

BURT C. PROOM, CPCU
President

JOHN E. HARWARD
Vice President - Claims

December 27, 1982

50-219

Mr. Jerome Saltzman
Assistant Director
State and Licensee Relations
Office of State Programs
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Abstract #98
Jersey Central Power & Light Company
Re: John & Gloria Bruschi
D/O: December 4, 1982

Dear Mr. Saltzman:

Attached find a copy of the complaint filed in Superior Court, Ocean County, New Jersey, in connection with the captioned case. A review of the complaint, together with other information we have received on this case, would indicate that the plaintiff, John Bruschi, suffered a traumatic injury to his back at our insureds' Oyster Creek nuclear facility on December 4, 1980.

The complaint appears to allege injury resulting from "an unfit and unsafe working place," as well as unspecified injuries from exposure to radioactive materials while Mr. Bruschi was being removed from the premises on a stretcher.

We have agreed to provide a defense for our policyholder to this suit and the attorney assigned to the case is David J. Novack, Esq., a partner in the law firm of Budd, Lerner, Kent, Gross, Picillo & Rosenbaum, 33 Washington Street, Newark, New Jersey, 07102. We did, however, point out to the policyholder that any injuries resulting from a structural defect, or any other injuries resulting from non-nuclear exposures would not be for our attention.

We have also initiated our investigation and requested radiation exposure records from our policyholder.

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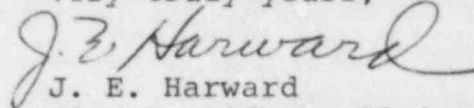
Mr. Jerome Saltzman

Page 2

December 27, 1982

Please let me know if you require any additional information on this case at this time.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. E. Harward".

J. E. Harward
Vice President, Claims

JEH/pbj
Enclosure

RECEIVED

DEC 22 1982

MORRIS COUNTY SHERIFF'S DEPT.
DATE OF SERVICE

30 Nov 82 Hdc

John M. Fox
Sheriff

CLAIM DEPARTMENT

Attorney(s): BARRY D. GOLDMAN, ESQUIRE
Office Address & Tel. No.: 582 Plaza Terrace East, P.O. Box 785
Attorney(s) for Plaintiff(s) Brick Town, NJ 08723 (201) 920-1000

Plaintiff(s)

JOHN BRUSCHI and GLORIA
BRUSCHI, his wife,

vs.

Defendant(s)

GENERAL PUBLIC UTILITIES
CORP., a Corporation of the
State of New Jersey and/or
JERSEY CENTRAL POWER & LIGHT
CO., a Corporation of the
State of New Jersey and
GENERAL ELECTRIC, INC., a
Corporation,

SUPERIOR COURT
OF NEW JERSEY

LAW DIVISION

OCEAN COUNTY

Docket No. L-015378-82

CIVIL ACTION
Summons

The State of New Jersey, to the Above Named Defendant(s):

GENERAL PUBLIC UTILITIES CORP., et als

YOU ARE HEREBY SUMMONED in a Civil Action in the Superior Court of New Jersey, instituted by the above named plaintiff(s), and required to serve upon the attorney(s) for the plaintiff(s), whose name and office address appears above, an answer to the annexed complaint within 20 days after the service of the summons and complaint upon you, exclusive of the day of service. If you fail to answer, judgment by default may be rendered against you for the relief demanded in the complaint. You shall promptly file your answer and proof of service thereof in duplicate with the Clerk of the Superior Court, P. O. Box 1300, Trenton, New Jersey 08625, in accordance with the rules of civil practice and procedure.

If you are unable to obtain an attorney you may communicate with the New Jersey State Bar Association by calling toll free 800-792-8315. You may also contact the Lawyer Referral Service of the County in which you reside, by calling . If you cannot afford an attorney, you may communicate with the Legal Services office of the County in which you reside, by calling

Dated: November 23 1982

W. Lewis Bambrick
W. LEWIS BAMBRICK

Clerk of the Superior Court

Name of defendant to be served: Jersey Central Power & Light Co.
Address for service: Registered Agent: Robert O. Brokaw
Madison Ave. & Punchbowl Road
Morristown, New Jersey

BARRY D. GOLDMAN, ESQUIRE
582 Plaza Terrace East
P.O. Box 785
Brick Town, New Jersey 08723
(201) 920-1000
Attorney for the Plaintiffs

JOHN BRUSCHI and GLORIA
BRUSCHI, his wife,

Plaintiffs,

-73-

GENERAL PUBLIC UTILITIES,
CORP., a Corporation of the
State of New Jersey and/or
JERSEY CENTRAL POWER & LIGHT
CO., a Corporation of the
State of New Jersey and
GENERAL ELECTRIC, INC., a
Corporation

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY
DOCKET NO. L-015378-22

Civil Action

COMPLAINT AND DEMAND FOR
TRIAL BY JURY

Plaintiffs, John Bruschi and Gloria Bruschi residing at 24 Haines Street in the Township of Lacey (Lanoka Harbor), County of Ocean and State of New Jersey, by way of Complaint say:

FIRST COUNT

1. On or about December 4, 1980 and at all times herein mentioned the defendant Jersey Central Power & Light Co., was a public corporation which was the owner and/or operator

and/or managing agent of a nuclear power plant known and designated as Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

2. On or about December 4, 1980 and at all times herein mentioned the defendant General Public Utilities Corp., was a corporation and the principal stockholder and/or the parent corporation of the defendant Jersey Central Power & Light Co., and was the owner and/or operator and/or managing agent of a nuclear power plant known and designated as Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

3. On or about December 4, 1980 and at all times herein mentioned the defendant General Electric, Inc., was a corporation involved in the general contracting for certain repairs at or near a nuclear power plant known and designated as Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

4. On or about December 4, 1980 and at some time prior thereto at a date and time unknown to the plaintiffs, the defendant Jersey Central Power & Light Co., had entered into an agreement with the defendant General Public Utilities Corp., pertaining to the ownership, management, operation, control and supervision of a nuclear power plant known and designated as Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

5. The defendant Jersey Central Power & Light Co., and/or the defendant General Public Utilities Corp., on or about December 4, 1980 and at a date and time unknown to the plaintiffs, entered into a contract with the defendant General Electric, Inc., pertaining to certain repairs or renovations to be rendered on a nuclear power plant known and designated as Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

6. On or about December 4, 1980 and at all times herein mentioned, Riggs Distler & Co., Inc., a corporation had entered into an agreement with the defendant General Electric, Inc., in order to perform some of the work, in, on or about the premises of a nuclear power plant known and designated as Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

7. On or about December 4, 1980 and at all times herein mentioned the plaintiff John Bruschi was an employee of Riggs Distler & Co., and was lawfully, in, on or about the Oyster Creek Generating Station, Forked River, Ocean County, New Jersey.

8. On or about December 4, 1980 and at all time herein mentioned the defendants aforementioned carelessly and negligently managed, controlled, supervised, inspected and maintained the Oyster Creek Generating Station so as to render the premises as an unfit and unsafe working place and so as,

to cause the plaintiff, John Bruschi to injure himself at said premises.

9. As a direct and proximate result of the carelessness and negligence of the defendants, the plaintiff, John Bruschi sustained diverse, painful and permanent external injuries and his nervous system was greatly shocked and he became sick and disabled and during all that time suffered; will in the future suffer great physical pain; has been unable to perform his usual work and endeavors, suffered loss of wages and has been and will be obliged to expend large sums of money for medicine and medical attention; was prevented from continuing his employment from thence hereto and will in the future continue being prevented from pursuing his employment causing great economic pecuniary losses to the plaintiff which will continue into the future; and was prevented from pursuing his normal hobbies, activities and recreations from thence hereto and the same will continue into the future; and his life was rendered one of such misery and despair as to prevent him from continuing as a normal person from thence hereto and will continue into the future.

WHEREFORE, plaintiff John Bruschi demands judgment as against the defendants, jointly, severally or alternatively for damages together with interest and costs of suit.

SECOND COUNT

1. Plaintiff repeats and realleges all of the allegations of the First Count and incorporates the same as if

fully set forth herein at length.

2. The defendants aforementioned were knowingly engaged in a nuclear power plant subject to high levels of radioactive materials, dust and debris to be in, on or about the working area of the premises, absorbed into the walls and ceiling and subject to the emission thereof upon any disturbance thereto. Plaintiff, John Bruschi was exposed to high levels of radioactive dust, materials and debris in, on or about the premises of the defendants and the plaintiff, John Bruschi was so contaminated.

3. In violation of the Federal, State and defendants own operating safety rules and regulations, the plaintiff, John Bruschi was physically removed from the premises without undergoing the necessary decontamination process.

4. Said removal was careless and negligent and was in direct violation of Federal, State and defendants own nuclear safety rules and regulations and subjected plaintiff to an unreasonable risk of harm.

5. As a direct and proximate result of said exposure to radioactive materials, dust and debris, the plaintiff, John Bruschi sustained diverse, painful and permanent external injuries and his nervous system was greatly shocked and he became sick and disabled and during all that time suffered and will in the future suffer great physical pain; has been unable to perform his usual work and endeavors, suffered loss

of wages and has been and will be obliged to expend large sums of money for medicine and medical attention; was prevented from continuing his employment from thence hereto and will in the future continue being prevented from pursuing his employment causing great economic pecuniary losses to the plaintiff which will continue into the future; and was prevented from pursuing his normal hobbies, activities and recreations from thence hereto and the same will continue into the future; and his life was rendered one of such misery and despair so as to prevent him from continuing as a normal person from thence hereto and will continue into the future.

WHEREFORE, plaintiff John Bruschi demands judgment as against the defendants, jointly, severally or alternatively for damages together with interest and costs of suit.

THIRD COUNT

1. Plaintiff repeats and realleges all of the allegations of the First and Second Counts and incorporates the same as if fully set forth herein at length.

2. Said conduct by the defendants, their agents, and employees was wilful, intentional and knowingly in violation of the Federal, State and defendant's own nuclear safety and operations and rules and regulations.

WHEREFORE, plaintiff John Bruschi demands judgment as against the defendants for damages actual and punitive.

FOURTH COUNT

Plaintiff, Gloria Bruschi is the wife of the plaintiff John Bruschi.

1. Plaintiff, Gloria Bruschi repeats and realleges all of the allegations of the First, Second and Third Counts and incorporates the same as if fully set forth herein at length.

2. As a direct and proximate result of the carelessness and negligence of the defendants and/or creation or maintenance of a nuisance, the plaintiff, Gloria Bruschi has been deprived of the society, services and consortium of her husband and has been and is required to devote a substantial portion of her time to the care, maintenance and needs of her husband.

WHEREFORE, plaintiff Gloria Bruschi demands judgment as against the defendants, jointly, severally or alternatively for damages together with interest and costs of suit.

JAMES H. DECEMBER

JURY DEMAND

The plaintiffs herein demand that the following issues of fact be submitted to the jury:

JAMES H. DECEMBER