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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Administrative Law Judge

In the MATTER OF)
)
GENERAL PUBLIC UTILITIES NUCLEAR) DOCKET NO. 50-289 (CH)
)
(Three Mile Island Nuclear)
Station, Unit No. 1))

TMIA'S RESPONSE TO MR. HUSTED'S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS AND FIRST
INTERROGATORIES TO THREE MILE ISLAND
ALERT

On 14 March 1986, Mr. Husted submitted his first Request For Documents and First Interrogatories to Three Mile Island Alert (Husted's Request) and requested that TMIA respond within 14 days. TMIA hereby responds to Mr. Husted's request.

DOCUMENTS

All of the documents responsive to Husted's Request are a matter of public record and may be obtained by him directly from the NRC public document room. Reproduction of these documents would create an unnecessary financial burden for TMIA and the documents will not be provided as such. In an effort to comply with the spirit of Husted's Request, TMIA will set out specific references to those documents by name and by page reference, so that it is clear exactly which documents are intended to comply with Husted's Request.

In compliance with Husted's Request at pages 5 and 6, TMIA

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states as follows:

(1) Special Master's Report (SMR) at ¶¶ 109-111; Transcript of Reopened Hearing on Cheating, Tr. 25,316-317(Ward) ; Tr. 25,320 (Milhollin, Ward); Tr. 25,462-463 (Ward).

(2) SMR ¶¶ 109-111; PID at ¶¶ 2165.

(3) SMR ¶ 110; PID 2167.

(4) Report of Investigation TMI Nuclear Generating Station Unit 1/investigation of Alleged Cheating on Operating Licensing Examination at p.39; Tr. 25,313 (Ward); PID at ¶ 2163 SMR at ¶¶ 109-110.

(5) PID at ¶¶2163-67; SMR at ¶¶109-111; Tr. 25,316-317 (Ward); Tr. 25,462-463 (Ward).

(6) The documents to which TMIA has access and which reflect on Husted's performance in the positions he holds or has held with Metropolitan Edison Company or General Public Utilities Nuclear, are those documents referenced in response to 1-5 above.

INTERROGATORIES

(1) Please identify the person answering each of the following Interrogatories and each person who was consulted in the preparation of each answer.

Answer

Each of the Interrogatories below were answered by the undersigned, no other person was consulted in the preparation of these answers.

(2) Explain in detail all facts that support your contention that "(t)he Appeal Board's condition barring Charles Husted from supervisory responsibilities insofar as the training of non -licensed personnel is concerned should not be vacated by reason of his demonstrated bad attitude and lack of integrity."

Answer

The facts that support TMIA's contention number 1 are contained in the documents referenced in response to Documents to be Produced 1-6 above, and are incorporated by reference as if written.

(3) Explain in detail all facts that support your claim that Mr. Husted had or has a bad attitude.

Answer

The facts which support TMIA's position concerning Husted's bad attitude are contained in the following documents and are incorporated herein by reference as if written:

SMR at ¶110; PID at ¶2167.

(4) Explain in detail all facts that support your claim that Mr. Husted lacked or lacks integrity.

Answer

The facts that support TMIA's position that Husted lacks integrity are contained in the following documents and are incorporated herein by reference, as if written:

PID at ¶¶2163-67; SMR at ¶¶ 109-111; Tr. 25,316-317 (Ward); Tr. 25,320 (Milhollin, Ward); Tr. 25,462-463 (Ward).

(5) Explain in detail all facts that support your contention that Mr. Husted "should be barred from serving as an NRC-licensed operator instructor or training supervisor by reason of his demonstrated bad attitude and lack of integrity."

Answer

The facts that support TMIA's contention number 2 are contained in the following documents and are incorporated herein by reference, as if written:

PID at ¶¶2163-67; SMR at ¶¶ 109-111; Tr. 25,316-317 (Ward);

Tr. 25,320 (Milhollin, Ward); Tr. 25,462-463 (Ward).

(6) Explain in detail all facts that support your claim that Mr. Husted solicited an answer to an exam question from another operator and identify such operator or operators.

Answer

The facts that support TMIA'S position that Husted solicited an answer to an exam question from the operator identified as Mr. P, are contained in the following documents and are incorporated herein by reference as if written:

SMR at ¶¶101-111; Tr. 25,316-317 (Ward); Tr. 25,320 (Milhollin, Ward); Tr. 25,462-463 (Ward).

(7) Identify the exact date or dates on which you believe that Mr. Husted solicited an exam question from another operator.

Answer

24, April 1981

(8) Identify the examination Mr. Husted was taking on each occasion when you believe he solicited an answer to an examination question from another operator.

Answer

NRC Senior Reactor Operator Licensing examination.

(9) Explain in detail all facts that support your claim that Mr. Husted's testimony before the Special Master was not forthright.

Answer

The facts that support TMIA's position that Husted's testimony before the Special Master was not forthright, are contained in the following documents and are incorporated herein by reference as if written:

SMR at ¶¶ 109-111; PID at ¶ 2165.

(10) Explain in detail all facts that support your claim that Mr. Husted had a poor attitude toward the hearing on the hearing on the cheating incidents.

Answer

The facts that support TMIA's position that Husted had a poor attitude toward the hearing on the cheating incidents, are contained in the following documents and are incorporated herein by reference as if written:

SMR ¶ 110; PID 2167

(11) Explain in detail all facts that support your claim that Mr. Husted failed to cooperate with the Nuclear Regulatory Commission (NRC) investigators during the investigation into cheating on NRC examinations at Three Mile Island.

Answer

The facts that support TMIA's position that Husted failed to cooperate with NRC investigator during the investigation into cheating, are contained in the following documents and are incorporated herein by reference as if written:

Report of Investigation TMI Nuclear Generating Station Unit 1/Investigation of Alleged Cheating on Operator Licensing Examination at p.39; Tr. 25,313 (Ward); PID at ¶2163;

SMR at ¶¶ 109-110.

(12) Explain in detail what knowledge, personal or otherwise, you have of Mr. Husted's past and present performance of his responsibilities with General Public Utilities Nuclear or Metropolitan Edison Company and what that performance reflects about his attitude and integrity.

Answer

TMIA's knowledge of Husted's performance of his responsibilities with GPU or Metropolitan Edison Company is contained in the documents listed in response to Interrogatory number 2.

Information indicates that Husted has a poor attitude toward the training at TMI and lacks the integrity to hold an operators license. Furthermore, Husted's poor attitude and lack of integrity make him unfit to hold the position of Supervisor of Non-Licensed Training.

(13) Identify every witness who will testify at the hearing in this proceeding on your behalf or who has been requested to testify, will be requested to testify or is likely to be requested to testify, regardless of whether the nature of the appearance be by summons or voluntary, and further state the subject area and substance upon which each witness is expected to testify.

Answer

At present, TMIA intends to call the following persons as witnesses:

Mr. P

Mr. Ward

Mr. Christopher

Mr. Baci

Respectfully submitted,

Louise Bradford

LOUISE BRADFORD
for THREE MILE ISLAND ALERT

28 March, 1986