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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Before the Atomic Safety and Licensing Board

Public Service Electric and )  
Gas Company )  
(Hope Creek Generating )  
Station) )

Docket No. 50-354-OL

AFFIDAVIT OF ROGER M. NELSON

Roger M. Nelson, being duly sworn in accordance with law, comes forward and states:

1. My name is Roger M. Nelson. I am General Attorney of Public Service Electric and Gas Company (PSE&G). My business address is 80 Park Plaza, Newark, New Jersey. In that position, I am responsible for overall legal matters involving the Company, including personnel.


2. The information requested by the Public Advocate in "Intervenor's Second Set of Interrogatories and Request for Production of Documents to Applicants," dated December 13, 1984, specifically number 25 of Part IV, is kept confidential by PSE&G. The Company's policy with regard to personnel records is that personnel records will not be made available to third persons absent the express written authorization of the employee whose records are requested. The employee's written authorization must include all of the employee's personnel records and may not be limited to only a part of those records.

3. While employees may review their completed Performance Appraisal Form at their request, they are not given copies of their appraisals nor are they allowed to make copies of the completed forms. Information in personnel files

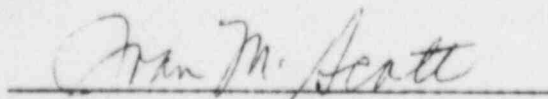
concerning matters such as grievances, arbitration hearings, governmental hearings, legal actions, investigations, customer complaints, or individual matters critical of an employee may not be reviewed by employees.

4. Inquiries made about the contents of another employee's personnel files are permitted only when that information is pertinent to the effective conduct of business.

5. The Company's personnel files are, in fact maintained in confidence. The Company has detailed written procedures governing how written request for information and oral requests for information concerning employees or former employees are to be handled. These procedures govern requests for medical records, inquiries concerning accidents, inquiries from other employers, credit inquiries, governmental inquiries, requests by the Employee Relations Review Panel, subpoenas, and letters of recommendation. Additionally, these rules provide that a record of any written release of information regarding the employee shall be retained in the employee's personnel file.

  
Roger M. Nelson

Sworn to me this 20<sup>th</sup> day of December, 1984.

  
JOAN M. SCOTT  
A NOTARY PUBLIC  
My Commission Expires 12-31-1989

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December 20, 1984

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CABLE ADDRESS: ATOMLAW

Mr. Richard E. Shapiro  
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FEDERAL EXPRESS

In the Matter of  
Public Service Electric and Gas Company  
(Hope Creek Generating Station)  
Docket No. 50-354

Dear Mr. Shapiro:

This letter confirms our telephone conversations of December 18 and 19, 1984 during which you and John Thurber of your office discussed with Richard Fryling and me Applicants' objections to "Intervenor's Second Set of Interrogatories and Request for Production of Documents to Applicants," dated December 13, 1984 (See Transcript of Prehearing Conference, December 17, 1984 at page 375). This letter identifies all the agreements we reached on eliminating or modifying the discovery requests contained therein.

We agreed that, as admitted by the Atomic Safety and Licensing Board in its Special Prehearing Conference Order of December 21, 1983, the scope of Contention 1 is limited to recirculation piping. Thus, we agreed that wherever the word "piping" appears in an interrogatory or request for production of documents in Sections I and II of the Public Advocate's December 13, 1984 discovery request, that interrogatory or request is modified by the insertion of the word "recirculation" before the word "piping."

Similarly, with regard to Interrogatories I.28 and I.29, we agreed to delete the word "systems" and to substitute "recirculation piping" for that word.

With regard to Interrogatory I.30, we agreed that Applicants will respond only to the first sentence in that interrogatory by providing its "flaw evaluation criteria for

IGSCC." Similarly, the Public Advocate agreed to withdraw Interrogatory I.31.

With regard to Interrogatories I.33 and I.34, we agreed that the Applicants' response to these questions would be that the interrogatories are irrelevant because costs to implement necessary safety requirements or modifications are irrelevant.

Similarly, with regard to Request II.7, we agreed that Applicants would respond that the requested information is irrelevant because costs to implement necessary safety requirements or modifications are irrelevant.

With regard to Interrogatory III.4, we agreed to reword the interrogatory as follows: "Identify and describe all management-related causes identified by PSE&G and its consultants of the ATWS incidents of February 22 and 25, 1983 at the Salem Generating Station."

With regard to Interrogatory III.11, we agreed to reword the first sentence of the interrogatory as follows: "Identify each instance in which NRC Staff met with PSE&G personnel after February 25, 1983, to discuss issues related to the management-related causes of the ATWS events on February 22 and 25, 1983 or to the management of Hope Creek, including but not limited to PSE&G administration, quality assurance, personnel matters, staffing levels, training, philosophy of management, staff or management experience, management failures or human error."

With regard to Interrogatory III.12, we agreed that all references to "staff" are deleted from subsections a-d and subsection h of this interrogatory. Additionally, in subsection e, we agreed to insert the word "management" before the word "liaison." The Public Advocate also agreed to withdraw subsection g. Finally, we agreed to insert the word "management" before the word "performance" in subsection k.

With regard to Interrogatory III.16, we agreed to reword the interrogatory as follows: "Identify all individuals and departments within PSE&G and all individuals and organizations outside PSE&G that have evaluated in writing PSE&G's Nuclear Department or its management of the operations of either the Salem or Hope Creek Generating Stations."

With regard to Interrogatory III.25, we agreed to insert the words "as they apply to Hope Creek" before the word "contained."

With regard to Interrogatory III.28, we agreed to insert the words "[at Hope Creek]" after the word "requirements" in the first sentence of that interrogatory and to insert the words "at Hope Creek" after the word "changes" in the second sentence of that interrogatory.

With regard to Interrogatory III.29, we agreed to rewrite the interrogatory as follows: "Describe what efforts have been undertaken by PSE&G to reduce the number of unplanned reactor trips at Hope Creek as recommended by BETA with regard to Salem Generating Station at page 16 of its May 27, 1983 report."

With regard to Interrogatory III.30, we agreed to insert the words "at Hope Creek" before the word "as."

With regard to Interrogatory III.33, we agreed to insert the words "at Hope Creek" after the word "taken" in the first line and to substitute the word "prevent" for the word "remedy" in the second line of that interrogatory.

With regard to Request IV.7, we agreed to reword the request as follows: "Provide copies of any and all written letters, notes, reports, memoranda, agreements, minutes, resolutions, applications, analyses, policies, plans, contracts or any other writing subsequent to January 1, 1982 relating to management goals, objectives, or standards at the Salem or Hope Creek Generating Stations."

With regard to Request IV.9, we agreed to delete "and staff" from that request and to add the following language at the end of the sentence "in effect on February 21, 1983 and any changes in the proposed management organization subsequent to that date."

With regard to Request IV.10, you corrected that request so that it now refers to the SER at page 13-1.

With regard to Request IV.11, we agreed to insert the words "management-related causes of the" before the word "failures" on the fourth line of the request.

The Public Advocate agreed to withdraw Request IV.12.



With regard to Request IV.15, we agreed to add the words "the management of" before the words "Hope Creek" on the third line of that request.

With regard to Request IV.18, we agreed to rewrite that request as follows: "Provide copies of any and all written letters, notes, reports, memoranda, agreements, minutes, resolutions, applications, analyses, policies, plans, contracts, or any other writing by any and all consultants discussing the role of PSE&G's nuclear operations, nuclear quality assurance, nuclear safety review, and nuclear program in relationship to the ATWS events on February 22 and 25, 1983."

With regard to Request IV.19, the Public Advocate agreed to withdraw that request and to review the documentation that the Rate Counsel of the Public Advocate has already received on this issue.

With regard to Request IV.34, we agreed to insert the following language at the end of the request: "relating to non-refueling outages after January 1, 1982."

With regard to Request IV.35, we agreed that Applicants will determine whether this information has already been provided to the Rate Counsel of the Public Advocate. If this information has already been provided to the Rate Counsel, Applicants will so advise the Public Advocate and will treat the request as withdrawn. If it has not already been provided to the Rate Counsel, Applicants will make the information available.

With regard to Request IV.37, we agreed to add the words "after January 1, 1982" at the end of the request.

With regard to Interrogatory V.6, we agreed to add the word "presently" before the word "intend" on line 3 of that interrogatory.

With regard to Interrogatory V.10, we agreed to rewrite that interrogatory as follows: "State whether you have any information that any of the safety-related electrical or mechanical equipment to be used in the Hope Creek Generating Station has ever been identified by the NRC as having experienced a failure under normal or harsh operating conditions at any plant."

With regard to Interrogatory V.14, we agreed to insert the word "[EQ]" before the words "QA/QC Program" in the second line of that interrogatory.

With regard to Request VI.10, we agreed to rewrite that request as follows: "Provide copies of any and all written reports, memoranda, agreements, minutes, resolutions, analyses, policies, plans, documents or any other writing relating to which electrical or mechanical equipment, components or subcomponents you presently intend to environmentally qualify."

With regard to Request VI.11, we agreed to rewrite that request as follows: "Provide copies of any and all written reports, memoranda, agreements, minutes, resolutions, analyses, policies, plans, documents or any other writing relating to which electrical or mechanical equipment, components or subcomponents you have determined do not need to be environmentally qualified."

Finally, I raised Applicants' concern that the Public Advocate promptly supplement and update its responses to Applicants' First Set of Interrogatories and requested that the Public Advocate promptly apprise Applicants of the documents the Public Advocate's experts intend to rely upon at the hearing. You stated that you have been talking with your experts about this issue and will provide an update to Applicants' First Set of Interrogatories next week.

Sincerely,

*Jessica H. Laverty*  
Jessica H. Laverty  
Counsel for the Applicants

JHL/dlf  
cc: Service List