	To: Kirkwood, Sara Cc: Solorio, Dave; Thompson, Catherine; Wilson, George	Client communication with attorney (Kirkwood) regarding legal issues
ID-ACP-365	ML21068A023	Ian Gifford NRC	2021/02/03 TVA EA - TVA letter revision	02/03/2021	To: Kirkwood, Sara Cc: Wilson, George; Peduzzi, Francis; Solorio, Dave; Thompson, Catherine; Hilton, Nick	Client communication with attorney (Kirkwood) regarding legal issues
ID-ACP-366	ML21068A018	Ian Gifford NRC	2021/02/04 TVA EA - RE: TVA letter with OGC recommended edits	02/04/2021	To: Peduzzi, Francis	Client discussion of legal advice
ID-ACP-367	ML21068A024	Ian Gifford NRC	2021/02/04 TVA EA - TVA letter with OGC recommended edits	02/04/2021	To: Wilson, George; Peduzzi, Francis; Solorio, Dave; Thompson, Catherine; Hilton, Nick	Client discussion of legal advice

Attachment 2 – TVA EA Disclosures Index
Disclosure Update, Attorney-Client/Attorney Work Product Privilege Index – March 12, 2021

ID #	Accession Number	Author Name/“From” & Author Affiliation	Title	Document Date	Other Correspondence Fields Used	Description
ID-ACP-368	ML21067A792	Darrell Roberts NRC	2021/02/05 TVA EA - RE: TVA - Reduction of Severity Levels in the October 29, 2020, Order Imposing Civil Penalty (EA-20-006 & EA-20-007)	02/05/2021	To: Lemoncelli, Mauri	Client communication with attorney (Lemoncelli) regarding legal issues
ID-ACP-369	ML21068A026	Ian Gifford NRC	2021/02/12 TVA EA - updated Order and NOV	02/10/2020	To: Thompson, Catherine; Solorio, Dave; Hilton, Nick; Wilson, George Cc: Kirkwood, Sara; Peduzzi, Francis	Client discussion of legal advice
ID-ACP-370	ML21067A794	Sara Kirkwood NRC	2021/03/02 TVA EA - E210301t061825_Erin Henderson's Response to Order of the Commission Secretary.pdf - attorney-client privileged communication	03/02/2021	To: Vegel, Anton; Echavarria, Alex; Higgs, Tracy; Luina, Scott; Hilton, Nick; Gifford, Ian; Thompson, Catherine; Solorio, Dave; Peduzzi, Francis; Burnell, Scott Cc: Roach, Kevin; Steinfeldt, Thomas; Moulding, Patrick; Lemoncelli, Mauri	Legal communication with client
ID-ACP-371	ML21068A019	Ian Gifford NRC	2021/01/27 TVA EA - revised TVA cover letter, order, and appendix without deliberate misconduct	01/27/2021	To: Wilson, George Cc: Solorio, Dave; Hilton, Nick; Thompson, Catherine	Client discussion of legal advice including attorney work product

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305(c), I hereby certify that copies of the foregoing Letter to the Atomic Safety and Licensing Board regarding the NRC Staff's March 2021 monthly update to its TVA EA Disclosures, including: Attachment 1 – TVA EA Hearing File Index, Disclosure Update; and Attachment 2 – TVA EA Disclosure Update, Attorney-Client and Attorney Work Product Privilege Index, in the above-captioned proceeding have been served upon the Electronic Information Exchange, the NRC's E-Filing System, this 12th day of March, 2021.

/Signed (electronically) by/

Thomas S. Steinfeldt
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Office of the General Counsel
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Washington, DC 20555
Telephone: (301) 415-0034
E-mail: Thomas.Steinfeldt@nrc.gov
Date of signature: March 12, 2021

Dated in Washington, DC
this 12th day of March 2021