

(FREE STATE REPORTING, INC. (

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ANNAPOLIS, MARYLAND 21401
BALT. ANNAPOLIS AREA (301) 269-6236
METRO WASH AREA (301) 261-1902

September 24, 1984

Elois J. Wiggins
Contracting Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Ms. Wiggins:

FSRI is pleased to respond to your September 14, 1984, ten day cure notice which FSRI received that same date, concerning contract no. NRC-17-84-327, "Stenographic Reporting Services." FSRI's response corresponds to the two areas mentioned in your letter -- timeliness and quality of transcripts -- and also summarizes those steps FSRI has initiated to ensure compliance with the cited contract requirements.

I. Timeliness

FSRI met with your subordinate Contract Administrator Teresa McLearn, the NRC Project Officer (Contracting Officer's Representative) Pat Sullivan and other NRC representatives on August 6, 1984, to review FSRI's performance of the cited contract. At that meeting Pat Sullivan explained to David Becker that NRC considered FSRI transcripts delivered after 8:15 a.m. but before 9:00 a.m. to be timely so as to give FSRI some leeway, considering traffic congestion and other difficulties in delivery, and thus NRC had made no deduction on previous invoices for late delivery for transcripts received before 9:00 a.m. She made no mention that that interpretation applied only to past invoices or that NRC would not honor it in the future. In reliance on that interpretation, FSRI instructed its reporters, transcribers and couriers to deliver NRC transcripts by 8:15 a.m., but in no case later than 9:00 a.m.

On September 5, 1984, FSRI received a NRC letter from Teresa McLearn dated August 31, 1984, which attached FSRI invoice no. 3 dated August 9, 1984, thereto and contravened Ms. Sullivan's August 6th statement by applying the 8:15 a.m. delivery time specified in the contract to the orders in that invoice, i.e., retroactively back to July 3, 1984. Accordingly, FSRI promptly revised its guidance to employees, reporters and couriers to strive to deliver NRC transcripts by 7:45 a.m. but in no case later than 8:15 a.m. Since FSRI's receipt of NRC's revised instructions all but four FSRI transcripts have been delivered by 8:15 a.m.

With respect to work orders 109 and 140, FSRI in fact delivered those transcripts by 8:15 a.m. on Saturday mornings to the specified location, Room 1006, 1717 H Street, N.W., but the designated NRC recipient, B. White, was not there and FSRI found no

NRC personnel who would sign for receipt for the transcripts.

Further, part of work order 139 which covered more than six hours' of reporting FSRI delivered to NRC before 8:15 a.m., but notwithstanding NRC's past practice that partial deliveries to NRC were acceptable, NRC rejected that delivery.

Finally, on several occasions FSRI's courier encountered delay in delivering transcripts to offices within NRC's building due to the need to get Pat Sullivan or another designated NRC recipient to come to the 10th floor guard's desk to receive the transcripts. Before receipt of your current letter FSRI took the initiative to obtain for its courier an identification card NRC issues to contractors, thus enabling him to avoid waiting at the NRC guard's desk for NRC recipients to receive transcripts.

In conclusion, FSRI believes that with very few exceptions, late delivery of the transcripts you enumerated in your letter has been excusable, and timely delivery has become FSRI's predominant pattern.

II. Accuracy

Among the ten work orders cited in your letter, FSRI did not receive back for correction the transcript for order 136. Of the nine remaining orders, FSRI reviewed the transcripts for orders 128, 137, 139 and 140, on which NRC marked what it regarded as errors, for compliance with the accuracy standard in the contract (not more than 1 error per 100 words of transcript, excluding errors which do not change or obscure the meaning of the testimony). FSRI found that all four transcripts reviewed clearly meet that standard, with the exception of ten pages in order 139 due to confusing Messrs. Ebersole's and Etherington's names and pages 338-344 of order 140. As to the latter pages, however, FSRI found that the cause of its difficulty was that neither its reporter nor its transcriber could understand the words of Mr. Liaw, who had a thick foreign accent. The governing instructions from NRC presiding officers prohibit FSRI's reporters from interrupting ACRS proceedings to request clarification or enunciation of sounds. Under those circumstances, FSRI's best efforts to translate such sounds into English are all that can be required under the contract. FSRI believes that transcript 140 should not have been returned for correction.

FSRI has not reviewed the transcripts for orders 87, 101, 115, 119 and 122 because it does not have the copies NRC marked up for alleged errors. Nevertheless, FSRI recalls that the transcript for order 115 contained a few erroneous acronyms and technical terms and was promptly corrected. The NRC person who returned the transcript for job 101 apologized to FSRI, mentioned that the proceeding was of especial importance to NRC and thus required perfection and requested that FSRI make specified revisions. FSRI returned the revised transcript the next day.

FSRI also recalls that orders 119 and 122 came in two successive days of proceedings, August 15 and 16, 1984, and required 380 pages of floppy disk work. NRC estimated 17,000 pages of floppy disk, five day delivery work for the year; this averages about 65 pages over 260 working days per year. FSRI secured the capability to transcribe approximately 100 pages per day of floppy disk, i.e., about 150% capability to allow for surges. Nevertheless, the 380 pages for those successive orders grossly exceeded FSRI's surge capacity. That excess was exacerbated by the fact that NRC had scheduled two hours work for order 119, but protracted the proceeding to six hours, thus forcing FSRI to find four more typists in the night to meet the delayed surge. Indeed, that pattern of protracted proceedings which raise havoc by requiring FSRI to locate additional late night transcribers has arisen in over one-quarter of all NRC orders.

Considering the lack of advanced notice of the duration of that proceeding and the consequent volume of testimony which exceeded FSRI's capacity (obtained to correspond to the NRC contract estimates), FSRI's performance was reasonable under the circumstances. Furthermore, FSRI found that the order 119 transcript is virtually error-free for 170 pages, and the balance has essentially the single recurring error of misidentification of a speaker. The transcript for order 122 basically has only a few mixups of acronyms, e.g., LOCA and LILCO, KV and KB, and phonetic spellings of persons' names. Additionally, NRC reviewers edited the transcript to change words to what the speakers presumably desired to say rather than what the tape recording plainly contains.

III. Corrective Measures

In addition to the building pass to permit entry of FSRI's courier and the series of corrective measures already reported to NRC by FSRI's July 31, 1984 letter to Timothy F. Hagan, FSRI has instituted the following measures to enhance its performance on the contract:

a. On August 6th FSRI presented NRC with FSRI's guidelines for transcribers (attached hereto). NRC provided few comments and suggested no changes thereto. All transcripts from order 105 and thereafter have been performed using these guidelines. These transcripts show a gradual elimination of errors.

b. On August 11th FSRI devised a quality control check list for reviewing transcripts prior to their delivery to NRC. Copies of that list were sent to the NRC for comments, but none were received. (See attached copy.) Since then, however, NRC has returned no transcripts for correction of items identified on FSRI's check list. Furthermore, FSRI is modifying that check list to incorporate its spot audit procedure for reviewing samples of transcripts against the contract accuracy standard.

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c. Subsequent to order 122, FSRI has reported and transcribed two additional proceedings on the same NRC case before the same presiding officials and with the same participants, producing excellent transcripts.

d. On September 17, 1984, FSRI commenced arrangements to use the services of an able Washington based reporting and transcribing firm, Neal R. Gross and Co., to assist FSRI in overload work, thus doubling FSRI's daily capacity from 10-15 hours to 20-30 hours of reporting time which FSRI can cover. This doubled capacity should enhance not only timeliness of delivery but also quality of performance, since our intention is to select only the most qualified individuals from both firms for use on NRC orders. FSRI has used this back-up firm three times on an experimental basis. FSRI expressly asks for your approval to make this subcontract arrangement.

FSRI is a responsible firm and wishes to continue its work for NRC. We have a large investment in performance and are actively striving to improve the punctuality and professional quality of our performance. The corrective measures we have instituted have begun to take effect. FSRI notes that only 13 of 146 transcripts (less than 9% of the work) delivered by the date of your letter were arguably of substandard accuracy and that FSRI's recent achievement of accuracy and timeliness is clearly trending upward. That proportion and trend do not justify a default termination. We request that you meet with us to discuss this matter so as to proceed with the NRC work.

Sincerely yours,



David L. Becker
Secretary/Treasurer FSRI

Attachments

NRC GUIDELINES

1. Read the attached transcribing requirements from our contract.
2. Always identify yourself by putting your initials, the job number, the tape number, and the blind page number in the left hand margin. Final page numbering is completed in the office.
3. After finishing your section (tape), type (End of Tape) on last page.
4. When typing the Commissioner Meetings always put the commissioner's title before his name. NEVER use Mr. before a commissioner's name. Below is the list of the commissioners in the order they should appear on the second page of the transcript.

CHAIRMAN PALLADINO
COMMISSIONER ROBERTS
COMMISSIONER ASSELSTINE
COMMISSIONER BERNTHAL
COMMISSIONER ZECH

5. If a speaker cannot be identified after all attempts are exhausted, use UNIDENTIFIED SPEAKER or AUDIENCE.
6. When a thought or sentence is unfinished use (...) to show that it is an incomplete thought or sentence.
7. If a speaker repeats the same word or words two or three times, use a comma to separate the words. (EXAMPLE: go to, go to the).
8. NEVER use dashes to show incomplete thoughts or sentences.
9. If a word or words are inaudible use (inaudible). Do not use dashes. (--)
10. Do not number the cover sheet, disclaimer, or certificate of proceedings pages. The title/appearance sheet is blind numbered as page 1. Each page is then numbered consecutively inside the upper righthand margin.
11. Always note the beginning time of the meeting on the second page of transcript.
12. Always note the ending time of the meeting on the last page of the transcript.
13. When typing the first page follow the example in illustrations 1a, 1b, and 1c.

14. When typing the second page follow the example in illustration 2a, 2b, and 2c.
15. When typing the certificate of proceedings page follow the example in illustration 3.
16. If you have a full page of transcript that is not broken by speakers, then break it up with paragraphs.
17. Punctuation and spelling should be correct. If you cannot find the spelling for a technical word or name of place, then spell it phonetically and put (ph) behind the word.
18. You will always receive notes of the meeting with a list of those people present, technical terms, and acronyms, so please check the notes for correct spellings.

- (2) Where errors attributable to the contractor's performance appear in the transcript (i.e., those which change or obscure the meaning of the testimony, but not including typographical errors or misspelling, if the intended meaning is clearly evident, such as "thier" for "their" or "teh" for "the," etc.) in excess of one (1) error per 100 words of transcript, the Commission may demand and the contractor shall correct the errors and furnish corrected transcripts within five (5) business days after receipt of notification. Payment for corrected transcripts shall be made in accordance with Article VII.A., "Late or Defective Delivery."

f. Format

- (1) Transcripts. Transcripts shall be typed with black one-time carbon ribbons on white 20-pound rag bond or equal. The original of all transcripts shall be furnished to the Commission. Paper shall be 8-1/2 x 11 inches in size, with a margin of 1-3/4 in at the left-hand side and a margin of 3/8 inch at the right-hand side. Paper to be used will be subject to approval by the Commission. Typing shall be ten (10) spaces to the inch, double-space, using one of the following IBM or equal type styles: Courier 10, Presige Elite, OCR B, Pica 10 or Letter Gothic, samples of which are furnished as Attachment 6 hereto. Use of "or equal" type faces will be subject to the approval of the Commission. Whenever testimony is continuous, requiring more than one line, the typing shall begin as close as possible to the left ruled marginal line, words to be properly hyphenated when necessary. No payment will be made for a page containing less than 25 lines unless it is the last page of the transcript or other justification for a shorter page exists. No payment will be made for lines in excess of 25 lines to the page. Numbers indicating each line of transcription upon page; i.e., 1 to 25 inclusive, shall be printed at the left marginal line of the original transcript.
- (2) Covers. Each copy of the transcript furnished shall be bound with covers of good quality, white or colored 140-pound index paper, No. 1 sulphite paper, or similar material approved by the Commission. The cover page shall show the title of the meeting, the date, the total page count and, in the case of Commission meetings, shall also indicate "COMMISSION MEETING," "PUBLIC MEETING," or "CLOSED MEETING," and, for closed meetings, shall also indicate the Exemption Nos.

- (3) Indexing. In the original and each copy of the transcript, the title page showing name, docket number, place and date of proceedings, appearance, location, etc., shall be followed by a page or pages indexing the witnesses and exhibits. Each transcript shall include one complete cumulative index of witnesses and exhibits. The index shall state the pages devoted to the testimony of the witness, the party for whom testifying, and the page at which direct, cross, redirect, recross, and Board examination begins. The index shall also identify the exhibits by number and/or letter showing the page and party where identified for the record, and the page where admitted, denied admittance, or withdrawn and give a brief description of the nature of the exhibit. Other documentary material bound into the transcript at the direction of the Presiding Officer shall also be indexed in the same fashion. Indexing will not be required on transcripts of Commission meeting; however, the title page shall also contain the same information regarding public and closed Commission meetings as required in (2) above, "Covers."
- (4) Pagination. Unless otherwise directed by the Presiding Officer, the paging of the transcript shall be in a single series of consecutive numbering regardless of the number of days of the hearing. The paging of the transcript of a further hearing shall follow consecutively the paging of the last previous hearing in the same proceeding, unless otherwise directed by the Presiding Officer. Page numbers are to be placed at the top right of each page.
- (5) Binding. Transcripts shall be punched with three (3) round 1/4-inch holes, 4-1/4 inches center-to-center and shall be bound in such a manner that they can be disassembled and reassembled with ease. The contractor shall punch and bind with the record, in the order of its submittal, each document(s) which is/are accepted for such purpose by the Presiding Officer for the record, it being understood that the Presiding Officer will not so accept any material not of suitable size for the record. Such material, if any, not of suitable size shall be so designated as not part of the transcribed record and be handled separately as an exhibit. No documents of any kind are to be included in any Commission meeting transcripts.

g. Legibility

Ribbon copy (the original) shall be clearly legible, suitable for making copies. All machine-reproduced copies supplied by the contractor must be clearly legible and machine reproducible. Duplicated copies shall be on white 20-pound paper or equal. Paper to be used for duplicated copies will be subject to the approval of the Commission. In the event

the Commission or Presiding Officer finds one or more copies to be illegible or unreproducible, the contractor agrees to correct same or replace with acceptable copies within five (5) business days after receipt of notification. Payment for corrected or replacement copies shall be made in accordance with Article VII.A., "Late or Defective Delivery."

h. Authentication

The original of the transcript shall be authenticated by the Official Reporter by a certificate page in form to be approved by the Contracting Officer, substantially as follows:

"This is to certify that the attached proceedings
before the _____ in the matter of:
(Name of Proceeding)

(Docket Number)
(Place of Proceeding)
(Date of Proceeding)

were held as herein appears, and that this is the original transcript thereof for the file of the Commission.

/s/
(Signature Typed)
Official Reporter
Reporter's Affiliation"

i. Exhibits

- (1) Exhibits in connection with adjudicatory proceedings shall be submitted to the contractor (reporter) at the hearing in an original and two copies. Unless otherwise directed by the Presiding Officer, they will be marked and numbered or lettered by the reporter, arranged by him in numerical or alphabetical order and transmitted to the Secretary with the transcript to which they relate. The marking shall indicate clearly by whom the exhibit was offered. Such documents shall not be copied into the record unless the Presiding Officer so directs; the Presiding Officer may, at his discretion, direct that such documents be read or copied into the record in part or in full.

ARTICLE I - CONTINUED

Page 31

If any document is withdrawn, or for any other reason is not filed with the transcript, a memorandum shall be inserted by the contractor in the place of the document stating its nature, how numbered or lettered and marked, and the reason for its absence. The numerical order of exhibits introduced at the proceedings or in a reopened case shall follow consecutively the number on the past previous exhibit introduced by such party.

- (2) Until submitted to the Secretary of the Commission, and subject to direction of the Presiding Officer, the reporter shall have custody of the hearing record which includes exhibit material in other than documentary form admitted under applicable rules. Any requirement for the special handling of any such exhibit material (example: full scale models) in other than documentary form ordered by the Presiding Officer shall constitute a change within the meaning of the clause hereof entitled, "Changes."
- (3) Unless otherwise provided by the Presiding Officer, all exhibit material in the custody of the reporter shall be turned over to the Secretary of the Commission, Attention: Chief, Docketing and Service Branch, within ten (10) calendar days following the completion of the hearing, accompanied by an inventory sheet prepared specifically for transmittal of such exhibit material.

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of:

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS
QUALIFICATION PROGRAM FOR SAFETY RELATED
EQUIPMENT SUBCOMMITTEE MEETING

ILLUSTRATION 1-A
ACRS MEETING

Location: WASHINGTON, D.C.

Pages: 1-326

Date: JULY 30, 1984

1
2 UNITED STATES OF AMERICA
3 NUCLEAR REGULATORY COMMISSION
4

5 In the Matter of:
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9 DISCUSSION AND VOTE ON FULL POWER OPERATING LICENSE
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11 FOR GRAND GULF
12
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16 OPEN MEETING
17

18 Location: Washington, D.C.

Pages: 1 - 114

19 Date: Tuesday, July 31, 1984
20

21 ILLUSTRATION 1-B
22 COMMISSION MEETING
23
24
25

HRC 95

File: 0071

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of:

TEXAS UTILITIES GENERATING COMPANY

(Comanche Peak Containment Sump
Performance Meeting)

ILLUSTRATION 1-C
OTHER MEETING

Location: Bethesda, Maryland

Pages: 1-113

Date: July 27, 1984

20 Attachment

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE
4
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6 Nuclear Regulatory Commission
7 1717 E Street, N. W.
8 Room 1046
9 Washington, D. C.

10 July 30, 1984 /

11
12 The subcommittee met, pursuant to notice, at
13 8:00 a.m.

14 SUBCOMMITTEE PRESENT:

15 C. MICHELSON
16 J. EBERSOLE
17 D. WARD

18 ACRS CONSULTANT:

19 WALT LIPINSKI

20 PRESENTERS:

21 B. MORRIS
22 C. SERPAN
23 J. VORA
24 D. EISSENBERG
25 S. CARFAGNO
B. LeGRANGE
R. HERNAN

ILLUSTRATION 2-A

ACRS MEETING

DESIGNATED FEDERAL OFFICIAL:

E. WANG

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 DISCUSSION ON FULL POWER OPERATING LICENSE
4 FOR GRAND GULF
5

6 OPEN MEETING

7 Nuclear Regulatory Commission
8 1717 H Street, N.W.
9 Room 1130
10 Washington, D.C.

11 July 31, 1984

12 The Commission met, pursuant to notice, at
13 11:00 a.m.

14 COMMISSIONERS PRESENT:

15 NUNZIO PALLADINO, Chairman of the Commission
16 THOMAS ROBERTS, Commissioner
17 JAMES ASSELSTINE, Commissioner
18 FREDERICK BERNTHAL, Commissioner
19 LANDO ZECH, JR., Commissioner

20 STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

21 S. Chilk, Secretary
22 H. Plaine, General Counsel
23 D. Eisenhut
24 H. Denton
25 W. Dircks
J. O'Reilly
M. Malsch
W. Cavinaw
W. Johnston
T. Novac
D. Lewis
B. Wilson
J. O'Shinski
A. Wagner
G. Hollihan
H. Thompson
Dr. Dengy
Dr. Berlinger

ILLUSTRATION 2-B
COMMISSION MEETING

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 MEETING WITH ADVISORY PANEL ON
4 COMANCHE PEAK CONTAINMENT SUMP
5

6 Nuclear Regulatory Commission
7 1717 H Street, N.W.
8 Room 1130
9 Washington, D.C.

10 July 27, 1984

11 The panel met, pursuant to notice, at 9:00 a.m.

12 NRC STAFF MEMBERS PRESENT:

13 SPOTSWOOD B. BURWELL
14 AL SERICIZ
15 B. MANN

16 PRESENTERS AND STAFF SEATED AT THE TABLE:

17 R. IOTTI
18 T. ANDREYCHEK
19 T. BENGEL
20 D. WHYTE
21 L. KATZ
22 S. HYDE
23 D. PURDY
24 M. CHIRUVOLU
25 C. LI
E. SCHMIDT

ILLUSTRATION 2-C
OTHER MEETING

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NRC-95
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This is to certify that the attached proceedings before the
NRC

In the matter of: Advisory Committee on Reactor
Safeguards Qualification Program
for Safety Related Equipment
Subcommittee Meeting

Date of Proceeding: July 30, 1984

Place of Proceeding: Washington, D. C.

were held as herein appears, and that this is the original
transcript for the file of the Commission.

Joe Newman
Official Reporter - Typed

Joe Newman / JNE
Official Reporter - Signature

ILLUSTRATION 3

**QUALITY CONTROL CHECK LIST FOR
NRC REPORTING/TRANSCRIPTION WORK**

Job No.: 140
 Job Title: 293 ACRS
 Job Date: 9/7/84
 Job Location: D.C.
 First Page No.: 220

Type of Meeting:

Closed:

Open: ✓

	Yes	No
1. Is Job complete? If no, explain: _____	<u>✓</u>	<u> </u>
2. Is (END OF TAPE) typed on last page of each transcriber's work, except last tape: _____	<u>✓</u>	<u> </u>
3. Does any of the transcript show excessive inaudibles? If yes, explain <u>MR LIAW'S</u> <u>ACCENT VERY DIFFICULT TO UNDERSTAND</u> <u>19338-340 by both reporter & transcriber</u>	<u>✓</u>	<u>✓</u>
4. Does front page have title as above?	<u>✓</u>	<u> </u>
5. Does front page have date as above?	<u>✓</u>	<u> </u>
6. Does front page have location as above?	<u>✓</u>	<u> </u>
7. Does second page (Title sheet) have the correct title?	<u>✓</u>	<u> </u>
8. Does the title page have the correct date?	<u>✓</u>	<u> </u>
9. Does the title page have the correct location?	<u>✓</u>	<u> </u>
10. Does the title page have the starting time?	<u>✓</u>	<u> </u>
11. Does the last transcribed page have the closing time?	<u>✓</u>	<u> </u>
12. Does the title page follow the format required for:		
a. Commission Meetings	<u> </u>	<u> </u>
b. ACRS Meetings	<u>✓</u>	<u> </u>
c. Licensing and Review Board Conference Calls	<u> </u>	<u> </u>
d. L&RB Meetings	<u> </u>	<u> </u>
e. L&RB Oral Arguments	<u> </u>	<u> </u>
f. Other Instructions	<u> </u>	<u> </u>

Yes No

13. The Certificate page is not numbered and is signed by the reporter and transcriber/assembler and is the last page in transcript? ✓ —
14. Job is assembled and page numbered with first page at 220.
First page is Title Page (not cover sheet) ✓ —
15. Disclaimer is added to Commission and ~~press~~ meetings (not numbered): ✓ —
16. Copies required for NRC 2 are made: ✓ —
17. Office copy made: ✓ —
18. Receiving sheets made: ✓ —
19. Completed Job logged in: ✓ —
20. Job sent to NRC: ✓ —
21. For closed meetings, tapes and notes sent to NRC: X —
22. For Commission Meetings, backup tapes sent to NRC: X —
23. Comments for NRC:

see item 3184 pages of attachments