

RELATED CORRESPONDENCE

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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

84 SEP 25 P3:03

In the Matter of)
)
METROPOLITAN EDISON COMPANY)
)
(Three Mile Island Nuclear)
Station, Unit 1))

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Docket No. 50-289
(Restart-Management Phase)

THREE MILE ISLAND ALERT'S SUPPLEMENTAL RESPONSE
TO LICENSEE'S FIRST SET OF INTERROGATORIES

Interrogatory Nos. T-4 and T-5

- (a) ¶2323-2328; 2335-2347.
- (b) Inspection Report 50-289, 84-05, which identified "weaknesses" at p. 4-5; Notice of Violation dated July 22, 1983, p. 3.
- (c) No disciplinary action was taken voluntarily or in some cases at all, by Licensee against the following individuals for conduct described in the following paragraphs:

	<u>Special Master Report</u>	<u>2d PID</u>
Robert C. Arnold	¶237	
John Herbein	¶233	2306
Gary Miller	¶220-237	2272-2320
Jim Floyd	¶220-237	2272-2320
Michael Ross	¶137-178	
Henry Shipman	¶94-110	2139-2146
Charles Husted	¶101-111	2148-2168
Mr. I	¶24	
Mr. A	¶24	
Mr. P	¶107-108	
Mr. V	¶112-132	
Mr. GG	¶82-93	2133-2137 *
Mr. G	¶26-77	2096-2121
Mr. H	¶26-77	2096-2121
Mr. MM	¶82-93	

* September 18, 1984 letter from Deborah B. Bauser to the Appeal Board, with attached memorandum to file from H.D. Hukill.

Interrogatory No. T-7(a)

These pages are referenced in the OARP Special Report at Pages 10-12.

Interrogatory Nos. T-14 and T-15(a)

- (1) ¶2 - ALAB-772, p. 71, note 56.
- (2) ¶3 - ALAB-772, p. 71, note 56, in light of the OARP Special Report, pp. 45; 75, ¶1; 76, ¶6.
- (3) ¶4 - ALAB-772, p. 71, note 56.
- (4) ¶10 - ALAB-772, p. 71, note 56.

Interrogatory No. T-19(a)

- (1) The quality of instruction:
Milhollin Report, ¶¶26-77, 241-248, 251; ASLB PID ¶2324; 2334-2347.
- (2) The quality of instructors:
Milhollin Report, ¶¶26-77; 101-111, 241-248; ASBL PID ¶2148-2168; 2334-2347.
- (3) Poor training department management integrity and attitudes:
Milhollin Report, ¶94-111, 183, 316-317, 137-178.
ASLB PID ¶¶1138-2163, 2324, 2396, 2401-2403, 2407, 2411-2412.
1st ASLB PID - ¶110
NUREG-0680, Supp. 5 at 11-8.
ALAB 772 at p. 71, note 56.
- (4) Poor integrity and attitude of overall licensee management:
Milhollin Report, ¶338
NUREG-0680, Supp. 5, Table 3.1.

TMIA's Response to Licensee's Interrogatories T-4 and T-5, paragraph 9.

- (5) Management's failure to adequately respond to training problems:

Milhollin Report ¶184-237, 250-254, 332-335.

ASLB PID - ¶2252, 2246, 2270, 2306-2307, 2318-2319, 2323-2328, 2331, 2411-2412.

NUREG-0680, Supp. 5 at 7-1 to 7-11.

Special Report at 130, 169.

ALAB-772 at 63, 64, 70, note 54, 71, 72, 75.

- (6) Lack of integrity by the overall operations staff:

Milhollin Report at ¶8, 137-178, 94-110, 24, 107-108, 112-132, 82-93, 338.

ASLB PID - ¶2110, 2065, 2135, 2119, 2139-2146, 2133-2137.

- (7) Lack of respect for training by operators, training instructors, and training department personnel:

Milhollin Report, ¶19, 220-237, 248, 322-331, 338.

ASLB PID ¶2325-2328, 2416, 2396-2407, 2411-2412.

ALAB 772, at 64 and 75.

And citations listed in subsections 1, 2, 3, 4 above.

In addition, each criticism listed in Interrogatory 67 of TMIA's Second Set of Interrogatories to Licensee, except subsections (x), (aa) and (bb), as cited in the RHR Report, and each criticism listed in Interrogatory 70 at TMIA's Second Set of Interrogatories to Licensee, at the pages cited therein.

Interrogatory No. T-19(b)

While the Special Master considered it to be the Licensing Board's duty to develop specific recommendations regarding the ultimate restart decision, and presumably whatever license conditions should be imposed to allow restart (see, Milhollin Report at ¶343), he recognized that his conclusions would have "potential for determining the ultimate issues before the Licensing Board." Id. To the extent the Special Master's conclusions influenced the Licensing Board's decision to impose license conditions (PID, ¶2347), these can be found at Milhollin, ¶251.

Interrogatory No. T-25

- (1) Stiff sanctions for drug abuse -- RHR at: II Explanatory Material, Motivation (Disciplinary Sanctions for Violating Regulations).
- (2) Double standard for disciplinary practices -- RHR at: II, Explanatory Material, Motivation (Disciplinary Sanctions for Violating Regulations).
- (3) Insufficient supply of trainees -- RHR at: II Explanatory Material, Supply of Trainees.

Interrogatory No. T-29

The RHR and BETA reports.

Interrogatory Nos. T-30

TMIA has relied upon the following portions of the Special Report in formulating its response to Interrogatory T-29:

(1) Special Report at 1-3.

(2) Id. at 3-4, 71-73 (understanding of individuals who cheated derives from GPUN management); 78-81 (uncritical acceptance of management memoranda); 84-86.

See also, Special Report at 67 (GPU Nuclear has removed all individuals to whom NRC Boards or Commission raised objections); 9 (best way to evaluate training program is to look at steps GPU has taken to develop training program).

(3) Id. at 7 (confidence in innovative approach has been fulfilled and justified); 7-8 (cheating of operators different than for professionals); 10 (steps taken by GPU in response to first OARP Report sufficient to solve problems); 16 (Committee not privy to information about assignments and promotions within GPU Nuclear and therefore does not consider whether discipline appropriately taken and/or current management of Training Department appropriately assigned); 25-27 (security measures will prevent cheating, rather than a program which commands respect by operators); 28-37 (implementing the recommendations made by OARP Review Committee in June, 1980 would resolve the problems found by the Appeal Board, the ASLB and Judge Milhollin, although these problems had not even been detected by the OARP Review Committee in June, 1980); 44-45 (no indication that new programs rely less on memorization or employ different teaching methods); 45 (no indication that management audits without operator confidence in integrity of management sufficient to cure lack of integrity in training

program); 46 (no answer to ALAB concern that operators' skills deteriorating from lack of use); 46 (premise in last paragraph that high morale of operators is demonstrated by low turnover where decisions and other audits indicate other indicators/evidence of morale problems); 47 (answer to ALAB concern about numerous violations of operating procedures was that in narrow sense the violations were not attributable to improper/inadequate training); 47-48 (no support for statement that management totally supports operators, when evidence cited in decisions indicates the reverse); 48-49 (no indication of basis/methodology for Kelly evaluation, in light of criticism formerly of GPU evaluation of exams); 48-49 (no indication of basis/evidence to support statement that program no longer overly emphasizes memorization); 52 (failed to answer adequately NRC Staff criticism that some operators needed additional training to improve operational skills which declined during prolonged shutdown); 53-54 (no analysis of how program will resolve important problem that memorization previously stressed in training program); 55-57 (no analysis of serious question of whether or not format of GPU and NRC exams are adequate to test operators' skills); 65-68 (Review Committee appears to de-emphasize the importance of the cheating incidents by stating that cheating can be motivated by good intentions; does not state the root cause for the cheating; demonstrates no understanding of the particular individuals who were found to have participated in the cheating incidents; offers no guidance regarding appropriate discipline against these individuals; answers the Appeal Board's question by repeating its opinion that GPU training program has made "extraordinary progress"; suggests that Special Master acted imprudently

by making judgments about witnesses' credibility on the basis of their demeanor; and suggests that GPU has taken the cheating incidents and related NRC decisions too seriously); 69 (Dr. Gardner fails to answer question about how cheating incidents, if known prior to 1980 opinion, would have influenced that opinion); 70-71 (Dr. Gardner's answers to questions posed on these pages indicate that he does not believe operators' adherence to regulations and procedures and integrity are necessarily important independent of whether or not they possess the skills necessary to operate the reactor safely); 72-73 (Committee could not answer ALAB question because little time available and did not speak with operators or monitor classes; reviewed only materials prepared by GPU Nuclear); 73-74 (Committee refuses to answer ALAB question because subject to pending enforcement action; Committee appears to take its responsibilities to evaluate program less seriously than GPU's best interest with regard to enforcement action); 75-79 (Committee largely relies on management's representations to determine whether or not adequate communication between top management and operational staff; indicates it does not take finding seriously that operators feel there exists a lack of communication which creates poor operator attitude).

(4) Id. at 7-8; 65-68; 70 (Gardner's primary concern is evaluation of operator skills; shows little concern for operator integrity); 72 (little appreciation demonstrated of importance of adequate discipline; no understanding of participation by specific individuals in cheating incidents).

(5) Id. at 72-73 (little time to speak to operators or monitor classes); 20-21 (indicates only review of paper program).

(6) See TMIA response to subpart (2) above.

TMIA also believes that the Reconstituted OARP Review Committee evaluation of the training program varies radically from the evaluation of the program which are drawn in the BETA and RHR Reports. By comparison, it is obvious that if the Review Committee did not find the same problems it did not address these criticisms and problems.

(7) Special Report at 25-27. This portion of the report appears to conclude that security procedures will solve the cheating problems detected in the past. It does not analyze and/or examine whether poor operator attitudes were responsible for cheating and whether structural problems and lack of management attention and integrity fostered these problems, as indicated in the relevant NRC decisions. See also Special Report at 46 and 80 regarding operator attitudes.

(8) Id. at 28-41. The Review Committee states that GPU has implemented most of the Review Committee recommendations but does not examine that implementation to determine if in fact the underlying problems have been resolved. The BETA and RHR Reports indicate that even though corrective actions recommended by the Review Committee have been taken, the program is still inadequate to resolve the underlying problems.

(9) See citations listed in TMIA's Response to Licensee's First Set of Interrogatories and TMIA response to subpart (3) above.

(10) See citations in TMIA's Response to Licensee's First Set of Interrogatories; id. at 53-54 (no analysis of whether new program will resolve problems concerning memorization method of teaching); 55-57 (no analysis of whether current format of GPU

and NRC exams adequate to test operators' skills); 65-69 (no analysis of root cause of cheating); 75-79 (no analysis of communication between management and operators).

(11) See citations in TMIA's Response to Licensee's First Set of Interrogatories; id at 20; 44-45, 72-73 (Review Committee's limited time and failure to speak to operators or monitor classes adequately);

(12) See citations in TMIA's Response to Licensee's First Set of Interrogatories.

(13) See citations in TMIA's Response to Licensee's First Set of Interrogatories.

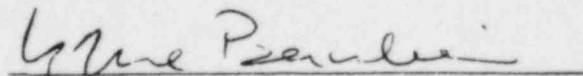
(14) Id. at 75-81; 72-73.

(15) See TMIA response to subparts 6, 9, 10. Further, the purpose of the Report, apparently to convince the Commission to permit restart prior to a decision on the merits on the training issue, indicates GPU's orientation to solve only those problems it is required by the NRC to address and its lack of appreciation of the necessity to develop the capacity itself to identify problems. Id. at 3.

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