

THOMAS V. GREENE, JR.
Southern Nuclear Operating Co.
40 Inverness Center Parkway
P.O. Box 1295
Birmingham, AL 35201

August 8, 1994

ATTN: Document Control Clerk
Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

VIA FEDERAL EXPRESS

Re: In the Matter of Georgia Power Company
(Vogtle Electric Generating Plant, Units 1 & 2)
Docket No. 5-425 / License No. NPF-68
Thomas V. Greene, Jr.

Dear Sirs:

My name is Thomas V. Greene, Jr. and I am employed by the Southern Nuclear Operating Co., 40 Inverness Ctr. Pkwy., P.O. Box 1295, Birmingham, AL 35201. This letter is written in response to the Demand for Information addressed to me, dated 5/9/94.

A. PERSONAL BACKGROUND

At present, I am the Nuclear Engineering and Licensing Manager for the Plant Vogtle project. I am a graduate of Georgia Tech with a B.S. degree in Physics. I have been in my current position for approximately two years and nine months. Prior thereto, from September of 1987 until September of 1991, I was the Assistant General Manager for Support at Plant Vogtle.

I began my employment with the Georgia Power Company in June of 1970. I worked at a fossil plant until April of 1971. At that time I went to Plant Hatch as an Instrument and Control Supervisor. I received a Senior Reactor Operator license at Plant Hatch in 1975. I progressed to Technical Supervisor to Assistant Plant Manager to Deputy General Manager at Plant Hatch, witnessing two start-ups, many refueling outages and general operation of the boiling water reactor.

In September of 1986, I left Plant Hatch and came to Plant Vogtle as the Plant Manager. I had overall responsibility for the Unit One Power Ascension Program and the operation of the plant immediately following receipt of an operating license. I stayed in that job until September of 1987. At that time I rotated with

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another manager and assumed the responsibility of Plant Support Manager with responsibility mainly focused on the Unit Two start-up, preparing the plant for a start-up test program. I continued to maintain overall responsibility for Technical Support of the Operating Unit. In 1989, about the time that we were getting our Unit 2 operating license, I went to Senior Reactor Operator school. I stayed in school or some related training (e.g. on shift experience) until approximately the first week in May of 1990. At that time, I resumed my duties as Asst. Gen. Mgr. of Support (previously Plant Support Manager's title) and maintained that position until September of 1991. In September of 1991, I transferred to the Southern Nuclear Operating Company in Birmingham, which also provides support for Plant Vogtle project staff, and assumed the responsibilities of Mgr. of Engineering and Licensing for the Vogtle Project. I have also filled in from time to time in the absence of the General Manager of Support in the office from December of 1991 until June of 1993.

B. VOGTLE SITE AREA EMERGENCY AND MAY, 1990 RETURN TO ASSISTANT GENERAL MANAGER POSITION

At the time of the Site Area Emergency which occurred on 3/20/90, during a refueling outage at VEGP Unit No. 1, I was on leave from my position as Asst. Gen. Mgr. for Support at Plant Vogtle and was receiving training for my Senior Operator's license at a training facility located at Plant Vogtle. I did not return to my full time position as Asst. Gen. Mgr. for Support at Plant Vogtle until May of 1990. My SRO training and shift work assignments lasted approximately one year. Accordingly, I wish to emphasize that at the time of the Site Area Emergency, and the preparation of the initial Licensee Event Report, dated April 19, 1990, I was still assigned to training activities.

When I resumed my duties in May of 1990, of course, I had to be briefed as to where things were when I arrived back on my job. As best I can recall today, I attended a Plant Review Board meeting which occurred in the first week of May upon my return. I attended this meeting as an observer only and had no personal or firsthand knowledge of many of the subjects being discussed at that meeting since I was still going through a turnover. In my absence from my position at Plant Vogtle, I had been replaced by Mr. Allen L. Mosbaugh.

While I have some general recollection of participating in the preparation of the first revised LER in June, I have practically no independent recollection today of my participation in the cover letter to that document. In this response I am attempting as best I can, based on my recollection today, to respond to the Demand for Information submitted to me by the Nuclear Regulatory Commission

dated 5/9/94. I do not have a specific recollection today of all of the events in question. Although I do not personally recall the details of the events, I have reviewed the taped conversations to both refresh my recollection and to provide me operative facts. I have, however, reviewed relevant documentation including the June 29 LER cover letter and a GPC transcript of Tape 187 which purports to be a telephone conversation and meeting I had with Allen Mosbaugh, Harry Majors, George R. Frederick and others on June 29, 1990 when the cover letter was being drafted. I have no independent recollection today of the discussion which was tape-recorded on June 29, 1990. However, because I have been provided with a GPC transcript of the tape-recorded conversation (Tape 187) which I and the other participants to the call have now reviewed and revised, I am able to reconstruct some of my principal actions and thoughts based on my practices and philosophies at that time. I wish to stress that where I refer to the GPC transcript of Tape 187, I am referring to the Georgia Power Company revised transcript. The transcript prepared by the NRC before it was received by myself and others who were recorded was incomplete and therefore is not being referenced by me in this response.

C. RESPONSE TO DEMAND FOR INFORMATION

In Section V, Subsection B, pages 8 and 9 of the Demand for Information, I am invited to submit in writing and under oath the following:

An explanation of why, notwithstanding being notified that the June 29, 1990 letter failed to clarify the April 9, 1990 letter that it referenced and that it included erroneous root causes for the difference between the April 19, 1990 and June 29, 1990 DG starts, Mr. Greene, as a voting member of the PRB, approved the inaccurate and incomplete June 29, 1990 submittal.

As an initial observation, at the time I participated in the preparation of the cover letter to the revised LER, I believed that the information contained in that cover letter was true and correct. I noted with interest, in my review of various records before preparing this response, that the Vogtle Coordinating Group Analysis specifically found on page 47 of its report that "in no case did any individual involved in this matter deliberately provide inaccurate or incomplete information to the NRC." I can certainly attest that in my case I have never deliberately provided inaccurate or incomplete information to the NRC. If inaccurate information was provided to the NRC, I can state without hesitation that it was done so unwittingly. I have always endeavored to

ascribe to the highest standards of professionalism in my dealings with the NRC and I have always believed that my integrity as an individual and professional is beyond reproach. I would hope that those officials reviewing this response would take into consideration my career of twenty-three years of closely working with the NRC. I believe that my character and credibility as an individual and professional should count for something in this context. Indeed, before reviewing this response and making any final decisions in regard thereto, I would ask that the NRC check as character references the following NRC officials. I am sure that each can confirm for you that I have always enjoyed an excellent reputation for truthfulness and honesty with the NRC:

- 1) Pierce Skinner, Section Chief, Region II;
- 2) Brian Bonser, Sr. Resident Inspector, Plant Vogtle;
- 3) Doug Starky, former Resident Inspector, Plant Vogtle;
- 4) Paul Frederickson, Section Chief, Region II;
- 5) Luis Reyes, Deputy Administrator for Region II;
- 6) Pete Holmes-Ray, former Resident Inspector (retired), Plant Hatch;
- 7) Jack Cvlenjak, Branch Chief, Region II;
- 8) Marvin Sinkula, Branch Chief, Region II; and
- 9) Bill Tobin, Inspector, Region II.

1. LACK OF PERSONAL INVOLVEMENT IN DEVELOPMENT OF CORRESPONDENCE

Before reviewing Tape 187 and commenting on my effectiveness as a manager during that discussion, I would like to briefly review the background facts in this matter. As I understand it, on 4/30/90, Mr. Mosbaugh gave to the Vogtle Gen. Mgr. (George Bockhold) a listing of 1B DG starts which, when confirmed on 5/2/90, definitively showed that the Start Counts reported in the April 9 presentation (the April 9 Confirmation of Action letter response) and the April 19 LER were different. As I understand it, after being informed that the April 19 DG Start Counts were believed to be in error, the Sr. VP - Nuclear Operations (William G. Hairston III) informed the Regional Administrator of the NRC that a revision to the April 19 LER would be submitted, in part, to correct the DG Start Counts. After being provided conflicting data for a second time, Mr. Hairston again notified the Regional Administrator of the discrepancies in the counts. Because of his frustration over changing numbers, he also requested that an audit be conducted by GPC's Safety Audit and Engineering Review Group (SAER) to establish the correct data and to determine why the errors were made. Because I was not present during the Site Area Emergency, and because I did not participate in any way in the preparation of the original April 19 LER, as would be expected, I

relied heavily upon the audit being performed by the SAER group for accurate facts. The audit report was produced as an independent effort from any previous attempts to devise a Start Count. It is clear that others besides myself relied heavily upon this report, as the SAER report was in many different ways incorporated into the Company's revised LER. Indeed, the cover letter was developed from several of the conclusions contained within the SAER Audit Report. It is to be noted that the SAER audit specifically stated that the error in the number of DG starts on the original LER appeared to result from incomplete documentation. The audit also noted that there apparently was some confusion about the specific point at which the test program was completed. While it is alleged today (on hindsight) that the audit was insufficient in scope as it did not examine the performance of the VEGP Gen. Mgr. and the Unit Superintendent in collecting the initial data, I do not recall identifying at the time this deficiency in the scope of the audit. Instead, because of my lack of detailed familiarity with the subject matter from a personal standpoint as compared to the extensive knowledge set out in the audit based on detailed review, I would submit that it was reasonable for me to rely upon the technical expertise of the SAER group.

2. THE REASONS FOR MY ACTIONS

On 7/6/93, I was interviewed by the Office of Investigations concerning the same subject matter which is referenced in the Demand for Information. The context of the events is most important. As is obvious, a Site Area Emergency is a significant event which causes a tremendous amount of stress upon management. During this SAE and during subsequent operations, not only did management have to deal with a documentation for the emergency, but management also had the everyday responsibility of running the plant. While it is understandable and appropriate that demands of documentation involving NRC requests would be placed upon plant management, the amount of time and energy available to address specific issues is finite. Responding to requests to resolve issues and continuing to address ongoing operational issues is extremely stressful, time consuming and requires prioritization and discretion. The point to be made is that I and many others had many, many responsibilities thrust upon us as a result of this SAE and, accordingly, I was not focused exclusively on matters that Mr. Mosbaugh raised. In addition, I allocated what I believed to be an appropriate share of resources to those matters in the context of multiple demands.

At the time I participated in the preparation of the cover letter, dated June 29, I had not personally reviewed the diesel logs. I relied upon those individuals who had studied the

situation prior to my return to full duty. As a PRB member, one of my most important contributions, I feel, is providing a safety perspective of the issues presented in PRB meetings, especially with my broad operational background. I listen carefully to the questions being asked and depth of response to the answers. Reviewing logs after a detailed SAER audit would not have added any value to the issues and their resolution in this instance.

I have reviewed Tape 187 and studied the Company transcript carefully. It is true that during the tape-recorded conversation Mr. Mosbaugh made certain statements in my presence concerning alleged inaccuracies in the revised cover letter. The Demand for Information seems to assume that I should have, during that conversation, accepted the factual accuracy of all statements being made by Mr. Mosbaugh. Based on my prior experience with Mr. Mosbaugh, and in particular a long working relationship with him, I can categorically state that I had no reason to accept without reservation his statements during that conversation. He often limited his sources of information to those he was comfortable with which was developed in groups he supervised. In particular, he avoided using Operations personnel whenever he could satisfy himself that one of his engineers might have enough information. In my judgment, he often lacked a complete perspective of issues. Accordingly, while I listened to and paid attention to his statements during the tape-recorded conversation, as evidenced by the tape itself, I did not necessarily credit the accuracy of his statements over and above other participants in the meeting who also had personal knowledge of the events. Another problem I had noted about Mr. Mosbaugh in the time of the LER revision was his change in behavior. Mr. Mosbaugh had been more logical and thorough when presented with a technical problem and supporting information prior to this time. He typically understood the right questions to ask and the factual information needed to answer the questions. Beginning with my turnover in early May, there were many occasions when Mr. Mosbaugh was irritable, elusive and vague rather than logical, open and concrete. At the time I did not understand his behavior, but I now believe this change in approach had to do with his personal relationship with the Company.

In the 6/29/90 telephone conversation, Mr. Mosbaugh initially raised three areas of concern regarding the revised LER and its associated cover letter:

1. An explanation of why the 5/8/90 draft revised LER (prepared by Mosbaugh) was not adopted;
2. The "basis" (i.e., "valid" v. "successful") of the count being changed; and

3. The cover letter is "not complete as to the cause of our making these mistakes and providing inaccurate information" (Tape 187, p. 10, lines 34-36).

During this same conversation, however, Mosbaugh also told me that certain matters in these drafts were correct. He stated as follows:

Most of what's in this cover letter is probably true, and the new basis that's being presented in the LER is probably true, too ... and "this particular cover letter assigns a -- attributes a reason to the errors, and whereas that statement may be correct (Tape 187, p. 10, lines 24-35).

These are his direct statements. Could I at the time accept these as being true and correct? Mr. Mosbaugh contradicted himself at later points in the tape-recorded meeting. Based on the tape recording, his assertions lacked any factual detail. He was unable to provide justification or reasonable explanation to allow me to understand his line of thinking. In short, he did not set out a clear position, explain the significance of the position, and provide me with factual and logical reasons for adopting his position. He would tell me when it was right, but then imply it was wrong.

When Mr. Mosbaugh initially raised the question whether the revised LER and its associated cover letter were true and correct, my first and immediate response to his concerns was a question to him:

How would you [Allen Mosbaugh] change the letter?
(Tape 187, p. 10, line 43).

From the context of the remark, it is clear that I was requesting a specific recommendation from Mr. Mosbaugh. A review of the tape indicates that Mr. Mosbaugh paused for a long time prior to responding and then stated in vague and general terms that the letter "ought to explain the truth relative to the mistakes". (Tape 187, p. 10, lines 45-46). He never answered my question as to how he would change the letter. It is on such exchanges that I discounted his "factual" assertions which, really, were opinions alone.

During the tape-recorded conversation, I attempted to assure Mr. Mosbaugh that I had understood the relevant issues by asking Mr. Frederick if he had gone through the determination of Start Counts (Tape 187, p. 10, lines 48-49). Mr. Frederick provided me

with a more specific articulation of Mr. Mosbaugh's concerns (Tape 187, p. 11, lines 8-20). I then attempted to provide Mr. Mosbaugh with the information which I thought would resolve his concerns -- first by determining whether Mr. Mosbaugh knew "exactly how you arrived at ten and twelve [DG start numbers]" (Tape 187, p. 11, lines 22-23). Mr. Mosbaugh reiterated two of his initially stated concerns: 1) use of the 5/8/90 draft revision of the LER, and 2) change in "our basis" for the event (Tape 187, p. 11, lines 33-48). Mosbaugh then interjected a new concern related to the May 8 draft LER revision: "whether or not we had a definition of the end of the test program" for the original LER. The tape reflects that at this point in the conversation, I requested the telephone call participants (Mosbaugh, Frederick, later joined by Mr. Tom Webb and Mr. Rick Odom) to come to the office I was in. We could resolve this issue face to face due to an inability to understand and resolve the issues over the phone. I should emphasize that even though a start-up was in progress that demanded my attention (I had been working that day since 5:00 a.m.), I wanted to take the time to resolve Mr. Mosbaugh's concern (Tape 187, p. 12, lines 20-26). This is certainly not evidence that I was recklessly disregarding issues that had been raised, but rather is evidence of my good faith efforts to resolve these issues by meeting face to face in an attempt to reach a consensus of opinion among the participants. This was particularly appropriate, since I needed a consensus in order to resolve the issues. I had no personal prior involvement myself.

In his first comments during the face to face meeting with me, Mr. Mosbaugh reiterated his concern with the "new basis" (Tape 187, p. 14, lines 32-51). Mr. Mosbaugh stated that notwithstanding his concerns with respect to the "new basis" and "prior drafts", he had a third concern: the last sentence of the LER...revision cover letter is not true relative to the error made in the LER (Tape 187, p. 14, line 47 through p. 15, lines 1-17). The tape reflects that Mr. Mosbaugh told me that the "10" and "12" Start Counts are not going in the LER "because I've seen the approved LER". (Tape 187, p. 15, line 25). Mr. Odom indicated in my presence that Mr. Mosbaugh was wrong because the draft had been changed (Tape 187, p. 15, line 33). As reflected by the tape, Mr. Mosbaugh questioned the "new basis" in the LER revision (Tape 187, p. 16, lines 5-8). Mr. Webb answered this issue by stating that the cover letter corrects the previous LER and the LER itself was updated to approximately the current date and with an appropriate change in its basis (i.e., from "successful starts" to "valid starts") (Tape 187, p. 16, lines 5-9). The transcript of Tape 187 clearly indicates that I attempted to focus on the "new basis" concern as I commented at the time that "we all counted correctly" relative to

the various revisions of the LER. Mr. Mosbaugh then misidentified the original revision of the LER as being the basis for his concern of prior inaccurate documents (Tape 187, p. 16, line 33). I corrected Mr. Mosbaugh so that only the original LER was then identified as the source of Mosbaugh's concern of prior inaccurate documents. I then attempted to get assurances that, except for the last line of the letter, everyone agreed that the rest of the cover letter was not wrong (Tape 187, p. 16, lines 49-51). The record reflects that I apparently was also concerned that if I changed the last line of the letter, the rest of the letter might no longer be correct.

At this point during the discussion, I was informed by George Frederick of the following detailed information regarding the role of record keeping practices in the original LER's inaccuracy:

1. The engineering DG logs had not been updated from March 15 (before the time the LER was generated) until May 2 (Frederick);
2. The log was not available and was not used (Mosbaugh; agreed to by Frederick);
3. Some of the diesel start completion sheets from the relevant time frame did not get routed to the diesel engineer until five days after the LER was sent (Frederick); and
4. Corporate attributed the error made in the LER to the timeliness of log keeping and routing of completion sheets (Frederick).

(Tape 187, p. 17, lines 5-40).

Mr. Mosbaugh was told by Mr. Odom at this point in the tape that he (Mosbaugh) was incorrect and that in preparation of the LER they went through and personally took the control room logs and everything else and tried to verify the numbers [from April 9 through April 19] (Tape 187, p. 18, lines 18-21). Mr. Mosbaugh was also told by Webb that he was incorrect relative to the timing of the Nuclear Safety and Compliance (NSAC) data review -- the review was prior to LER submittal when NSAC went through control room logs and other sources (Tape 187, p. 18, lines 33-44).

Mr. Mosbaugh acknowledged that NSAC did not use the diesel log because it wasn't available - "there was nothing on it" (Tape 187, p. 18, line 52). At this point in the tape, someone other than Mr.

Mosbaugh stated that the diesel log "wasn't a usable source" and I then posed the critical question "Based on that, why is the statement incorrect...?" (Tape 187, p. 19, lines 8-12). Mr. Mosbaugh again did not answer the question. Thus, for a second time in our discussion, I had specifically asked Mr. Mosbaugh about the contested language in the cover letter. Previously, I had asked him how he would change the letter and I now was asking him why the statement he seemingly was concerned about was incorrect. When he did not answer, based on the information made available to me at that time by all the participants, I concluded that corporate "was not blaming the log per se (meaning the document itself). They're saying our practice of keeping the log up It's the way we keep our records." (Tape 187, p. 19, lines 18-24).

At this point, I directed the conversation to the next issue, that being the definition at the end of the test program. The tape clearly reflects that I seek relevant information by asking: "Tell me the definition we used on May 8th." (Tape 187, p. 19, lines 23-24). The tape reflects that Harry Majors appeared to have called me on the phone and that when he did so, I attempted to establish pertinent facts with Majors over the phone. I first established that the letter would be a cover letter to the revised LER and, secondly, that the LER would refer to the same numbers (with the addition of one recently identified 1-A start). I then confirmed the different "basis" of the cover letter versus the revised LER (Tape 187, p. 21, lines 1-3). Rather than ignoring the concerns which had been raised during this conversation, I then directly identified for Mr. Majors the sentence of concern to Mosbaugh related to diesel start record keeping practices (Tape 187, p. 21, lines 18-19). The tape reflects that I observed that the word "discrepancy" when applied to the LERs written subsequent to the original LER improperly implied mistakes in the subsequent LER revision drafts. This statement, based on my review of the recording and its transcript, would seemingly address Mr. Mosbaugh's apparent concern that the May 8 LER should have been used by Georgia Power (Tape 187, p. 21, lines 34-37). The tape shows that I suggested that the word "discrepancy", if changed to "difference", would contrast the original LER with the revised LER cover letter (Tape 187, p. 21, lines 46-49). This would seemingly address any concern of Mosbaugh that the May 8 draft was being viewed as inaccurate. I then confirmed, as reflected on the tape, that the definition of the "end of the test program" explains the difference between the original LER and the cover letter to the revised LER (Tape 187, p. 22, lines 7-9). The tape reflects at this point I again confirmed that the number of starts were acceptable. I then stated to Mosbaugh that, based on the input given to me, the revised LER was accurate. (Tape 187, p. 22, lines 48-50). Mr. Mosbaugh indicated that he had no knowledge that the

revised LER was inaccurate, but reiterated his concern about changing the basis of the count. He also stated: "I haven't looked at the data." (Tape 187, p. 23, lines 1-4). I knew that the SAER group had looked at the data. I had more reason to rely on their representations than Mr. Mosbaugh's. Now he was expressing his lack of knowledge! Why, as assumed by the Demand, should I have further addressed Mr. Mosbaugh's concern rather than adopt the position Mr. Frederick and others who reasonably appeared to me to be more knowledgeable?

At this point in the tape, Mr. Mosbaugh indicated that my proposed revision "makes the end of that sentence read better" (i.e., the difference is attributable to ... the definition of the end of the test program (Tape 187, p. 23, lines 22-27)). Harry Majors informed Mr. Mosbaugh and me that the SAER audit was the basis for the "record keeping practices" sentence and then he actually read the relevant sentences from page four, first full paragraph of the SAER audit report (Tape 187, p. 23, lines 45-52; p. 24, lines 1-16). This is the same explanation which had previously been provided to me by Mr. Frederick, and after Mr. Mosbaugh's factual knowledge had been questioned by his former subordinates, Mr. Webb and Mr. Odom.

At this point in the tape, I stepped out of the room. Approximately two and one-half minutes later I readdress the last sentence of the cover letter to the revised LER. Mr. Mosbaugh may not have pointed out, due to my partial absence from the telephone call, his "comment" that the cover letter did not address more fully the April 9 letter. When I rejoined the conversation, I resumed the discussion (Tape 187, p. 25, lines 16-21). I told Mr. Mosbaugh the revised cover letter was a reasonable way of explaining "how the differences are" that I could at that time think of (Tape 187, p. 25, lines 25-35; p. 26, lines 41-50). I attempted to verify Mr. Mosbaugh's concerns with the revised LER cover letter had been resolved by asking: "Tell me how you would change the letter then?" (Tape 187, p. 27, line 1). He stated: "It's incomplete". (Tape 187, p. 26, line 52). We had addressed Mr. Mosbaugh's concerns about why Mr. Mosbaugh's revised LER draft was not used and the new basis for starts in the revised LER. The tape also reflects that Messrs. Webb, Frederick and Odom informed me that the plant's record-keeping practices caused errors in the April 9 letter (Tape 187, p. 27 lines 13-49). I asked Mr. Mosbaugh what he thought the cause was. (Tape 187, p. 28, line 9). Mr. Mosbaugh stated he did not know why the mistakes were made (Tape 187, p. 28, lines 16-20)! Mr. Mosbaugh stated he had counted "the same set of information" [SS Log, Unit Control Log and data sheets]

as when prior numbers of starts were obtained (Tape 187, p. 28, lines 16-27). For the fourth time Mr. Mosbaugh restated a concern about revisions to the LER and the prior definition of the "comprehensive test program" not being used in the LER revision. After having previously addressed and resolved those aspects of his concern -- I stated that I had enough information to proceed. (Tape 187, p. 28, line 37). I had initiated the meeting to discuss Mr. Mosbaugh's concern regarding the accuracy of counts, and felt it appropriate, when all the issues had been addressed, to state the information needed. When I had gathered enough information, I indicated to them that I was comfortable with the detailed information provided in the cover letter.

D. REVIEW OF MY MANAGEMENT DECISIONS

I do not agree with the assertion being made that I was derelict in my management responsibilities in reviewing this matter. I discussed the matter in great detail with all persons present who claimed to have personal knowledge of the events in question. I certainly listened to the concerns raised by Mr. Mosbaugh and attempted to address them. I had the parties come to my office. I asked questions to solicit information. As stated above, I had no basis upon which to accept, without reservation, every statement being made by Mr. Mosbaugh. I did have a reason to accept the statements of Mr. Frederick because I knew that he and his SAER group had studied the matter in some detail and was probably more knowledgeable than Mr. Mosbaugh. Nonetheless, I attempted to address the concerns of Mr. Mosbaugh. Again, as reflected by the tape, on more than one occasion did I ask Mr. Mosbaugh to recommend to me different language for the cover letter to the revised LER. He never did so. On the other hand, I discussed with Mr. Mosbaugh and the others present at length all of these issues and attempted as best I could with all the information available to me at the time to resolve the concerns raised. Thus, after review of this matter, if mistakes were made, they were honest mistakes and not resulting from my indifference.

The foregoing review of Tape 187 indicates that I tried to break down, address and resolve each issue raised. In the presence of Mr. Mosbaugh, I was told by two former subordinates to Mr. Mosbaugh that he was factually incorrect in some of his assertions. Based on my review of Tape 187, Mr. Mosbaugh was extremely vague during the conversation. I have also noted in my review of other records made available to me by my attorney that Mr. Mosbaugh, by his own admissions, was purposely evasive in clearly articulating problems to management: Tape 157 of 6/8/90; Exhibit 6, pp. 91-95 ["The degree with which I object, okay, is controlled.... You have to read between the lines"]. Even a cursory review of Tape 187

indicates that Mr. Mosbaugh certainly had no clarity of expression in response to direct questions. I can state, however, that I have been in management for some time and that I understand fully my responsibilities and duties when it comes to being completely truthful and candid with the NRC. I have been an active PRB member for over sixteen years and have always attempted to be up-front in all of my dealings with the NRC. As stated above, numerous NRC personnel can confirm my credibility and reputation in that regard.

At the time of the revised Licensee Event Report, I believed that the purpose of a cover letter was to state the reason the LER was being submitted. The guidance issued for LERs is spelled out in NUREG 1022. Since we had updated the LER to contain information that was correct by everyone's understanding I was comfortable that we were submitting accurate and complete information on the event. I was not personally involved in the April 9 confirmation of action letter. I don't think I appreciated why others would want the April 9 letter addressed in an LER cover letter. To me the LER cover letter was not the place to address a confirmation of action letter correction except to note the LER information was the current information. The transmittal letter informs the reader that the revisions to the original LER were necessary in order "to correct the LER".

If my participation in providing inaccurate information to the NRC unwittingly resulted from a failure of the SAER audit group to expand the scope of their audit, as has been suggested, I would respectfully submit that I was not responsible for the original scope of the audit in any event. I think it unreasonable to assume that after my recent return to full duty, and my lack of personal involvement, I should have recognized that the audit's scope was inadequate.

E. SUMMARY

During my career, I have been faced with many concerns raised by people related to regulatory compliance and plant safety. I have followed a process of thinking that has enabled me to gain an understanding from the other person's perspective and then to look for solutions. I made it a practice to start by asking the employee what the concern is. I then share what I know with the employee in an open non-judgmental exchange. This allows us to start with the same information. Many times, the person will tell me that they were unaware of some information I shared with them. If we still have not reached a resolution, I then ask the person to explain their conclusion based on the information. This allows me to understand how the person has arrived at the conclusions. We discuss the principles that are important in the decision,

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conclusion or opinion. I am often able to share my thoughts and reach a resolution. When I do not reach a resolution in this process, we have a common understanding of the concern.

As I reflect back on my tape recorded conversations with Mr. Mosbaugh, I believe I followed this process. I thought I had reached an understanding with him; however, I probably failed to directly obtain from him a statement that he was satisfied with the resolution. Nonetheless, as I stated at the time, what I did was as reasonable a way I could think of at the time to address issues that had been raised.

By virtue of my signature, I hereby affirm that to the best of my knowledge and belief, all of the above and foregoing is true and correct.

Respectfully submitted,



Thomas V. Greene, Jr.

Sworn to and subscribed
before me this 8th day
of August, 1994.

Mary N. Bentley
Notary Public
My Commission Expires:
May 6, 1995