

'86 FEB 24 A11 :34

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	
HOUSTON LIGHTING & POWER	)	Docket Nos. 50-498 OL
COMPANY, <u>ET AL.</u>	)	50-499 OL
	)	
(South Texas Project, Units 1	)	
and 2)	)	

AFFIDAVIT OF CLOIN G. ROBERTSON

1. My name is Cloin G. Robertson. I am the General Manager of Nuclear Engineering at HL&P. In that position, my responsibilities consist of managing the Nuclear Fuel Department and the Nuclear Services Department. I testified in the hearings before the Atomic Safety and Licensing Board on August 6 and 7, 1985.

2. I have reviewed the excerpts from the deposition of Mr. Eugene A. Saltarelli (pp. 613-14) attached to CCANP's motion of January 17, 1986 to reopen the record of the Phase II STP proceedings, including his description of the reason given by an "HL&P licensing engineer" as to why HL&P was not present at a briefing given by Quadrex to Brown & Root prior to its finalization and submission of the Quadrex Report.

3. In April and May of 1981, I was Manager of Nuclear Licensing for HL&P. Sometime after the April 13, 1981 briefing by Quadrex of HL&P (which I attended), I was

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informed that there would be an additional briefing by Quadrex before the final report was issued. This briefing would occur over a two-day period, the first day for HL&P and the second day for Brown & Root. Ultimately, the briefing was held on April 30, 1981 for HL&P and May 1, 1981 for Brown & Root. I decided that HL&P licensing personnel would not attend the Quadrex briefing of Brown & Root for the reasons described in paragraphs 5-7 below.

4. Since I was the individual who made the decision and I would normally be the HL&P licensing contact with Mr. Saltarelli, I believe that I am the "HL&P licensing engineer" referred to in his deposition. Although I do not explicitly recall discussing with Mr. Saltarelli my decision or the reasons for that decision, I have no reason to question that the conversation took place, particularly since it would have been appropriate for me to mention my decision to Brown & Root before the briefing. I also have no reason to question his description of that conversation, although it is apparent to me that I obviously did not convey to Mr. Saltarelli the background of my decision and all of the factors that I considered.

5. Since it was intended that Quadrex would provide the same briefing for HL&P and Brown & Root on successive days, I saw no need for us to attend the second session. Our absence from the May 1, 1981 briefing would not result in any failure to inform the NRC of any item reportable

under 10 CFR § 50.55(e) for two reasons: (1) if Quadrex provided any such information in its presentation, HL&P would receive it on April 30, 1981, and would act upon it appropriately; and (2) if Brown & Root believed that any information it received at its briefing on May 1 warranted consideration as to reportability under 10 CFR § 50.55(e), it would review and analyze it and inform HL&P of its resulting recommendation as it routinely did with any other such information, regardless of source.

6. I was concerned that our presence at the briefing might inhibit full and free discussion of problem areas between Quadrex and Brown & Root. As a former employee of an A/E (Stone & Webster) I believed that could occur because, in the presence of a client, an A/E in discussing problem areas with a reviewing technical consultant may be reluctant to freely explore possibilities or speculate as to the cause or nature of problems. This was based in part on the A/E's concern that the client might misconstrue statements or speculations not based on complete information or analysis as warranting action (such as a 24-hour review under 10 CFR § 50.55(e)) on the part of the client.

7. I was also concerned that if we were present during the Quadrex briefing of Brown & Root, the exchanges between Quadrex and Brown & Root might lead HL&P to immediately undertake a 24-hour review for reportability under

10 CFR § 50.55(e). The reason for my concern was that this would, in effect, short circuit the orderly process that provided for careful consideration and analysis by the A/E of any information that comes to its attention before HL&P's 24-hour review is initiated.

8. It is apparent from Mr. Saltarelli's deposition that I conveyed to him only my concern about the immediate undertaking of reviews under 10 CFR § 50.55(e) by HL&P, and that, even with respect to that concern, I did not communicate to him all of my reasoning.

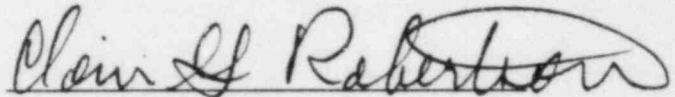
9. To the extent that Mr. Saltarelli, or anyone reading Mr. Saltarelli's deposition, reached the impression that I was trying to avoid HL&P's reporting responsibilities, I can attest that that was neither my motive nor even part of my thought process. I have always been very conscious of HL&P's responsibility to be candid with the NRC and to report promptly any reportable matters, and have always acted accordingly. After joining HL&P in March 1981 I emphasized NRC reporting requirements within the licensing department and implemented procedural changes to make the program more effective and responsive. I also actively encouraged individuals throughout HL&P's nuclear program to bring their concerns to my attention directly or to other senior engineering representatives of HL&P. I believe that in my dealings with NRC, I have always been open and forthright, and that the NRC personnel

with whom I have dealt would share this view.

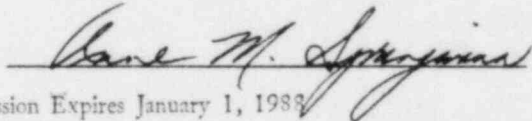
10. The Board's Memorandum and Order of February 29, 1986 inquired as to any knowledge of the statement described in Mr. Saltarelli's deposition by my supervisor, associates or other management officials at HL&P. I have no recollection of discussing my decision or the reasons for my decision with my supervisor, associates or management officials at HL&P.

District of Columbia ) ss.

I, Cloin G. Robertson, being duly sworn, certify that I am familiar with the statements contained herein and they are true and correct to the best of my knowledge and belief.



Subscribed and sworn to before me this 21st day of February, 1986.



My Commission Expires: My Commission Expires January 1, 1988

'86 FEB 24 A11:3

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CERTIFICATE OF SERVICE

I hereby certify that copies of the letter to the Members of the Licensing Board from Maurice Axelrad dated February 21, 1986 and the "Affidavit of Cloin G. Robertson" have been served on the following individuals and entities by deposit in the United States mail, first class, postage prepaid on this 21st day of February, 1986.

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Maurice Apelrad