

September 4, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289 SP
)	(Restart - Management Phase)
(Three Mile Island Nuclear)	
Station, Unit No. 1))	

DOCKETED
USNRC
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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

UNION OF CONCERNED SCIENTISTS'
FIRST SET OF INTERROGATORIES TO NRC STAFF

TO: NRC STAFF

The Union of Concerned Scientists has prepared the following interrogatories to be answered by the NRC Staff. This document is accompanied by a motion to the Licensing Board to direct the Staff to respond to these interrogatories.

UCS hereby requests the NRC Staff to answer the following interrogatories separately, fully, in writing and under oath. All persons who answered or assisted in answering these interrogatories should be identified and the answers to which (s)he contributed indicated.

These interrogatories are deemed to be continuing, and any additional information relating in any way to these interrogatories that the NRC Staff acquires subsequent to the

date of answering them, up to and including the time of hearing, should be furnished to UCS promptly after such information is acquired.

INSTRUCTIONS

A. You must divulge all information that is in your possession or under your control, or is in the possession or under the control of your present or former executives, commissioners, managers, officers, directors, executives, employees, staff, attorneys, investigators, inspectors, consultants, accountants, or their agents, representatives or attorneys.

B. Where identification of a meeting, conversation, discussion or communication is required, the following shall be separately stated as to each such meeting, conversation, discussion or communication: the date, place, persons present or participating; the method of communication, whether oral or written; the identity of each participant; the substance of each person's participation; the substance or subject discussed or communicated; the purpose of the meeting or communication; the identity of any person who possesses information concerning such meeting, conversation, discussion or communication; the substance of any decision made at such meeting, discussion or conversation; any minutes, correspondence, notes, memoranda or other writing which resulted from or memorialized such meeting, discussion or conversation or communication, and the location of any such correspondence, notes, memoranda or other document.

C. Where identification of a document is required, state the following: its date; its exact title; the general subject matter of the document; the author and his/her affiliation, office or business, presently and at the time the document was prepared; and whether the document will be made available for inspection and copying, and the site of such voluntary production.

D. Where identification of a person is sought, persons working for the NRC Staff may be identified by name and job title. Other persons shall be identified by name, job and address.

E. If the NRC Staff contends that the answer to any interrogatory is privileged, in whole or in part, or otherwise objects to any part of any interrogatory, state the reasons for each objection or grounds for exclusion, and identify each person having knowledge of the factual basis, if any, on which the privilege or other ground is asserted.

F. If an interrogatory could, at one time, have been answered by consulting documents that are no longer in existence, in answer to such interrogatory:

1. identify what information was maintained;
2. identify all documents that contained such information;
3. state the time period during which such documents were maintained;
4. state the circumstances under which documents ceased to exist;

5. state the date when such documents ceased to exist;

6. identify all persons having knowledge of the circumstances under which such documents ceased to exist; and

7. identify all persons who have knowledge or had knowledge of the documents and their contents.

G. As used herein and unless the context otherwise requires, the terms:

(i) "NRC" shall mean the Nuclear Regulatory Commission, its branches, departments, sections, offices, subdivisions, its present and former commissioners, administrators, officials, inspectors, investigators, staff, consultants, contractors, attorneys, employees, agents, representatives and accountants, or their agents, attorneys and representatives.

(ii) "General Public Utilities" or "GPU" shall mean General Public Utilities, any of its subsidiaries, including but not limited to GPU Nuclear Corporation and Metropolitan Edison Company, its or its subsidiaries' branches, divisions, departments, sections, affiliates, offices, present and former officers, directors, management, board of directors, employees, staff, officials, agents, consultants, attorneys, representatives or their attorneys, representatives and agents.

(iii) "Document" shall mean every writing of every type and description, and every other instrument or device by which, through which or on which information has been recorded and/or preserved, including but not limited to memoranda, including those reflecting meetings, discussions or conversations, notes,

letters, drawings, files, graphs, charts, maps, photographs, deeds, agreements, contracts, handwritten notes, diaries, logs, ledgers, studies, data sheets, notebooks, books, appointment calendars, telephone bills, telephone messages, receipts, vouchers, minutes of meetings, pamphlets, computations, devices or media on which or through which information of any type is transmitted, recorded or preserved. The term "document" also means every copy of a document when such copy is not an identical duplicate of the original.

(iv) "Person" shall refer to any natural person, firm, partnership, joint venture, trust, corporation, holding company, or any other entity natural or legal, domestic or foreign.

(v) "Communication" shall mean communication, discussion, conversation, contact, letter, memorandum, telephone call, telegram, message or direction, whether written or oral, and whether in person, by telephone or by mail.

NOTE ON NONDUPLICATION

UCS has attempted to avoid duplication of interrogatories posed by other intervenors. Should such duplication occur despite our efforts, you may identify the duplicative interrogatory and the answer(s) that you have provided in response to another intervenor's interrogatory that you believe are responsive to UCS' interrogatory. Should the interrogatory be broader than the other intervenor's, you must provide the additional information as well as identifying what you have already provided.

INTERROGATORIES

1. Regarding any document responsive to UCS' First Request for Production of Documents of whose existence the NRC Staff is aware, or that the Staff knew existed in the past, and that is not now within the Staff's custody or control, state the following:

- (a) the current location of the document;
- (b) the custodian of the document;
- (c) the title and substance of the document;
- (d) the document request to which the document is responsive; and

(e) if the document no longer exists, the last known location of the document and the circumstances under which the document ceased to exist.

2. Identify all individuals whom the NRC Staff intends to call as witnesses on the remanded issues related to the GPU training program. For each such witness, state or identify the following:

- a. The individual's qualifications, including educational and employment history and publications.
- b. All of the individual's contracts, consulting arrangements, advisory positions, and other relationships with the NRC Staff.

- c. Whether the individual has ever performed work, as employee, agent or consultant of any kind, for GPU or any subsidiaries, Babcock and Wilcox, or Bechtel. If so, state specifically the nature of the work and the compensation received, and identify any written material produced.
 - d. All regulatory proceedings of any type in which the individual has participated as witness, provided technical assistance, or in any other fashion participate. For each proceeding, state the purpose of the hearing, the subject of the testimony, and the date, time, and place of the testimony, if any.
 - e. All documents reviewed by the individual in the course of preparing testimony for this proceeding.
 - f. All other persons whom the individual interviewed or consulted in the course of preparing testimony for this proceeding. In each case, state the subject of the interview or conversation and the advice or information obtained from the person in question.
 - g. All documents that the individual intends to use in connection with forming the opinions contained in his/her testimony in this proceeding.
 - h. The topics to be covered in the individual's testimony.
 - i. The conclusions reached in the individual's testimony and the bases for those conclusions.
3. Describe the process by which written and oral examinations are designed and questions prepared by the NRC Staff.

4. Identify the person(s) who have participated in the design of examinations given at TMI-1 since March 28, 1979. Provide their qualifications, including educational and employment history and publications and describe what they have done.

5. Describe in detail all actions taken by the NRC Staff to review the GPU training program since March 28, 1979. Your answer must include, but not be limited to the following:

- a. The name, position, and qualifications of each individual who participated in the review on behalf of the NRC Staff (whether a member of the NRC Staff or employed by a contractor).
- b. The time spent by that individual, including the dates on which the individual participated in the review and the hours spent on each such date.
- c. The particular aspects of the GPU training program reviewed by that individual, broken down according to the dates on which the individual reviewed each particular aspect.
- d. The documents reviewed by the individual on each date of the review, the extent of the review of each document, and the purpose of the review of each document.
- e. The personal observations made by the individual, including but not limited to the observation of actual training sessions.

- f. The persons with whom the individual communicated in the course of the review, including the date, time, and substance of each communication. Identify all written communications that fall within this interrogatory.

6. Identify the dates and purposes of all examinations administered by the NRC Staff to individuals employed at or seeking employment at Three Mile Island Unit 1 since March 28, 1979. For each such examination, state or identify the following:

- a. The purpose of the examination.
- b. The process through which the NRC Staff developed the examination.
- c. Each individual who took the examination.
- d. Whether the individual passed or failed.
- e. The individual who administered the examination on behalf of the NRC Staff.
- f. The individual who graded the examination on behalf of the NRC Staff.
- g. Where an applicant originally received a failing grade but was passed upon final grading, explain in detail the justification for the passing grade.

7. The Staff has testified that it intends to compare the performance level of TMI-1 license candidates with a perceived industry norm. See ALAB-772 at 74.

- a. What does the Staff perceive as the industry norm for performance on each of the types of examinations administered by the NRC Staff?

- b. What is the basis for the Staff's opinion as to the industry norm in each case?
- c. Who undertook the analysis necessary to determine the industry norm. Please identify all individuals and contractors involved in this work and all documents relevant to that determination.
- d. What is the significance of the perceived industry norm?
- e. Does the Staff believe that performance equal to the perceived industry norm is sufficient to ensure that the operators are prepared to operate the plant safely?
- f. If the answer to #e is "yes", explain the basis for that belief.

8. Has the NRC staff or contractors ever interviewed TMI-1 operators other than in connection with the investigation of the cheating episodes? For example, has the Staff or contractors interviewed TMI-1 operators to get their views on the content and adequacy of the TMI-1 training programs?

9. If the answer to #8 is "yes,"

- a. identify the persons interviewed.
- b. identify the interviewer(s).
- c. state the date and purpose of the interviews, the questions asked and the answers given.
- d. provide all written documentation of the interviews.
- e. state the conclusions drawn from the interviews and provide all written documentation thereof.

10. Does the NRC believe that the OARP relied too heavily on memorization?

11. Provide the basis for the answer to #10.

12. Does the NRC believe that any other GPU training program relied or relies too heavily on memorization?

13. Provide the basis for the answer to #12.

14. State everything NRC has done to review and evaluate the simulator training program for TMI-1. Identify the reviewer(s) and provide all documentation of the reviews.

15. State everything NRC has done to review and evaluate the content of TMI-1 oral examinations. Identify the reviewer(s) and provide all documentation of the reviews.

16. State everything NRC has done to assess whether the content of the GPU training programs conforms with current plant procedures. Identify the reviewer(s) and provide all documentation of the reviews.

17. In the Staff's view, does the format of GPU's exams encourage cheating?

18. Provide the basis for the answer to #17.

19. State what the Staff has done to review the accuracy of the facts and opinions presented in the Special Report of the Reconstituted OARP Committee, June 12, 1984. Identify the reviewer(s) and provide all written documentation of the review.

20. Has the Staff's practice of not reviewing the content of utility training programs changed in any significant respect since the close of the record in this proceeding? If so, describe the change(s) in detail.

21. Does the Staff still limit its roll to comparing the performance level of candidates on NRC exams with a perceived

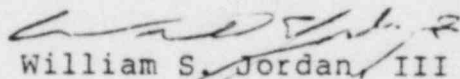
industry norm and licensee's past record? ALAB-772, Sl. op. at 74. If not, explain how the Staff's role has changed.

22. Does the staff believe that the current assignments of Dr. Robert Long, Dr. Richard Coe, Samuel Newton and Edward Frederick are appropriate in view of their past roles in the TMI-1 training program? Provide the basis for your answer.

23. Does the Staff believe that the promotion by GPU of Mr. Husted to head of Nonlicensed Operator Training indicates the appropriate attitude toward training, in light of Mr. Husted's previous actions as found by the Special Master, ASLB and Appeal Board? Provide the basis for your answer.

Respectfully submitted,


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Dated: September 4, 1984