

TROUTMAN SANDERS  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

NATIONSBANK PLAZA  
600 PEACHTREE STREET, N.E. SUITE 5200  
ATLANTA, GEORGIA 30308-2216  
TELEPHONE: 404-885-3000  
FACSIMILE: 404-885-3900

ARTHUR H. DOMBY

DIRECT: 404-885-3130

September 20, 1993

Mr. Larry L. Robinson  
Office of Investigations  
U.S. Nuclear Regulatory Commission  
Region II Field Office  
101 Marietta Street  
Atlanta, Georgia 30323

Re: Georgia Power Company Vogtle Electric Generating Plant,  
Unit 1; Tape Recorded Statements of Witnesses

Dear Mr. Robinson:

On September 8, 1993 Mr. George Frederick reviewed his interview transcript in the above-referenced matter which is currently under investigation by your Office. Mr. Dockery attended this review session and suggested that I might want to provide you a memorandum which addresses the tape recordings made in 1990. More specifically, I expressed concern that even though the interviewees of your investigation (Mr. Frederick, in this instance) acknowledge a likelihood of conversing with other particular employees, they are unable to specifically recall certain conversations with those individuals. As I explained to Mr. Dockery, over three years have passed since these conversations, unbeknownst to the participants, were recorded. Because of your review of those tape recordings your Office is capable of fashioning detailed questions as to specific statements. In asking these questions, your Office has chosen to forego the opportunity to refresh the interviewees' recollection by playing the relevant tape recordings. This approach leaves the witness relying solely on attenuated memory, without the benefit of all relevant information.

My statement to Mr. Dockery was that a witness's inability to recall specific statements under these circumstances should not be viewed as reflective of the witness's credibility. The witness simply does not have the ability to recall events as accurately as might be memorialized by tape recordings. Nevertheless, to the extent that specific statements are highly significant to your Office's deliberations, the witness should be afforded the opportunity to review those statements and, with a

ALISC  
ALB

Mr. Larry L. Robinson  
September 20, 1993  
Page 2

refreshed recollection, respond to further, more detailed, questions. With respect to Mr. Frederick, the following are specific conversations alluded to in your interview:

Comment to Mr. Coursey or Mr. Briney concerning recent history of Calcon sensors (Tr., p. 11);

Mr. Briney's statement concerning his opinion of the Calcon sensors as "junk." (Tr., p. 12);

"Conversations with Allen Mosbaugh" (Tr., p. 26);

A "statement to Mr. Mosbaugh" (Tr., p. 32);

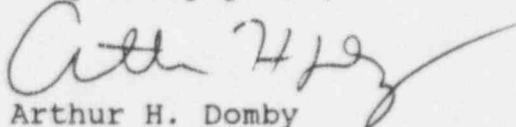
Conversations with Mr. Majors (Tr., p. 46); and

Statement by Mr. Frederick concerning his assignment to identify reasons for historic discrepancies in statements (Tr., p. 60).

These particular statements may be insignificant in your Office's analysis. However, additional observations concerning such statements by Mr. Frederick after an opportunity to listen to them would not be surprising. I am confident that the same applies to other witnesses in the same situation.

Please feel free to call me if more specific answers to your questions, based on a refreshed recollection of Mr. Frederick or other witnesses, would be helpful in your review.

Very truly yours,

  
Arthur H. Domby

AHD:njf

cc: Mr. George Frederick

•  
•  
•  
TROUTMAN SANDERS  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Mr. Larry L. Robinson  
September 20, 1993  
Page 3

bc: Bryan B. Lavine, Esq.  
Bruce H. Morris, Esq.  
P. Bruce Kirwan, Esq.  
Steven A. Westby, Esq.  
John Lamberski, Esq.  
Richard W. Hendrix, Esq.

TROUTMAN SANDERS  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

NATIONSBANK PLAZA  
600 PEACHTREE STREET, N.E. SUITE 5200  
ATLANTA, GEORGIA 30308-2216

AT:  
03 SEP 24

Mr. Larry L. Robinson  
Office of Investigations  
U.S. Nuclear Regulatory Commission  
Region II Field Office  
101 Marietta Street  
Atlanta, GA 30323

ATEL GA 303 22-17 09/23/93 #7

30323-0006

