

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
TEXAS UTILITIES GENERATING COMPANY ) Docket Nos. 50-446  
 ) 50-447  
(Comanche Peak Steam Electric )  
Station, Units 1 and 2) )

AFFIDAVIT OF JOHN T. COLLINS

Q.1. Please state your name and by whom you are employed.

A.1. My name is John T. Collins. I am employed by the United States Nuclear Regulatory Commission as Regional Administrator, Region IV, Arlington, Texas. A copy of my professional qualifications will be provided shortly.

Q.2. Please state whether you have reviewed and are familiar with NRC Investigation Reports 80-22, 81-12, and 82-10/82-05 (admitted into evidence in this proceeding as Staff Exhibits 123, 178, and 199, respectively)?

A.2. Yes

Q.3. Do you know whether the individuals identified by letter in NRC Staff Exhibits 123, 178, and 199 were contacted by persons employed by NRC Region IV (specifically, Messrs. Donald D. Driskill and Richard K. Herr), in an effort to determine whether any of them object to the Staff's disclosure or confirmation of their identities?

A.3. Yes.

Q.4. Do you know which of them, if any, have stated that they object to the Staff's disclosure or confirmation of their identities?

A.4. Yes.

Q.5. In your opinion, could the disclosure of the names of those persons who do not seek to remain anonymous inadvertently result in the disclosure of the identities of those persons who seek to remain anonymous? Please explain the basis for your opinion.

A.5. Yes. Since all of these people are presently, or have at one time, been employed by either the utility or its constructor, it would be possible, by the process of elimination, to discover the identities of those persons who seek to remain anonymous, if the identity of the other persons were disclosed. For those persons who do not seek to remain anonymous, it may be possible to coincide them with their tentative identification which has been or may be made by other parties in this hearing and from this make a reasonable assumption that those not identified coincide with the tentative identification.

Q.6. In your opinion, what impact, if any, might there be upon the Commission's ability to gather information from confidential sources in the future, as a result of the inadvertent disclosure of the identities of those persons who have requested anonymity? Please provide the basis for your opinion.

A.6. Comanche Peak is just one of many reactors under construction around the country. Here, as with the other reactors, construction and other employees may have firsthand knowledge of potentially dangerous

situations. It is vital that these persons be encouraged to bring such situations to the Commission's attention. Many of those persons normally would be afraid to step forward with such information, fearing reprisals from the employer, fellow employees, future employers, and other persons. For this reason, it is extremely important that the Commission be able effectively to protect their identities. Inadvertent disclosure of the identities of those persons who have requested anonymity would have a chilling effect on the Commission's ability to gather information from confidential sources in the future. This breach of confidentiality would spread and the likelihood of informants coming forward with safety-related information in future cases would be greatly diminished.

Each of the individuals contacted, who objected to the NRC staff's disclosure of their identities, as set forth above, described their objections somewhat differently; however, in general, each expressed that such a disclosure could possibly place their present and/or future employment in jeopardy. It appears to be a common belief among them that their simple cooperation with NRC investigators may be interpreted as an act of disloyalty by their employers. In this case, I believe that the disclosure of these persons' identities could very well cast doubt upon the Commission's commitment to protecting individuals who provide information in the course of our investigations. Therefore, I believe that such disclosure could very well jeopardize

the Commission's ability to obtain such information in the future.

John T. Collins  
John T. Collins

STATE OF TEXAS  
COUNTY OF TARRANT

On this, the 21<sup>st</sup> day of August, 1982, personally appeared John T. Collins, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed.

Subscribed and sworn before me on the 24<sup>th</sup> day of August, 1982.

Gloria Brown  
Notary Public in and for GLORIA BROWN  
said County and State

My Commission Expires: 6-30-84