

September 14, 1984

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF DEPUTY
GENERAL COUNSEL
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
METROPOLITAN EDISON COMPANY)	Docket No. 50-289 SP
)	(Restart-Management Remand)
(Three Mile Island Nuclear)	
Station, Unit No. 1))	

LICENSEE'S FOURTH SET OF INTERROGATORIES
AND FOURTH REQUEST FOR THE PRODUCTION OF
DOCUMENTS TO TMIA (TRAINING)

Pursuant to 10 C.F.R. §§ 2.740b and and 2.741 and to the Atomic Safety and Licensing Board's "Memorandum and Order Following Prehearing Conference" of July 9, 1984, Licensee hereby requests that intervenor Three Mile Island Alert (TMIA) answer separately and fully in writing, and under oath or affirmation, each of the following interrogatories, and produce and permit inspection and copying of the original or best copy of all documents identified in the responses to these interrogatories. Licensee makes this request of TMIA in its capacity as a lead intervenor on the issue of training. Licensee has tried to limit its interrogatories of TMIA to those areas of training in which TMIA has asserted an interest. Licensee assumes that TMIA's response will reflect the collective knowledge of any intervenor who has an interest in, or desires to participate, in the areas of training in which TMIA intends to assume lead

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intervenor responsibilities. If Licensee is incorrect in its assumption, TMIA should promptly inform Licensee so that appropriate discovery requests can be provided to other intervenors as well.

Licensee's interrogatories are intended to be continuing in nature, and the answers should promptly be supplemented or amended as appropriate, pursuant to 10 C.F.R. § 2.740(e), should TMIA or any individual acting on its behalf obtain any new or differing responsive information. The request for production of documents is also continuing in nature and TMIA must produce immediately any additional documents it, or any individual acting on its behalf, obtains which are responsive to the request, in accordance with the provisions of 10 C.F.R. § 2.740(e). Licensee notes this continuing obligation applies to the interrogatories and requests for production of documents previously filed, particularly, questions to which TMIA did not know the answer. See TMIA responses to Licensee Interrogatories T-12, T-13, T-16, T-17, T-18, T-24(a) and (b).

As used hereinafter, "document(s)" mean all writings and records of every type in the possession, control or custody of TMIA or any individual acting on its behalf, including, but not limited to, memoranda, correspondence, bulletins, minutes, notes, speeches, articles, transcripts, testimony, voice recordings and all other writings or recordings of any kind; "document(s)" shall also mean copies of documents even though the originals thereof are not in the possession, custody, or

control of TMIA. Where identification of a document is requested, briefly describe the document (e.g., book, letter, memorandum) and provide the following information, as applicable: document name, title, number, author, date of publication and publisher, addressee, date written or approved, and the name and address of the person or persons having possession of the document. Also identify the specific portion or portions of the document (i.e., pages) upon which TMIA relies.

INTERROGATORIES ON TRAINING

T-31. Regarding TMIA's response to Licensee's Interrogatories T-4 and T-5, please identify or provide TMIA's definition or understanding of the following standards:

(a) the skills and knowledge necessary to achieve and/or maintain an adequate level of instruction to ensure licensed operators' training adequately prepares them to operate TMI safely (TMIA subpart 2);

(b) adequate training, education, honesty, integrity and a rigorous attitude to implement the training program, which TMIA is concerned that licensed operator training instructors possess (TMIA subpart 3);

(c) necessary honesty and integrity, sufficient training and education, and proper attitudes to implement the TMI-1 licensed operator training program, which TMIA is concerned that licensed operator training department management possess (TMIA subpart 4);

(d) necessary integrity, character and competence, and attitude of honest and forthrightness with the NRC and the public, which TMIA is concerned that GPUN management possess (TMIA subpart 5);

(e) tests that are adequate to determine whether GPUN licensed operators and management possess the qualities listed in (a)-(d) above; and

(f) For items (a)-(d) above, provide the basis on which TMIA's identification, definition, or understanding is determined including but not limited to (i) the individuals on whose opinions the answers are based; (ii) all documents relied upon; and (iii) any criteria that form the basis of TMIA's answers.

T-32. Regarding TMIA's subpart (5) in response to Interrogatories T-4 and T-5: (a) what constitutes rigorous implementation of the TMI-1 licensed operator training program? (b) what test or evaluation is adequate to determine rigorous implementation? (c) identify the specific requirements, commitments and conditions placed on the TMI-1 licensed operator training program by the Licensing Board and NRC Staff to which TMIA refers, including the source for such requirements, commitments and conditions; and (d) what constitutes an adequate test to determine whether the requirements, commitments and conditions referred to by TMIA have been met?

T-33. Regarding TMIA's subpart (6) in response to Interrogatories T-4 and T-5, define "adequate" corrective actions for problems, deficiencies and violations of the TMI-1 licensed operator training program.

T-34. Regarding TMIA's subpart 5 in response to Interrogatories T-4 and T-5, identify the actions or inactions GPUN has taken which, in TMIA's view, establish that GPUN has failed to respond adequately to the cheating incidents.

T-35. Regarding TMIA's subpart (7) in response to Interrogatories T-4 and T-5: (a) define "proper respect" for the TMI-1 licensed operator training program that TMIA believes GPUN management has failed to instill in licensed operators, and licensed operator training instructors and management; and (b) identify the test that is adequate to evaluate whether these individuals possess "proper respect"?

T-36. Regarding TMIA's subpart (8) in response to Interrogatories T-4 and T-5, define and describe (a) "reform, improvement, revamping," and (b) "modifications."

T-37. Regarding TMIA's subpart (9) in response to Interrogatories T-4 and T-5: (a) define "integrity"; (b) list the individuals by name and/or title against whom TMIA believes disciplinary action should have been taken; (c) list and describe the specific misleading and/or incomplete information TMIA believes was given to the Reconstituted OARP Committee; and (d) provide the basis on which TMIA determines this information, including but not limited to (i) the individuals on whose opinions the answers are based; (ii) all documents relied upon; (iii) any criteria that form the basis of TMIA's answers.

T-38. Regarding TMIA's subpart (10) in response to Interrogatories T-4 and T-5, (a) define what is meant by "tainted

to one degree or another" with regard to Mr. Hukill, Dr. Long, Mr. Newton and Mr. Frederick; and (b) provide the basis on which TMIA determines this information, including but not limited to (i) the individuals on whose opinions the answers are based; (ii) all documents relied upon; (iii) any criteria that form the basis of TMIA's answers.

T-39. Regarding TMIA's response to Interrogatory T-19(a), explain what constitutes adequate disciplinary action which TMIA believes should be taken against the individuals listed in it's response to Interrogatory T-14.

T-40. Regarding TMIA's response to Interrogatory T-19(b), list the specific recommendations contained in (a) the BETA Report and (b) the RHR Report, which are relevant to the TMI-1 licensed operator training program and which TMIA believes would properly respond to identified problems.

T-41. Regarding TMIA's subpart (3) in response to Interrogatory T-29, list specific findings (including page references) of the Appeal Board, the Licensing Board, and Judge Milhollin which TMIA believes the Special Report rejects.

T-42. Regarding TMIA's subpart (3) in response to Interrogatory T-29, list the "basic philosophical assumptions" of the Special Report which differ from assumptions providing the basis for the decisions of the Appeal Board, the Licensing Board and Judge Milhollin.

T-43. Regarding TMIA's subpart (5) in response to Interrogatory T-29, what constitutes an adequate examination of the TMI-1 licensed operator training program?

T-44. Regarding TMIA's subpart (5) in response to Interrogatory T-29, what constitutes an adequate analysis of GPUN's "paper" program?

T-45. Regarding TMIA's subpart (8) in response to Interrogatory T-29, what constitutes an adequate analysis of GPUN's response to the OARP Review Committee's recommendations?

T-46. Regarding TMIA's subpart (8) in response to Interrogatory T-29, identify the internal reports (documents) indicating that "alleged corrective actions have not been effective."

T-47. Regarding TMIA's subpart (9) in response to Interrogatory T-29, list the specific concerns (including page references) raised by the Appeal Board to which TMIA believes the Special Report fails to respond.

T-48. Regarding TMIA's subpart (13) in response to Interrogatory T-29, explain how the Special Report "misstates the record."

T-49. Regarding TMIA's subpart (14) in response to Interrogatory T-29, define "nature" and "substance."

T-50. Regarding TMIA's subpart (15) in response to Interrogatory T-29, what constitutes an adequate test or evaluation of whether GPUN management "has developed the capacity itself to identify problems" in the TMI-1 licensed operator training program.

T-51. Identify all expert consultants on whom TMIA has or will rely in preparing a case on cross-examination of Licensee's witnesses.

T-52. For each individual identified in response to Interrogatory T-51, identify the specific subject area or areas of expertise of the individual on which TMIA is relying.

T-53. Identify all persons TMIA intends to call or subpoena as a witness on the remanded issue of the licensed operator training program. For each such person identified above, identify the following:

- (a) the nature or substance of his testimony;
- (b) his qualification, access to information, or other reason that he is being asked to testify as to the information identified in response to subpart (a) above;
- (c) his position or relationship to TMIA at any time, including but not limited to any contracts, consulting arrangements, advisory positions or other relationships with TMIA he has held or holds currently;
- (d) all documents he has reviewed or will review to prepare his testimony;
- (e) all persons (aside from counsel) whom he has consulted or will consult to prepare his testimony;
- (f) the nature and substance of any discussions, conversations, communications, and other contacts he has had or will have with the persons identified in response to subpart (e) above;
- (g) all documents he intends to rely on or use in support of any opinions, evaluations, conclusions, or recommendations he makes in his testimony;

(h) the current location and custodian of all documents identified in response to subparts (d) and (g) above.

T-54. Identify and produce all documents which TMIA intends to introduce in the hearing or through prefiled testimony on the remanded issue of training.

Respectfully submitted,

Deborah B. Bauser

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Dated: September 14, 1984