

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
GENERAL PUBLIC UTILITIES CORPORATION, :  
JERSEY CENTRAL POWER & LIGHT COMPANY, :  
METROPOLITAN EDISON COMPANY and :  
PENNSYLVANIA ELECTRIC COMPANY, :

Plaintiffs, :

-against- :

THE BABCOCK & WILCOX COMPANY and :  
J. RAY McDERMOTT & CO., INC., :

Defendants. :

-----x

:80 Civ. 1683  
(R.O.)

Continued deposition of RONALD STEPHEN  
HARBIN, taken by defendants, pursuant to  
Notice and adjournment, at the offices of  
Davis Polk & Wardwell, Esqs., One Chase  
Manhattan Plaza, New York, New York, on  
Wednesday, July 8, 1981 at 9:40 o'clock in  
the forenoon, before Charles Shapiro, a  
Certified Shorthand Reporter and Notary Public  
within and for the State of New York.



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BY: PATRICIA M. VAUGHAN, ESQ.,

of Counsel

## Also Present:

KATHI BROWN

\* \* \*

R O N A L D       S T E P H E N       H A R B I N , having  
been previously duly sworn by a Notary Public,  
was examined and continued to testify as  
follows:

EXAMINATION (continued)

BY MRS. VAUGHAN:

Q       Mr. Harbin, I remind you that you are

under oath as you were yesterday.

MRS. VAUGHAN: I would like to mark as B&W Exhibit 204 for identification a letter dated May 20, 1977 to Mr. Klingaman from Joel T. Janis, service manager at B&W.

(Letter dated May 20, 1977 to Mr. Klingaman from Joel T. Janis, service manager at B&W marked B&W Exhibit 204 for identification, as of this date.)

(Handing document to the witness.)

Q Mr. Harbin, have you had a chance to review this letter?

A Yes, I have.

Q Have you ever seen this letter before?

A No, I don't recall seeing it.

Q Would this letter, a letter from B&W to Mr. Klingaman be the kind of correspondence that you would review in your job as assistant, administrative assistant to the Unit 1 supervisor?

MR. MacDONALD: Are you asking him specifically whether this correspondence was something that he reviewed?

MRS. VAUGHAN: No, because he said he didn't recall receiving it. I am asking if

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this kind of correspondence is the kind of correspondence that he would have reviewed at any time during his employment as an administrative assistant to the Unit 1 manager.

A Yes, I reviewed some B&W correspondence.

Q Do you recall whether any of the B&W correspondence that you reviewed was of this nature, that is it informed Metropolitan Edison of an incident that occurred at another plant?

A I don't recall any correspondence specifically notifying anyone in Metropolitan Edison Company of incidents at other plants, no.

Q Do you recall generally correspondence notifying Met ED of incidents at other plants?

A No, I don't.

Q Do you maintain a file of B&W correspondence?

A I don't, no.

Q Does your secretary maintain a file of B&W correspondence?

A Yes, she does.

Q How far back does that file go?

A Prior to the accident. I don't know specifically how far back.

Q What is your secretary's name?



1

2 A Pat Schlegel, S-c-h-l-e-g-e-l,

3 Q How long has she been your secretary?

4 A She is not my secretary.

5 Q Whose secretary is she?

6 A Ron Toole's.

7 Q Do you have a secretary?

8 A Ron Toole and I share her as a secretary.

9 Q Was she Mr. Seelinger's secretary when  
10 he was the unit superintendent?

11 A No, she was not.

12 Q Who was Mr. Seelinger's secretary at  
13 the time?

14 A Donna Kent, K-e-n-t, who was one.

15 Q Was one?

16 A Yes.

17 Q Was there another?

18 A I don't recall.

19 Q Was there more than one secretary for  
20 Mr. Seelinger at one time?

21 MR. MacDONALD: Do you mean at a certain  
22 period of time --

23 Q Did Mr. Seelinger have two secretaries?

24 MR. MacDONALD: At the same time?

25 MRS. VAUGHAN: Yes, that's right.

1  
2 A I don't recall. Not as a general rule.  
3 Possibly during some period of turnover from one  
4 secretary to another.

5 Q Did you share the secretary with  
6 Mr. Seelinger at that time as you do with Mr. Toole  
7 now?

8 A Yes, I did.

9 Q Would the files that--Ms. Schlegel did  
10 you say?

11 A Schlegel.

12 Q -- Ms. Schlegel have relating to B&W  
13 correspondence contain B&W correspondence that would  
14 have been received at the time Mr. Seelinger was the  
15 Unit 1 superintendent?

16 A Yes, it does.

17 Q Would it also contain correspondence  
18 that was received at the time Mr. O'Hanlon was the  
19 Unit 1 superintendent?

20 A I don't know that for sure.

21 Q Would it be the general practice that  
22 that would be so?

23 A Yes, it would.

24 Q Do you know whether the files contain  
25 correspondence from B&W that would have been received

1  
2 at the time Mr. Colitz was the Unit 1 superintendent?

3 A Yes, it would have.

4 MRS. VAUGHAN: I would like to mark as  
5 B&W Exhibit 205 a copy of B&W Users Group  
6 meeting minutes, the meeting was held on  
7 June 27 and 28, 1979. The date of the minutes  
8 are July 24, 1979. In addition there is a  
9 cover memo from J. L. Seelinger to distribution  
10 with a cc to Harbin.

11 (Copy of minutes of a B&W Users Group  
12 meeting held on June 27 and 28, 1979, dated  
13 July 24, 1979 with an attached cover memo from  
14 J. L. Seelinger to distribution with a copy  
15 to Harbin marked B&W Exhibit 205 for  
16 identification, as of this date.)

17 (Handing document to the witness.)

18 Q Mr. Harbin, have you had a chance to look  
19 at B&W Exhibit 205?

20 A Yes, I have.

21 Q I would like you to turn to the second  
22 page, please, the page that is the memo from J. L.  
23 Seelinger.

24 A Yes.

25 Q It says "cc Harbin," Is that you?

1

2 A Yes.

3 Q Underneath that is a note that says "Go  
4 through in detail and put this in the same system  
5 as B&W newsletter."

6 Do you see that?

7 A Yes.

8 Q Could you explain to me what Mr. Seelinger  
9 meant by that note to you?

10 MR. MacDONALD: I object to the form.

11 Just before we get into it I would like  
12 to preface that by asking the witness whether  
13 he recalls seeing the document at some point  
14 in time and also the question should be geared  
15 to his understanding on 8/21/1979 on what  
16 Mr. Seelinger meant at that time.

17 MRS. VAUGHAN: I have no problem with  
18 the latter.

19 Q I will ask you if you recall receiving  
20 this?

21 A Yes, I do.

22 Q Could you please tell me what your  
23 understanding was at the time that you received  
24 this 8/21/79 and what Mr. Seelinger meant by "Go  
25 through in detail and put this in the same system

1  
2 as B&W newsletter"?

3 A I gave this deposition yesterday concerning  
4 the program that I was directed to establish, relating  
5 to the weekly B&W newsletters and there are events  
6 listed at various B&W plants in this report that he  
7 felt would be additional input to that system, to the  
8 same system and wanted me to review this report for  
9 any additional items.

10 Q Do you see on the first page of the  
11 actual minutes --

12 A I am not sure what page that is.

13 Q It is like the 7th page of the exhibit  
14 at the top of the page it says "Minutes of Meeting,  
15 B&W Users Group."

16 A Yes.

17 Q On that page and on some of the succeeding  
18 pages there appear to be initials on the left-hand  
19 side of the page.

20 On page 6 of the minutes is a clearer  
21 copy of some of the initials.

22 A Yes.

23 Q Would those have been initials that you  
24 marked in?

25 MR. MacDONALD: Are you asking were they?

1

2

MRS. VAUGHAN: Yes.

3

MR. MacDONALD: Initials that he marked

4

in?

5

MRS. VAUGHAN: Yes.

6

A That appears to be my writing.

7

Q Can you tell me why you put those initials

8

there?

9

A Assuming that that is my writing, the initials

10

are an indicator of who should review each of the

11

subjects listed in the -- in this document.

12

Q Would it be your general practice to

13

go through the B&W Users Group meeting minutes and

14

put initials next to those items, certain items?

15

A No, I don't think that's a fair statement to

16

make.

17

Q Are these minutes the first time you did

18

that?

19

A I don't recall.

20

Q Do you recall any other time that you

21

did it?

22

A No.

23

Q Do you keep a file of B&W Users Group

24

meeting minutes?

25

A I don't, 'no.

1

2

Q Does anyone keep a file of those minutes?

3

A Pat Schlegel keeps a file of some. I don't

4

know -- I don't know how complete that file is.

5

Q Is it the general practice to put those

6

meeting minutes into a file which she keeps?

7

A Yes, it is.

8

Q Do you know how far back those meeting

9

minutes go?

10

A They go back before the accident.

11

Let me clarify that. To the best of my

12

knowledge files prior to 1980 are maintained by Al

13

Stowe, once again in the Unit 2 administration

14

building.

15

Q When you say files you mean the files

16

of these meeting minutes would be maintained by him?

17

A Yes.

18

Q What is his title, Mr. Stowe's?

19

A I don't know.

20

Q When Mr. Seelinger stated in his memo

21

"Go through in detail," what did you understand him

22

to be saying to you at that time?

23

A To carefully read and review the document.

24

Q And for what purpose were you to review

25

and read the document?



1

2

A The same purpose that I stated a few minutes ago.

3

4

Q Only for the purpose of putting it into the system?

5

6

A Yes.

7

Q That you discussed before?

8

A Yes, that's correct.

9

Q Were you responsible for making sure

10

that those people whose initials appear in these

11

minutes received a copy of these minutes?

12

A No.

13

Q What was your responsibility with regard

14

to their involvement, that is, those people whose

15

initials appear here?

16

A I had no specific responsibility with respect

17

to that.

18

Q Who did? Did anyone?

19

A Who did what?

20

Q Who had any responsibility for their

21

involvement?

22

A No one.

23

Q Why did you put the initials next to their

24

names -- next to the items, excuse me. Why did you

25

put the initials next to the items in these minutes?

1  
2 A As I said a few minutes ago I felt that the  
3 item adjacent to an individual's initials would be  
4 something of interest to them.

5 Q How did you communicate that to them?

6 A I can't tell by looking at this document that  
7 I did.

8 Q Do you know that you did not?

9 A No.

10 Q Would it be your practice to put initials  
11 next to items and then not follow through on them  
12 if you thought those items were to be of interest  
13 to those individuals?

14 MR. MacDONALD: Follow through, what do  
15 you mean by follow through?

16 MRS. VAUGHAN: Follow through in terms of  
17 notifying them of the item itself.

18 A Could you repeat the question, please?

19 MRS. VAUGHAN: Could you read it back,  
20 please?

21 (Question read by the reporter.)

22 A No, that was not my practice.

23 Q What would be your practice in terms of  
24 communicating to the individuals the fact that the  
25 item appeared in the minutes?

1  
2 MR. MacDONALD: That is assuming he had  
3 a general practice. He testified a moment  
4 ago he doesn't have any recollection of ever  
5 doing this on the meeting minutes --

6 MRS. VAUGHAN: I am not sure he didn't  
7 have a recollection. He said he couldn't tell  
8 by looking at the minutes.

9 MR. MacDONALD: I think the question was  
10 before whether or not he had any recollection of  
11 ever doing this with other meeting minutes. He  
12 said he had no recollection so he may just be  
13 puzzled by the term "general practice" as it  
14 applies to distribution of meeting minutes with  
15 initials in the margin.

16 MRS. VAUGHAN: Let's try it this way.

17 Q Did you have a general practice with  
18 respect to circulating to individuals whom you  
19 identified as those individuals who might be interested  
20 in an item that appeared in these minutes?

21 A No, I don't believe I did.

22 Q You don't believe you had a general practice?

23 A That's correct.

24 Q What would be any practice that you had,  
25 any means at all of communicating to individuals

1  
2 identified as being those individuals who would be  
3 interested in items mentioned in the minutes?

4 MR. MacDONALD: Are you speaking now of  
5 these particular minutes?

6 MRS. VAUGHAN: These in front of us,  
7 yes.

8 A I don't recall what my practice was.

9 Q Would you talk to the individuals?

10 A I don't recall talking to any individual.

11 Q Would you write them a memo?

12 MR. MacDONALD: You are still talking  
13 about this whether or not he did write them a  
14 memo and whether he can recall if he spoke to  
15 them or wrote them a memo?

16 MRS. VAUGHAN: Yes.

17 A I don't recall whether I wrote anyone a memo.

18 Q Did you send anyone the minutes?

19 A I don't recall whether I did.

20 Q Do you recall at any time in your  
21 employment after having reviewed B&W Users Groups  
22 minutes of communicating to anybody at any time any  
23 item that you had identified as being of interest to  
24 them?

25 MR. MacDONALD: I object to the form. I

1  
2 think he already testified that the only  
3 recollection he has of ever reviewing a B&W  
4 Users Group meeting minute was this one. Now  
5 you are trying to extrapolate that and turn  
6 to --

7 MRS. VAUGHAN: I don't think he testified  
8 this is the only one.

9 MR. MacDONALD: Let me finish my statement  
10 -- and turn it to a review of every Users Group  
11 meeting minute that came into Metropolitan  
12 Edison. I don't think that's his testimony.

13 Q Is it your testimony that these are the  
14 only meeting minutes that you have ever reviewed,  
15 that you have any recollection of ever having reviewed?

16 A No.

17 Q It is not your testimony?

18 A That's correct.

19 Q You do recall reviewing other Users Group  
20 meeting minutes?

21 A Yes, I do.

22 Q Do you recall at any time identifying  
23 individuals who would be interested in items that  
24 were mentioned in Users Group meeting minutes either  
25 this one or other Users Group meeting minutes?

1

2 A Yes, I did in this one and I did in others.

3 Q Identify individuals who might be  
4 interested in particular items mentioned in the  
5 meeting minutes; is that correct?

6 A Yes, that's correct.

7 Q All right.

8 Now, my question to you is: How would you  
9 communicate that particular item of interest to the  
10 individual you identify?

11 A For this document I don't recall.

12 Q For any document at any time. Referring  
13 now only to the meeting minutes.

14 A For other documents I recall making a distribution  
15 to the individuals that I have indicated in the  
16 margins would be interested in the item -- in the  
17 adjacent item.

18 Q In making that distribution would you  
19 send along a copy of the entire minutes to the  
20 individuals?

21 A I don't recall.

22 Q How would you make that distribution?

23 A I don't recall.

24 Q Do you recall any way at all how you  
25 would make it?

1

2

A No.

3

Q You have no recollection whatsoever of

4

how it was that you distributed the item to the

5

individual?

6

A Not other than to speculate.

7

Q Would a file be kept of any memos that

8

you sent out regarding B&W Users Group minutes?

9

A I don't know that that was the general practice.

10

I know that there were some meetings that that was -- that

11

was done.

12

Q And who would have that file?

13

A Excuse me, of that file?

14

Q Yes.

15

A Either Pat Schlegel or Al Stowe.

16

Q Would you look again at the memo from

17

J. L. Seelinger?

18

A Yes.

19

Q Do you see the individuals listed next

20

to the word to, t-o and a colon?

21

A Yes.

22

Q Is the first name Mr. Shovlin,

23

S-h-o-v-l-i-n?

24

A Yes.

25

Q Do you know why he would be getting a



1

2 copy of these meeting minutes?

3 A I don't know.

4 Q How about Mr. Ross?

5 A I don't know why anyone on the distribution would  
6 since I didn't write the memo.

7 Q Did you have any discussions with  
8 Mr. Seelinger about this particular memo?

9 A I don't recall.

10 Q Did Mr. Seelinger ever discuss with you  
11 anything having to do with the meeting minutes, these  
12 or others?

13 A Not that I recall.

14 Q Did you have any discussions with the  
15 individuals listed about the meeting minutes?

16 MR. MacDONALD: You are now talking  
17 about Exhibit 205?

18 MRS. VAUGHAN: I am talking about the  
19 same exhibit (indicating).

20 A Not that I recall.

21 Q Who goes to the B&W Users Group meetings  
22 from Met Ed?

23 MR. MacDONALD: Are you asking who has  
24 gone, who goes?

25 MRS. VAUGHAN: Well, let's start this way.

1

2

Q Who goes today?

3

A Could you be more specific?

4

Q In terms of who goes today to the Users

5

Group meetings?

6

A Yes.

7

Q I think that's fairly specific.

8

A I think who went to the last one is more

9

specific.

10

Q Whatever.

11

A Ron Toole.

12

Q All right. Who else?

13

Is he the only one that went to the last

14

one?

15

A I don't know.

16

Q How about the one before that?

17

A I don't recall.

18

Q Do you know whether there is a general

19

practice in Met Ed to send the same individual in

20

a particular job position?

21

A Yes.

22

Q And what job position is that?

23

A The position of unit superintendent.

24

Q Would that be for Unit 1 and Unit 2?

25

A I don't know for Unit 2.

1

2

Q But for Unit 1 that would be true?

3

A As a general practice.

4

5

6

Q So essentially it should have been since 1977 or whenever the Users Group meetings started, your boss who went to those meetings; is that right?

7

8

A Yes. However, I recall some meetings that he did not go.

9

10

Q But as a general practice he was the individual who was supposed to go?

11

A Yes, that's right.

12

13

14

Q Did he ever take any notes of the meetings whichever boss it would be in any particular point in time?

15

16

A I recall some notes being taken by some superintendent.

17

18

Q Do you recall any notes being taken by Mr. Colitz?

19

A No, I don't.

20

21

Q Do you recall that Mr. Colitz went to any Users Group meetings?

22

A No, I don't recall that he did.

23

24

Q Do you recall whether Mr. O'Hanlon attended any Users Group meetings?

25

A No, I don't recall that he did.

1

2

Q Do you recall any notes that Mr. O'Hanlon  
3 had from Users Group meetings?

4

A No, I don't.

5

Q How about Mr. Seelinger, do you recall  
6 that he went to any Users Group meetings?

7

A No, I don't.

8

Q Mr. Miller, do you recall that he went  
9 to any Users Group meetings?

10

A No, I don't.

11

Q And then Mr. Toole is the individual that  
12 you just testified to; is that right, as having  
13 attended the last Users Group meeting?

14

A Yes.

15

Q Who was the individual or individuals  
16 that you did recall did make notes of Users Group  
17 meetings?

18

A I don't recall the specific individual.

19

Q You just recall that there are notes of  
20 Users Group meetings made by any one of those  
21 individuals?

22

A Yes, that's correct.

23

Q But you don't recall who the individual  
24 was?

25

A No, I don't.

1

2

Q Way is it that you recall the notes?

3

A Because I recall the location of the meeting and I recall that the individual prepared most of his notes in the airport following -- at the airport following the meeting.

7

I just don't recall which superintendent it was.

8

9

Q Were you at the meeting with that superintendent?

10

11

A No, I wasn't.

12

Q Where was the meeting held?

13

A I believe Crystal River.

14

Q How do you know that the notes were prepared at the airport?

15

16

A Because he told me that's where he prepared them.

17

18

Q But you still don't remember who the individual was?

19

20

A No.

21

Q Did you keep a copy of those notes?

22

A I don't know.

23

Q When was that meeting?

24

A I don't know.

25

Q Were there any other Unit 1 superintendents

1  
2 from the time of your employment other than those  
3 that we have so far mentioned, that is, Mr. Colitz,  
4 Mr. O'Hanlon, Mr. Seelinger, Mr. Miller in whatever  
5 acting capacity he was and then Mr. Toole in any other  
6 capacity?

7 A Not that I know of.

8 Q Was Mr. Seelinger's instruction to you  
9 to go through in detail a new instruction from him  
10 at that time? In other words, had he ever asked you  
11 to do that before with regard to any other Users  
12 Group meeting minutes?

13 A I don't recall.

14 Q Do you recall that your review of these  
15 minutes was any different from your review of previous  
16 meeting minutes?

17 A Yes, it was.

18 Q In what respect?

19 A In that I was looking for specific failures  
20 and information relating to those failures that would  
21 lend itself to the program that I was developing.

22 Q When you used the words "specific  
23 failures," do you mean by that that Mr. Seelinger  
24 identified for you the kind of failures he wanted you  
25 to look for?

1

2 A I don't recall whether he did that or not.

3 Q What did you mean when you just used the  
4 words specific failures?

5 A Component failures.

6 Q Do you mean then that before this  
7 particular meeting minutes that you reviewed, when  
8 you reviewed the other ones you did not look for any  
9 component failures or any indication of component  
10 failures at other facilities?

11 A No, I don't mean that.

12 Q Did you in your review of previous meeting  
13 minutes look for component failures?

14 A Yes, I did.

15 Q Do you recall when that was?

16 A I don't recall reviewing any specific minutes.

17 Q Do you recall as you sit here today  
18 identifying any particular component failures from  
19 the meeting minutes?

20 A No, I don't.

21 Q When you reviewed meeting minutes previous  
22 to this was there anything else that you can recall  
23 looking for as you reviewed them?

24 A One thing that I recall was reviewing matters  
25 concerning personnel management levels as an example



1

2

with other plants.

3

Q Why were you interested in that?

4

A I don't recall specifically why.

5

Q Personnel management matters, is that

6

what you said?

7

A Management levels.

8

Q Management levels, do you mean the numbers

9

of employees?

10

A Yes.

11

Q That particular facilities had or had

12

problems attaining?

13

A I didn't say that.

14

Q No, I know you didn't. I am asking whether

15

that's what you meant.

16

A No.

17

Q You meant just the number of employees

18

that other utilities had?

19

A Yes.

20

Q Is there anything else you mean by

21

management levels, personnel management levels?

22

A No.

23

Q All right.

24

So you recall looking for that but

25

don't recall why you looked for that, is that y

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
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14  
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17  
18  
19  
20  
21  
22  
23  
24  
25

testimony?

A No, my testimony is that's something else that I remember seeing and knowing, not that I was looking for that.

Q I see. Do you recall why you noticed it, what it was about that that brought it to your attention?

A Yes.

Q What was that?

A An interest in comparing management levels at various plants.

Q What generated your interest in that?

A My knowledge of the apparent disparity between management levels at various plants.

Q Did you feel that some plants didn't have enough people and other plants had too many people?

A No.

Q What was your interest?

A I stated my interest.

Q Just a disparity?

A Yes.

Q Did you feel that Met Ed had enough people?

1

2 A Yes.

3 MR. MacDONALD: At what time?

4 MRS. VAUGHAN: At the time that he remembers  
5 looking at this.

6 A Yes, I did.

7 Q Were there any other minutes that you  
8 saw other than the ones that were prepared by B&W and  
9 sent to Metropolitan Edison of these Users Group  
10 meetings?

11 A I am sorry, could you repeat that?

12 Q Yes. Were there any other minutes which  
13 you saw other than these that were prepared by B&W  
14 of a Users Group meeting and I am not talking about  
15 this meeting in particular but at any time during  
16 your employment when there were User Group meetings.17 Did you see minutes other than those  
18 prepared by B&W?

19 A As of today?

20 Q As of today?

21 A I am asking you.

22 Q No, I know, but I don't understand your  
23 question.24 MR. MacDONALD: I think he means up until  
25 the present time.

1

2

MRS. VAUGHAN: All right.

3

4

MR. MacDONALD: Through the last Users  
Group meeting.

5

MRS. VAUGHAN: Yes.

6

A Yes.

7

Q Whose minutes were they?

8

A Ron Toole's.

9

Q Is that from the last meeting or one  
previous to that?

11

A I don't recall.

12

Q Do you recall seeing minutes of Ron  
Toole's from the last meeting?

14

A Yes, I do.

15

Q Do you recall that Ron Toole has attended  
users meetings other than the last one?

17

A Yes, he has.

18

Q Do you recall seeing other minutes of  
his from any of the others or any of the other Users  
Group meetings he would have attended?

21

MR. MacDONALD: These are minutes  
prepared by Mr. Toole?

22

23

MRS. VAUGHAN: That's right.

24

A Yes, I do.

25

Q Why would you see them?

1

2 A I don't recall.

3 Q Would Mr. Toole distribute the minutes  
4 to others for their review?

5 A Yes, he would.

6 Q His minutes now we are talking about?

7 A Yes.

8 Q Would he ask you to make that distribution  
9 for him or would he do it himself?

10 A He would do it himself.

11 Q Were you one of those to whom he  
12 distributed the minutes?

13 A I don't recall.

14 Q Do you know who else might have been  
15 on his list of distributees?

16 MR. MacDONALD: Who else was on his list?

17 MRS. VAUGHAN: Who else was.

18 A I don't know.

19 Q How soon after the meeting would he  
20 distribute the minutes?

21 MR. MacDONALD: You mean as a general  
22 matter? The only reason I ask is that "would"  
23 connotates could have, may have possibly have  
24 as opposed to did which would be actual fact  
25 and which is what we are trying to get from the

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witness.

MRS. VAUGHAN: Did is fine.

Q It can be a general answer, would it be within a week, did he distribute the minutes within a week?

A For the last meeting he did.

Q Did he distribute at other times within the same period of time or do you recall that it took longer?

A I don't recall.

Q Did Mr. Seelinger take minutes of the meetings or write up minutes of the meetings?

A I believe we already discussed that.

I don't recall whether he did, whether O'Hanlon did. I recall some minutes that were written up by one of the superintendents previous to Toole.

Q But you don't recall which one?

A That's correct.

Q All right. We were talking about notes before but if you understand notes --

A I am sorry.

Q -- not to be minutes.

Do you know with that distinction whether you ever saw something less than minutes, something

2 perhaps that was not typed up that were just notes  
3 of one of the Unit 1 superintendent's that they took  
4 at those meetings for their own use?

5 A Yes, I recall that.

6 Q Whose notes were they?

7 A Gary Miller's.

8 Q And we are talking about that time period  
9 when he was Unit 1 superintendent?

10 A Not necessarily.

11 Q Did you see notes that Gary Miller took  
12 at the time or at some time during which he was the  
13 Unit 2 superintendent?

14 A Not that I recall.

15 Q But you do recall seeing notes of his  
16 from a Users Group meeting; is that right?

17 A Yes, I do.

18 Q Do you recall seeing anyone else's notes  
19 from a Users Group meeting and now I mean to include  
20 not only the Unit 1 superintendent but anyone else  
21 who might have attended or who did attend?

22 A No, I don't recall.

23 Q Would copies of Mr. Toole's minutes and  
24 anyone else's minutes be maintained?

25 A Yes.



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2

Q Did you maintain a file of those minutes?

3

A No, I did not.

4

Q Who maintained the file of those minutes?

5

A Pat Schlegel has minutes generated by Ron Toole.

6

Q How about if there were minutes generated

7

by somebody else that you can't remember?

8

A I don't know.

9

Q Would those minutes either B&W minutes

10

from the Users Group meetings or the minutes of

11

Mr. Toole or anyone else who took minutes be posted

12

anywhere?

13

A Not that I know of.

14

Q In the minutes that Mr. Toole has taken

15

of the meetings, did he ask for any follow up on

16

any items?

17

A Yes, he did.

18

Q Which items?

19

A I don't know.

20

Q Do you recall attending a meeting after

21

the Users Group meetings at which those who went to

22

the meeting made a general report?

23

A No, I don't.

24

Q At any time in your employment?

25

A That's correct.

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Q Do you know whether any meetings were held even if you did not attend?

A No, I don't.

Q Are you aware of any form of communication by those attending the Users Group meeting to others at Met ED at which they would inform them of any items that they thought were of particular interest or report back on the meeting?

MR. MacDONALD: Are you talking about now aside from distribution of the minutes themselves?

MRS. VAUGHAN: That's right.

A Could you please repeat the question?

Q Yes. Do you know of any form of communication that was used or that occurred by which those attending the Users Group meeting reported to Met ED employees items of interest or anything that occurred at those Users Group meetings?

MR. MacDONALD: Again this is aside from the distribution?

MRS. VAUGHAN: Yes.

A No, not that I recall.

Q When B&W Users Group meeting minutes would come in from B&W itself, were you in any way

1  
2 responsible for distributing those minutes at any  
3 time?

4 A I have a problem with the term "responsible for."

5 Q Were you asked by the unit superintendent  
6 to distribute those minutes?

7 A Not that I recall.

8 Q Were you asked to do anything at any  
9 time by any of the Unit 1 superintendents for whom  
10 you worked with respect to the minutes other than  
11 this one that we have in front of us now?

12 A Not that I recall.

13 Q Were the user minutes something that  
14 you would categorize under the B&W correspondence  
15 that we referred to yesterday?

16 A Yes.

17 Q Would you review it from that prospective?

18 A Yes.

19 Q As you reviewed all correspondence?

20 A Yes.

21 Q Would you then determine whether it  
22 should be distributed to anybody?

23 A Excuse me, let me go back and answer the  
24 previous question a little more clearly.

25 I would not perform the same review on B&W

1  
2 correspondence in general and on B&W users meeting  
3 minutes specifically, the same as I reviewed all  
4 other correspondence.

5 Q What would be the difference?

6 A In general I perform a more detailed review.

7 Q Of the user minutes?

8 A Yes.

9 Q Then would you forward it on, the minutes?  
10 What would you do after you reviewed the minutes  
11 received from B&W?

12 A It would have depended on the superintendent  
13 and the period of time.

14 Q What would you do with Mr. Colitz?

15 A I don't recall.

16 Q What would you do with Mr. O'Hanlon?

17 A I don't recall.

18 Q What would you do with Mr. Seelinger?

19 A I don't recall.

20 Q Irrespective of for whom it might have  
21 been, what methods do you recall employing with the  
22 minutes?

23 A I recall highlighting portions of the minutes  
24 and passing the highlighted document on to the  
25 superintendent for his review and disposition.

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Q Do you recall using any other method or doing anything different from that?

A I don't recall whether I did or not.

Q Do you recall any of the superintendents ever identifying action items from the users' minutes?

A Yes, I believe I testified a few minutes ago that I recall that in Mr. Toole's minutes there were action items generated.

Excuse me, are you referring now to minutes that were generated at the time by the superintendent or by B&W?

Q No, by B&W.

A Yes, I recall that.

Q Do you recall that occurring with a superintendent other than Mr. Toole?

A Yes, I do.

Q Do you recall which one?

A No, I don't.

It was the general practice, to the best of my knowledge, that all three superintendents carefully reviewed users' meeting minutes and assigned action items where appropriate.

There is a lot that I don't recall and I don't recall primarily which superintendent.

1  
2 Q When those action items were assigned  
3 were you then responsible for following those action  
4 items to see that they were completed on a particular  
5 date?

6 A I don't recall ever being responsible for any,  
7 no.

8 Q When we spoke yesterday about your general  
9 areas of responsibility and we were talking about  
10 the action items, didn't you testify that you would  
11 follow through on some of those and keep track of  
12 action items to see that they were completed when  
13 due?

14 MR. MacDONALD: Are you asking anew  
15 whether or not that's his testimony? I just  
16 have problems with the characterization which  
17 may be correct or may not be or may not  
18 accurately reflect everything that he testified  
19 to yesterday. If you want to ask him anew  
20 so that we have it here rather than your  
21 characterization, it will be fine.

22 MRS. VAUGHAN: I mean to ask it anew in  
23 the sense that I thought I understood him to  
24 say yesterday that he did follow through on  
25 action items to the extent of watching the due

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dates and seeing that they were completed.

3

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Q If that is not correct I would be happy to have you correct that for me.

5

A That's correct.

6

7

8

Q And so my question now is: Would action items from the minutes be one of those things that you would follow through?

9

A I said I don't recall that I did.

10

11

12

Q Do you have any reason to think that you would not have? In other words, let me make it clearer.

13

14

15

Was there something about action items with regard to the user meeting minutes that were beyond what your responsibilities were?

16

17

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19

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A In general, because the superintendent attended the meetings and was more intimately familiar with what had been said at the meetings, in general he followed action items that were issued as a result of the minutes, the B&W minutes or his minutes more than I did, if I did.

22

MR. MacDONALD: Off the record.

23

(Discussion off the record.)

24

(Recess taken.)

25

BY MRS. VAUGHAN:

1  
2 Q Mr. Harbin, I would like you to look  
3 at -- actually we can mark it as either one or two,  
4 they are not the same documents, so if we mark them  
5 as the same exhibits it will be all right with me.  
6 It will be B&W Exhibit 206 and B&W Exhibit 207.

7 MR. MacDONALD: Is there any sequence  
8 to them?

9 MRS. VAUGHAN: No. The questions that  
10 I have to ask are really not related to the  
11 substance of the memos.

12 MR. MacDONALD: Why don't we mark them  
13 separately.

14 MRS. VAUGHAN: Let's mark as B&W Exhibit  
15 206 a letter signed by Mr. Herbein dated  
16 July 25, 1978 and addressed to Mr. Brummer.

17 (Letter dated July 25, 1978 addressed to  
18 Mr. Brummer from Mr. Herbein marked B&W Exhibit  
19 206 for identification, as of this date.)

20 MRS. VAUGHAN: Please mark as B&W Exhibit  
21 207 for identification a three-page document  
22 at the top it reads "Appendix A, Notice of  
23 Violation." In the left-hand corner "License  
24 No. DPR-50" and at the top right-hand corner  
25 there are two dates, one, 7/29 and the other



1  
2 8/5. There is no indication of year.

3 (Three-page document headed "Appendix A,  
4 Notice of Violation" marked B&W Exhibit 207  
5 for identification, as of this date.)

6 Q Mr. Harbin, have you had a chance to look  
7 at B&W Exhibit 206?

8 (Handing document to the witness.)

9 A Yes, I have.

10 Q Do you recall ever seeing this document  
11 before today?

12 A No, I don't.

13 MR. MacDONALD: Let me interject. Your  
14 questions would be aside from counsel?

15 MRS. VAUGHAN: Yes, obviously.

16 Q In the top right-hand corner there is a  
17 notation "Not posted H" and then 7/27.

18 Would that "H" refer to you?

19 A Yes.

20 Q Is that your writing?

21 A Yes, it appears to be.

22 Q My question is what do you mean by "not  
23 posted" in the context of obviously having posted  
24 some things at some point in time?

25 MR. MacDONALD: What did he mean in or

1  
2 around July 25th, 1978?

3 MRS. VAUGHAN: Yes, that's right.

4 A There is a code of federal regulations  
5 requirement concerning posting certain NRC violations  
6 that are identified during inspections of a licensee  
7 and responses by the licensee to those violations  
8 and the particular code of federal regulations  
9 requires or contains posting requirements and this  
10 being a response to a violation that was identified  
11 in inspection 7812 -- excuse me, in response to an  
12 apparent violation.

13 I made a determination that this didn't fall  
14 within the posting requirements of that code of  
15 federal regulations and therefore did not have it  
16 posted and indicated in the upper right-hand corner  
17 the date that I reviewed it and the fact that I  
18 did not post it.

19 Q Just so I understand, the posting  
20 requirement is based on the type of violation or  
21 apparent violation; is that correct?

22 A Yes, I believe so.

23 Q Would reviewing NRC inspections and  
24 notices of violation or apparent violations and  
25 responses by Met Ed to those violations be part of

1

2 your job responsibilities?

3 A Now or at some point?

4 Q At some point in July of 1978.

5 A Yes.

6 Q In other words, is that a responsibility  
7 that we can add on to the list of responsibilities  
8 that we were talking about yesterday?

9 A Yes.

10 Q Would your review of these documents  
11 involving NRC inspections be only for purposes of  
12 determining whether or not to post the relevant  
13 documentation?

14 A Let me just make a clarification.

15 Q Sure.

16 A I reviewed the inspection reports, not the  
17 inspections, a minor point.

18 Q But in reviewing those inspection  
19 reports was it for purposes of determining whether it  
20 should be posted?

21 A In part, yes.

22 Q What else did you review it for?

23 A For any other problems or deficiencies,  
24 criticisms or positive comments on observations made  
25 by the inspector.

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Q For what purpose would you be reviewing for those reasons?

A As a general rule for my own edification.

Q Would you take any follow up action with regard to any comments that you had noted in any of the NRC inspection reports?

A I have on occasion.

Q What kind of follow up?

A One example would be to compare the report itself which may come out six or eight months after the inspection itself with minutes that were taken at meetings held between one or more NRC inspection team members and members of the plant staff, that review being performed, in part, for consistency.

Q What do you mean by "consistency"?

A To insure that what we understood them, their findings to be at the time that they left were consistent with the findings as reported in the official report.

Q If you found something that was inconsistent, what would you do?

A I don't recall.

Q Did you ever find anything that was inconsistent?

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A Yes.

3

4

Q But you don't recall what you did to  
cure that inconsistency?

5

A Nothing -- I don't recall anything specific.

6

7

Q Would it be something that somebody else  
had already picked up on?

8

MR. MacDONALD: You mean was it?

9

MRS. VAUGHAN: Yes.

10

A Not that I recall.

11

Q Did the inconsistency remain?

12

13

14

15

16

A The general practice at the time was to,  
upon -- at the time of the exit, to take action or  
assign action and take action on items that were  
identified during the inspection and not to wait for  
the follow up report or for the official report.

17

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21

If something was identified in the official  
report that was identified and hadn't been earlier,  
then we would, as a general rule, assign action to  
insure that this new item would be followed up on  
and action would be taken.

22

Q Who would assign action?

23

A I don't recall specifically.

24

Q Who in gener 1? The Unit 1 superintendent?

25

A It depends on the period of time.

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Q Would it depend on who it was who was working on the NRC inspection?

A The NRC inspector?

Q No, who was working with the NRC inspector and with respect to that particular inspection and report.

MR. MacDONALD: You are speaking now of Met Ed personnel?

MRS. VAUGHAN: Yes.

A Not necessarily.

Q Would you assign that action?

A Not as a general rule.

Q Did you ever assign action?

A Yes, I did.

Q Do you remember the items involved?

A We are talking about assigning action for items that were identified in a final report and not at the time of the exit?

Q That's right.

A And what was the question again?

Q Did you ever assign action and you answered, I believe, yes, and the question was: What kind of action items were they that you assigned or what action items were there?

1

2 A I don't recall.

3 Q But you do recall instances when you did  
4 assign action items coming out of NRC inconsistencies  
5 in NRC exits and NRC reports; is that right?

6 A Yes.

7 Q Looking again at B&W Exhibit 206, do  
8 you know what those file numbers mean on the bottom  
9 left-hand side?

10 A No, I don't know.

11 Q Do you ever use file numbers like that?

12 A No.

13 Q Which department would use them?

14 A I don't know.

15 Q Have you seen them before?

16 A Yes.

17 Q You know nothing about them?

18 A No.

19 Q Do you know whether they relate to GPUSC --

20 A No.

21 Q -- files?

22 Do you know whether they relate to Met Ed  
23 files?

24 A No.

25 Q And you have never had occasion to use



1

2       them?

3       A       That's correct.

4       Q       Is there an administrative manual that  
5       would explain that file system?

6       A       I don't know.

7       Q       You have never seen one?

8       A       I don't know if one exists.

9       Q       Have you ever seen one?

10      A       No.

11      Q       Have you ever heard anyone mention one  
12      in connection with the file numbers?

13      A       Not that I recall.

14      Q       Who would know what the file numbers mean?

15      A       I don't know.

16      Q       How about at the top of the page, GQL,  
17      what does that stand for?

18      A       I don't know.

19      Q       That is something that Met Ed would have  
20      affixed to this letter; is that right?

21      A       Yes, it is.

22      Q       Do you know who would know what GQL  
23      stands for?

24      A       Do you want the name of someone?

25      Q       Yes.



2 A George Troffer.

3 Q Why would he know?

4 A He held a management position in the Licensing  
5 Department during the period of time in which GQL  
6 letters were generated.

7 Q Does GQL relate in some way to the Licensing  
8 Department?

9 A I don't know that.

10 Q But why is it important that he was in  
11 Licensing and then would know what GQL means?

12 A To the best of my recollection GQL makes some  
13 reference to the department.

14 Q To the Licensing Department?

15 A I don't know that.

16 Q To any department?

17 A To a department.

18 Q And your guess is that it might be the  
19 Licensing Department and that's why Mr. Troffer would  
20 know?

21 A No.

22 To the best of my knowledge this is a letter  
23 that was prepared by, to some extent, by the  
24 Licensing Department in Reading.

25 Q I understand.

1  
2                   Would you look at B&W Exhibit 207 marked  
3 for identification.

4                   (Handing document to the witness.)

5           Q       I just have a few questions about this,  
6 none of which will be substantive in nature.

7                   Do you want to take time to review it?

8           MR. MacDONALD: Yes, let him take a  
9 couple of minutes.

10   A       Yes, let me review it quickly.

11   Q       All right.

12   A       Yes.

13   Q       Am I correct that on the top right-hand  
14 corner of the first page of B&W Exhibit 207 there  
15 is the notation "posted 7/29" and then under that  
16 your initials RSH?

17   A       Yes, that's the way I read it.

18   Q       And then under that "removed 8/5"?

19   A       Yes.

20   Q       Would this document have been posted  
21 pursuant to the same regulations you were talking  
22 about before?

23                   MR. MacDONALD: Can you ask him a  
24 preliminary question whether he recalls seeing  
25 the document?

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Q Do you recall having seen this document before?

A No.

Q Those are your initials on the top right-hand corner?

A They appear to be.

Q Would this document have been a document that was posted under the same regulations that you referred to before?

A The marks in the upper right-hand corner, the term "posted" and "removed" was placed on the document because of the regulation that I referred to before.

Q Is there a certain length of time that the regulation requires these documents to be posted?

A To the best of my knowledge there is.

Q And what is that, seven days?

A I don't recall.

Q Where would you post a document when you did post it such as this?

MR. MacDONALD: Are you asking him generally now?

MRS. VAUGHAN: Yes.

MR. MacDONALD: Not specifically with

1

2

regard to this?

3

MRS. VAUGHAN: That's right.

4

A There was a bulletin board in the Unit 1 service building that was used for posting legal notices and that's where these were generally posted.

7

Q Were these posted in any facility involving

8

Unit 2?

9

A During what period of time?

10

Q During any period of time.

11

A To the present day?

12

Q That's right. From the beginning of your

13

employment?

14

A Yes.

15

Q Where would they be posted?

16

A I don't know.

17

Q Would you post documents relating to

18

NRC inspections of Unit 1 in Unit 2 facilities?

19

A Could you please repeat that?

20

Q Yes. In other words, I want to clarify

21

your answer.

22

I want to know if documents involving

23

NRC inspections, these kind of documents that we have

24

been talking about, of Unit 1 facilities would be

25

posted in any facilities involving Unit 2?

1

2

A Yes.

3

Q And where would that be?

4

A I don't know.

5

Q Did you post them?

6

A I posted these documents for a specific period

7

of time. I no longer post them.

8

Q During the period of time that you

9

posted the documents, did you post them in any Unit 2

10

facilities?

11

A Not that I recall.

12

Q Did anyone at your direction post them

13

in Unit 2 facilities?

14

A I don't recall.

15

Q But did I understand your testimony to

16

be that the documents were posted in Unit 2 facilities?

17

A It is my understanding that to the present day

18

documents have been posted in Unit 2, these type

19

documents.

20

Q Do you know how that would happen? In

21

other words, do you know how a document such as this

22

would get to somebody who would post it in Unit 2

23

facilities?

24

A No, I don't know that.

25

Q How is it that you know or understand that

1 they have been posted in Unit 2 facilities?

2  
3 A Because I have had discussions with the  
4 supervisor of Licensing in Unit 1 as to how these  
5 get posted now and since -- since the time that I  
6 was responsible for posting them.

7 Q When did you cease being responsible for  
8 posting these documents?

9 A I don't recall.

10 Q Who picked up that responsibility from  
11 you?

12 A The Unit 1 Licensing Department.

13 Q But you don't recall when that occurred?

14 A Not the date.

15 Q Do you recall generally when it occurred,  
16 the month?

17 A No.

18 Q Do you recall the year?

19 A No.

20 Q Do you recall whether it was before  
21 Three Mile Island, the accident at Three Mile Island?

22 A Yes, I recall that it wasn't.

23 Q It was not?

24 A That's correct.

25 Q You recall then that it was after the

1  
2 accident at Three Mile Island that this responsibility  
3 was assumed by Licensing?

4 A Yes.

5 Q Do you know why Licensing assumed this  
6 responsibility for posting?

7 A Yes, because they had a department on site.

8 Q They did not have a department on site  
9 prior to the accident at Three Mile Island?

10 A That's my understanding.

11 Q Who was it you talked to in Licensing?

12 A Roy Harding.

13 Q Why did you have this conversation  
14 with Mr. Harding?

15 A It was a conversation relating to turnover of  
16 the responsibility.

17 Q And during that conversation he told you  
18 that the documents would be posted in Unit 2 facilities;  
19 is that correct?

20 A No, I don't believe so.

21 Q Is this the same conversation where you  
22 learned that the documents were going to be posted  
23 in Unit 2 facilities?

24 A No.

25 Q When did you learn that the documents



1

2 were posted in Unit 2 facilities?

3 A Sometime before that conversation.

4 Q From the same individual, from Mr. Harding?

5 A No.

6 Q Who did you learn it from?

7 A I don't recall.

8 Q You don't know his name?

9 A I don't recall who it was.

10 Q Did I understand you to say that it was  
11 the supervisor of Licensing or to give a job title?

12 A Yes, I believe that that was his title, the  
13 title of Roy Harding.

14 Q The title that Roy Harding held?

15 A Yes. At the time of that discussion.

16 MRS. VAUGHAN: Off the record.

17 (Discussion off the record.)

18 Q Mr. Harbin, from whom did you learn that  
19 the documents were posted in Unit 2?

20 A I don't know for a fact that the documents were  
21 ever posted, have ever been posted in Unit 2. It  
22 was my understanding at some point prior to the  
23 conversation that I had with Roy Harding that in  
24 addition to the bulletin board in Unit 1 service  
25 building there would be built or displayed at several



1  
2 locations in both Unit 1 and Unit 2 bulletin boards  
3 to be used for posting information for employees  
4 and that the Personnel Department on site would be  
5 responsible for all documents which were posted on  
6 any of the bulletin boards.

7 Q Did you understand that the documents  
8 relating to NRC inspection reports dealing with Unit 1  
9 would be posted at those locations?

10 A Could you please repeat that?

11 Q Yes.

12 In other words, did you understand that  
13 the bulletin boards that were to be built and on  
14 which items were going to be posted would include  
15 items such as Exhibit 207?

16 A I don't believe I ever had that thought go  
17 through my mind.

18 At the time that I heard that there was a plan  
19 to have such a program and to have built and  
20 maintained these controlled bulletin boards, it  
21 was my feeling that this was the kind of thing  
22 that should be posted on those bulletin boards and  
23 I pursued -- I guess insuring that there was a  
24 mechanism for getting these documents to personnel  
25 and having them posted.

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Q Did this understanding which you attained come about after the accident at Three Mile Island?

A What understanding?

Q Of the bulletin boards that are to be built.

A Yes.

Q It was all after the accident at Three Mile Island?

A Yes.

Q Do you know yourself whether these reports that were posted such as B&W Exhibit 207 marked for identification relating to Unit 1 were in fact posted at Unit 2 locations before the accident at Three Mile Island?

A I don't know that they were and I don't know that they were not.

Q All right. Do you know whether there existed any kind of a mechanism to get these reports to Unit 2?

A No, I don't.

Q Do I take it from your answer then that you never forwarded to Unit 2 any of these notices of violations or any of these NRC reports?

1  
2 A I don't recall whether I did.

3 Q Were you involved in any way, other than  
4 reviewing for posting requirements, with NRC inspections?

5 A Could you please rephrase that?

6 Q I can repeat it.

7 Were you involved in any way with NRC  
8 inspections other than reviewing, for purposes of  
9 posting, what we have just been talking about?

10 A During what period of time?

11 Q During any time of your employment.

12 A Yes.

13 Q In what way would you be involved in  
14 the NRC inspections?

15 A I have had interviews with NRC inspectors as  
16 part of the inspections, I have been a member of  
17 meetings, both entrance meetings and exit meetings  
18 held prior to and following the inspection itself.

19 As I said before, I have reviewed other  
20 portions of the inspection reports other than the  
21 violations or apparent violations themselves. I  
22 have assigned action based on NRC inspection exits  
23 and inspection reports.

24 Q Have you engaged in these activities on  
25 your own behalf or were you standing in for the Unit 1

1

2

superintendent?

3

A Both.

4

Q Can you distinguish those times when you

5

were there on your own behalf from those when you

6

were there for the Unit 1 superintendent?

7

A I can recall a specific instance.

8

Q Were there any -- excuse me.

9

A I might be able to.

10

Q Were there any items arising from an NRC

11

inspection as to which you could not be there for

12

yourself? In other words, was there a type of item

13

that required the Unit 1 superintendent to be there or

14

types of items that were clearly within your areas of

15

responsibilities for which you would be representing

16

yourself?

17

A At what?

18

Q At these NRC inspections or in any of

19

the dealings that you have just described involving

20

NRC inspections.

21

A Yes.

22

Q What types would those be?

23

A Could you please ask a specific question?

24

Q I don't know any specific. I am asking

25

you to describe them.

1  
2           You have been involved in those meetings,  
3 I haven't.

4       A       Well, we are talking about a lot of meetings.

5       Q       But we can focus --

6       A       We are talking about entrance meetings, exit  
7 meetings, we are talking about meetings with specific  
8 NRC personnel as part of an inspection and I would  
9 just like for you to be a little more specific as  
10 to --

11       Q       But we are talking about the NRC  
12 inspections as a group and we are talking about  
13 notices of violations or whatever kind of reports the  
14 NRC would write resulting from those inspections.

15               Now, if the NRC noticed a violation  
16 dealing with a component of some kind would you be  
17 present at that for your own purposes?

18               MR. MacDONALD: You mean in his own  
19 capacity as assistant to the superintendent?

20               MRS. VAUGHAN: That's right.

21       A       I don't recall any instances.

22       Q       Of being present?

23       A       Of being present.

24       Q       Do you recall sitting in for the Unit 1  
25 superintendent at a time when it involved some kind

1  
2 of a component violation or violation involving a  
3 component of some kind?

4 A No, not that I recall.

5 Q Would NRC inspections deal with matters  
6 of personnel? Would that be the area in which they  
7 would get into in these inspections?

8 A I don't recall any instances of their taking  
9 an interest in personnel.

10 Excuse me, could you define personnel?

11 Q Personnel matters as for example the  
12 one we talked about this morning when you were talking  
13 about personnel management. I am not talking about  
14 now about personnel errors in terms of an operating  
15 error or something like that, I am just talking about  
16 matters dealing with personnel.

17 MR. MacDONALD: As opposed to components?

18 MRS. VAUGHAN: That's right.

19 A I recall that they have taken an interest in  
20 our working limitations.

21 Q But that's not the kind of thing you  
22 would be involved in or you would be there on your own  
23 behalf for?

24 A I don't recall if I was.

25 Q Mr. Harbin, in your review of the mail

1  
2 which the Unit 1 superintendent would receive, was  
3 there any time at which somebody would put a time  
4 limitation on how long it would take you to review  
5 that mail?

6 A No, I don't recall any time limitation.

7 Q In other words, you don't recall Mr. Colitz  
8 ever saying to you the mail comes in on day one,  
9 by day three I want it to have been gone though and  
10 disposed of as appropriate?

11 A No, but it was a standard practice to take  
12 some action on all incoming correspondence the same  
13 day.

14 Q Was there any system for logging in the  
15 publications that were received by the Unit 1  
16 superintendent that you reviewed?

17 A Up until today?

18 Q That's right.

19 A Yes.

20 Q Could you describe those systems and  
21 tell me during what time they were applicable if  
22 there have been different systems?

23 A I keep a log of all bulletins, circulars and  
24 notices that is a matrix that provides the notice,  
25 bulletin or circular number, a very brief description



1  
2 of the event, the date of the document that it was  
3 issued by the NRC and sometimes who it was assigned  
4 to in our organization.

5 Q How long have you kept that log?

6 A For 1980 and 1981.

7 Q Did you keep it before then?

8 A No.

9 Q Did you have any system before then for  
10 receipt of NRC circulars, bulletins and notices?

11 A Not that I recall but let me clarify that. I  
12 keep that simply to use as an administrative aid so  
13 that when I am reviewing correspondence that refers  
14 to, for example, a notice, by number, and I don't  
15 remember numbers and I can refer to that and jog my  
16 memory as to what the subject matter was of the  
17 document.

18 Q Is that your own personal log or did  
19 somebody else --

20 A That's my own personal log.

21 Q Does anyone else in your office or in  
22 the Unit 1 superintendent's office keep track in any  
23 way of NRC circulars, bulletins and notices that are  
24 received?

25 A Could you repeat that, please?



1  
2 Q Yes. Does anyone else in your office or  
3 in the office of the unit superintendent for instance,  
4 his secretary, keep track of NRC bulletins, notices  
5 and circulars that are received?

6 MR. MacDONALD: Keep track of, did you  
7 mean in the form of a log of some sort?

8 MRS. VAUGHAN: In any way, yes.

9 A I don't believe so.

10 Q And that would be your answer for as long  
11 as you have been an assistant to the Unit 1  
12 superintendent?

13 A I don't know that.

14 Q You don't know what?

15 A That that's been the case for all superintendents  
16 for which I have worked.

17 Q Do you know that anyone at any time kept  
18 a log or had any system by which they would record  
19 receipt of NRC's bulletins, circulars or notices?

20 A Yes.

21 Q And who was that or what is the system?

22 MR. MacDONALD: That's two separate  
23 questions.

24 MRS. VAUGHAN: Well, whichever one is  
25 the appropriate answer.

1

2

A I don't know who by name.

3

Q Who by position?

4

A I don't know who by position.

5

Q How do you know it is that somebody has

6

kept track of them?

7

A Because I have received copies or a copy of a

8

typed matrix that listed various bulletins or

9

circulars or notices, I don't know which, and made

10

some indication of whether a response has been

11

made.

12

Q Do you recall when that was?

13

A That I saw that?

14

Q Yes.

15

A Not specifically.

16

Q How about generally?

17

A Since the accident, the TMI-2 accident.

18

Q So you have no knowledge today of anyone

19

before 1980 keeping track in any way of NRC notices,

20

bulletins and circulars that were received by the

21

Unit 1 superintendent other than what you just

22

described?

23

MR. MacDONALD: No knowledge or no

24

recollection?

25

MRS. VAUGHAN: If he has knowledge then

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he will have recollection.

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A As I said yesterday, the corporate office in Reading and specifically the Licensing Department, had the responsibility for receiving and responding to bulletins, notices and circulars where applicable and I know that at some point in time they have had systems for tracking those, that's not my department and I am not familiar enough with their system or systems to make comments on it.

Q How about focusing now just on your department and just on the publication Atomic Energy Clearinghouse.

A Yes.

Q Did you keep or did anyone else within your department keep a log which would show receipt of that document?

A Not to my knowledge.

Q Or any kind of a system which would show receipt of that document?

A Not to my knowledge.

Q Just so I understand it completely, that document came directly to the Unit 1 superintendent so that if I were looking for a log I would look in his office rather than it being distributed to him

1  
2 from somebody else?

3 MR. MacDONALD: Do you mean exclusive  
4 of anybody else in the company, one superintendent  
5 that was ever on distribution?

6 MRS. VAUGHAN: My question is only to  
7 focus on the fact that the Unit 1 superintendent  
8 received it not necessarily exclusively but  
9 directly addressed to him. In other words,  
10 attached to the Atomic Energy Clearinghouse  
11 would not be a stapled sheet of paper where  
12 somebody has written declaration of distribution,  
13 there would be a mailing label that says either  
14 Unit 1 superintendent or the name of the  
15 individual as such.

16 Q That's what I mean when I say directly  
17 received.

18 A For copies of that document that were received  
19 by him, there was no mechanism, to my knowledge,  
20 to keep track of which ones had been received or  
21 to document the receipt of those documents.

22 Q And you yourself kept no personal track  
23 of which ones you had looked at?

24 A That's correct.

25 Q Just again so that we are clear, do you

1  
2 have any recollection at all of any time when that  
3 document was not received directly by the unit  
4 superintendent as we have just described it?

5 A I don't know.

6 Q In other words, you have no knowledge  
7 that at some point in time that document was sent to  
8 the unit superintendent from the library in Reading  
9 or from GPU or from somebody else; is that correct?  
10 Is that your testimony?

11 A My testimony is that I know that for some  
12 period of time the document was received directly  
13 by the unit superintendent.

14 Q All right.

15 A From the publisher.

16 Q All right.

17 Do you know that for some period of time  
18 it was received from an internal source by the Unit 1  
19 superintendent?

20 A No, I don't.

21 Q How about the Current Events-Power Reactor  
22 document, was that document received directly by  
23 the Unit 1 superintendent as we have just been  
24 discussing it, or describing it would be a better word?

25 MR. MacDONALD: That's the Current

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2

Events-Power Reactor?

3

MRS. VAUGHAN: Yes.

4

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Q In other words, did the Unit 1 superintendent receive that document directly, a mail label, as opposed to being on a distribution list from some other internal source within?

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A For some period of time, yes.

Q Was there any period of time which you are aware that he received it from an internal source?

A Yes.

Q What period of time?

A Let me retract the question and say there were selected documents that he received from other sources within the company and that may have been in addition to having received them from the publisher.

Q Was there a log kept by you or by anyone else that you know of with regard to his receipt of, first of all, the Current Events-Power Reactor from the publisher itself?

A No, I don't know of any log.

Q You never kept a log or any system that would keep track of it? I used the word log, but I don't mean to preclude you from any other system that might be applicable.

1

2

A It was the general practice to maintain copies of the document.

3

4

Q Itself?

5

A Yes.

6

7

Q Would the document have a date on it on which it was received?

8

9

10

A It's never been the standard practice of anyone in my office or the superintendent's office to stamp a document upon receipt.

11

12

13

Q So that there was not a log as such but the documents, the Current Events-Power Reactors were maintained, were kept?

14

A Yes, that's correct.

15

16

17

18

Q How about those Current Events-Power Reactors that came from other sources within the company? Was there a log or any system of noting when they were received?

19

A Not to my knowledge.

20

21

Q Were those documents also kept?

A I don't know.

22

23

24

Q Do you know who else within Met Ed or GPU received the document Current Events-Power Reactors?

25

MR. MacDONALD: You are making that a



2

distinction now from internal or external?

3

You have been. I am just asking whether or

4

not --

5

MRS. VAUGHAN: No, I am not.

6

A No.

7

Q No, you do not know if anyone else

8

received it, is that what you mean?

9

A Excuse me, can I --

10

Q Confer with counsel?

11

A Yes.

12

Q Sure.

13

(Witness conferring with his counsel off

14

the record.)

15

A Yes. The answer is no.

16

Q No, you do not know that anyone else

17

received the publication Current Events-Power

18

Reactors?

19

A That's correct.

20

Q Have you heard that anyone else received

21

that?

22

A Not that I recall.

23

Q Did you undertake any kind of an

24

investigation or survey or anything to determine

25

whether anyone received that?



1  
2 A No, not that I recall.

3 Q Am I correct that when reviewing either  
4 the Atomic Energy Clearinghouse document or the  
5 Current Events-Power Reactors document that you never  
6 received any instructions from anybody as to what  
7 kind of things to look for in those documents at  
8 any time during your employment?

9 A Could you repeat that again, please?

10 Q Sure.

11 Am I correct that in reviewing the Atomic  
12 Energy Clearinghouse document or the Current  
13 Events-Power Reactors document you never received  
14 any directions or any instructions from anybody as  
15 to what kind of things you should be looking for  
16 when reviewing those documents?

17 A I don't recall receiving any specific written  
18 or oral instructions from any superior, but based  
19 on my previous experience in the Navy and the  
20 training that I received when I first came to the  
21 company and my knowledge of the plant after receiving  
22 that training and my knowledge of the organization, I  
23 considered that training and I think I used the term  
24 "on the job training" yesterday, also the fact that  
25 when I make assignments in those documents I recall

1  
2 making it very clear to members of the staff that  
3 documents were normally routed to, that if there was  
4 ever a problem with an assignment made that they  
5 should inform me of that and I don't recall ever  
6 being informed of any such problems.

7 So, I think from that standpoint that was  
8 positive feedback, that assignments were being made  
9 correctly.

10 Q How did you determine what it was that  
11 you should be looking for or what it was that you  
12 should highlight in any of those documents? If you  
13 didn't receive instructions from somebody else and  
14 you looked to your own experience, what kind of  
15 guidelines did you set for yourself?

16 A Of the events or findings that I recall  
17 reviewing, most could be categorized as examples  
18 of categorizations would be component failures,  
19 events that resulted from operator error or  
20 procedural inadequacies, those are three examples.

21 Q Would you focus on any report of  
22 something involving a component or would you limit it  
23 in some way to a level of seriousness which you  
24 had determined was appropriate?

25 A Let me finish answering.

1

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Q I am sorry, sure.

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A And based on my knowledge of the plant staff and the fact that taking the example of component failures, I was usually aware of an engineer or some individual in the plant staff that I would consider cognizant in that area, that area of expertise who could best make a determination in reviewing a document, the incident of finding, the extent of applicability and the importance for example on nuclear safety.

Q Does that mean that every component failure was routed to somebody, every report of a component failure was routed to somebody within Met Ed by you?

A Listed in the two documents, Atomic Energy Clearinghouse?

Q Yes, and the Current Events-Power Reactors.

A No, I don't think you can say that.

Q Some were not routed; is that correct?  
Some reports of component problems were not routed by you; is that correct?

A I don't know that.

Q I am just trying to get at how you would determine which ones to send and which ones not to

1

2 send, or send on.

3 A Yes.

4 Based on my knowledge of the plant and my  
5 background and the failure event or finding in  
6 question and its significance on nuclear safety  
7 or plant availability, I would make a decision that  
8 it was either worthwhile for further review or not.

9 Q How would you measure its significance?

10 A Let me make one comment.

11 Q Sure.

12 A Referring to significance of events and  
13 findings, although we are talking about two documents,  
14 the Atomic Energy Clearinghouse and Current Events-Power  
15 Reactors, I am not sure why you categorize, you  
16 lump those two documents into the same categorization,  
17 but at the time that I reviewed those documents it  
18 was at the time of the accident, I considered  
19 events listed in the Atomic -- excuse me, retract  
20 that -- listed in the Current Events-Power Reactors  
21 to have more significance, more potential for  
22 significance on nuclear safety than information  
23 listed in the Atomic Energy Clearinghouse. In  
24 addition to that I looked at or considered information  
25 that was reported in bulletins and circulars to be

1  
2 the primary source of information relating to events  
3 and findings of nuclear safety significance and  
4 also letters from correspondents from B&W, and  
5 although the publication Current Events-Power Reactors  
6 contained information on events of nuclear  
7 significance, I perceived those reports to be  
8 repetitive or additional information or supplemental  
9 information to what was contained in bulletins and  
10 circulars.

11 Q The Current Events was published by  
12 the NRC, was it not?

13 A That's my understanding.

14 Q And it is still?

15 A Yes.

16 Q Does the Current Events contain more  
17 information, would you say, then the NRC bulletins,  
18 circulars and notices?

19 A I don't know that.

20 Q How frequently do the bulletins, circulars  
21 and notices come out?

22 A It's been my perception that 25 bulletins a  
23 year will be generated, maybe the same -- the same  
24 number of circulars, and I would estimate 40 notices.

25 Q Are these publications the bulletins,

1  
2 circulars and notices issued on a regular basis or  
3 as I would describe as an as needed basis?

4 A On an as needed basis.

5 Q And the Current Events is something that  
6 comes out regularly; is that correct?

7 A Yes, that's my understanding.

8 Q Do you know how frequently that comes  
9 out?

10 A I don't know.

11 Q In your review of these documents, these  
12 two documents, and I am not lumping them together  
13 for any particular reason, they just happen to be  
14 the ones that you indicated you received or the  
15 Unit 1 superintendent received and you reviewed on  
16 a fairly regular basis before the accident at Three  
17 Mile Island, when you would note something in either  
18 of those two or sending something on to somebody else,  
19 would that ever involve anyone from Unit 2 or were  
20 you limited only to Unit 1 people?

21 A What documents are you referring to?

22 Q The Atomic Energy Clearinghouse and  
23 the Current Events-Power Reactors.

24 A I do recall routing the Atomic Energy Clearinghouse  
25 to Unit 2 personnel. I don't recall with respect to

2 the Current Events-Power Reactors.

3 Q Do you recall when you routed the Atomic  
4 Energy Clearinghouse to Unit 2?

5 A I don't recall the specific period of time.

6 Q Was it a period of time for a certain  
7 number of months?

8 A Yes, it was.

9 Q Was it during 1977?

10 A I don't recall.

11 Q Would it have been before Unit 2 had,  
12 at least according to our organization charts, an  
13 individual in the same job slot you are in, that is  
14 an assistant, Mr. Shaffer?

15 A Yes, I believe so.

16 Q Do you recall to whom you circulated it?

17 A I recall circulating it to John Brummer,  
18 Dick Bensel. I don't recall any other names.

19 Q Do you recall what their job positions  
20 were at the time you circulated it to them?

21 A I recall routing them to the lead electrical  
22 mechanical and I&C engineers.

23 Q I and C?

24 A I & C, instrument and control.

25 Q Did you route it for a period of time

1  
2 on a regular basis to them, the Atomic Energy  
3 Clearinghouse document?

4 A Depending on whether there was anything contained  
5 within the document that I considered to be of  
6 interest to them.

7 Q Were you instructed to route it to them  
8 or did it just occur to you that they were interested  
9 in something?

10 A No, I don't recall receiving any instructions  
11 to route it to them.

12 Q You just knew that they were involved in  
13 something and you saw an item of interest and you  
14 sent it on to them; is that correct?

15 A Yes, that's correct.

16 Q Do you know if Unit 2 received the Atomic  
17 Energy Clearinghouse document? In other words, do  
18 you know whether Mr. Miller received a copy of the  
19 Atomic Energy Clearinghouse document while he was  
20 Unit 2 superintendent?

21 A No, I don't.

22 Q Do you know if Mr. Logan received copies  
23 of the Atomic Energy Clearinghouse document while he  
24 was the Unit 2 superintendent?

25 A No, I don't.



1  
2 Q Do you know if either Mr. Logan or  
3 Mr. Miller received copies of the Current Events-Power  
4 Reactors?

5 MR. MacDONALD: Your original question  
6 was whether Unit 2 received it and then your  
7 subsequent questions are Miller and Logan.  
8 Are you attempting to limit it to Unit 2 having  
9 received it or not received it because those  
10 two individuals did or did not receive it?

11 MRS. VAUGHAN: I think I struck the first  
12 part and meant to say only --

13 Q My question is: Did you know whether  
14 Mr. Miller as Unit 2 superintendant a copy of either  
15 of those publications?

16 A Oh, either.

17 Q Either Atomic Energy Clearinghouse and  
18 we were getting into the Current Events publication.

19 A I don't know that.

20 Q Do you know whether Mr. Logan as  
21 Unit 2 superintendent received either of those  
22 publications?

23 A No, I don't.

24 Q Did you ever route to either Mr. Miller  
25 or Mr. Logan copies of the Atomic Energy Clearinghouse

1  
2 or Current Events publications while they were  
3 superintendents of Unit 2?

4 A I don't recall.

5 Q Do you know whether anyone else within  
6 Unit 2 would receive copies of either the Atomic  
7 Energy Clearinghouse or the Current Events-Power  
8 Reactors documents?

9 A No, I don't know.

10 Q Would any of the department heads to  
11 which you would route either the Atomic Energy  
12 Clearinghouse or the Current Events document or  
13 any of the other documents that you might have been  
14 routing have responsibilities over Unit 2?

15 MR. MacDONALD: Are you asking if they  
16 did?

17 MRS. VAUGHAN: Yes.

18 A I don't recall.

19 Q You don't recall if they did or did not  
20 or you --

21 A I don't recall if I routed any documents to  
22 department heads that had responsibilities over  
23 Unit 2.

24 Q Were there department heads that had  
25 responsibilities over Unit 2?

1

2 A Yes.

3 Q Would they have responsibilities as  
4 well over Unit 1?

5 A Yes.

6 Q Which department heads were they? Not  
7 by name but by position.8 A I don't recall the position at the time. The  
9 functional position was supervisor of maintenance.

10 Q Anyone else?

11 A Station manager. The supervisor of training.  
12 That's all I recall.13 MRS. VAUGHAN: All right, why don't we  
14 take a break for lunch.15 (Luncheon recess taken at 12:38 o'clock P.M.)  
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## A F T E R N O O N        S E S S I O N

(2:02 o'clock P.M.)

R O N A L D        S T E P H E N        H A R B I N , having  
been previously duly sworn by a Notary Public,  
resumed and continued to testify as follows:

EXAMINATION (continued)

BY MRS. VAUGHAN:

Q        Mr. Harbin, during 1977 was there  
anyone performing your duties with respect to reviewing  
mail or publications that came in for Unit 2?

MR. MacDONALD: The duties that he had  
for the Unit 1 superintendent, does he know of  
anyone performing them for the Unit 2  
superintendent?

MRS. VAUGHAN: I am not limiting it  
to the superintendent. I am focusing basically  
on the duties and if they were performed by  
somebody else for somebody else, that's fine.

A        Not that I recall.

Q        Was there a Unit 2 organization of some  
kind in 1977?

A        Yes.

Q        Do you know how, within Unit 2, publications  
like the Atomic Energy Clearinghouse and the Current

Events-Power Reactors would be circulated or items would be highlighted and then circulated within Unit 2?

A With regard to Current Events-Power Reactors, I don't know.

With regard to the Atomic Energy Clearinghouse document, I have already stated that during some period of time, and I don't recall if it was 1977 specifically, I routed that document to the people that I listed who were individuals assigned to Unit 2.

Q All right. Would your answer change, be any different for 1978?

MR. MacDONALD: Which part of his answer?

MRS. VAUGHAN: Both parts, the one about the Atomic Energy Clearinghouse document and the one about the Current Events-Power Reactors.

A My answer would be the same with respect to Current Events-Power Reactors and I don't recall the time period with respect to the Atomic Energy Clearinghouse.

Q Were there any other publications that you recall routing to anyone at Unit 2 other than the Atomic Energy Clearinghouse in any of the years

2 in which you were an assistant to the superintendent  
3 of Unit 1?

4 A Yes.

5 Q Which publications were they?

6 A One that I recall was Federal Register.

7 Q Any others?

8 A I don't recall any others.

9 MR. MacDONALD: Before we go on there  
10 was just something I wanted to clear up  
11 and I would have done it before this afternoon  
12 but he forgot about it.

13 Mr. Harbin has in the course of the  
14 last day's deposition recalled -- you had a  
15 question yesterday that related to other  
16 bulletins or pamphlets or publications  
17 other than the ones you had listed yesterday  
18 that he recalled receiving on a somewhat  
19 regular basis, he has recalled a few others  
20 that he would like to add to the record so  
21 that you are aware of that.

22 MRS. VAUGHAN: That's fine.

23 MR. MacDONALD: I thought this was as  
24 good a place as any.

25 MRS. VAUGHAN: It's a fine time.

1

2

Q Go ahead, Mr. Harbin.

3

4

5

6

7

A Nuclear related or industry related publications were Electric Power and Light, Power, Simply Power, Power Engineering, Nuclear News, Nuclear Technology and Atomic Industrial Forum publications. Also EPRI reports. That's all I can think of right now.

8

9

10

Q Are these publications that you have just listed publications that would be received by the Unit 1 superintendent?

11

A Not necessarily.

12

13

Q If they weren't received by the Unit 1 superintendent, how did they come to you?

14

A They were addressed to me.

15

16

Q Are they ones that you ordered specifically for your own purpose?

17

A Excuse me, let me restate that.

18

19

They were either addressed to me or routed to me.

20

21

Q When you use the word "routed," you mean from an internal Met Ed or GPU source?

22

A Yes, that's correct.

23

24

25

Q If they were addressed to you, were they publications that in your experience you had determined to be worthwhile receiving and then you

1

2

went ahead and ordered them?

3

A I ordered them based on a determination that they may be worthwhile reviewing.

4

5

Q Would you review them yourself and then if there was an item of interest to pass it on to somebody else?

6

7

8

A If there was an item of interest to someone else that I felt was job related, then I might have. That was the standard -- my standard practice.

10

11

Q Do I understand, however, that in terms of passing publications on to others it was the Atomic Energy Clearinghouse and the Current Events and the NRC bulletins and circulars and notices that you would more frequently refer to? Is that a correct statement?

12

13

14

15

16

17

MR. MacDONALD: I don't know what you mean by refer to.

18

19

Q More frequently rely on would be a better word.

20

21

A Well, we had a discussion before lunch on -- you used the term reliability, I believe you used the term significance to nuclear safety and I don't think I -- let me just restate that and be a little more clear or be clearer than I was before lunch.

22

23

24

25



1  
2 I considered the NRC bulletins, circulars  
3 and notices to be the most reliable source of  
4 information in terms of depending on being notified  
5 of events and findings at other plants, and with  
6 respect to events at other B&W plants I relied  
7 primarily -- when I say primarily I don't mean more  
8 than relying on bulletins and circulars and  
9 notices -- on either the weekly B&W newsletters  
10 or on correspondence from B&W and it always -- it  
11 had been my perception for some period of time  
12 that B&W performed a service as a focal point for  
13 information for B&W plants, a primary example of  
14 that is the fact that they held periodic B&W users  
15 meetings, they coordinated those meetings, and some  
16 of the other sources of information I just gave some  
17 examples of some additional ones that I hadn't  
18 thought of yesterday, for example Nuclear News,  
19 although those publications may have contained  
20 information additional to information contained in  
21 bulletins and circulars and B&W correspondence.

22 There were often items of interest both to  
23 me and members of the plant staff, I didn't consider  
24 those reliable from the standpoint of what we really  
25 should be aware of.

1

2

Q Did you consider Atomic Energy Clearinghouse reliable in terms of what you should be aware of?

3

4

A In that sense how do you define reliable?

5

Q In the same sense that you were using it before when you talked about Nuclear News.

6

7

A No.

8

Q You did not?

9

A That's correct.

10

Q What about Current Events-Power Reactors?

11

A Yes, I did, but realizing that that was an after the fact notification of events from the standpoint of timely notice, I didn't consider it reliable.

12

13

14

15

Q From whom did you get your understanding that the NRC bulletins, circulars and newsletters and the B&W weekly newsletters and correspondence were the most reliable sources of information for you to consider?

16

17

18

19

20

A Through my experience in reviewing those documents.

21

22

Q Did anyone tell you that, that that was to be your understanding?

23

24

A Not that I recall.

25

Q Did you consider yourself at that time

1  
2 to be the focal point of the information flow about  
3 what was going on at other B&W facilities or any  
4 other facilities?

5 MR. MacDONALD: For Unit 1?

6 MRS. VAUGHAN: For Unit 1.

7 A No.

8 Q Who or what would you have considered to  
9 be the focal point for information spread?

10 MR. MacDONALD: Assuming there is one.

11 MRS. VAUGHAN: I am sorry?

12 MR. MacDONALD: That's assuming there  
13 is one.

14 MRS. VAUGHAN: Right, if he isn't.

15 A Of what kinds of information?

16 Q Of the kind of information that we are  
17 talking about, that one would pick up in a B&W  
18 newsletter or any of these publications that we  
19 have been talking about and the circulars and the  
20 bulletins and so on.

21 A It would depend on the document. Some of  
22 the documents that we have discussed I was the focal  
23 point in Unit 1 for reviewing those and making the  
24 determinations that we have discussed on further  
25 reviews and/or action.

1  
2 For some correspondence and information that  
3 we have discussed, for example correspondence from  
4 B&W, I would consider the focal point to be the  
5 addressee of the letter and the general practice  
6 was over periods of time to have a single addressee  
7 within the company to which B&W would send their  
8 correspondence. I would consider that individual  
9 the focal -- focal point.

10 There is other information that is related in  
11 these documents that may be discussed verbally with  
12 people like -- such as the superintendent or the  
13 manager of operations.

14 In that respect I would consider, for exemple,  
15 the manager of operations a focal point for  
16 information.

17 Q If you saw correspondence from B&W would  
18 that mean that it was addressed to the Unit 1  
19 superintendent?

20 MR. MacDONALD: As a primary addressee  
21 now?

22 MRS. VAUGHAN: Yes.

23 MR. MacDONALD: Not as a cc.

24 Are you asking did that happen rather  
25 then a hypothetical if.

1

2

THE WITNESS: Could you repeat the question?

3

4

MRS. VAUGHAN: Let me ask you this:

5

Q You indicated that you would consider

6

the addressee of correspondence from B&W to be the

7

focal point for that particular information; is

8

that not correct? You didn't say that?

9

A That's right, I didn't say that.

10

Q Then with regard to that who would you

11

consider to be the focal point of a letter from B&W?

12

A I said that the addressee would be a focal

13

point, not the focal point.

14

Q I tend to think of a focal point as one

15

particular person but who else would you consider

16

to be a focal point?

17

A A focal point may be -- in some cases the

18

focal point is an individual on a cc list of a piece

19

of correspondence.

20

Q With regard to the Atomic Energy

21

Clearinghouse publication did you consider yourself

22

to be the primary person or the focal point for

23

making sure that information got disseminated within

24

Unit 1?

25

A For a period of time, yes.

1

2

Q Which period of time?

3

A I don't recall the period of time.

4

Q Was it before the accident at Three Mile

5

Island?

6

MR. MacDONALD: You mean for the entire

7

period before the accident or just for a

8

period.

9

MRS. VAUGHAN: For whatever period he

10

is thinking of, did that period exist before

11

the accident at Three Mile Island.

12

A Part and maybe all existed before the accident.

13

Q Is that because after the accident

14

Mr. Carl took over?

15

A I don't recall when he took over.

16

Q But did you consider yourself the focal

17

point for disseminating that information until

18

such time as he took over?

19

A Yes.

20

Q Did you consider yourself the focal

21

point for disseminating relevant information in

22

that, what you considered to be relevant information

23

within the Atomic Energy Clearinghouse

24

publication to Unit 2 at any period of time?

25

A Yes.

1

2

Q Which period of time?

3

A I don't recall the period of time.

4

Q Again, is it until Mr. Carl took over?

5

MR. MacDONALD: Again the implication

6

could be from the question the entire period

7

of time before or until Mr. Carl took over.

8

I don't think that's what the answers have

9

indicated. There was a period of time, it

10

doesn't necessarily mean that the entire

11

period of time up until Mr. Carl took over

12

is when he may have performed that function.

13

I just think that if your question breaks it

14

down that way the record will be clear.

15

MRS. VAUGHAN: Charlie, could you go back

16

and read his answer to the previous question

17

where I asked him about Unit 1?

18

(Question read by the reporter.)

19

Q For that same period of time for which

20

you considered yourself the focal point for

21

disseminating the information to Unit 1, did you

22

also consider yourself the focal point for

23

disseminating the information from the Atomic Energy

24

Clearinghouse to Unit 2?

25

A No, I don't recall that.

1

2

Q You don't recall what specifically?

3

A I don't recall that it was the same period of time.

4

5

I became familiar with the Unit 1 staff before I became familiar with the Unit 2 staff and therefore I don't recall that my disseminating information to the Unit 2 staff started at the same time as when I disseminated the information to the Unit 1 staff.

6

7

8

9

10

Q Do you recall who was disseminating

11

information to the Unit 2 staff, if anyone was, for the period of time that you were not yet familiar

12

13

with the Unit 2 staff?

14

A Could you be more specific on "disseminating information"?

15

16

Q The same kind of information we are

17

talking about, the information from the Atomic

18

Energy Clearinghouse.

19

A I don't know if other people did or did not.

20

Q You don't know either way?

21

A That's correct.

22

Q And you have no recollection whatsoever

23

as to when you began disseminating information to

24

the unit staff, that is when you became familiar with

25

the Unit 2 staff?



1

2

A That's correct.

3

4

Q Would it have been a matter of months after your employment began?

5

A I don't know.

6

7

8

9

Q Did you consider yourself the focal point for disseminating information to the Unit 1 staff with regard to items that appeared in the Current Events-Power Reactors publication?

10

A Yes, for a period of time.

11

Q And what was that period of time?

12

13

A Sometime prior to the accident until the present.

14

15

Q But you don't recall what time prior to the accident?

16

A Approximately 1977.

17

18

19

20

Q Did you consider yourself the focal point at any time prior to the accident for disseminating information to the Unit 2 staff from the Current Events-Power Reactors?

21

22

A I don't recall if I ever disseminated any information from that publication to the Unit 2 staff.

23

24

Q Do you recall if there would be a reason why you would not have disseminated any information?

25

A Can I recall now of any reason why I might not

have?

Q That's correct.

In other words, what I am asking is, would somebody have said to you don't bother thinking about the Unit 2 staff when you read the Current Events because Joe so and so is already looking at that for the Unit 2 staff?

MR. MacDONALD: I will object to the question. I object to the form. We are here to deal with what he recollects, what might have taken place or what would have or could have taken place, there is a myriad of possibilities. We are here to hear Mr. Harbin's testimony on what he recollects. I think that is what he is supposed to testify about, what he recollects. We are not here to have opinion as he sits here today on various facts and circumstances. We are here to have his understanding and recollection at the time the events took place.

Now, you know, within the confines of that, fine, I have no problems with his answering that. There have been other portions of prior depositions in this case where, you

1  
2 know, we get to a point where it is present  
3 opinion testimony that is not allowed to be  
4 delved into. I have no problem with his  
5 understanding of his recollection at any point  
6 in time that is a relevant period prior to  
7 today but he is not here to give testimony on  
8 what he might or thinks may have happened today,  
9 what his understanding is right now or what  
10 his opinion is or what could have taken place  
11 in 1977 or 1978.

12 If he has a recollection of when in '77  
13 or '78, what his understanding was at that  
14 point in time as to the reason why not, if he  
15 had a conversation, fine.

16 MRS. VAUGHAN: I am not asking him to  
17 give his opinion on anything. I am asking him  
18 if he recalls today whether there was a reason  
19 then that he was not reviewing the Current  
20 Events-Power Reactor for anyone at Unit 2,  
21 whether it was because -- and I am only  
22 suggesting the possibilities, I am not asking  
23 him to answer one way or the other.

24 Q I am simply suggesting the possibility  
25 that somebody else told you somebody else is reviewing

1  
2 it or you didn't see any item that might have been  
3 relevant to anybody at Unit 2. You have, as I  
4 understand it, testified simply that you don't recall  
5 ever having sent anything from the Current Events-Power  
6 Reactors to anyone at Unit 2 and I am just asking  
7 you if you recall why that is so.

8 A No, I don't recall.

9 Q In other words, you don't recall anybody  
10 saying to you don't send it to anyone over at Unit 2;  
11 is that correct?

12 A I don't recall anyone saying that to me.

13 Q All right.

14 With respect to my earlier question relating  
15 to the Atomic Energy Clearinghouse document and  
16 whether anyone else was disseminating that information  
17 to Unit 2 during the point in time when you didn't  
18 know the staff at Unit 2, you said you didn't know  
19 of anybody who was doing that; is that correct?

20 MR. MacDONALD: Can I have that question  
21 again, Charlie, please?

22 (Question read by the reporter.)

23 Q I am not trying to paraphrase your  
24 testimony, I just want to make sure I understand  
25 your answer.

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MR. MacDONALD: Are you asking him to answer the question again from what he answered?

MRS. VAUGHAN: I am asking the question that I asked him and whether he can answer the question I just asked, if that is correct.

MR. MacDONALD: I think he answered the question in his own words. If you want him to read it back again, fine, but if you want to ask him a question again --

Q Is that correct, that you did not know who if anyone was disseminating the information to Unit 2 from the Atomic Energy Clearinghouse during that period of time?

A During the period of time in which I was not as familiar with the Unit 2 staff as the Unit 1 staff?

Q That's correct.

A I don't know. I am confused as to what you are asking.

Q Well, my question is going to be who would know who was disseminating information from the Atomic Energy Clearinghouse document during the period of time when you weren't?

1

2 A I don't know who would know.

3 Q When you reviewed the Atomic Energy  
4 Clearinghouse publication, did you also review that  
5 portion of it that contained LER computer summaries?

6 MR. MacDONALD: Are you talking about  
7 now for each time he reviewed it, would it  
8 be different?

9 MRS. VAUGHAN: Whether he had a general  
10 practice.

11 A My general practice was to not review that  
12 portion of the report.

13 Q Why was that?

14 A Several reasons, one was because of the time  
15 that would be involved in performing such a review,  
16 one was because there was no apparent organization  
17 to the report, there was no apparent attempt to  
18 categorize events as to their importance on nuclear  
19 safety, as to their applicability to other plants,  
20 the third reason is that, as I have stated before,  
21 I didn't consider that publication reliable from  
22 the standpoint of having sent to us information  
23 that had been filtered by B&W and by the NRC, I  
24 felt that it was their responsibility to perform  
25 that kind of a review of LER's especially the NRC and



1  
2 B&W plant events and a fourth reason was that for  
3 some period of time issues that contained the  
4 summaries that we are talking about I routed to the  
5 lead engineers in both units for the purpose of  
6 their picking out any LER's that might have been of  
7 potential interest to them.

8 Q Just so I understand you correctly, was  
9 your answer related only to the LER supplement?

10 A The LER portion of the Atomic Energy Clearinghouse  
11 document, yes.

12 Q Was that LER portion the same as the NRC  
13 itself published?

14 A I don't know that.

15 Q Did you ever see an LER computer  
16 printout published by the NRC?

17 A Yes, once.

18 Q Do you know that the LER computer  
19 printout published by the NRC comes in various forms?

20 A Yes, I do.

21 Q Which forms are you aware of?

22 A I am aware that information on LER's is  
23 sorted in at least the ten categories and I don't  
24 know what any of the categories are.

25 Q Do you know that one of the categories

1  
2 is personnel errors?

3 MR. MacDONALD: What time does he know  
4 that?

5 MRS. VAUGHAN: Right now.

6 MR. MacDONALD: Right now or at the time  
7 of the accident?

8 MRS. VAUGHAN: Does he know it now.

9 A No.

10 Q Do you know now that it is sorted by  
11 facility?

12 A No.

13 Q Do you know that that LER is published  
14 by the NRC and sent to utilities free of charge?

15 A No.

16 Q Do you know that Nelson Brown receives  
17 or did receive, prior to the accident, several sorts  
18 of the LER's published by the NRC?

19 MR. MacDONALD: You are asking whether  
20 he knew that at any point in time?

21 MRS. VAUGHAN: Does he know that now.

22 Q That he received it before the accident,  
23 Nelson Brown?

24 A Yes.

25 Q When did you learn that?



1

2 A I don't recall.

3 Q Did you learn it before the accident?

4 A I don't recall.

5 Q Did you ever talk to Nelson Brown about  
6 any information contained on the LER's?

7 A Not that I recall.

8 Excuse me, just to clarify that, it was from  
9 Nelson Brown that I learned that those summaries  
10 existed.

11 Q What was the context in which you learned  
12 that?

13 A In a discussion with him concerning publications  
14 on industry operating experience.

15 Q When did that discussion take place?

16 A I don't recall.

17 Q Was it before the accident at Three Mile  
18 Island?

19 A I don't recall.

20 Q You don't recall whether it was before  
21 or after?

22 A That's correct.

23 Q Do you recall what he said to you in that  
24 discussion?

25 A Yes. He told me that someone in the Training

2 Department received more than one sort of LER's  
3 and that a catalogue of sorts existed, a copy of  
4 which he subsequently sent to me. That's all I  
5 recall of the discussion.

6 Q Do you recall what you said to him at  
7 any point in the discussion relating to this subject?

8 A My general remarks were that it sounded like  
9 a source of information that might have -- might be  
10 of interest to me or to the plant staff.

11 Q In terms of the publications that were  
12 received by the unit superintendent and of the ones  
13 that you reviewed, who made the decision which  
14 publications would be received?

15 A We both did depending on the publication. Also  
16 other people made decisions.

17 Q Would other people --

18 A In what we would receive.

19 Q Would other people make decisions without  
20 contacting you or would they call you and say I  
21 looked at this, it looks like a good idea, let me  
22 send this over to you and you can decide whether you  
23 want to get it?

24 A I don't recall. The only publication that I  
25 recall decisions being made on as to the distribution

1  
2 from the NRC were notices, bulletins and circulars.

3 Q But how about those that would come in  
4 to the unit superintendent's office? I am not  
5 talking now about publications in terms of your  
6 distributing them after they came in, I am just  
7 talking about who made up basically the list of  
8 publications you received?

9 A Yes, that's what I am talking about.

10 Somebody made a decision that the Unit 1  
11 superintendent would be on distribution directly  
12 from the NRC for notices, circulars and bulletins.

13 Q All right.

14 A I know that there have been times that decisions  
15 were made by someone that that distribution be  
16 changed.

17 Q When you say "changes," what do you  
18 mean?

19 A Individuals added or removed from distribution.

20 Q On the NRC circulars, bulletins and  
21 notices?

22 A Yes.

23 Q Independently of the Unit 1 superintendent?

24 A The decision being independent?

25 Q Somebody else made the decision to send

1

2 to the Unit 1 superintendent the NRC's bulletins,  
3 circulars and notices; is that correct?

4 A I don't know that.

5 Q Do you know whether the unit superintendent  
6 made the decision that he wanted to receive those  
7 publications?

8 A No, I don't know that.

9 Q All right.

10 Would you ever go out and seek information  
11 from others within Met Ed or GPU about publications  
12 that might be good for the unit superintendent to  
13 receive or for you to review?

14 A Yes.

15 Q Would your discussion with Nelson Brown  
16 in the Licensing Department have been part of that  
17 process?

18 A Nelson Brown in Licensing?

19 Q Excuse me, in Training, with regard to  
20 the LER summaries.

21 A That discussion that I referred to that we had,  
22 the discussion between Nelson Brown and myself,  
23 was related to my interest in obtaining additional  
24 information concerning industry operating experience.

25 Q What was the basis for your interest in

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additional operating experience?

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A I considered myself, as I have said, the focal point in Unit 1 for several of the documents that we have been discussing and in that capacity I had a desire to be aware of information that existed concerning industry operating experience.

Q Did you have any other discussions with Mr. Brown regarding information that might be worthwhile for you to receive?

A I don't recall any.

Q Did Mr. Brown recommend to you that you should receive one of the various sorts of the LER summaries?

A I don't recall him making any recommendation.

Q Do you recall coming to a decision yourself with regard to whether you should receive those summaries?

A Yes, I did.

Q And what was that?

A That I shouldn't.

Q You should not?

A That's correct.

Q And why was that?

A I stated earlier four reasons for not reviewing

1  
2 the sort that was provided of LER's that was provided  
3 in the Atomic Energy Clearinghouse and one of those  
4 was that events were not categorized and although  
5 this service that was provided by the NRC provided  
6 that categorization, I still felt that it was  
7 such -- there was such a volume of information and  
8 such a lack of detail concerning each event and for  
9 the other reasons that I listed as to why I didn't  
10 review LER's in the Atomic Energy Clearinghouse. I  
11 made the decision not to be on distribution for  
12 these.

13 Q Did you ever communicate to Mr. Brown  
14 your reasons for not wanting to receive the LER  
15 summaries?

16 A I don't recall whether I did or not.

17 MRS. VAUGHAN: Why don't we take a five  
18 minute break?

19 MR. MacDONALD: Yes, I was going to  
20 suggest that.

21 (Recess taken.)

22 MRS. VAUGHAN: Let me mark as B&W Exhibit  
23 208 a letter dated August 30, 1979 from  
24 Mr. R. C. Arnold to John G. Kemeny and the  
25 letter contains 18 attachments.

(Letter dated August 30, 1979 from  
Mr. R. C. Arnold to John G. Kemeny with 18  
attachments marked B&W Exhibit 208 for  
identification, as of this date.)

(Handing document to the witness.)

Q Mr. Harbin, do you want to take a minute  
or two to look over at this point just the letter?

A Just the cover letter?

Q That's right.

A Yes, please.

MR. MacDONALD: Off the record.

(Discussion off the record.)

MR. MacDONALD: Why doesn't he leaf  
through it to know what the attachments are  
so he knows what's in it.

MRS. VAUGHAN: Sure.

MR. MacDONALD: Off the record.

(Discussion off the record.)

Q Have you had a chance to review it,  
Mr. Harbin?

A Yes, I have.

Q Have you ever seen this document before  
today?

A Not outside of discussing it with counsel.



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Not that I recall.

Q Did anyone ever ask you to gather information with respect to either the first event at Davis-Besse which is mentioned in this letter, that event occurred on November 29, 1977, or the event which occurred at Davis-Besse on September 24, 1977? Do you understand the question?

A Yes, but could you clarify the period of time?

Q After the accident at Three Mile Island.

A I am sorry, and could you repeat the question.

Q Sure. After the accident at Three Mile Island did anybody ask you to gather information relating to the incidents at Davis-Besse referenced in this letter and the sources from which that information came?

A Yes.

Q Who asked you to do that?

A Nelson Brown.

Q When did he ask you to do that?

A During the period of time between the time of the accident and six months subsequent to the accident.

Q Why did he ask you to do that?

A He was being interviewed by one of the investigative committees that was investigating the



1  
2 accident and the topic of receipt and distribution  
3 of the Current Events-Power Reactors publication  
4 became an issue and some member or members of the  
5 committee to which he was testifying requested that  
6 he obtain any document that might exist in the  
7 superintendent's files that would indicate any  
8 distribution made of that document.

9 Q Of only the Current Events or of any other  
10 documents as well?

11 A That's the only one that I recall.

12 Q Did he ask you to specifically search  
13 the unit superintendent's office to see if you had  
14 copies of the Current Events?

15 A Yes, he did.

16 Q And just so that we are clear, which of  
17 the two events referenced in GPU Exhibit 208 were  
18 you looking for?

19 MR. MacDONALD: You are talking about  
20 the November 29 --

21 MRS. VAUGHAN: Or the September 24th.

22 A I don't recall which.

23 Q You don't recall which one?

24 A That's right.

25 Q Were you able to find any Current Events

1  
2 in the Unit 1 superintendent's office?

3 A Yes, I found some past publications.

4 Q Were they responsive to Mr. Brown's  
5 request?

6 A No, they were not.

7 Q Did you give them to him anyway?

8 A No. I gave him Xerox copies of cover sheets  
9 to what we understood at the time to be documents  
10 that were published both before and after the document  
11 that was responsive to their request.

12 Q Did you not find a document that was  
13 responsive to Mr. Brown's request because it simply  
14 didn't exist in the file? In other words, there  
15 was a volume missing?

16 MR. MacDONALD: Are you suggesting that  
17 was the only volume missing?

18 MRS. VAUGHAN: No, just that the  
19 volume that might have been responsive to  
20 Mr. Brown wasn't there.

21 A I did not find it in the specific file that  
22 I was looking at.

23 Q By that I take it you mean it was missing?

24 A That was my conclusion at the time.

25 Q You found a volume before the date and

1  
2 you found a volume after the date but you didn't  
3 find one for the date; is that correct?

4 A An issue.

5 Q An issue?

6 A Yes.

7 Q Were you looking for one of these two  
8 events or do you not even recall which event you  
9 were looking for?

10 A What are the two events again?

11 Q They both occurred at Davis-Besse, the  
12 first event discussed in the letter occurred on  
13 November 29, 1977 and covers a loss of pressurizer  
14 level indication, the pressurizer level went off  
15 scale low.

16 A Yes.

17 Q And then there was another event referenced  
18 in the letter on September 24, 1977, also at  
19 Davis-Besse.

20 A Where is that referenced?

21 Q Starting at the bottom of page 2.

22 A What was that?

23 Q It would be on September 24, 1977.

24 A Right.

25 Q That event was an event much like the one

1

2

at Three Mile Island.

3

A I don't recall which event.

4

5

Q You don't recall which of these two or  
you don't recall whether it was either of those two?

6

7

A I don't know now that it was either of these  
two.

8

9

10

11

Q But you still recollect that Mr. Brown  
asked you to go back and search the Current Events  
that were in the unit superintendent's office for  
a particular event?

12

13

A For a particular publication.

14

15

Q All right.

Did he give you a number on the publication  
or a date on the publication?

16

17

A I don't recall.

18

19

Q Do you recall that it involved  
Davis-Besse?

20

21

Q Have you heard of the event at Davis-Besse  
on September 24, 1977 before today?

22

23

24

A Before today I heard of an event that occurred  
at Davis-Besse that was much like the event that  
occurred at TMI-2.

25

Sitting here right now I -- I am not sure which

1  
2 of these two events. I didn't know until this time  
3 that there were two events that close in time that  
4 were that similar, that occurred at Davis-Besse.

5 Q Were you familiar with any events that  
6 occurred at Davis-Besse prior to the accident at  
7 Three Mile Island?

8 A When?

9 Q Prior to the accident at Three Mile  
10 Island. Were you aware yourself, before the accident  
11 at Three Mile Island, of any events that occurred at  
12 Davis-Besse?

13 A Not that I recall.

14 Q Do you recall anything more about what  
15 Mr. Brown asked you to look for?

16 A In terms of other documents?

17 Q In terms of the request that you referred  
18 to, whether it was other documents or anything else?

19 A No, I really don't remember anything else.

20 Q He asked you only to look for the  
21 Current Events-Power Reactors issue?

22 A I don't know that. That's all I recall that he  
23 had requested.

24 Q Do you recall whether he got the issue  
25 he wanted from some other source?

1

2 A No, I don't know that.

3 Q Did you send him a memo telling him you  
4 couldn't find it or did you communicate orally to  
5 him?

6 A He and I went through the file together and  
7 both came to the same conclusion, that is that you  
8 couldn't--that it wasn't there, there was no  
9 information. That's right.

10 Q Did he say at that time he was going to  
11 go search the Unit 2 superintendent's office?

12 A I don't recall that he said anything at the  
13 time.

14 Q Do you know whether he had searched either  
15 before or after that the Unit 2 superintendent's  
16 office?

17 A No, I don't.

18 Q Do you know whether he had gone to any  
19 other places to look for the document?

20 A No, I don't.

21 Q Do you know why he came to you looking  
22 for the document?

23 A No, I don't know why.

24 Q Have you heard why? Has anyone told you?

25 A I can only speculate that --

1

2

MR. MacDONALD: No. I just don't

3

think speculation will do anyone any good.

4

A --as to why.

5

Q Do you have any impressions as to why?

6

MR. MacDONALD: If it's based on

7

speculation, I don't think the witness should

8

give it.

9

Q Do you have an understanding why?

10

MR. MacDONALD: If it's based on

11

speculation or guess work, I don't think it's

12

a proper question or properly answering the

13

question.

14

Q Do you have an understanding as to why?

15

A As I told you earlier, I was the focal point

16

in Unit 1 for this and some other documents and

17

Nelson Brown and I had had discussions concerning

18

operating experience information and it was my

19

understanding at the time that he was aware of that,

20

the fact that I was the focal point and therefore

21

came to me.

22

Q Were these discussions that you had with

23

Mr. Brown, apart from the discussion that we have

24

previously referred to this afternoon, generated by

25

the accident at Three Mile Island?



1

2 A I don't recall whether it was.

3 Q Do you recall that any discussions took  
4 place after the accident at Three Mile Island?

5 A The one I just related.

6 Q Dealing with this document or the --

7 A Yes, dealing with his search for this document.

8 Q Were there any other conversations you  
9 can remember having with Mr. Brown involving  
10 operating experience or anything of that nature after  
11 the accident?

12 A Yes.

13 Q What other discussion?

14 A Discussions relating to a publication called  
15 Nuclear Power Experiences.

16 Q What was the substance of that discussion?

17 A The discussion related to considering whether  
18 on site personnel and which on site personnel might  
19 receive the publication, what kinds of information  
20 the publication contained, what value it would be  
21 to the plant staff.

22 Q Was he asking you if you knew who  
23 received Nuclear Power Experience?

24 A I don't recall him asking me that question.

25 Q Was he asking you for your opinion as to



1  
2 to whom it might be good to send copies of Nuclear  
3 Power Experience?

4 A Could you repeat the question, please?

5 MRS. VAUGHAN: Will you please repeat the  
6 question?

7 (Question read by the reporter.)

8 A I don't recall that he asked me for my opinion  
9 of that.

10 Q Did he ask you for your views on that?

11 Let me ask you this: Was the reason for  
12 the conversation for the two of you to decide who  
13 should receive the copies of Nuclear Power Experience  
14 or was the conversation one that was geared to  
15 finding out who already got copies of Nuclear Power  
16 Experience?

17 A The discussion was, first of all, to establish  
18 whether it was a publication that we, being the  
19 site, wanted to receive at all and assuming that we  
20 would receive it, what department would receive it,  
21 what would be done with it when it was received and  
22 who would maintain the documents.

23 Q Was it after this that you determined  
24 to get copies of Nuclear Power Experience yourself?

25 A Could you repeat?

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25

Q Was it after this conversation with Mr. Brown that you decided to get copies of Nuclear Power Experience?

A I don't recall.

Q Do you recall that you were receiving copies of Nuclear Power Experience before your conversation with Mr. Brown?

A No, I don't recall.

Q Did Mr. Seelinger ever ask you to gather any information about the Davis-Besse September 1977 event?

MR. MacDONALD: Gather information when?

MRS. VAUGHAN: After the accident at Three Mile Island.

A Not that I recall.

Q Did he ask you to look for documentation in various reports about the September 24, 1977 Davis-Besse incident?

A Not that I recall.

Q Do you recall that he asked you to look for anything involving Davis-Besse irrespective of a date?

A Yes, Davis-Besse is one of the B&W plants that is contained in the report that we discussed earlier,

1  
2 B&W weekly newsletter and therefore was -- therefore  
3 information pertaining to events at Davis-Besse  
4 would be a part of the program that I was to have  
5 developed.

6 Q But you don't recall his asking you to  
7 look for any information about any events at  
8 Davis-Besse that occurred prior to the accident, is  
9 that right?

10 A I recall for one superintendent, and I don't  
11 recall which superintendent, that I was requested to  
12 gather information on availability and refueling  
13 outage times, those kinds of statistics on all B&W  
14 operating plants, Davis-Besse being one.

15 Q Were you asked to do this after the  
16 accident?

17 A No, before the accident.

18 Q My question was to focus on events that  
19 occurred at Davis-Besse before the accident but as  
20 to which Mr. Seelinger made the request after the  
21 accident.

22 A No, I don't recall that he did.

23 Q Do you recall --

24 A After the accident.

25 Q Excuse me.

1  
2 Do you recall anyone else at all making  
3 any request of you regarding events at Davis-Besse  
4 that occurred before the accident?

5 A No, I don't.

6 Q Do you recall anyone making any request  
7 of you regarding the kind of publications you  
8 received and reviewed before the accident but the  
9 request was made after the accident?

10 A I don't recall whether anybody did or not.

11 Q Could you turn, flip your pages on  
12 Exhibit 208 marked for identification and although  
13 the attachments arene't marked they should be  
14 consistant with the stapling so I would ask you to  
15 look at attachment 7 which, I hope, if everything  
16 works out right is dated October 7, 1977; is that  
17 right?

18 A Yes.

19 Q And it's a letter from Jack Evans to  
20 Mr. Keppler?

21 A Yes.

22 Q Do you recall having seen this before?

23 MR. MacDONALD: Can he take a couple of  
24 minutes to look at it?

25 MRS. VAUGHAN: Sure.

1

2

A No, I don't recall ever seeing this outside of  
counsel.

3

4

MR. MacDONALD: The questions are all  
outside of counsel.

5

6

THE WITNESS: Okay.

7

8

Q Am I correct that Mr. Evans is transmitting  
a copy of an LER?

9

10

11

12

MR. MacDONALD: Are you asking him to  
sit here today and tell you if that is what the  
document says? I mean he says the document  
has a cover letter of Evans to Keppler.

13

A It says reportable occurrence.

14

15

Q And in the first sentence, Licensee  
Event Report?

16

A Yes.

17

18

Q Do you see in the bottom right-hand  
corner the bcc list?

19

A Yes.

20

21

22

Q Is there anybody on that list whose name  
you recognize as being an employee at that time of  
Metropolitan Edison?

23

A No.

24

25

Q Do you see where it says Edison Electric  
Institute?

1

2

A Yes.

3

4

Q Are you familiar with the Edison Electric Institute? Is that the EEI we referred to yesterday?

5

A Yes.

6

7

Q Do they ever send to you or have you ever seen sent from them copies of LER's like this?

8

A No, I have never seen any.

9

10

11

Q You are not aware of EEI having sent at least to the Unit 1 superintendents attention an LER, a copy of an LER?

12

13

14

15

A Other than having read it for the first time in Mr. Arnold's cover letter, I wasn't aware that they had sent any LER's to any member of Met Ed or GPU.

16

17

18

19

20

Q Okay, fine.

Would you flip to the next attachment, attachment 8. This attachment is dated November 14, 1977 and it is a letter from Terry Murray to Mr. Keppler transmitting a copy of an LER supplement.

21

A Yes, I see the cover page.

22

23

Q Have you ever seen this document or any of the material under the cover page before?

24

A No, I don't recall ever having seen this before.

25

Q Would you look again at that bcc list and

1  
2 tell me whether there is anybody on that list who  
3 was at that time employed by Metropolitan Edison or  
4 GPU?

5 A I don't know of anyone.

6 Q And again do you see where it says  
7 Edison Electric Institute?

8 A Yes, I do.

9 Q Are you aware of Edison Electric Institute  
10 ever sending a copy of an LER that you reviewed?  
11 An LER supplement, excuse me.

12 A No, I am not.

13 Q Do you know if anybody within Unit 1 or  
14 Unit 2 received copies of LER's or LER supplements  
15 from any of the utilities?

16 A Yes.

17 Q Who would that have been?

18 A I don't recall.

19 Q How do you know somebody did?

20 A Excuse me, what time frame are we referring to?

21 Q Before the accident at Three Mile Island.

22 A I recall seeing LER's from other utilities.

23 Q Do you recall in whose files or where  
24 you saw them?

25 A I recall that they were being routed to the

1  
2 unit superintendent.

3 Q Do you recall from where it was being  
4 routed? Any instant at all?

5 A Yes, Jack Herbein.

6 Q Do you recall which utility's LER  
7 Mr. Herbein did send? Which one?

8 A Oyster Creek.

9 Q When was that?

10 A For approximately a year prior to the accident  
11 and approximately a year after the accident.

12 Q I am sorry, I don't understand your  
13 answer.

14 He was sending LER's related to Oyster  
15 Creek for a year before and a year after?

16 A Yes, that's right.

17 Q A number of LER's, more than one?

18 A Yes.

19 Q Do you know why he was sending the LER's  
20 relating to Oyster Creek?

21 A I don't know why, no.

22 Q Do you have an understanding as to why?

23 MR. MacDONALD: Did he have an  
24 understanding at the time?

25 MRS. VAUGHAN: Yes.



1

2

A Yes, my understanding at that time was because of potential applicability to TMI-1.

3

4

Q Do you know whether Mr. Harbein sent LER's to Unit 2?

5

6

A No, I don't recall.

7

8

Q Was there a distribution list on the LER or on the various LER's that he sent?

9

A Yes, I recall that there was.

10

11

Q Do you recall seeing anybody on that distribution list that was with Unit 2?

12

A No, I don't recall that.

13

14

Q Do you recall that there was anybody at all from Unit 2?

15

16

A I don't recall whether there was or whether there wasn't.

17

18

Q Do you recall ever seeing any other LER's that Mr. Harbein did send other than those relating to Oyster Creek?

19

20

A Yes, I do.

21

Q Which ones are they?

22

A I don't recall.

23

Q But you do recall seeing other LER's?

24

A Yes, and as a general practice on a very infrequent basis.

25

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Q You mean it would be an infrequent basis that you would see an LER come from Mr. Herbein to the Unit 1 superintendent relating to another utility, is that what you mean?

A Yes.

Q Do you remember at all what other utilities?

A No, I don't.

Q Do you know what the unit superintendent would have done with any of the LER's that he received?

A I don't recall.

Q Was this the kind of thing that you would look at first and then send to the unit superintendent?

A Yes, that was my general practice.

Q Would you send it on to any others?

A I don't recall.

Q Do you recall that you ever did?

A I don't recall that there was ever a time that I received an LER that was being sent to the unit superintendent by Mr. Herbein regarding an incident or a finding at another utility that I did not give to the unit superintendent.

Q But if you gave it to the unit superintendent

1  
2 might you also make a copy and give it to somebody  
3 else, too?

4 MR. MacDONALD: I will object to the  
5 form.

6 Q Did you also make a copy and give it to  
7 anyone else?

8 A I don't recall ever doing that.

9 Q Do you recall if the unit superintendent  
10 ever issued an action item from one of those LER's  
11 that he received from Mr. Herbein?

12 A No, I don't recall that.

13 Q Do you recall LER's coming in from any  
14 other source besides Mr. Herbein?

15 A Prior to the time of the accident?

16 Q That's right.

17 A No.

18 Q What about after the time of the accident?

19 A Yes.

20 Q From whom would they come?

21 A I believe that we discussed yesterday the  
22 establishment of a plant analysis group in Parsippany.  
23 New Jersey whose responsibility is to review LER's  
24 and send to various organizations within the GPU  
25 company those LER's for review and action where

1  
2 necessary.

3 Q Do you know where the plant analysis  
4 group obtains the LER's, from whom they obtain the  
5 LER's?

6 A No, I don't.

7 Q Do you know whether the Licensing  
8 Department before the accident at Three Mile Island  
9 ever maintained in its files copies of LER's either  
10 as a unit or anyone in particular?

11 A I don't know that.

12 Q Have you heard that they do from anyone?

13 MR. MacDONALD: That they did?

14 MRS. VAUGHAN: That they did.

15 A Are we referring to any LER's? The answer is  
16 no, I don't know.

17 Q You don't know and you have never heard  
18 anyone say that they have?

19 A That's correct.

20 Q If you wanted to get a copy of an LER  
21 before the accident at Three Mile Island, what was  
22 your understanding then of where you would have  
23 gotten a copy from?

24 MR. MacDONALD: Are you talking about  
25 LER's generated by other utilities?

1  
2 MRS. VAUGHAN: Yes.

3 A My understanding then was that at least some  
4 LER's became public documents and although I didn't  
5 know the mechanism I knew there existed a mechanism  
6 for at least reviewing other LER's. I had heard of  
7 the term public document room and it was my  
8 understanding at the time that any member of the  
9 public, I being a member of the public, could review  
10 those documents.

11 Q Are you speaking about the public document  
12 room of the NRC?

13 A Yes.

14 Q Did you have any knowledge about sources  
15 either on site or in Reading or in Parsippany from  
16 whom you could obtain copies of LER's filed by other  
17 utilities?

18 A No.

19 Q Would you look at attachment 9, please,  
20 which is the next attachment. Attachment 9 is a  
21 copy of a monthly licensee event report (LER) PWR  
22 listings, the date is unclear on this copy and it is  
23 signed by a Mr. Kirk whose initials are unclear,  
24 acting director, Regulatory Systems Division from  
25 the NRC.

1  
2 Have you seen this document before  
3 today, these two pages?

4 A No, I haven't.

5 Q Have you seen anything like this before  
6 today?

7 A Like what?

8 Q Like a monthly licensee event report  
9 even though it is not this one, have you seen other  
10 monthly licensee reports before today?

11 A Could you please repeat the question?

12 Q Have you seen other monthly licensee  
13 event reports before today?

14 A Other than those listed here?

15 Q Other than this particular attachment.

16 A Yes, I have seen other licensee event reports  
17 other than this, those listed in this attachment.

18 Q No, I am asking --

19 MR. MacDONALD: That wasn't the question.

20 Q Whether you have seen a publication  
21 like this one before today, not whether you have  
22 seen the LER's listed.

23 MR. MacDONALD: Or something generated  
24 in this format.

25 MRS. VAUGHAN: That's right.

1

2 A I don't recall that I have.

3 Q Mr. Brown never showed you anything like  
4 this?

5 A I don't recall that he did.

6 Q Do you know a Mr. Lieb? Have you ever  
7 heard that name before?

8 A I don't recall ever hearing that name.

9 Q How about a Mr. Loeb?

10 A I don't recall hearing that name.

11 Q You don't know anyone by that name?

12 A I don't recall ever hearing anybody by that  
13 name.

14 Q Could you turn to the next attachment,  
15 please, attachment 10. Its title is "Operating Units  
16 Status Report" and this attachment is dated as of  
17 10-31-77.

18 Have you ever seen this document before  
19 today?

20 A No, I haven't.

21 Q Do you see what is called the NUREG  
22 number, NUREG 0020? Is that familiar to you?

23 A The term NUREG is familiar to me.

24 Q Is this particular number of NUREG familiar  
25 to you?

1

2

A No.

3

4

Q If I said to you that this is the NRC's  
gray book, would that mean anything to you?

5

A Yes.

6

Q What does that mean?

7

8

9

10

11

A It's been my understanding and it's my  
understanding that the report that we discussed  
yesterday, the NRC monthly operating report, information  
contained in that report is used to make up a gray  
book that is published periodically.

12

13

Q Have you ever seen copies of the gray  
book before today?

14

A Yes, I have.

15

Q Is this a copy of the gray book?

16

A I don't know.

17

18

Q Do you know whether the copies you have  
seen look like this?

19

A I don't recall that they did.

20

21

MR. MacDONALD: Or in a format like  
this?

22

MRS. VAUGHAN: Yes.

23

A I don't recall that they did.

24

Q When did you see a copy of the gray book?

25

A Sometime before 1978.



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Q Did you ever see a copy after 1978?

A I don't recall that I did.

Q Do you recall the circumstances under which you saw a copy?

A Yes.

Q What were they?

A I had heard of the term the gray book and I was in Gary Miller's office and he was on distribution for the gray book and I saw several copies in his office and I spent two or three minutes looking through one or two.

Q Do you recall that it said gray book on it?

A No, I don't recall if it did or if it didn't.

Q How did you know it was the gray book when you saw it?

A I don't know how I knew.

Q You just knew?

A I don't know how I knew.

Q Was it actually gray?

A Yes, it was.

Q What was Mr. Miller's position at that time?

A It was either station superintendent or Unit 2 superintendent or station manager.

1  
2 Q Did Mr. Miller, while he was station  
3 manager, have an assistant much like you are an  
4 assistant to the Unit 1 superintendent?

5 MR. MacDONALD: Much like, you mean  
6 somebody acting in the same capacity?

7 MRS. VAUGHAN: Irrespective of whether  
8 they do exactly the same functions but  
9 generally speaking the same capacity.

10 A I don't recall.

11 Q Do you know whether he had anybody when  
12 he was the Unit 2 superintendent who was an  
13 assistant?

14 A I don't recall.

15 Q Do you know whether Mr. Logan ever had  
16 an assistant other than Mr. Shaffer when he was  
17 the Unit 2 superintendent?

18 A Yes, I recall that he didn't.

19 Q Going back to attachment 10, the  
20 operating units status report and also attachment 11,  
21 the same kind of document dated 11/30/77 --

22 A Yes.

23 Q -- is it your testimony that you have  
24 not seen either of these before today?

25 A That's correct.

Q Could you turn to the second page of attachment 10, that is the earlier one, it is headed "Davis-Besse 1."

A Which document are you referring to, the document dated 10/31 or 11/31?

Q 10/31.

A 10/31.

Q I realize that they are not very clear but I wonder if by looking at that page you can tell me what, if any of the kind of information that is listed there would be the kind of information that you would gather information for, for the operating, the monthly operating reports?

MR. MacDONALD: You are talking about the monthly operating reports on Unit 1?

MRS. VAUGHAN: Yes.

A I can't make out much of the information on the left side of the page.

In the center of the page at the bottom, plant status, the description that they give there of the plant status is similar to the operations summary that I would provide in the NRC monthly operating report.

Q Is there anything else on the page from

1

2

what you can tell?

3

A No.

4

5

Q How about on the attachment 11 which is dated 11/30/77, the second page there might be a little bit clearer?

6

7

A They changed their format from one report to the next.

8

9

10

Although in the second document it is referred to as system -- systems and component problems.

11

Q Yes?

12

13

A What I read in that section of the report is also similar to the information that would be contained in the operating summary of the NRC monthly operating report.

14

15

16

Q Mr. Harbin, could you please look at the next attachment, attachment 12, it is titled "Current Events-Power Reactors" and the document indicates it was published December 1977.

17

18

19

20

Would you take a moment to review that, please?

21

22

A Yes.

23

Okay.

24

Q Have you seen this document before today?

25

A Not that I recall.

1  
2 Q Would this document be one that you  
3 would receive and review in the normal course of  
4 your job responsibilities, this type of document,  
5 that is, Current Events-Power Reactors?

6 MR. MacDONALD: Not necessarily this  
7 document?

8 MRS. VAUGHAN: That's right.

9 A Yes, I received this for some period of time.

10 Q In other words, when you have testified  
11 previously about receiving Current Events, this is  
12 the document you recall that being?

13 A Yes, that's correct.

14 Q You, however, do not recall receiving  
15 or reviewing this particular one; is that correct?

16 A That's correct.

17 Q Do you recall that this was the Current  
18 Events-Power Reactors document that Mr. Brown was  
19 looking for?

20 A Do I recall correctly that you had stated  
21 that he was looking for a document concerning an  
22 event dated September 24, 1977?

23 Q No.

24 Do you recall looking at this now that  
25 this was the document that he was looking for?

1

2

MR. MacDONALD: That is your recollection.

3

A No.

4

Q You don't recall that?

5

A No.

6

7

Q Looking at this now does not refresh  
your recollection in that regard?

8

A That's correct.

9

10

11

Q Do you recall that in December 1977 the  
Unit 1 superintendent was receiving copies of  
Current Events-Power Reactors?

12

A When?

13

Q In December of 1977.

14

A Yes.

15

16

Q And you were reviewing that publication  
in December of 1977?

17

A Ones that were received, that I received, yes.

18

19

Q Would you receive all the ones that he  
received?

20

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22

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MR. MacDONALD: Are you asking whether  
he received this document or was this  
particular publication one that was being  
received by the Unit 1 superintendent and  
therefore would he look at it?

MRS. VAUGHAN: The latter. If that was

1  
2 a publication that was being received by  
3 the Unit 1 superintendent in December of 1977  
4 and whether in December of 1977 he reviewed  
5 for the Unit 1 superintendent Current Events-Power  
6 Reactors.

7 A Yes, ones that -- I reviewed ones that I  
8 received.

9 Q And my question to you now is: If you  
10 didn't receive them is that because the Unit 1  
11 superintendent didn't receive them?

12 A I don't know that.

13 Q Do you know that there were issues of  
14 this publication that you didn't get an opportunity  
15 to review?

16 A I don't know that.

17 Q When you say you reviewed the ones you  
18 received, what did you mean by that?

19 A I meant that I kept no log or had no mechanism  
20 for tracking those that I received and therefore  
21 did not receive.

22 When I received them I reviewed them.

23 Q Would it ever happen that somebody else  
24 would take the issue before you had an opportunity  
25 to review it?

MR. MacDONALD: Did that ever happen?

MRS. VAUGHAN: Yes.

A I have no knowledge of that ever having happened.

Q So if you didn't receive an issue it would be because the mail didn't get to you, is that a fair assumption, deduction?

A Could you repeat that, please?

Q In other words, when you say you reviewed the ones you received, do you mean that it could happen that they didn't come to you through the mail as opposed to you didn't receive it because of some internal administrative mechanism?

A I really don't know why I wouldn't have. If I don't receive something I have no knowledge of why that might be or why that would be.

Q But you were supposed to review the ones that the unit superintendent received; is that correct?

A Yes, that's correct.

Let me make a clarification. A publication like the B&W newsletter was issued weekly and the NRC Current Events publication was received a lot less frequently. I think you had said earlier once every



1  
2 two months and at the time of the accident I recall  
3 having a recollection or I recollect having thought  
4 that the NRC in their distribution of that publication  
5 was not very consistent either in the title of the  
6 publication, the format of the publication and the  
7 dates when the publication was distributed and from  
8 that standpoint I didn't consider it a very reliable  
9 source of information.

10 Q Did you know this particular publication  
11 to exist at any time during your employment under  
12 a different title?

13 A I knew of publications that existed that  
14 were very similar in nature to this publication that  
15 existed under different titles, yes.

16 Q But as to this publication, did you  
17 ever know it to exist under a different title from  
18 the NRC?

19 A The publication, Current Events-Power Reactors,  
20 is the title of the publication. \*

21 Q And has always been the title of the  
22 publication as far as you know?

23 A The title stands as the title.

24 Q Do you know the NRC to have put out  
25 something like this under a different name at any time?

1

2 A I just said that I recall publications published  
3 by the NRC that were very similar in nature to this  
4 publication but that it had different titles.

5 Q Which ones were they?

6 A There were two others and I don't recall the  
7 titles.

8 Q Did you receive or review those as part  
9 of your job at any time?

10 A Yes.

11 Q But you don't recall the titles?

12 A No, I don't.

13 Q Do the publications exist today?

14 A I don't know whether they do or not.

15 Q Do you recall the time when you reviewed  
16 them?

17 A No, I don't.

18 Q Are they any of the ones, if I read  
19 through that list of names that you gave today, those  
20 publications, are any of those the ones?

21 A No, they are not.

22 Q This Current Events is dated December 1977.

23 Do you know this publication Current  
24 Events-Power Reactors to exist today in 1981?

25 A Yes, I do.

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Q Is it in essentially the same format as it was in 1977, that is the same format as what you have here, essentially the same?

A No, I don't believe it is.

Q How does it differ?

A The publication that I've got here as exhibit -- or is enclosure what, 11?

MR. MacDONALD: 12.

MRS. VAUGHAN: 12.

A Appears to categorize events by component type or cause, for example, I see two events or two different occurrences listed under valve malfunctions, the first event covers the September 24, 1977 Davis-Besse incident and the second event covers two events at the Trojan nuclear power plant and to my knowledge Current Events, the publication Current Events-Power Reactors today categorizes events not as to cause but simply as listing of certain events with no categorization.

MRS. VAUGHAN: All right, why don't we break now.

MR. MacDONALD: All right.

(Time noted: 4:50 o'clock P.M.)

RONALD STEPHEN HARBIN

Subscribed and sworn to before me  
this day of 1981

CERTIFICATE

STATE OF NEW YORK     )  
                              : ss.:  
COUNTY OF NEW YORK    )

I, CHARLES SHAPIRO, a Notary  
Public of the State of New York, do hereby  
certify that the continued deposition of  
RONALD STEPHEN HARBIN was taken before  
me on July 8, 1981 consisting  
of pages 147 through 293;

I further certify that the witness had  
been previously sworn and that the within  
transcript is a true record of said testimony;

That I am not connected by blood or  
marriage with any of the said parties nor  
interested directly or indirectly in the matter  
in controversy, nor am I in the employ of any  
of the counsel.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 21<sup>st</sup> day of JULY, 1981.

Charles Shapiro  
CHARLES SHAPIRO, C.S.R.

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## E X H I B I T S

B&W EXHIBITS	FOR IDENT.
204 Letter dated May 20, 1977 to Mr. Klingaman from Joel T. Janis, service manager at B&W	149
205 Copy of minutes of a B&W Users Group meeting held on June 27 and 28, 1979, dated July 24, 1979 with an attached cover memo from J. L. Seelinger to distribution with a copy to Harbin	153
206 Letter dated July 25, 1978 addressed to Mr. Brummer from Mr. Herbein	186
207 Three-page document headed "Appendix A, Notice of Violation"	187
208 Letter dated August 30, 1979 from Mr. R. C. Arnold to John G. Kemeny with 18 attachments	257

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