

RELATED CORRESPONDENCE

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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

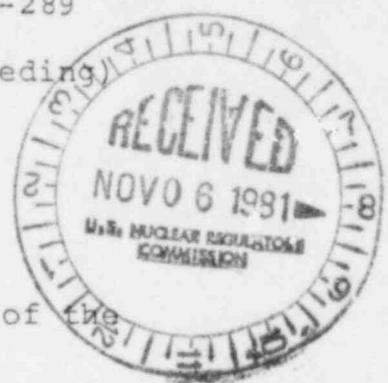
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Before Administrative Judge Gary L. Milhollin
as Special Master

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)
)
METROPOLITAN EDISON COMPANY)
)
(Three Mile Island Nuclear)
Station, Unit No. 1))

Docket No. 50-289
(Restart)
(Reopened Proceeding)



AAMODT TRIAL PLAN
FOR REOPENED PROCEEDING

The Aamodts will adduce evidence in support of the following propositions:

- That there was additional cheating on examinations not noticed by Metropolitan Edison or the NRC Staff.
- That Metropolitan Edison management engaged in cheating on the NRC examination administered in April 1981.
- That Metropolitan Edison management failed to prevent cheating on its examinations and on the NRC-administered examination.
- That Metropolitan Edison management facilitated and encouraged cheating on its examinations and on the NRC-administered examination.
- That Metropolitan Edison management deliberately compromised the validity of a test ordered by the Commission.
- That Metropolitan Edison management failed to prevent, and encouraged, cheating on the Radiation Work Permit test, which endangered workers.

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- That Metropolitan Edison's process for certification of candidates for the NRC licensing examination is misleading and inadequate.

- That Metropolitan Edison management improperly certified candidates to sit for the NRC licensing examinations administered in April 1981 and October 1981.

- That Metropolitan Edison management had an improper attitude toward the NRC licensing examination.

- That Metropolitan Edison management failed to develop a proper attitude among the candidates toward the NRC licensing process.

- That Metropolitan Edison management failed to provide and communicate standards of responsible conduct.

- That Metropolitan Edison management failed to apprise the operators' views of cheating, their propensity to cheat, or need to cheat.

- That Metropolitan Edison management failed, and continues to fail, to provide a channel for information concerning cheating.

- That Metropolitan Edison investigation of the cheating on examinations failed to probe "eye-witness" information.

- That Metropolitan Edison management acted improperly concerning the termination of Operators O and W.

- That Metropolitan Edison has insufficient operator candidates to provide the number of licensed operators to man the plant.

- That Metropolitan Edison operators, surviving the cheating incident, have insufficient operating experience to safely operate the plant with a single Senior Reactor Operator.

- That the NRC Staff investigation of cheating on the April 1981 NRC licensing examination was inadequate.

- That NRC Staff reviews of Metropolitan Edison testing programs failed to detect or prevent cheating.

- That the NRC Staff failed to describe or enforce valid criteria for certification of candidates to sit for the licensing examination.

- That the NRC Staff administered the April 1981 licensing examination in violation of NRC procedures.

- That the NRC Staff colluded with Metropolitan Edison management to facilitate cheating.

- That the NRC Staff grading procedures fail to detect cheating.

- That the NRC licensing examination is defeated by the looseness in grading standards.

- That the NRC licensing examination administered in October 1981 was defeated by the "coaching" effect provided by the spacing of the examinations.

- That the October 1981 NRC licensing examination was made noticeably easier than the April 1981 NRC licensing examination.

- That the NRC Staff fails to provide assurance that the licensing examination is protected from preview by the candidates and TMI training department.

- That the scheduling of the oral and written licensing examinations, administered by the NRC in October 1981, was premature and inappropriate.

- That the NRC acted inappropriately concerning the licensing privileges of Operators O and W.

- That the NRC fails to provide needed policy concerning cheating on examinations.

- That the NRC provided, and continues to provide, an example of behavior analogous to cheating on an examination.

In particular, the Aamodts will present the following witnesses:

Mr. Harry Williams, whose testimony is attached, will testify to a cheating incident on the Radiation Worker Permit test, to Metropolitan Edison laxity in granting Radiation Worker Permits, and to the risks that can result from this.

Professor Bruce Molholt, whose testimony is attached, will testify to the astoundingly high percentage of answers on Operator O and Operator W examinations, which reflect copying.

Professor Charles Holzinger, whose testimony is attached, will testify to indications of collaboration on Kelly, ATTS, and Category T retest examinations.

The Aamodts also wish to call the following witnesses. If some of these witnesses are not called by other parties or by the Special Master, the Aamodts will endeavor to arrange for their

be appearance to/facilitated by the Licensee or Staff. Failing such arrangements, the Aamodts will request that the Special Master subpoena such witnesses, with any costs to be paid by the Licensee or the NRC Staff.

EE (Michael Ross) will be called to testify to his efforts to broaden the answer key and distract the proctor, and to his perception of O and W, certification of the operators, and to the problem of attrition on staffing of the plant.

YY will be called to testify to the character of EE and to the use of "crib" sheets.

Samuel Newton and Nelson Brown will be called to testify to the conduct of the TMI training department examinations, Category T retest, the intensive training prior to the April 1981 NRC licensing examinations, and the character of the examinations after that training.

Dr. Ronald Long will be called to testify to the conduct of the TMI training department examinations, and the retests on Category T.

Henry Hukill will be called to testify to the meaning of certifications, its implementation, and attitudes toward it, attrition of operators and manning of the plant, and his part and knowledge in company arrangements for administration of the NRC licensing examinations.

Robert C. Arnold will be called to testify to management knowledge of cheating, investigation of cheating, channels for reporting cheating, to the termination of O and W, to his knowledge of operators' views, management attitude toward the April 1981 NRC licensing examination, and to the standards of performance

for operators (as reflected in his August 4, 1981 letter).

Gerald Schile will be called to testify to the means of identifying weak individuals through the ATTS examination, administration of the ATTS examination, and to the intensive training afterward.

KK will be called to testify to the phone call he received from a man identifying himself as U, and to tests administered by the TMI training department.

QQ will be called to testify to his recollection of the U and KK telephone call, and to tests administered by the TMI training department.

WW will be called to testify to the telephone call he received during the April examination.

The other four Shift Technical Advisors relative to any telephone calls they may have received or other solicitations for help from operators taking tests.

V, I, HH, CC, A, U, T, P, DD will be called to testify to the conduct of the TMI training department examinations, to operator attitudes toward cheating, to the relative ease of the April and October NRC licensing examinations, and other matters relevant to the proceeding.

Bruce Wilson will be called to testify to EE's review of the April 1981 NRC licensing examination, and his part in making arrangements that removed the proctors from the testing rooms, and to the administration and grading of the April 1981 NRC licensing examination. He will be examined as to NRC procedures for spotting cheating on NRC examinations, any other similarities or evidences of cheating noted on the licensing examinations,

and the review of the April 1981 licensing examination (for grading).

Paul Collins will be called to testify to the contents of his letter concerning administration of company examinations, administration and grading of NRC licensing examinations, NRC Staff procedure to spot cheating, any other similiarities or evidences of cheating noted on the licensing examinations, Staff review of the Trunk report and Davis grading of SRO examinations.

Bruce Boger will be called to testify to the administration of Category T tests and retests, the meaning of certification, and the Staff review of it, and the Staff review of company administered examinations.

Peter E. Baci will be called to testify to the NRC Office of Inspection and Enforcement investigations, and to the reasons why those investigations were terminated when they were.

Ronald M. Smith and Mark E. Resner will be called to testify as to why O and W were not barred from licensed activities at other plants.

Monte Davis will be called to testify about his comment about the presence of "crib" sheets and slides, and to other similiarities or evidences of cheating he may have noted on the examinations he graded, the cheating of O and W, and appropriate grading of examinations.

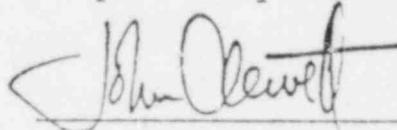
The NRC examiner for the October 1981 licensing examination (if we succeed in discovering his identity) will be called to describe the review process, and the grading, and the conduct of that examination and the oral examination.

Edward C. Gilbert will be called to testify to his investigations.

James Cummings will be called to testify to the findings of the Office of Inspector and Auditor investigation.

O and W will be called to testify to their cheating on the April 1981 licensing examination, their propensity to cheat, their cheating on other examinations, their knowledge of company policy concerning cheating and penalties, and their attitude toward the NRC licensing examination.

Respectfully Submitted,

A handwritten signature in cursive script, reading "John Clewett". The signature is written in dark ink and is positioned above a horizontal line.

John Clewett
Counsel for the Amodts

Dated: November 2, 1981