

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY) Docket No. 50-400 OL
and NORTH CAROLINA EASTERN)
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear Power)
Plant))

AFFIDAVIT OF HAROLD R. BANKS

County of Wake)
) ss.
State of North Carolina)

Harold R. Banks, being duly sworn according to law, deposes and says as follows:

1. My name is Harold R. Banks and my business address is P.O. Box 1551, Raleigh, North Carolina 27602. I am employed by Carolina Power & Light Company ("CP&L") as the Manager-Corporate Quality Assurance. My statement of professional qualifications and experience is set forth in "Applicants' Joint Testimony of E.E. Utley, M.A. McDuffie, Dr. Thomas S. Elleman and Harold R. Banks on Joint Intervenor's Contention I (Management Capability)" dated August 9, 1984 following Tr. 2452. This statement of professional qualifications and experience remains current to this date.

2. This affidavit is made in support of Applicants' application for withholding privileged or confidential commercial

information pursuant to 10 C.F.R. § 2.790(b)(1). The documents in question include a Quality Check Report (one page), a Concern/Allegation Follow-up (one page), and a QCP Investigation Report (five pages), which were submitted to the Board by Applicants' counsel by cover of a letter dated May 20, 1985.

3. The documents in question were generated during a Quality Check Program exit interview with an employee, and subsequently in investigating an allegation made by that employee. The information provided by the employee was provided in confidence with assurances that his identity and the information would not be disclosed. Certain of the documents identify the employee by name.

4. The CP&L Quality Check Program was described in my testimony before the Board at Tr. 2699-2713. Briefly, the Quality Check Program was established to provide an additional opportunity for Harris site personnel to express concerns to management and to receive feedback on their concerns. As part of the Quality Check Program, each employee working in a safety area who leaves employment at the site (whether by resignation, termination or reassignment) is interviewed by the Quality Check group in order to identify potential safety concerns. Any concern identified during an exit interview (or during random interviews or through the initiation of an employee by telephone call to the Quality Check group personnel or by filling-out a Quality Check Form) is investigated by a group of QA specialists and engineers and the results of the

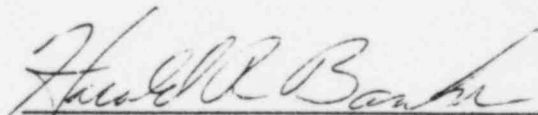
investigation are reported back to the employee. Where appropriate, corrective action is taken. I review each report of an investigation of any concern raised through the Quality Check Program.

5. Reports of investigations by the Quality Check group are strictly maintained confidential by the Manager-Quality Check. A copy of the reports may be provided to the Vice President, Harris Nuclear Project. Certain information in the reports may be communicated to managers or supervisors as necessary to take corrective actions. However, the reports themselves are closely held by the Quality Check group to maintain the confidentiality of the source of the information. Disclosure of an individual's name and circumstances of his allegations could cause him embarrassment or adversely affect his future employment.

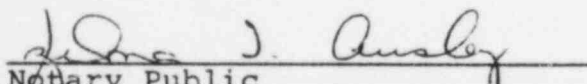
6. The most recent NRC Construction Appraisal Team inspection found the Quality Check Program to be an effective and viable method of addressing employee concerns. This program of critical self-appraisal can only succeed if the employees are confident that the information provided to the Quality Check group will be maintained as confidential. Release of these documents could undermine the credibility of the Quality Check Program. Furthermore, candid appraisals in Reports of Quality Check investigations are essential to management for the effectiveness of the program. If these reports were subject to public disclosure, the candid, critical

analysis in the reports might give way to careful editing for possible disclosure.

7. We believe that this independent critical self-appraisal enhances CP&L's ability to ensure that any concerns -- including safety concerns -- are brought to the attention of management. This allows management to correct any situations which could lead to poor construction, inefficiencies, or an unsafe condition. While the purpose and emphasis of the Quality Check Program is to enhance Safety at the Harris Plant, the ability of CP&L to complete the construction of the Harris Plant and to operate the Plant safely is vital to the commercial success of the Company.


Harold R. Banks

Subscribed and sworn to before
me this 8th day of July, 1985


Notary Public

My Commission expires on February 18, 1990.