

ORIGINAL

RELATED CORRESPONDENCE

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

DELETED
USNRC

In the matter of:
LONG ISLAND LIGHTING COMPANY

'84 SEP -7 A11:21

(Shoreham Nuclear Power Station,
Unit 1)

Docket No. 50-322-OL-3

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Deposition of: John A. Scalice

Location: Hauppauge, New York

Pages: 1 - 47

Date: Friday, August 24, 1984

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CORRECTIONS TO DEPOSITION OF
JOHN A. SCALICE, AUGUST 24, 1984

Page 10	Line 19	change "fuel rods" to "control rods"
Page 29	Line 19	change "and" to "in"
Page 32	Line 8	change "system" to "assistant"
Page 34	Line 9	change "are" to "we"
Page 39	Line 8	change "SDA" to "STA"

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD 11:21

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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In the Matter of:	:	
	:	
LONG ISLAND LIGHTING COMPANY	:	Docket No. 50-322-OL-3
	:	(Emergency Planning
(Shoreham Nuclear Power Station,	:	Procedures)
Unit 1)	:	
-----X	:	

DEPOSITION OF JOHN A. SCALICE

H. Lee Dennison Building
Ninth Floor
Veterans Memorial Highway
Hauppauge, New York 11787

Friday, August 24, 1984

Deposition of JOHN A. SCALICE, called for
examination by counsel for the Intervenor, taken before
Myrtle H. Traylor, Court Reporter, beginning at 11:40 a.m.,
pursuant to agreement of counsel.

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COTTON CONTENT

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1 APPEARANCES:

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15 Special Counsel to the Governor
16 Executive Chamber
17 Room 29^a
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19 Albany, New York 12224

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MILLERS FALLS
ERASE
COTTON CONTENTS

C O N T E N T S

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Witness:

Examination by:

Page:

John A. Scalice

Mr. Miller

4

PROCEEDINGS

Whereupon,

JOHN A. SCALICE

was called as a witness and, having first been duly sworn,
was examined and testified as follows:

MR. MILLER: Mr. Scalice, my name is Michael
Miller. I am with Mr. McMurray from my office, and we
represent Suffolk County in the licensing proceedings
before the Atomic and Safety Licensing Board regarding the
Shoreham plant.

And we are here pursuant to agreement of
counsel to take your deposition for discovery purposes
regarding the strike issues.

If you have any questions, or if you want
clarification from me during the course of the deposition,
please just ask for it.

WITNESS SCALICE: Fine.

DIRECT EXAMINATION

BY MR. MILLER:

Q Would you please state your name and business
address for the record?

A My name is John A. Scalice. I work at 628 --

1 Post Office Box 628, Wading River, Shoreham Nuclear Power
2 Station, New York.

3 Q And you are the Operations Manager at Shoreham?

4 A That's correct.

5 Q Are you the only Operations Manager?

6 A Correct.

7 Q Who do you report to?

8 A Plant Manager.

9 Q Who is?

10 A William Stieger.

11 Q And what was your position prior to April 15,
12 1984 when you became Operations Manager?

13 A I was officially a Reactor Engineer.

14 Q Mr. Scalice, when did you first become aware
15 of the Board's July 24th Order regarding the strike issues?

16 A I don't know exactly, maybe the 25th, 24th.

17 Q Very soon after the Order was issued?

18 A (The witness nodded in the affirmative.)

19 Q And who showed it to you or told you about it?

20 A I had a request to attend a meeting with Lee
21 and Mr. Stergakos of the Company for a meeting that they
22 had on it.

1 Q Was this the meeting on July 25th?

2 A I don't know the date.

3 Q Shortly after the Order was issued?

4 A (The witness nodded in the affirmative.)

5 Q A meeting with lawyers for LILCO?

6 A Correct.

7 Q Was Mr. Irwin at that meeting?

8 A Yes.

9 Q Who attended the meeting? Tell me, if you
10 can, who the attendees were at this meeting?

11 A Mr. Irwin, Mr. Zeugin, Mr. Stergakos, Mr. Rigert,
12 and there were some other people that I can't recall at
13 this time.

14 Q Was Dr. Cordaro at the meeting?

15 A No.

16 Q Did you learn at this meeting that you would
17 be testifying on behalf of LILCO at the trial?

18 MR. ZEUGIN: I will object to that on the
19 grounds of attorney-client privilege. I don't see the
20 relevance of that, to what we are talking about.

21 BY MR. MILLER: (Continuing)

22 Q Let me just ask you, Mr. Scalice, when did you

1 first learn that you would be testifying on LILCO's behalf
2 at the trial?

3 A About a week later, in that area.

4 Q The beginning of August, end of July?

5 A I would say that's about accurate.

6 Q How did you learn you were going to be testifying
7 on LILCO's behalf? Who told you that?

8 A Mr. Irwin and Mr. Zeugin.

9 Q Mr. Scalice, your affidavit regarding the strike
10 issues, did you begin preparation of that affidavit shortly
11 after the meeting, around July 25th?

12 A That's correct.

13 Q Did you work with anyone in preparing this
14 affidavit?

15 A No.

16 Q And what did you do to prepare the affidavit?

17 A Basic knowledge of what I know about the plant
18 and reference to -- specific reference to our procedures.

19 Q You looked at some documents, and those would
20 be the Shoreham procedures?

21 A Yes.

22 Q Are those the documents attached to your

1 affidavit?

2 A Specifically those documents, yes.

3 Q Anything other than the documents attached to
4 your affidavit?

5 A Not that I recall.

6 Q So, for --

7 A But I have familiarity with several other
8 procedures.

9 Q For example, did you look at the FSAR for
10 Shoreham?

11 A Yes. I think -- I believe -- yes, I did look
12 at the FSAR and technical specifications.

13 Q Who asked you to prepare the affidavit?

14 A It was either Mr. Irwin or Mr. Zeugin. I
15 don't recall which.

16 Q Do you know, Mr. Scalice, why you were asked
17 to prepare the affidavit rather than some other LILCO
18 employee?

19 A Well, I'm Operations Manager so I'm familiar
20 with operating the plant. I would suspect that's the
21 reason.

22 Q And would it be the same reason that you

1 were asked to testify?

2 A I suspect so.

3 Q Now, since the preparation of your affidavit,
4 what, if anything, have you done to prepare for the hearing
5 which begins next week?

6 A I answered some questions that you gentlemen
7 had regarding some additional details.

8 Q That was in reponse to a discovery request by
9 New York State and the County?

10 A Yes.

11 Q So, you were provided questions and you pre-
12 pared answers to those questions?

13 Anything else?

14 A Could you be specific? In my normal work
15 function?

16 Q Anything in preparation for the hearings which
17 begin next week?

18 A I reread my affidavit.

19 Q Okay. Have you performed any calculations?

20 A No.

21 Q Have you had discussions or meetings with
22 anyone --

1 A Excuse me. About performing calculations --
2 you asked Mr. Stergakos and I overheard it, so I just
3 did my own quick calculation.

4 Q What calculation did you just perform?

5 A You seemed to be interested in the calculation
6 for shutting down the reactor, so I just wanted to be
7 specific to you if you asked that question later.

8 Q Let me ask that now, then, since we are there.
9 In your affidavit, you state that -- I will paraphrase
10 this, is that the time needed to go through the sequence
11 of steps in your affidavit to arrive at cold shutdown is
12 approximately 12 to 16 hours, correct?

13 A That's correct.

14 Q Now, what is the basis for that figure in your
15 affidavit?

16 A The basis for that is my knowledge of how to
17 shut the plant down, practice at simulators, witnessing
18 at other facilities that are operating. And knowing normal
19 times it takes to insert the fuel rods and my experience
20 as Reactor Engineer and as a Licensed Operator.

21 Q Is there a degree of judgment involved in that
22 estimation, then?

1 A Only conservatively. It would probably take
2 less.

3 Q Could it take longer than 12 to 16 hours?

4 A I see no way.

5 Q And the next paragraph of your affidavit talks
6 about if you manually scrambled the reactor, you could
7 arrive at cold shutdown in approximately eight hours?

8 A That's correct.

9 Q Now, what's the basis for that?

10 A Well, I don't have to insert the rods manual.
11 It only takes -- as I indicated in there, and that's
12 conservative again, five seconds for the rods to be
13 inserted when the manual scram is placed into the reactor.
14 Actually, it's usually -- it's in the area of around three
15 but five seconds is --

16 Q Mr. Scalice, there is a statement of material
17 facts which was submitted by LILCO to the Licensing Board
18 in which it was stated that -- I will paraphrase again,
19 you can generally arrive at cold shutdown in less than 24
20 hours.

21 Do you recall that statement?

22 A That I made?

1 Q This was in a statement of material facts that
2 was submitted. Have you seen that statement of material
3 facts?

4 Let me show it to you. It has got some markings
5 of mine.

6 (Mr. Miller hands the witness a paper writing.)

7 A What specific page are you referring to?

8 Q Paragraph 5 says that the Shoreham plant staff
9 can take the Shoreham plant from full power operation to
10 cold shutdown within 24 hours following normal procedures.

11 A That's correct.

12 Q That figure is somewhat above your 12 to 16
13 hour estimate, and I'm wondering why the 24 hour time
14 period was used, or if you think there is no possibility
15 that it could take more than 12 to 16 hours?

16 A I think the rest of the sentence says: And in
17 a much shorter time if necessary.

18 Q Do you agree it could take up to 24 hours?

19 A No. Twelve to 16 hours is all I would need.
20 I stand by my calculation.

21 Q Do you know why the figure of 24 hours was
22 used in the statement of material facts?

1 A I assume it was because of the notice that we
2 were generally given prior to a strike or we have experienc-
3 ed.

4 Q Now, other than your calculations performed here
5 a few minutes ago regarding the time necessary to get the
6 plant to cold shutdown, have you performed any other
7 calculations of any kind regarding the strike issues?

8 A Could you be a little bit more specific? I
9 don't understand what you mean, regarding the strike
10 issues.

11 Q Do you understand the issues that are going to
12 be heard before the Licensing Board next week?

13 A To my understanding, how long it would take me
14 to shut the plant, put the plant to a cold shutdown. If
15 you are talking about Mr. Stergakos' area, I did not
16 perform any calculations.

17 Q I'm just talking about any calculations of any
18 kind.

19 A I have not performed any additional calculations.

20 Q And other than your affidavit, have you pre-
21 pared anything in writing since you learned about the
22 strike issues?

MILLER FALLS
EZEASE

1 A No.

2 MR. ZEUGIN: I want to make sure the record is
3 clear on this. Were you including in that, Mike, for
4 Mr. Scalice's clarification, in the discovery document
5 also he said he provided an answer to?

6 MR. MILLER: I was asking for anything in
7 writing. Let's back up and make sure it's clear.

8 BY MR. MILLER: (Continuing)

9 Q I guess we have, Mr. Scalice, the affidavit
10 you prepared and we have the response, any response, you
11 prepared to a discovery request that has been provided to
12 the County.

13 A That's the sum total of what I prepared.

14 Q Are you in the process of preparing anything
15 at the present time?

16 A No.

17 Q Do you know if you will be preparing anything
18 in writing to submit to the Board next week?

19 A No, I do not.

20 Q Have you had any conversations with the NRC
21 Staff, Mr. Scalice, with respect to the strike issues?

22 A The staff, no.

MILLERS FALLS
EXHIBIT
CRITON CONTENT

1 Q The NRC Staff?

2 A I've had conversations with the NRC Resident
3 Inspector at our facility.

4 Q Regarding the strike issues?

5 A Yes.

6 Q And what are the substance of the conversations
7 you have had?

8 A Well, I had daily conversations with him --
9 not daily, but conversations during our existing strike,
10 it's casual.

11 I knew that he was Resident Inspector at the
12 Salem Plant at the time of a work stoppage that they had
13 there.

14 Q Who is the Resident Inspector?

15 A Chuck Petrone.

16 Q And there was a work stoppage at Salem and
17 you talked to him about that?

18 A Yes, sir.

19 Q What happened at Salem when they had a work
20 stoppage?

21 A They operated throughout the work stoppage at
22 a hundred percent power, I believe, or some high power

1 level anyway.

2 Q The work stoppage at Salem involved how many
3 employees of the utility that operates that plant?

4 A I don't have the slightest idea. I believe
5 it's a twin unit so there are a certain amount of
6 employees, but I don't know the number.

7 Q Other than Mr. Petrone, have you had discussions
8 with anyone else from the NRC regarding the strike issues?

9 A No, sir.

10 Q And did your conversations with Mr. Petrone
11 involve the issues raised by the Licensing Board that are
12 going to be litigated next week?

13 A I don't believe I understand that question.

14 Q Mr. Scalice, let me ask you about this statement
15 of material facts. There are a couple of things in here
16 I was curious about.

17 A Okay.

18 Q It says that approximately two-thirds of
19 LILCO employees in LERO belong to one or another of two
20 unions.

21 Is that correct, to your knowledge?

22 A Could you repeat that again?

MILLERS FALLS
E228ASE

1 Q Approximately two-thirds of the LILCO employees
2 in LERO belong to one or other of two unions.

3 A I never did the calculation. We have two
4 unions that work at Long Island Lighting Company.

5 Q Do you know how many workers approximately
6 there are in LERO?

7 A I don't have the exact number, no.

8 Q Are there only two unions represented for
9 workers that belong to -- let me start again.

10 Are there only two unions to which workers
11 belong in LERO?

12 A I suspect so. We only have two there in
13 Long Island Lighting Company.

14 Q Now, do you have union employees represented by
15 those two unions that are part of the operating staff at
16 Shoreham?

17 A We have people that are in the emergency
18 response organization. If you consider that to be a
19 wide umbrella, including LERO, then I guess the answer
20 would be yes.

21 MR. ZEUGIN: Let me clarify the intent of your
22 question, Mike. Are you looking for members of the normal

MILLERS FALLS
ERASE
COTTON CONTENT

1 plant staff and their normal operations as members of
2 plant staff? Was your question whether those people are
3 union members, or did it relate to emergency planning?

4 MR. MILLER: I was going to the issue of
5 plant staff, my last question.

6 WITNESS SCALICE: Not to my knowledge.

7 (The witness, Mr. Scalice, and Mr. Zeugin
8 confer.)

9 WITNESS SCALICE: Are you asking me if part
10 of the plant staff is union, yes.

11 BY MR. MILLER: (Continuing)

12 Q Okay. Let's try to back up a bit. What is
13 the total operating staff, the numbers, of Shoreham?

14 A Well, the numbers change but presently there
15 are about 320 people on the plant staff with an authoriza-
16 tion to go up higher than that.

17 Q Now, do you know how many of the 320 plant
18 staff personnel are unionized?

19 A 173.

20 Q Are the remainder, then, all management
21 personnel?

22 A Classified supervisory management personnel, yes.

MIDDERS FALLS
EXERASE
COTTON CONTENT

1 Q How many shifts do you run at this plant?

2 A Six operating shifts.

3 Q Is it three shifts a day, six total shifts?

4 A We have six shift rotation; yes, there are
5 three shifts a day.

6 Q Is it fair to say, then, that the average
7 shift size is approximately sixty workers?

8 A No.

9 Q What is the average size of a shift?

10 A The average size of a shift depends on what
11 area you are talking about. The operating complement is
12 different from the -- what I mean by the operating
13 complement, people that operate the equipment in my
14 division is different, for instance, than the maintenance
15 or clerical or support organization. Therefore, a
16 considerable number of those people work on days and
17 they are not carried over to the shift.

18 Q Can you tell me, what is the size of the
19 operating staff that would be on hand during a normal
20 shift?

21 A Yes. There is a watch engineer. I assume
22 you mean an off-shift where normal management people are

MILLERS FALLS
ERASE
COTTON CONTENT

1 not available. When I say management, upper-management.

2 Q I'm talking about the normal shift during a
3 normal day, the operating staff that would be available?

4 A The normal day? Okay.

5 Q I realize there are days where a number of
6 people come out to the plant that are not specifically
7 assigned to the plant.

8 MR. ZEUGIN: Maybe I can help clarify a little
9 bit of the Mr. Scalice's question.

10 I think Mr. Scalice is thinking about, there
11 are some management personnel who he would include in
12 what he would say would be a day operation shift who
13 wouldn't be there at night. I think he would include
14 himself probably.

15 WITNESS SCALICE: I don't know which of the
16 two you want me to tell you.

17 BY MR. MILLER: (Continuing)

18 Q Let's do it for both. Let's do it for the day
19 and then for the evening. But, you can give me the size
20 of the operating staff that would normally be on hand at
21 the Shoreham plant during a normal shift during the day.

22 A It would be the numbers I just wrote down except

MILLERS FALLS
ERASE
COTTON CONTENT

1 for those that are not there and that are working on the
2 other shifts. So that, for instance, they are working
3 4 to 12 or 12 to 8. I think it's easier --

4 Q The size is what I'm looking for. If you
5 could give me the size.

6 A Okay. That's not so easy to do. I would have
7 to take a little time to figure it out.

8 MR. ZEUGIN: Would you like a piece of paper
9 so you can write it down?

10 WITNESS SCALICE: Sure.

11 (The witness is doing some figuring on
12 paper.)

13 I can round it off to say that approximately
14 a third would not be there, less than a third would not
15 be there. Out of this total complement, it's considerably
16 less. It would take me a long time to figure that exact
17 calculation out.

18 BY MR. MILLER: (Continuing)

19 Q I'm confused, Mr. Scalice. During the day now,
20 are you saying that approximately 200 workers would be --

21 A In excess of 200 people, yes.

22 Q Per shift?

MILLERS FALLS
ERASE
BOTTOM CONTENT

1 A No. In the day.

2 Q Okay. 8 to 4?

3 A Or later than that, because we never seem to
4 work 8 to 4.

5 Let me see if I can be a little more explicit
6 for you. I understand your confusion.

7 In the plant staff, 320 people. There exists
8 clerical help, managerial help, shift operators, maintenance
9 people, radiochemistry people, health physics people,
10 et cetera.

11 During the day, the clerical people are there.
12 We do work some people on the 4 to 12 but it's not a
13 significant number. So, out of that portion of that 173,
14 the majority of the clerical functions are not there.
15 The majority of the operations group would not be there
16 except for those that were either covering the operating
17 shift or in training.

18 The maintenance people would be on a normal day
19 shift but only would work on evenings to do special repair.
20 The health physics people are on shift in accordance with
21 the technical specifications and will be on shift in
22 accordance with the technical specifications, at least

1 one HP technician, radiochemistry technician, and then
2 we have normal fire brigade requirements.

3 So, it's not an easy thing. It would take me
4 a little while to put it together to give you the exact
5 number. But the majority of the people are on the days,
6 and under certain circumstances the minimum number of
7 shift complement plus security people and some extra jobs
8 that are going on are on the night shifts.

9 Q Let's try it a little different way. Could
10 you tell me what would be approximately the smallest
11 number of persons that could be on duty at Shoreham at
12 any time during the day?

13 A Okay. In accordance with -- there would be
14 the minimum number which would be in accordance with
15 the technical specifications. It would be one watch
16 engineer. I will write that down.

17 (The witness is writing on paper.)

18 I will show you in the tech specs and see if
19 this is the same. A minimum of eleven people not counting
20 security. And that number will go up.

21 Q Okay. So the minimum number would be eleven
22 persons without counting security at any time during the

ERASE
COTTON CONTENT

1 day --

2 A And not counting a rad waste operator that we
3 will be hiring in the next couple of weeks.

4 Q Now, those eleven persons -- and let's exclude
5 security for now. Of those eleven persons, how many of
6 those would be unionized?

7 A Eight.

8 Q Now, which of these eleven are not members of
9 some union? If you can give me the job category.

10 A The watch engineer, the watch supervisor, and
11 the shift technical advisor.

12 Q Can you give me the job categories of the
13 eight who are members of the union?

14 A Sure. Two reactor operators and three equip-
15 ment operators. I'm sorry, four equipment operators.
16 An HP tech and a rad chem tech.

17 Q I missed the last two. I'm sorry.

18 A An HP tech, health physics technician; and a
19 rad chem technician.

20 Could I refer to the technical specifications?

21 Q Sure.

22 (Mr. Zeugin provides the witness with a paper
writing.)

1 Q (Continuing) Let me make sure I --

2 MR. ZEUGIN: Let him check that.

3 WITNESS SCALICE: The rad chem tech would not
4 be required.

5 BY MR. MILLER: (Continuing)

6 Q So, are you saying now the minimum size would
7 be ten?

8 A Uh-huh. Even though we plan to put them on
9 shift, it's not required by technical specifications.

10 Q Okay. So, the minimum size of any shift,
11 excluding security, would be ten persons, seven of which
12 would be members of the union?

13 A Yes.

14 Q Now, let me make sure we are understanding
15 one another, Mr. Scalice. My question assumes that the
16 plant is in operation.

17 A I'm not counting security. And there are
18 supervisors in security that are LILCO personnel.

19 Q Right. I'm excluding security for right now.
20 So, I'm assuming the plant is operating and you have made
21 that assumption, correct?

22 A That's correct. The minimum possible that would

1 be on shift.

2 Q That's night or day?

3 A That's highly unlikely, though.

4 Q Night or day, twenty-four hours a day, any
5 time?

6 A No. It's on the 12 to 8 shift would be the
7 minimum time, the way I look at it.

8 Q So, you have given me, though, the minimum
9 number of persons that could be on site at any time,
10 night or day?

11 Is that correct?

12 A That's correct.

13 Q And you were talking about the midnight to
14 8 a.m. shift?

15 A That's correct.

16 Q You keep mentioning security. Is the security
17 force unionized?

18 A Not the same union. They are unionized.

19 Q Mr. Scalice, would you look at a copy, if you
20 have it, of the information you provided to New York
21 State and the County in discovery?

22 At the top of the page it says, "Non-Union

1 Manpower Available to Bring Plant to Cold Shutdown and
2 Maintain It In That Condition."

3 Do you see on the first page, Mr. Scalice,
4 there is a listing at the bottom of various job categories
5 and the numbers?

6 A Yes. That's correct.

7 Q You say there are presently twenty non-union
8 LILCO employees who are licensed senior reactor operators,
9 and you give the job titles?

10 A Yes.

11 Q Did you prepare this list?

12 A Yes.

13 Q Now, you gave me a category for your minimum
14 shift. You said there would be a shift technical advisor.

15 A That's right.

16 Q Which category does that correspond to in
17 your discovery list?

18 A He is presently not a licensed individual.

19 Q And the reactor operators, did they appear
20 on this list?

21 A The reactor operators I was talking about are
22 the nuclear system station operator and nuclear station

1 operator. Those are union jobs.

2 Q Okay. So, looking at the list of non-union
3 employees, Mr. Scalice, you provided in discovery, the
4 only ones that would be on-site during this minimum
5 shift, 12 to 8 a.m. shift, would be one watch engineer
6 and one watch supervisor; is that correct?

7 A On the absolute minimum occasion, yes.
8 Just for clarification, at the present time.

9 Q Which are you referring to now?

10 A At the present time.

11 Q Are you referring to your list --

12 A Yes.

13 Q -- that was provided during discovery?

14 A There are additional people that are going --
15 in management that are going for licenses right now.

16 Q But as of now, this is the list?

17 A Right. But they will be finished at around
18 February.

19 Q Would you look at your affidavit, Mr. Scalice,
20 that you prepared?

21 A (The witness is complying.)

22 Q Looking at the second page of your affidavit,

1 you have a listing of the operational conditions. There
2 are four different conditions there, correct?

3 A Yes, four.

4 Q And do you have a copy of the tech spec we
5 have been referring to?

6 A Hold on a second so I can find it.

7 Q There is a Table 6.2.2-1.

8 A That's correct.

9 Q Could you tell me how the four operational
10 conditions in your affidavit correspond to the five, it
11 would appear to be, operational conditions of the tentacle
12 specifications in this table?

13 A Condition 1 is power operation. Condition 2
14 is start-up, which was not discussed. Condition 3 is
15 hot shutdown. Condition 4 is cold shutdown. Condition 5
16 is refueling.

17 Q Why is start-up not in your affidavit?

18 A It wasn't pertinent to the affidavit.
19 I could have defined it, defined it as the mode switch and
20 start-up.

21 Q Okay. Now, I want to ask about the mode switch.
22 Could you tell me all the various positions of the mode

1 switch?

2 A Those are -- they are shutdown, refuel, start-up,
3 start-up/hot standby actually. It's got a dual -- same
4 thing. And run.

5 Q So, four different positions?

6 A That's correct.

7 Q Shutdown, refueling, start-up, hot shutdown --

8 A Hot standby.

9 Q Hot standby and run?

10 A That's correct.

11 Q The -- excuse me.

12 A The difference between hot and cold shutdown or
13 shutdown, it's still shutdown.

14 Q Now, for each of the five conditions listed in
15 the tech specs, could you tell me what position the mode
16 switch would be in?

17 A Yes. Condition 5 would be refuel. Condition 4
18 would be shutdown. Condition 3 would be shutdown.
19 Condition 2 would be start-up. Condition 1 would be run.

20 Q And right after, in your affidavit, Mr. Scalice,
21 where you have listed these operational conditions you have
22 a listing of the steps involved in this sequence of --

MILLERS FALLS
ERASE

1 A A brief listing.

2 Q -- getting to cold shutdown, correct?

3 A It's a summary, yes.

4 Q And you prepared this listing?

5 A That's correct.

6 Q Could you tell me who performs each step in
7 this sequence? I'm looking for the operator involved
8 and any operators that would be -- well, I'm looking for
9 the people that would be involved in this step.

10 A Under what scenario?

11 Q Under the scenario of bringing the plant to
12 cold shutdown.

13 A With eleven people or ten people?

14 Q Yes. Let's go with the small shift, as of now,
15 ten people.

16 A Sure. Reactor power is reduced by lowering
17 the recirc flow. That would be the NSO, which would be
18 one of the reactor operators. Main steam is the line
19 with the rad waste steam generator. That would be the NSO,
20 Nuclear Station Operator, which is one of the reactor operators,
21 as indicated.

22 Just for clarification, these are technical

1 specifications. As you may or may not know, they are
2 specific to our plant but they are not unlike other plants.
3 So, reactor operator is the broad term used to cover the
4 different terms or the specific titles that each utility
5 may call a reactor operator. He may be called a control
6 operator. He may be called a control board operator.

7 In our case, he is a nuclear station operator
8 or a nuclear system station operator. It's a man that
9 has a license to manipulate the control.

10 Q Okay. Let me go back for a second. In the
11 first step in your affidavit, you say the NSO would
12 perform that, and that means what?

13 A A reactor operator.

14 Q And the second step?

15 A Reactor operator.

16 Q Okay. Go ahead, please.

17 A Reactor operator.

18 Q Could you match the --

19 A C.

20 Q -- steps.

21 A A reactor operator for D. Reactor operator
22 for E. Combination of a reactor operator and equipment

1 operator for F. Reactor operator for G. Reactor operator
2 for H. Reactor operator for I. Reactor operator for J.
3 Reactor operator for K. Reactor operator for L. Reactor
4 operator for M. Reactor operator for N. And O is not a
5 step; it's continuing, the same.

6 Q And when you are telling me, Mr. Scalice, that
7 a reactor operator, you are saying one person would perform
8 this step?

9 A One or two.

10 Q If it was two, would it be two reactor operators?

11 A That's true. Manipulations of controls is
12 done only by licensed reactor operators.

13 Q Does any step listed in your affidavit require
14 more than two persons to perform the step?

15 A These steps could be performed by one or two
16 individuals. Some of the auxiliaries may be aligned in
17 the field but they can be done by the control room basically.

18 Q I gather, Mr. Scalice, that -- well, the
19 individuals you have mentioned, these reactor operators,
20 in one case, the equipment operator, they are union people,
21 correct?

22 A That's correct.

1 Q And your affidavit states you believe these
2 steps could be performed by non-union management level
3 people in the absence of the union people?

4 A That's correct. I can perform those steps.

5 Q Looking again at your discovery list, can you
6 tell me, Mr. Scalice, what does the compliance engineer
7 do? What is his job task?

8 A The compliance engineer maintains the records
9 of technical specifications to ensure that they are
10 complying with them.

11 Q Would that person be involved in the steps
12 needed to bring the plant to cold shutdown?

13 A Would he need to be? No.

14 Q Would he be able to?

15 A Yes. All of these people are senior reactor
16 operators. Anyone of those senior reactor operators
17 has the ability to manipulate the controls. They are
18 licensed, and as a matter of fact they are senior licensed
19 above the reactor operator category.

20 Q Could you tell me, Mr. Scalice, what the duties
21 of the rad chem tech person is? What those duties would
22 be?

1 A As I said, the rad chem tech is not required
2 as of yet by technical specification but his duties might
3 be to perform water chemistry.

4 Q What about the health physics tech? What are
5 his job duties?

6 A Health physics, radiation protection activities.

7 Q During the transition to cold shutdown, Mr.
8 Scalice, what would his duties be?

9 A The health physics technician?

10 Q Yes.

11 A Wouldn't be necessary.

12 Q And going back to the rad chem tech, if you
13 had one on board at Shoreham during the transition to
14 cold shutdown, what would the duties of a rad chem tech
15 be?

16 A Under normal conditions, whatever he was
17 assigned by his manager on the day shift.

18 Q He wouldn't be necessary to bring the plant
19 to cold shutdown?

20 A No. The reason these people are there is for
21 other evolutions.

22 Q I'm sorry.

MILLERS FALLS

EXHIBIT

1 A Other normal evolutions.

2 Q Other evolutions? What does that mean?

3 A Is when you are operating the plant and you
4 wanted to take a water chemistry check, you would have
5 them doing water chemistry checks. If you were going to
6 process a system, rad waste systems, you may take some
7 chemical analysis.

8 And you certainly don't have to do that during,
9 you know, the process of taking it down to cold shutdown.

10 Q The eleventh paragraph of your affidavit, Mr.
11 Scalice, says: Once the reactor comes off the cold shut-
12 down it can be maintained in that condition indefinitely
13 by management level plant staff employees alone if
14 necessary.

15 Could you tell me, or describe to me, what is
16 necessary to maintain the reactor in cold shutdown?

17 A Sure. I will place the residual heat removal
18 system in service in the shutdown cooling mode of operation.

19 Q Is that it?

20 A Well, that's the main thrust of maintaining
21 the plant in cold shutdown condition. Other controls
22 are usually run. There are other things. Maintaining

MILLERS FALLS
ERZRASE

1 reactor water level, but if you are on a cold shutdown
2 maintaining reactor water level is of little significance,
3 as there should be no variable.

4 Q And what personnel would be required to maintain
5 the reactor in cold shutdown for an indefinite period?

6 A We have the ability to bring additional people
7 on within this category, so it's still the licensed
8 people. If you are running controls associated with the
9 reactor, then you need licensed people in the control
10 room that manipulate those controls.

11 Q So, you are saying that some of the twenty
12 persons listed in the discovery document you provided --

13 A Will be in the control room.

14 Q -- and would be able to maintain the reactor
15 in cold shutdown indefinitely?

16 A All of those persons could do that function.
17 By the way, let me add something for clarification.

18 The RHR system is not the only system operating.
19 If you want me to go through all the systems operating,
20 I will. To have the RHR system operating, you need the
21 service water system and other auxiliaries in the plant
22 that would be available and they are normally running.

MILLERS FALLS
ERASE
COTTON CEMENT

1 Q Mr. Scalice, let me ask a question and see if
2 I can clarify something. I'm looking now at this Table
3 6.2.2-1 of the tech specs. Conditions 4 and 5 are cold
4 shutdown; is that correct?

5 A And refueling. Condition 4 is cold shutdown.
6 Condition 5 is refueling.

7 Q And according to the tech spec you would need
8 a minimum of three persons for those stages, correct?

9 A That's correct.

10 Q Under those operational conditions. Now, are
11 you saying that LILCO could have a minimum of three people
12 on duty at all times indefinitely in the event of a
13 strike?

14 A Absolutely.

15 Q And those three persons would come from the
16 list of 20 persons that are listed in this document
17 entitled "Non-Union Manpower Available to Bring Plant to
18 Cold Shutdown?"

19 A That, and other additional people if necessary.
20 Only two of those are licensed people out of that three.

21 Q What other additional people were you referring
22 to?

MILERS FALLS
E2 ERASE
ATTORNEY GENERAL

1 A Management staff. It's not necessary but it's
2 available. Only two licenses are required during
3 Condition 4 and 5; the watch engineer is a license category and
4 the reactor operator. We would perhaps put a watch
5 supervisor in that position.

6 The other job is not in a licensed category.
7 So, if we took anyone of these we could put them in that
8 position also in the field if necessary, or SDA or
9 management.

10 Q How many personnel would be necessary to do
11 a refueling operation?

12 A I would need another -- I would have to refer
13 exactly to the specific -- depending on what the extent
14 of the refueling operation would be. If you are just
15 saying moving fuel, I would need a man in the control room,
16 I need somebody on the refueling deck who is an SRO and
17 probably people doing mechanical functions which can still
18 come out of the management ranks.

19 Q How many people would you need to do the
20 mechanical functions you refer to?

21 A It would depend on the extent of what the
22 functions were. Just to change fuel around, it would take

MILLERS FALLS
ERASE

1 a man up on the deck which is the SRO controlling any of
2 the activities, the person operating the refueling bridge,
3 another person verifying the refuel moves, communication
4 with the control room which then takes into the fact
5 that there will be somebody at the control panel monitor-
6 ing the activity moves.

7 Any time you move fuel it's core alteration and
8 in accordance with the tech specs requires somebody to
9 be monitoring both at the refueling bridge which is on
10 our elevation 175 feet and the control room, verifying
11 that the moves have all been correctly categorized on
12 refueling tagboards.

13 Q When you just said, Mr. Scalice, that you
14 would need another person in the control room, you are
15 talking about a person in addition to the two persons
16 required by the tech spec to be in the control room; is
17 that correct?

18 A No. I mean another person up on the refueling
19 bridge is an SRO, to stand in the control room could be
20 that man. The tech spec stated that.

21 "All core alterations shall be observed and
22 directly supervised by either a licensed senior reactor

MILLERS FALLS
ERASE
COTTON CONVENT

1 operator or a licensed senior reactor operator limited
2 to fuel, handling no other concurrent responsibilities
3 during this operation."

4 Q Let's try it again, Mr. Scalice. During cold
5 shutdown -- let's go back to refueling. The tech specs
6 says you are going to have a minimum of three people --

7 A Two of which are licensed.

8 Q -- two of which are licensed, and you say you
9 will add a reactor operator on the refueling bridge?

10 A Yes.

11 Q Now --

12 A As in accordance with technical specifications.

13 Q Now, did you also say you would have to add a
14 person to the control room --

15 A No.

16 Q -- or is that control room function, it could
17 be ultimately performed by one of the people listed in
18 the tech specs?

19 A Yes. He can be assisted by any of those
20 other personnel if necessary.

21 Q The other personnel is the personnel from
22 the list you provided to the County during discovery?

MILLERS FALLS
ERASE
COTTON CONTENT

1 A That's correct.

2 Q Mr. Scalice, let me ask you, during the recent
3 strike did the security force go on strike?

4 A No, they did not.

5 Q Was that considered by the security force?

6 A No, it was not.

7 Q It was not?

8 A (The witness nodded in the negative.)

9 Q There is a statement in the statement of
10 material facts which says that -- it talks about the
11 recently expired contracts with LILCO's unions and how
12 they contained no strike clauses.

13 Do you know, do the new contracts with the
14 unions contain no strike clauses?

15 A I'm told -- I'm not sure. I haven't seen them.

16 Q You are told they do?

17 A Yes.

18 Q Are those clauses -- do you have any knowledge
19 whether those clauses are essentially the same as the
20 no strike clauses contained in the previous contracts?

21 A That would only be an assumption on my part,
22 but I assume it is. I have not seen the contract wording

MILLERS FALLS
ERASE
COTTON CONTENT

1 as of yet in booklet form.

2 Q Mr. Scalice, are you familiar with the proposed
3 license conditions?

4 A Yes.

5 Q And I think you were here during the prior
6 deposition. There were questions regarding this language
7 of conducting other operations?

8 A Yes.

9 Q Can you tell me, I'm looking at the Item 2 in
10 the proposed license condition, what other operations are
11 assumed in this provision?

12 A I don't think there is any basic assumption
13 of what those might be. I mean, there was no particular
14 statement of fact categorized in any fashion.

15 In other words, we did not come up with a list
16 of them, but they would cover a wide range of things that
17 possibly can be done.

18 Q Give me an example of the range of things that
19 could be performed?

20 A Aside from refueling, I changed nuclear
21 instrumentation which is in the refueling mode and it
22 would be work inside the reactor vessel of any sort possibly.

MILLERS HILLS
ERASE
COTTON CONTENT

1 Q So, what you are saying is that when this
2 language was put into the proposed license condition,
3 there was no exhaustive list that had been put together?

4 A That's correct.

5 Q Was there any list put together to your
6 knowledge setting forth what these other conditions would
7 be?

8 A Only verbalized, as I'm saying to you right
9 now. We might do some internal vessel work which are
10 parts of normal refueling outages.

11 Q Is it your understanding, or is it fair to
12 say that this language to conduct such other operations
13 is anything that LILCO would want to conduct so long as
14 the staff approved it?

15 A That's correct.

16 Q Mr. Scalice, looking at the tech specs again,
17 I'm having the same trouble keeping track of the papers
18 here, could you tell me what is the status -- I'm looking
19 at the tech spec that was attached to your August 17,
20 1984 letter from Mr. Zeugin.

21 A Yes.

22 Q I'm looking at -- there is a Tech Spec 6.0,

1 Administrative Control, and attached to that is this table
2 that we have been referring to, 6.2.2-1.

3 Now, could you tell me, what is the status of
4 this tech spec? Is it approved?

5 A Is it approved? No. We haven't completed
6 proof and review yet. This is a proof and review copy.
7 It's the method of operation that the Commission uses to
8 not to finalize tech specs in total --

9 Q I'm sorry.

10 A Until some short time prior to closing out
11 all unclosed items. This particular one has been around
12 for a long time.

13 Q Could you tell me, has this particular tech
14 spec been revised?

15 A Chapter 6 is the administrative control section,
16 and when you change organizations of any kind, if you
17 change personnel or you move division people around, it
18 would be changed.

19 Q My question is, has this tech spec ever been
20 revised to your knowledge?

21 A Yes.

22 Q It has been revised?

ERASE
COTTON CONTENT

1 A It has been revised, to my knowledge, yes.

2 Q Has it been revised since the County and State
3 were provided copies?

4 A No.

5 Q So, this is still the tech spec that LILCO is
6 working with?

7 A That's correct.

8 MR. MILLER: Let's go off the record.

9 (An off-the-record discussion ensues.)

10 MR. MILLER: I have no further questions. But
11 I would just like to make sure on the record that, Mr.
12 Zeugin, you understand our request regarding the documenta-
13 tion that Mr. Stergakos referred to in his deposition, and
14 although Mr. McMurray said that he would like it provided
15 before Tuesday when trial begins, we would like that
16 document provided no later than Monday morning, in light
17 of the fact the trial begins on Tuesday.

18 And if there are any problems in that regard,
19 I would like to know because it is a matter which we would
20 have to consider taking to the Board.

21 MR. ZEUGIN: The only hesitation I have, I have
22 not seen the documents that Mr. Stergakos has referred to.

ERASE
COTTON CONTENT

1 I have no idea what their shape is. I will give them to
2 you. They may be totally meaningless in the current
3 condition they are in. I'm not sure if you want someone
4 scratching on the back of an envelope as compared to him
5 putting it down in an orderly fashion so I can read it to
6 understand what he has done.

7 That's the only problem I have. I do not know
8 what shape these documents are in. But I will check and
9 do the best I can and get back with you and tell you what
10 I find.

11 MR. MILLER: If you would inform us as soon as
12 possible, and if we don't hear from you we will expect
13 to have them Monday morning.

14 I have no further questions.

15 (Whereupon, at 12:45 p.m., the taking of
16 the deposition was concluded.)
17
18
19

John Scalice

JOHN A. SCALICE

21 *State of New York*
22 *County of Suffolk*
sworn before me this
31st day of August, 1984
Connie-Maria Pardo

CONNIE-MARIA PARDO
NOTARY PUBLIC, State of New York
No. 52-46158-10
Qualified in Suffolk County
Commission Expires *MARCH 30, 1985*

