

FOIA/PA REQUEST

Case No.: 2014-0317

Date Rec'd: 7/9/14

Specialist: Stevens

Related Case: 2014-0024
2014-0299

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FREEDOM OF INFORMATION ACT REQUEST

July 8, 2014

VIA U.S. MAIL, FACSIMILE AND EMAIL

Attn: NRC Freedom of Information Act and Privacy Act (FOIA/PA) Officer
US Nuclear Regulatory Commission
Mail Stop T-5 F09
Washington, DC 20555-0001
Facsimile – 301-415-5130
Email: foia.resource@nrc.gov

Re: LICENSEE ENTERGY OPERATIONS, INC.; DOCUMENTS INCLUDING COMMUNICATIONS, REPORTS, INVESTIGATIONS, QUALITY ASSURANCE AND REGULATORY SUPERVISION OF LICENSEE ENTERGY OPERATIONS, INC. AND OWNER ENTERGY ARKANSAS, INC. RELATED TO ARKANSAS NUCLEAR ONE, UNITS 1 AND 2, (ANO) BEFORE AND AFTER MARCH 31, 2013 STATOR DROP INCIDENT

To the Aforementioned FOIA Officer:

I represent certain defendants named in litigation related to the March 31, 2013 accident referenced above, specifically Bigge Crane and Rigging Company (BCRC), Bigge Group, Inc. (BGI) and Bigge Power Constructors (BPC) (hereinafter "Bigge"). Pursuant to the Freedom of Information Act, I am requesting all documents related to the Stator Exchange Project at ANO, which resulted in an accident on March 31, 2013. To assist the NRC in better understanding the documentation I request, I have included specific and categorical document requests below, which are not intended to limit this broader request.

I primarily seek all documents exchanged between NRC and any Entergy entity related to the Stator Exchange Project, whether before or after the accident, including but not limited to communications, any documents Entergy was required to submit pursuant to regulations promulgated by the NRC or any other agency, and any analysis, approvals, or rejections of same. I also request all documents obtained from any party or prepared by the NRC as part

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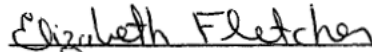
of the investigation of the March 31, 2013 stator drop, including any explanations or other submissions, recorded interviews, notes from interviews, engineering analysis, or similar information.

Bigge will reimburse NRC for reasonable costs associated with hard drive searches to be performed to facilitate production, at BCRC's expense, of any electronic communications related to the Stator Exchange Project and any communications relevant or pertaining to the subject of NRC Investigation(s).

Bigge will reimburse the NRC for any applicable fees, if any, associated with processing the FOIA Request. If NRC maintains the requested records in an electronic format, please be advised that I would like to receive the information electronically on a disc or CD-rom and if the records exist only in paper form or in electronic format other than the one I have requested, please produce these records in the format available and convenient to the agency so that the records requested can be provided with a reasonable amount of effort.

Please feel free to contact to me if you wish to discuss this request.

Respectfully submitted,



Elizabeth Fletcher
Counsel for Bigge Crane and Rigging
Co., Bigge Power Constructors, Bigge
Group, Inc. and Claus Frederiksen

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The below requests are subject to the following definitions and instructions:

DEFINITIONS

1. The term "ANO" refers to the Arkansas Nuclear One station in Russellville/London, Arkansas.

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2. The term "BCRC" shall refer to Bigge Crane and Rigging Co.
3. The term "BPC" shall refer to Bigge Power Constructors.
4. The term "BGI" shall refer to Bigge Group, Inc.
5. The term "DP" shall refer to DP Engineering, Ltd.
6. The term "EAI" refers to Entergy Arkansas, Inc.
7. The term "Entergy Lawsuit" shall refer to the proceeding styled Entergy Arkansas, Inc. and Entergy Operations, Inc. vs. Bigge Crane and Rigging Co., Claus Frederiksen, DP Engineering, Ltd., John Scroggins and VEI General Contractors, Inc., Pope County Circuit Court, Arkansas, IV Division, CV 2013-174, attached hereto as Appendix A including Exhibit A - Entergy Operations, Inc. Engineer of Choice Agreement with DP Engineering, LTD, Exhibit B - Entergy Operations, Inc. Short Form Contract, effective November 12, 2012 with VEI General Contractors, Exhibit C - Entergy Nuclear Management Manual Material Handling Program, EN-MA-119; Exhibit D - February 8, 2013 letter signed by Claus Frederiksen, PE, Bigge Crane & Rigging Co., to Pat Safran, Siemens Entergy, Subject: ANO Stator Replacement Lift with attached structural component load history.
8. The term "Entergy Manual" shall refer to the Entergy Nuclear Management Manual
9. The term "EOI" refers to Entergy Operations, Inc.
10. The term "Frederiksen" shall refer to Claus Frederiksen
11. The term "NRC" shall refer to the Nuclear Regulatory Commission
12. The term "PSC" shall refer to Precision Surveillance Corporation
13. The term "RFO" shall refer to refueling outages.
14. The term "Scroggins" shall refer to John Scroggins
15. The term "Siemens" shall refer to Siemens Energy, Inc.
16. The term "Stator Exchange Project" refers to the Stator Exchange Program at Arkansas Nuclear One station in Russellville/London, Arkansas.
17. The term "VEI" shall refer to VEI General Contractors, Inc.

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INSTRUCTIONS

Please identify any FOIA exemptions that the NRC claims make certain documents exempt from disclosure under FOIA (5 USC Section 552(b)). Please be advised that attached hereto is a protective order agreed to by licensee, Entergy Operations, Inc. and owner, Entergy Arkansas, Inc., as Appendix B, which provides that if information requested in the FOIA request is, in the NRC's opinion, a trade secret or privileged commercial or financial information, it may be disclosed pursuant to the terms and conditions of the agreed protective order attached hereto as Appendix B and incorporated herein by reference.

DOCUMENTS REQUESTED

Subject to the foregoing Definitions, please be advised that on behalf of Bigge, I am requesting production or access to the records identified below:

1. Documents related to the Stator Exchange Program at ANO.
2. Documents regarding EOI or EAI subcontractors for the Stator Exchange Program at ANO, including documents describing the responsibilities, authority granted or services to be performed related to the Stator Exchange Program at ANO.
3. Disciplinary notices, supervisor notes, reprimands, citations or violations issued as a result of the March 31, 2013 stator drop.
4. Documents regarding the identity, title, official capacity and addresses of the person or persons primarily in charge of supervising and directing the Stator Exchange Program for ANO.
5. Documents regarding the person or persons in charge of securing insurance coverage for the Stator Exchange Project.
6. All communications with the NRC referring or relating to the Stator Exchange Project.
7. All document(s) relating to or referring to USNRC, NOV, or INPO ratings and inspection reports regarding Stator Exchange accidents at nuclear power plants EOI/EAI have operated in any state during the last 10 years.
8. All documentation relating to or referring to any investigation related to rigging events and any corrective actions related to rigging and lifting at any nuclear power plants EOI/EAI was (is) licensed to operate in any state during the last 10 years.

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9. Documents regarding the person or persons responsible for supervising and enforcing the refueling outage shut-down operations protection plan and contingency plans for ANO during the Stator Exchange Project and to date.

10. Documents regarding or relating to any failure to maintain insurance coverage for the Stator Exchange Project as required by NRC regulations (per Entergy Corporation 2011 Annual Report (EOI and EAI, are members of Nuclear Electric Insurance Limited ("NEIL"))).

11. Documents related to any insurance claims made by EOI and EAI or their subcontractors including, but not limited to Siemens with reference to the Stator Exchange Project at ANO for damages and expenses allegedly incurred as a result of the Stator Drop on March 31, 2013 as set forth in the "Entergy Lawsuit" attached hereto as Appendix A.

12. Documents related to or regarding any claim made by EOI or EAI related to the March 31, 2013 Stator drop for grants, public funds, benefits or insurance coverage.

13. Documents related to or regarding any statements related to events preceding or following the Stator Exchange Drop on March 31, 2013.

14. Documents related to or regarding any reports, charges, conclusions or finding that EOI committed an act or omission preceding or following the Stator Exchange Drop which caused or contributed to any loss of life, injuries to or potential for injury to any person or persons working at ANO on that date.

15. Films, videotapes or photos depicting the condition of the location of the Stator Removal Apparatus at any time before, during or after the occurrences of the stator drop.

16. Documents regarding any communications and conversations by and between Daniel Freeman and NRC agents, employees or representatives regarding the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications to or from the e-mail address dfree93@entergy.com which took place from January 1, 2011, to date.

17. Documents regarding any communications and conversations by and between Patrick J. Safran and NRC agents, employees or representatives regarding to the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications to or from the e-mail address Patrick.safran@siemens.com

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which took place from January 1, 2011, to date.

18. Documents regarding any communications and conversations by and between Charles Tucker and NRC agents, employees or representatives regarding the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications which took place from January 1, 2011, to date.

19. Documents regarding any communications and conversations by and between Claus Frederiksen and NRC agents, employees or representatives regarding the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications which took place from January 1, 2011, to date.

20. Documents regarding any communications and conversations by and between John L. Scroggins and NRC agents, employees or representatives regarding the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications which took place from January 1, 2011, to date.

21. Documents regarding any communications and conversations by and between Mark L. Hollander and NRC agents, employees or representatives regarding the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications which took place from January 1, 2011, to date.

22. Documents regarding any communications and conversations by and between Roger Simpson and NRC agents, employees or representatives regarding the Stator Exchange Project and any acts or omissions which are the subject of NRC Investigation(s), including but not limited to e-mail communications which took place from January 1, 2011, to date.

23. Documents regarding work performed at ANO by Daniel Freeman, including electronic calendars, diaries, journals, or records of his activities and duties performed at ANO from January 1, 2011 to date.

24. Text messages, e-mails, or electronic data on personal computing, or other electronic devices belonging to NRC employees and representatives who communicated with Daniel Freeman regarding the Stator Removal Project and the NRC Investigation of the Stator Drop. Bigge will reimburse NRC for reasonable costs associated with hard drive searches to be performed to facilitate production, at Bigge's expense, of any electronic communications by and between the parties, persons, or agents and employees of EOI and its subcontractors regarding the Stator Exchange Project.

25. Documents related to or regarding whether EOI's right, license,

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certificate or other authority to operate nuclear power plants has ever been suspended or revoked in any state during the last ten (10) years.

26. Documents related to or regarding Lift Procedures 101 and 102 for the Stator Removal Project, attached hereto as Appendix C, and any calculations, drawings and documentation related to same.

27. Documents related to or regarding NRC's knowledge, consent or approval of the determination that a load test was not required before the Stator Exchange at ANO and Lift Procedures 101 and 102 attached hereto as Appendix C for the Stator Exchange Project.

28. Documents related to or regarding NRC knowledge, consent or approval of the Daniel Freeman e mail attached hereto as Appendix D directing Claus Frederiksen to prepare a letter stating that a load test was not necessary under the Entergy ANO internal procedures based on prior calculations and testing performed on the components of the Structure.

29. Documents related to or regarding all communications and conversations by and between NRC and Siemens' Rick Brener, including but not limited to discussions regarding a third party engineering review during Entergy's Readiness Review Meeting(s).

30. Documents regarding readiness review meetings for the Stator Exchange Project including but not limited to notes, sign-up sheets and attendance records.

31. Documents regarding NRC knowledge, consent to and approval of the subcontract BCRC entered into with Siemens Energy, Inc. in November of 2011 and the July, 2012 Purchase Order requesting BCRC to "engineer, design, erect, and operate the Gantry".

32. Documents related to or regarding any finding by the NRC that BCRC or its agents or employees did not comply with a specific provision in its contract with Siemens Energy, Inc., a redacted copy of which is attached hereto as Appendix E, with reference to the Stator Exchange Project or any NRC regulations and all work files, notes, e mails, text transmissions and work papers of any NRC personnel involved in those findings, if any.

33. Documents related to or regarding any finding by the NRC that EOI or EAI did not comply with any state, federal or NRC regulations with reference to safety in connection with the Stator Exchange Project and all work files, notes, e-mails and texts transmissions, and work papers of any NRC personnel involved in those findings.

34. Documents related to or regarding any finding by the NRC that

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Siemens did not comply with any state, federal or NRC regulations with reference to safety in connection with the Stator Exchange Project and all work files, notes, e-mails and texts transmissions, and work papers of any NRC personnel involved in those findings.

35. Documents related to or regarding any finding by the NRC that VEI did not comply with any state, federal or NRC regulations with reference to safety in connection with the Stator Exchange Project and all work files, notes, e-mails and texts transmissions, and work papers of any NRC personnel involved in those findings.

36. Documents related to or regarding any finding by the NRC that DP did not comply with any state, federal or NRC regulations with reference to safety in connection with the Stator Exchange Project and all work files, notes, e-mails and texts transmissions, and work papers of any NRC personnel involved in those findings.

37. Documents related to or regarding any finding by the NRC that John Scroggins did not comply with any state, federal or NRC regulations with reference to safety in connection with the Stator Exchange Project and all work files, notes, e-mails and texts transmissions, and work papers of any NRC personnel involved in those findings.

38. Documents related to or regarding any finding by the NRC that PSC did not comply with any state, federal or NRC regulations with reference to safety in connection with the Stator Exchange Project and all work files, notes, e-mails and texts transmissions, and work papers of any NRC personnel involved in those findings.

39. Documents related to or regarding prior notice to and approval by the NRC of the decision not to perform a load test on the gantry crane before the Stator Exchange took place on March 31, 2013 and all work files, notes, e-mails, text messages and work papers of any NRC personnel involved in communications related to or referring to the decision not to perform a load test before making a Stator Exchange on March 31, 2013.

40. Documents related to or regarding prior notice to and approval by the NRC of the decision to allow workers to work underneath a suspended load at ANO on March 31, 2013 and all work files, notes, e-mails, text messages and work papers of any NRC personnel involved in communications related to or referring to the decision not to perform a load test before making the Stator Exchange on March 31, 2013.

41. All documents maintained by any NRC resident inspectors including Abin Fairbanks, Victor Dricks, and Laura Uselding regarding supervision, pre-approval and regulatory authority over EAI and EOI at ANO

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with reference to matters concerning safety, load tests and any other matters related to the Stator Exchange Project, including all work papers, e-mails, text messages and all work files maintained by NRC personnel and resident inspectors with reference to the Stator Exchange Project and the stator drop.

42. Documents related to or regarding all communications and conversations by and between NRC personnel related to the Stator Exchange Project and the following persons:

- a) Project Manager, James "Jim" McMahon
- b) Charles "Charlie" Tucker
- c) Bob Marks
- d) Kenneth W. Baird
- e) Bruce E. Haylock
- f) ANO's employee or representative Responsible for Civil Engineering
- g) Mark Robert
- h) Terry Parker
- i) David V. Yates, Jr.
- j) Phillip Stadler
- k) Dale Edward Stalnaker
- l) Kyle D. Jones
- m) Randall L. Ashcraft
- n) Kenneth L. Vess
- o) Mark L. Hollander
- p) David L. Bowman
- q) Rick Brener
- r) Mike Guerrero, District Manager for Entergy South Nuclear Alliance for Siemens Energy, Inc.

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- s) Patrick J. Safran
- t) James A. Smith
- u) Roger Simpson
- v) Claus Frederiksen
- w) John L. Scroggins

43. Documents related to or referring any NRC personnel who reviewed the BCRC animation requested by either EOI, Siemens or EAI during and before the Stator Exchange Project for executive briefing and all files, work papers, notes and other materials maintained by NRC personnel involved in review of that animation.

44. Documents related to or regarding any calendars or Microsoft outlook schedules which would show dates for inspections by NRC personnel of ANO from January 1, 2011, to date, related to the Stator Exchange Project, including electronic calendars, diaries or journals which would provide a record of those NRC personnel activities and duties performed with reference to ANO and the Stator Exchange Project from January 1, 2011, to date.

45. Documents related to or referring to the directive that all lifts shall be made in accordance with EN-MA-119, material handling program and persons with knowledge of all instances in which NRC have instructed contractors to comply with this directive and to sign, stamp and approves letters such as the form provided by Daniel Freeman to Siemens Energy, Inc. and attached hereto as Appendix D.

46. Documents related to or regarding the identity of the Person at ANO on March 30 and 31, 2013, assigned responsibility for compliance with EN-MA-119, pg 64 of 81, Material Handling Program Attachment 9.12 sheet 2 of 4, Section 11, working under suspended loads to ensure that:

- I. Load paths for suspended loads should ensure that no employee is required to work directly below a suspended load;
- II. An approved Job Safety Hazard Analysis (JSHA) is required prior to performing any work activities under a suspended load per EN-IS-124.

47. Documents related to or regarding the placement of workers at ANO, including but not limited to Wade Walters, underneath a suspended load at ANO on March 31, 2013.

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48. Work Packages provided by Entergy Operations, Inc. or Entergy Arkansas, Inc., their agents, representatives, employees or subcontractors related to the Stator Replacement Project.

49. Memos, notes or documents related to shift turnover meetings which occurred in March of 2013 related to the Stator Replacement Project, including but not limited to all project turnover reports.

50. Documents related to or regarding field implementing supervisors overseeing workers performing tasks related to the Stator Replacement Project from January 1, 2013 to April 30, 2013.

51. Documents related to or regarding the identity of the Field Implementing Supervisor who was overseeing PSC workers on March 30 and 31, 2013.

52. Documents related to or regarding any of Entergy Operations, Inc.'s Field Implementing Supervisor's decision to wait until March 31, 2013, to remove the railing that Wade Walters was working on the date of the incident, which is the subject of ANO's First Amended Investigation(s).

53. Documents related to or referring to NRC knowledge of, approval, consent to or investigations regarding the decision of the EOA, EOI or their agents, representatives, employees or subcontractors to allow workers to perform tasks underneath the stator while it was suspended in the air on March 31, 2013.