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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289 SP
)	(Restart)
(Three Mile Island Nuclear)	
Station, Unit No. 1))	

LICENSEE'S TRIAL PLAN OUTLINE

By Memorandum and Order Following a Conference Among the Parties, dated October 8, 1981, Judge Milhollin directed the parties to submit with their written testimony a trial plan outline summarizing the testimony of each witness and stating what the testimony would seek to prove. Pursuant to that Order, Licensee hereby submits the following proposed list of witnesses with a summary of the subject matter each will address.

Licensee will appear and present through witnesses and exhibits evidence in support of a decision favorable to Licensee on the issue of the effect of the information on cheating in the NRC April examination on the management issues considered or left open in the Partial Initial Decision, recognizing that, depending on the facts, the possible nexus of the cheating incident in the NRC examination goes beyond the cheating by two particular individuals and may involve the issues of Licensee's management integrity, the quality of its operating personnel, its ability to staff the facility adequately, its training and testing program, and the NRC process by which the operators would be tested and licensed.

Specifically, Mr. Robert C. Arnold, President of GPU Nuclear Corporation, will be Licensee's first witness. He will testify about his own and Licensee's philosophy on personnel integrity, his own lack of knowledge of the cheating issue prior to learning of the NRC investigation, his cooperation with the NRC in conducting its investigation of potential

cheating on the April, 1981 NRC exam, and his provision to the NRC of additional information related to potential cheating. Mr. Arnold will also describe his directives to the Licensee regarding its own investigation of suspected cheating and rumors of cheating, his review, with other management personnel, of Company training department policies, and his personal involvement in speaking to employees about cheating and related issues. This testimony will show that Licensee's Management has taken appropriate steps to uncover and follow up on instances of cheating or rumors of cheating, has dealt appropriately and fairly with individuals identified as having been involved in cheating, and has strengthened Company policies to prevent future incidents of cheating. There is no indication that management has known of or has been involved in the isolated incidents of cheating, nor that management has encouraged such incidents.

The next Licensee witness, Mr. Henry D. Hukill, Vice President of Three Mile Island, Unit 1, will testify about his personal philosophy on cheating, his lack of knowledge of cheating at TMI prior to learning about the NRC investigation of cheating on the April, 1981 NRC exam, and his participation in that NRC investigation. Mr. Hukill will also describe his personal interviews with TMI-1 operations staff and management to discuss cheating and related issues. He will discuss Licensee's ability to meet its control room staffing commitments. Finally, he will discuss generally the strengths of

Licensee's existing process of certifying licensed operators, based on an assessment of proper mental attitude and integrity, and his intent to institute a more formalized procedure in this area to correct any shortcomings with respect to documentation of the process. Mr. Hukill's testimony will demonstrate that Licensee's management was unaware of any cheating prior to the NRC's investigation, but that as soon as management was informed by the NRC of potential cheating, Licensee responded by facilitating the NRC's investigations of cheating, and by its own interviews, letters and informal discussions with TMI-1 staff and management.

Licensee's third witness, Mr. Michael J. Ross, Manager of Plant Operations at TMI-1, will testify about his experience taking the April, 1981 NRC exams, his lack of knowledge about any cheating at TMI-1 prior to learning of the NRC investigation, his discussions with TMI-1 operators and his reaction to some of their frustrations about NRC exams. Finally, he will discuss his ability to evaluate an operator's competence, performance, and attitude and his objective and subjective input to senior management in the Licensee operator certification process.

Mr. Gary P. Miller, Director of Startup and Test in GPU Nuclear's Technical Functions Division and formerly Station Manager of Three Mile Island, will testify next about his response to the cheating incident in 1979 involving VV and O. He will describe management's response to the incident

including its investigation of this incident and actions taken as a result. This testimony will show that Licensee's management promptly investigated the incident in 1979, and that appropriate action was taken.

The next witness, Mr. John F. Wilson, Esquire, will testify, on behalf of Licensee, concerning his involvement in Licensee's response since Licensee was made aware by NRC in late July, 1981, of cheating on the April, 1981 NRC examination. His testimony will describe the steps he undertook, at the request of Licensee, to review Licensee-administered qualification testing for potential cheating incidents. The scope of this review included contracting with an independent consultant to analyze several sets of exams, investigating strong parallelisms identified by the consultant, investigating rumors of cheating and interviewing numerous Licensee personnel. In those identified instances of strong parallelisms, all but a few reasonably have been explained on some basis other than cheating after a review of lesson material and sequence of test administration, all of which was corroborated by interviews of the examinees. In the very few other instances, no such lesson material or test sequence logic was apparent, but the individuals specifically denied cheating to arrive at their answers. Regarding the investigation of rumors of cheating, Mr. Wilson has found no evidence, other than the rumors themselves, which would support the rumors. Finally, Mr. Wilson will describe his cooperation with the NRC

inspectors in their independent investigation of cheating by arranging to make individuals available at the requested times and providing copies of Licensee's documents to the NRC.

Mr. Edward V. Trunk, an Assistant Professor of Engineering at the Pennsylvania State University in Middletown, Pennsylvania, will testify about his independent analysis of several sets of Licensee-administered exams to ascertain, by comparison of responses, whether there were any indications of cheating. He will describe the scope of his investigation, the manner in which it was performed, and the results obtained and the follow-up work done. This testimony will show that in Mr. Trunk's view, the operator responses on the 1980 Kelly exam, including Category T, the Category T and Non-Category T make-ups, the 1979 mock NRC exam and two sessions of the 1981 ATTS mock exam were extremely varied, indicating a good understanding of the training material, and that despite a small number of strong parallelisms, there was no basis for concluding positively that any cheating had occurred.

Mr. Frank L. Kelly, President of PQS Corporation, will testify next about his administration of the 1980 mock NRC exam (known as the Kelly exam), focusing on the instructions given to operators at the time of the exam, the proctoring, the steps taken to safeguard the integrity of the exam itself, and the grading of the exam. The testimony will show that administration of the 1980 Kelly exam was typical of NRC and other utility exam administration and that there was no reason to believe that cheating had occurred on this exam. Mr. Kelly

will also discuss the necessity that an operator memorize a great deal of material to pass NRC exams, but that the OARP training program was not structured to "coach" operators to pass exams.

The last witnesses, testifying as a panel, will be Dr. Robert A. Long, Director of GPU Nuclear's Training and Education Department, Mr. Samuel L. Newton, Operator Training Manager at TMI, and Nelson D. Brown, Supervisor of Licensed Operator Training. Dr. Long will begin by discussing the orientation of the Training and Education Department prior to July, 1981 and the failure to focus on methods for securing the security of the exam process. Messrs. Newton and Brown will continue by describing the revisions to the operator training administration since the TMI-2 accident, focusing on changes in the materials taught, restructuring of the training programs to emphasize classroom instruction, improvement of record retention, instructions given to examinees, proctoring, grading, and safeguarding the integrity of exam materials. They will also explain the reluctance of one of the training instructors, noted by the Special Master, to answer questions concerning rumors of cheating, when in fact he lacked any knowledge of cheating, and will explain why the ATTS exam graders did not discover cheating on the April, 1981 mock exam. Dr. Long will then explain Licensee's allowance of reexaminations for individuals who initially fail an exam, noting his belief that such a practice strengthens an operator's understanding of

particular material and focuses the attention of operator instructors on areas not taught sufficiently well. All three witnesses on this panel will discuss their strong belief that instructors at TMI-1 do not "coach" operators, but the teachers do focus on certain facts that must be understood and memorized, just as they focus on concepts that must be understood. Dr. Long and Mr. Newton will explain the reasons why they disapprove of the use of independent examiners and why they prefer to improve Licensee's own administrative processes to protect against abuses such as cheating. Dr. Long will continue by discussing radiation work permit (RWP) training, to which allegations by which Mr. Harry E. Williams, a former contract employee at Three Mile Island, relate. Dr. Long will conclude the testimony of the panel by discussing Licensee's recent new procedures and policies regarding exam administration and cheating, including exam administration procedures that attempt to prevent cheating and preserve the integrity of the examination process, a policy that clearly defines what constitutes both acceptable and unacceptable behavior such as cheating, and a policy that requires strict compliance with all Licensee procedures and policies. These new procedures will ensure that TMI-1 exams provide both an objective and an accurate measure of the skills an individual must have to perform his or her duties competently and effectively.