

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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OFFICE OF THE SECRETARY
DOCKET

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

Docket No. 50-289
(Restart Remand
on Management)

TESTIMONY OF NORMAN C. MOSELEY
ON THE DIECKAMP MAILGRAM ISSUE

Q1. Please state your name, your present employer, and your current professional position.

A1. My name is Norman C. Moseley. I am presently employed by the Institute of Nuclear Power Operations in Atlanta, Georgia. My present title is Manager, Startup Department, Construction Project Evaluation Division.

Q2. Were you previously employed by the Nuclear Regulatory Commission? If so, state the dates of employment with the NRC and the positions you held.

A2. Yes. I was employed by the Nuclear Regulatory Commission and its predecessor, the AEC, from May 1964 until January 1982. During this time I held the following positions:

- a. Reactor Inspector
- b. Senior Reactor Inspector

- c. Branch Chief
- d. Regional Director
- e. Division Director

- Q3. What was your role in the investigation of the issue of the mailgram from Herman Dieckamp to Congressman Udall dated May 9, 1979? Explain.
- A3. I led the team that performed the Inspection and Enforcement Investigation entitled "Investigation Into Information Flow During The Accident At Three Mile Island." The report of this investigation was issued by NRC as NUREG 0760. The team was asked to include in the investigation an assessment of whether the Dieckamp mailgram constituted a Material False Statement. This matter was pursued in an interview with Mr. Dieckamp on September 12, 1980, in which I was the principal questioner of Mr. Dieckamp.
- Q4. Please explain your role in the preparation of NUREG-0760, "Investigation into Information Flow During the Accident at Three Mile Island," January 1981.
- A4. As the investigation team leader, I supervised the preparation of the report. The report was prepared as a consensus document. By that, I mean that I did not dictate each finding and conclusion. Each finding and conclusion was redrafted until each team member found it acceptable.

Q5. Did you previously testify for the NRC Staff in the TMI-1 restart proceeding? If so, when did you testify?

A5. Yes. I testified on Wednesday, February 18, 1981.

Q6. Briefly describe the subject of your earlier testimony in the restart proceeding.

A6. My testimony in February 1981 concerned the background, purpose, and conclusions reached in the investigation report, NUREG-0760. As a part of my testimony, I was questioned about my conclusions regarding the Dieckamp mailgram.

Q7. Have you recently reviewed your earlier testimony on the Dieckamp mailgram issue?

A7. Yes. I reviewed it in preparation for my further participation in the hearing.

Q8. Prior to that testimony, did you interview Mr. Dieckamp on his state of knowledge at the time he sent the mailgram to Congressman Udall? Explain.

A8. Yes. Terry Harpster and I interviewed Mr. Dieckamp on Friday, September 12, 1980, in Parsippany, New Jersey. During the interview Mr. Dieckamp was under oath and a transcript was made by a court reporter.

Q9. You testified that as far as Mr. Dieckamp's state of mind was concerned, you believed Mr. Dieckamp believed the message he was

trying to convey in the mailgram was true. (Tr. 13,063-64). What was the basis for that testimony? Explain.

A9. During our interview with Mr. Dieckamp, he was asked if he believed that the statements in the mailgram were true. He said that he did. My impression during the interview was that he was sincere. This conclusion of mine is supported by the fact that in NUREG-0760, we concluded that no one present in the control room of TMI Unit 2 concluded on March 28, 1979 that hydrogen was the cause of the pressure spike.

As explained in NUREG-0760, we concluded that on March 28, 1979, it was beyond the range of credible operator knowledge to infer that amounts of hydrogen sufficient to reach a flammable concentration in a two million cubic foot containment might exist at 10 hours after the initiation of the event.

Therefore, my testimony was that the message Mr. Dieckamp was trying to convey was true.

Q10. Do you reaffirm your prior testimony on the Dieckamp mailgram issue?

A10. Yes, I do.

Q11. Based on your current knowledge and belief, do you still believe that Mr. Dieckamp believed the information in the mailgram was true?

A11. Yes, I do.