



UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF CALIFORNIA

JOSEPH A. THOMSON and VIRGINIA)

THOMSON,)

Plaintiffs,)

vs.)

ICN PHARMACEUTICALS, INC., a)

Delaware Corporation; NUCOR)

CORPORATION, a Delaware)

Corporation; RHONE-POULENC,)

INC., a New York Corporation,)

Defendants.)

**CERTIFIED
COPY**

) No. CV-97-5220

) RAP (AJWx)

) VOLUME I

Deposition of RICHARD DONELSON,

at 221 North Figueroa Street,

Los Angeles, California, commencing

at 11:49 A.M., Monday, September 27, 1999,

before Marceline F. Noble, CSR No. 3024.

PAGES 1-138

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21 ALSO PRESENT:

22

23 DUDLEY FETZER, VIDEOGRAPHER

24

25

1 THE VIDEOGRAPHER: Good morning.

2 We're on the record at 11:49 a.m. on
3 Monday, September 27th, 1999, for the videotaped
4 deposition of Richard Donelson.

5 We're taking this deposition at
6 221 North Figueroa Street in Los Angeles,
7 California, on behalf of the defendants,
8 counter-defendants and counter-claimants in the
9 action entitled Joseph Thomson and Virginia
10 Thomson versus ICN Pharmaceuticals, Inc., et al.,
11 case No. CV-97-5220 RAP, parens, (AJWx), closed
12 parens.

13 My name is Dudley Fetzner. I'm the
14 video production specialist from Ben Hyatt
15 Certified Deposition Services located at
16 18226 Ventura Boulevard, Tarzana, California.

17 This is tape No. 1 of Volume 1.

18 Would counsel and all present please
19 identify themselves for the record.

20 MR. BISGAARD: My name is Christopher P.
21 Bisgaard of Lewis, D'Amato, Brisbois & Bisgaard,
22 attorneys for Nucor Corporation.

23 MR. BROWN: I am Bryan K. Brown with
24 McCutchen, Doyle, Brown & Enersen for defendant
25 Rhone-Poulenc, Inc.

1 MR. PATTERSON: Gregory Patterson from the
2 law firm of Proskauer Rose on behalf of
3 INC Pharmaceuticals, Inc.

4 MS. HATHAWAY MCKEITH: Malissa McKeith, law
5 firm of Loeb & Loeb, on behalf of Virginia and
6 Joseph Thomson.

7 THE VIDEOGRAPHER: The court reporter may
8 swear the witness.

9
10 RICHARD DONELSON,
11 having been first duly sworn, testified as
12 follows:

13
14 EXAMINATION

15 BY MR. BISGAARD:

16 Q. Good morning, Mr. Donelson.

17 Again, let me introduce myself. My
18 name is Chris Bisgaard. I represent Nucor
19 Corporation --

20 A. I did not understand your name.

21 Do you have a card that I could look
22 at?

23 Q. Yes, I do. Let me hand that to you.
24 It's Chris Bisgaard.

25 A. Bisgaard.

1 Q. Bisgaard, right.

2 I represent Nucor Corporation, which
3 is a party to this litigation. And we have
4 noticed your deposition and served you with a
5 subpoena to attend these proceedings today.

6 Before we get to the formal
7 question-and-answer portion of the deposition, let
8 me take a moment or two to provide some
9 background, explanation as to the game -- the
10 ground rules that we follow in taking a
11 deposition.

12 First off, let me ask, have you ever
13 been deposed before today?

14 A. Yes.

15 Q. On how many occasions?

16 A. I don't recall. I recall one,
17 possibly two -- twice.

18 Q. Have you ever given testimony at a
19 trial?

20 A. Yes.

21 Q. Very briefly, tell us the matters in
22 which you have previously been deposed.

23 A. One of the groups I worked for,
24 specifically it was called Isotopes Incorporated,
25 who at one point purchased the controlling

1 interest in U.S. Nuclear. And there was a --
2 under a government contract, there was a facility
3 that U.S. Nuclear was responsible for, and the
4 cost overrun meant that it would -- Isotopes
5 Incorporated was trying to get an increase in --
6 in the contract price.

7 So I was deposed in regard to that.

8 Q. Do you recall approximately when you
9 gave that deposition?

10 A. Oh, probably in the 1950's
11 somewhere.

12 Q. Okay.

13 A. Is that good enough?

14 Q. It certainly is. All we can ask,
15 Mr. Donelson, is for you to provide us with your
16 best recollection.

17 We understand that we -- we'll be
18 talking about things that took place literally
19 decades ago.

20 A. Yes.

21 Q. And it's difficult to recall things
22 that took place that long ago.

23 So what your -- your obligation is is
24 to search your memory to give us your -- your
25 best, your most complete answer but if you don't

1 recall, that's perfectly appropriate.

2 But if you have any recollection, no
3 matter how slight it may be, we would like to --
4 to know that.

5 And I appreciate you're -- you're
6 giving us your best estimate.

7 A. I left the company in 1957, and it
8 must have been a couple of years before that.

9 Q. Okay. And what company was that that
10 you left, Mr. Donelson?

11 A. It was U.S. Nuclear, I think that was
12 still the name that was used, although the
13 controlling interest was -- well, it was purchased
14 by ICN somewhere in that area. It was before
15 that.

16 So let me search my memory again
17 now. I think -- I think I'm mistaken on the
18 timing. I left U.S. Nuclear in 1967. Is that
19 right?

20 Yeah.

21 Q. I believe so.

22 A. So it would have been somewhere a
23 year or two before that.

24 Q. Sometime in the mid-1960's?

25 A. Yeah.

1 Q. Okay. Do you recall who was suing
2 whom in that matter?

3 A. Well, I -- I'm not sure it was a real
4 lawsuit. It was a government -- ended with a
5 government contract. The contractor was trying to
6 get an increase in the price.

7 Q. Okay.

8 A. And it was conducted like a
9 courtroom, but I'm not sure it really was.

10 Q. Okay. You mentioned that you gave
11 one or possibly two depositions. You've mentioned
12 one proceeding.

13 Do you recall any other proceedings
14 in which you gave a deposition?

15 A. Not precisely, no, I don't.

16 Q. In any case, it's been many years
17 since you have been deposed; correct?

18 A. Yes. A good amount.

19 Q. The ground rules are pretty much as
20 follows: I will begin asking questions and the
21 other lawyers around the table will have their
22 opportunity after I complete my examination.

23 It's very important that you listen
24 to each one of our questions. Make sure that you
25 understand the question. If for any reason you

1 don't understand the question, the lawyers here
2 would be more than happy to restate or rephrase
3 the questions so that you do understand it.

4 It's important that you understand
5 the question and it is important to allow the
6 lawyer who is asking the question to complete his
7 or her question before you begin responding.

8 On occasion, the last couple of words
9 in a question can change the entire meaning of the
10 question. And if you begin answering before the
11 lawyer has finished the question, you may be
12 answering a different question than what you think
13 you're answering.

14 So please allow us to complete our --
15 our questions. It is possible that there may be
16 objections raised to questions posed to you.
17 Objections such as "the question is vague and
18 ambiguous" or something else.

19 You are not represented by counsel
20 today; is that correct?

21 A. Pardon me?

22 Q. You don't have an attorney with
23 you --

24 A. No.

25 Q. -- today?

1 Okay. If there are objections
2 raised, there may be discussion between the
3 lawyers about the objection, but it really isn't
4 of concern to you unless someone asks you do you
5 understand the question, and then it will be up to
6 you to tell us if you do, and if you do understand
7 the question, then we can proceed.

8 But if at any time you don't
9 understand the question, please let us know,
10 whether an objection has been made or not.

11 It is important that you answer by
12 verbally responding to the question in contrast to
13 a shake of the head, that type of thing.

14 Also, if the question calls for an
15 affirmative answer, it's better to say yes versus
16 "uh-huh"; and if the question calls for a no
17 response to say no versus "huh-uh," because on the
18 record it's sometimes difficult to differentiate
19 between "uh-huh" and "huh-uh."

20 If at any time you feel like you need
21 to take a break because you are becoming tired or
22 for any other reason, please let us know, and we
23 will certainly be happy to accommodate you in that
24 regard.

25 At the conclusion of your deposition,

1 it will be transcribed and will be put into a
2 booklet form and that will become your
3 deposition. You'll be given an opportunity to
4 read your deposition and at the conclusion of that
5 to sign the deposition under penalty of perjury,
6 making notes of any corrections or changes that
7 you may make to the transcript.

8 I should note that the oath that has
9 been administered to you has the same force and
10 effect as if we were sitting in a courtroom with a
11 judge and jury present and your obligation to tell
12 the truth is the same as if we were in that
13 courtroom setting.

14 You understand that; correct?

15 A. Yes.

16 Q. Okay. If at any time as the
17 proceedings go forth, you remember that a question
18 or -- I'm sorry, an answer that you gave earlier
19 perhaps wasn't the best answer, please feel free
20 to say that you'd like to correct a response, that
21 you've given further thought to it and you'd like
22 to amend or change. That's perfectly
23 appropriate.

24 So you'll have that opportunity to
25 think about that as the day goes -- goes forward,

1 and also when you get your deposition transcript,
2 you'll have an opportunity to read it and you
3 may -- having seen it now in black and white --
4 say, "well actually that response wasn't my best
5 response," and you can cross out what is incorrect
6 and write above that what is correct.

7 However, it's important that you do
8 your very best today to give us your best
9 responses because if you make changes in your
10 deposition transcript when it's presented to you
11 for reading, counsel will be free to comment on
12 those changes at the time of trial, and it could
13 prove embarrassing, and it's just better to be as
14 accurate as we can be today.

15 Do you have any questions about what
16 we've been talking about so far?

17 A. No.

18 Q. Okay. All right. Mr. Donelson, what
19 is your date of birth?

20 A. December 20th, 1921.

21 Q. That makes you pretty close to 78
22 years old?

23 A. Will be 78 in December, yes.

24 Q. What's your health?

25 A. So-so.

1 Q. Okay.

2 A. I have been treated for prostate
3 cancer, and I'm under medication for hypertension
4 all the time.

5 Q. What medication are you currently
6 taking at this time?

7 A. Atacand.

8 Q. Can you spell that?

9 A. A-t-a-c-a-n-d, I think.

10 Q. Okay.

11 A. Two others for my hypertension, and I
12 take a -- I can't recall really.

13 Q. How frequently do you take your
14 hypertension medication?

15 A. Daily.

16 Q. Okay. You took medication this
17 morning?

18 A. Yes.

19 Q. Okay. Besides suffering from
20 hypertension and having been treated for prostate
21 cancer, are there any other illnesses or physical
22 maladies that you suffer from at this time?

23 A. I have allergies.

24 Q. Okay. All right. As you sit here
25 today, Mr. Donelson, in this conference room, you

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1 believe that you're able to give us your best
2 recollection of events that took place some years
3 ago, even though you are taking some medication?

4 A. Yes.

5 Q. Okay. Do you think that the
6 medication that you're under in any way will
7 impact your ability to give your best and most
8 accurate testimony?

9 A. No.

10 Q. Okay. All right. Let's begin,
11 Mr. Donelson, with your educational background.

12 Could you tell us, beginning with
13 your graduation from high school, what educational
14 institutions you attended.

15 A. I attended what was then the College
16 of Puget Sound, now it's a university, in Tacoma,
17 Washington; I attended the University of
18 Washington, Seattle.

19 While I was in the army, I attended
20 Alabama Polytechnic Institute, which is better
21 known as Auburn, Alabama, and I finally finished
22 my education back at the University of Washington
23 after World War II.

24 Q. Okay. What degree did you obtain?

25 A. Bachelor of Science in chemical

1 engineering.

2 Q. And do you recall the year in which
3 that degree was granted to you?

4 A. 1948, I believe.

5 Q. And that was from the University of
6 Washington at Seattle?

7 A. Yes.

8 Q. Okay. With respect to any of the
9 institutions you'd attended prior to that, did you
10 receive any degrees from them?

11 A. No.

12 Q. No?

13 A. No.

14 Q. You have --

15 A. No.

16 Q. Okay. Thank you.

17 A. I'm a little hoarse.

18 Q. I understand.

19 Do you have water or something to
20 drink there?

21 A. Yes.

22 Q. Okay. Approximately what period of
23 time did you attend the college of Puget Sound?

24 A. 1940, '41; '41, '42, I believe.

25 Q. What was your course of study there?

1 A. Oh, pre-engineering. They didn't
2 have an engineering degree.

3 Q. Okay. And when did you begin your
4 study for the first time at the University of
5 Washington, Seattle?

6 A. 1942.

7 Q. Okay. And how long did you attend
8 the University of Washington on that first
9 occasion?

10 A. Less than a year. I don't recall
11 whether it was one quarter or two.

12 Q. Okay. And you joined the army after
13 that?

14 A. Yes.

15 Q. That's what caused you to interrupt
16 your education was to join the military?

17 A. Actually, I joined before but I was
18 called to duty at that time, yes. And that's
19 what --

20 Q. And you served in the U.S. Army?

21 A. Yes.

22 Q. What was the highest rank that you
23 attained?

24 A. Corporal.

25 Q. Okay. And you served in

1 World War II?

2 A. Yes.

3 Q. What theater of actions?

4 A. I had one battle star in the European
5 Campaign; I also wound up in the Philippines in
6 the Asiatic-Pacific Campaign.

7 Q. Okay. While you were the University
8 of Washington, what was your course of study?

9 A. Chemical engineering.

10 Q. Okay. And what were the years that
11 you were in the service, Mr. Donelson?

12 A. 1943 through, I guess, '45, I guess
13 the war was over.

14 Q. And after being discharged honorably
15 from the army, you then began attending University
16 of Washington for a second time; is that correct?

17 A. Yes.

18 Q. And you attended the University of
19 Washington on the second occasion during what
20 period of time?

21 A. Well, it would have been from 1945 or
22 '46, I guess, until 1948.

23 Q. Okay. And when you went back to the
24 University of Washington, you continued your study
25 in the area of chemical engineering?

1 A. Yes.

2 Q. Okay. Since your graduation from the
3 University of Washington in 1948, have you taken
4 any other classes or courses offered by any
5 educational institution?

6 A. Yes.

7 Q. Please tell us what that additional
8 education has been.

9 A. I -- I'm not sure I'm getting ahead
10 or not. But I took some courses in Richland,
11 Washington, that were put on by the -- extension
12 courses, I guess, put on by the University of
13 Washington.

14 I also attended -- not a formal
15 college -- but attended a course in health
16 physics while I was working at Richland.

17 Q. While working where?

18 A. Richland, Washington.

19 Q. Any other formal educational courses
20 that you've taken since your graduation that you
21 can recall at this time?

22 A. I don't recall any.

23 Q. Okay. Do you recall what the course
24 of subject -- what the course of study was in
25 connection with the extension courses you took in

19

1 the University of Washington?

2 A. It was a mathematics course, I
3 believe advanced math.

4 Q. And how about the health physics
5 course? Was that one course or more than one
6 course?

7 A. It was a course given by
8 General Electric Company, whom I worked for, and
9 in the subject of radiation safety, health
10 physics.

11 Q. Over what period of time was that
12 course taught?

13 A. It was probably half a year in 1948.

14 Q. How -- was this a full-time class
15 work or what was it?

16 A. A little of both. Both full time and
17 on the job.

18 Q. Who taught the class?

19 A. A number of people.

20 Q. Okay. Were these people that were
21 employed by General Electric?

22 A. Yes.

23 Q. Okay. Did you get any sort of
24 certificate for completing that course?

25 A. I don't recall that I did, no.

1 Q. Okay. Can you describe generally
2 what the course consisted of in terms of radiation
3 safety?

4 A. Well, it started out with basic
5 physics, I would think. We do basic atomic
6 physics. It had to do then with the biological
7 effects of radiation, the procedures that were
8 enforced by General Electric Company at the
9 Hanford Works.

10 I guess I should have mentioned
11 that.

12 Q. Anything else that you recall?

13 A. Oh, the radiation limits, which were
14 more or less standard at the time.

15 Q. When you say "radiation limits," what
16 do you mean by that?

17 A. Exposure to atomic radiation in terms
18 of the amount that is permissible to receive.

19 Q. Do you recall what those standards
20 were at the time?

21 A. 100 millirem.

22 Q. How do you spell that word?

23 A. M-i-l-l-i-r-e-m.

24 Q. "M" as in Mary --

25 A. Yes.

1 Q. -- or "N" as Nancy?
2 A. Mary.
3 Q. Millirem?
4 A. Yes.
5 Q. Okay.
6 A. Per week.
7 Q. And who established that standard, do
8 you know?
9 A. Atomic Energy Commission, I
10 believe.
11 Q. I'm really going to stretch your
12 memory now, Mr. Donelson.
13 Do you recall if you received any
14 written material in connection with your course
15 work in health physics?
16 A. Yes.
17 Q. Okay. What written materials did you
18 receive?
19 A. It was a handbook put out by
20 General Electric Company.
21 Q. By any stretch of the imagination, do
22 you still that handbook?
23 A. No, I do not.
24 Q. Do you recall the title of that
25 handbook?

1 A. No.

2 Q. Okay. Do you have any recollection
3 as the year -- as to the year it was published?

4 A. Sometime in the 1940's. I
5 wouldn't -- I don't know.

6 Q. Was this a hardback set of materials
7 or loose-leaf?

8 What was its form?

9 A. It was loose-leaf.

10 Q. Okay. In the course that you took
11 while you were employed by General Electric at the
12 Hanford facility, was there any discussion about
13 decommissioning atomic facilities?

14 A. No.

15 Q. In any of your -- your course work
16 that you took that you described for us this
17 morning, have you had any course work that would
18 be relevant to the subject of decommissioning a
19 facility where radioactive materials had been
20 used?

21 A. No.

22 Q. Mr. Donelson, in your career, did you
23 ever receive any licenses that may have been
24 relevant to your profession?

25 A. I received a certificate from the

1 American Board of Health Physics.

2 They call it Certified Health
3 Physicist.

4 Q. The American Board of Health
5 Physicists?

6 A. American Board of Health Physics.

7 Q. Health physics.

8 A. Yes.

9 Q. And when did you receive that
10 certificate?

11 A. Oh, let me guess around 1960.

12 MR. PATTERSON: I'm sorry, could you repeat
13 that?

14 THE WITNESS: 1960.

15 MR. PATTERSON: '60?

16 BY MR. BISGAARD:

17 Q. You used the word "guess," and that
18 prompted another thought that I wanted to share
19 with you, Mr. Donelson.

20 As we ask you questions today -- and
21 it may go into tomorrow -- especially as we go
22 back many years, you may not have a clear
23 recollection of the -- the area we're asking
24 about. And you may be inclined to say, "Well, I
25 guess this."

1 For example: "What color was the
2 car?" "Well, I guess it was black."

3 If you have any recollection that the
4 car, in fact, was black, you're required to give
5 us that. If you don't and it's just based on,
6 perhaps, supposition or just pure guess, we don't
7 want that.

8 So when you give us your response, if
9 you don't recall specifically, you can certainly
10 tell us, "I'm not sure, but I think it was around
11 1960," by way of example, but we don't want you to
12 guess or to speculate.

13 Understand?

14 A. (No audible response.)

15 Q. You have to answer that question yes
16 or no.

17 A. Yes.

18 Q. Okay. All right. When you received
19 the certificate from the American Board of Health
20 Physics, was this based on taking some class work
21 or taking some test?

22 How was it you came to receive the
23 certificate?

24 A. May I use the word "grandfather
25 clause"?

1 Q. Certainly.

2 A. There were a number of us in the
3 business, in the health physics business that
4 started the certification process, and those of us
5 were considered grandfathered did not go
6 through the rigid course present-day certified
7 health physicists do have to.

8 Q. Have you ever held any position with
9 the American Board of Health Physics?

10 A. No.

11 Q. Are -- other than having a
12 certificate --

13 A. Let me correct that.

14 Q. Certainly.

15 A. There is a society called the Health
16 Physics Society, which is separate from the Board
17 of Health Physics. And I have had -- been off to
18 the Health Physics Society. It's just a
19 professional society. In the local chapter of an
20 office.

21 Q. So you are a certified health
22 physicist; is that correct?

23 A. Yes, sir.

24 Q. And you have held that certificate
25 since around 1960?

1 A. Yes.

2 Q. Any other certificates or licenses
3 that you can recall?

4 A. When I -- some years later, I -- when
5 I went into business for myself, and I had a
6 license from the State of California, a
7 radioactive material license.

8 Q. What is a radioactive materials
9 license?

10 A. Pardon me?

11 Q. What is a radioactive materials
12 license?

13 A. It is a license issued by -- at the
14 present time -- the state, and in some cases the
15 Atomic Energy still issues those licenses. It
16 allows the named person, company, institution,
17 whatever, to possess and use radioactive
18 material.

19 Q. Any other licenses or certificates
20 that you have held?

21 A. Not that I have held, per se. I've
22 been on other institutions' licenses, my name has
23 been on.

24 Q. What other institutions?

25 A. There have been many.

1 Q. Give us your best recollection of
2 what institutions that you've been on their
3 licenses.

4 A. Isotope Products Company, J.L.
5 Shepherd & Associates.

6 Q. T.L.?

7 A. J.L.

8 Q. J.L.

9 A. Standard Oil Company of California,
10 Aerospace Corporation, Hughes Aircraft.

11 There have been many.

12 Q. In addition to the ones you've just
13 mentioned.

14 A. Yes.

15 Q. What does it mean to be on a
16 license?

17 A. Well, each license is individual. I
18 can't answer that question --

19 Q. Okay.

20 A. -- in words.

21 Q. We'll come back to that.

22 Have you received any recognition
23 from any institution or professional society for
24 your professional activities?

25 A. Not that I recall.

1 Q. Any awards?
2 A. Not that I recall.
3 Q. Have you ever published anything?
4 A. I can't recall.
5 MR. BISGAARD: Off the record.
6 (Off record discussion.)
7 MR. BISGAARD: Back on the record.
8 Q. Mr. Donelson, could you please
9 provide us with your education -- I'm sorry, your
10 employment background from the point in time that
11 you graduated from the University of Washington in
12 1948.
13 A. I was employed by General Electric
14 Company at Richland, Washington, between 1948 and
15 1957.
16 Q. Okay. What was your position at
17 General Electric, sir?
18 A. There were several.
19 Q. Okay. Starting from the first, if
20 you could go chronologically, that would be
21 great.
22 A. Engineer, supervisor, area
23 supervisor, superintendent; that was about it.
24 Q. Okay. What were your duties and
25 responsibilities as an engineer at

1 General Electric?

2 A. Supervising the radiation protection
3 program in the facility.

4 Q. This was at the Hanford atomic
5 facility?

6 A. Hanford Atomic Works I believe it was
7 called at that time.

8 Q. Just generally, what was the Hanford
9 Atomic -- Hanford Atomic Works?

10 A. I don't believe it's a secret
11 anymore. At one time it was.

12 Producing plutonium was the main
13 purpose.

14 Q. Okay. And as an engineer at that
15 facility, you were supervising the radiation
16 protection program; is that correct?

17 A. Yes.

18 Q. Okay. What were your duties and
19 responsibilities as a supervisor for
20 General Electric?

21 A. Pretty much the same.

22 Q. Okay. How about your duties and
23 responsibilities as an area supervisor?

24 A. Well, that had to do with a certain
25 location. Supervising the same program and --

1 Q. Within the Hanford facility itself?

2 A. Yes.

3 Q. I see.

4 And then you became a superintendent,
5 and what were your duties and responsibilities as
6 a superintendent?

7 A. The same. They just changed titles.
8 Every -- periodically.

9 Q. Okay.

10 MS. HATHAWAY McKEITH: Just for the record,
11 what time period were you at Hanford?

12 THE WITNESS: Pardon me?

13 MS. HATHAWAY McKEITH: What were the years
14 that you were at Hanford?

15 THE WITNESS: 1948 through 1957.

16 MS. HATHAWAY McKEITH: Thanks.

17 THE WITNESS: Is that what I said before?

18 BY MR. BISGAARD:

19 Q. Yes.

20 Mr. Donelson, prior to going to work
21 for General Electric, had you worked for anyone
22 where radioactive materials were used?

23 A. No.

24 Q. Your -- your time in the service had
25 nothing to do with radioactive materials?

1 A. No.

2 Q. You weren't on the Manhattan Project?

3 A. I didn't know it at the time.

4 Q. Okay. After leaving General Electric

5 in 1957, what was your next employment?

6 A. Isotopes Specialties Company.

7 Q. And when you first began working for

8 Isotopes Specialties Company, where were they

9 located?

10 A. Burbank, California.

11 Q. Okay. How long did you work for

12 Isotopes Specialties Company?

13 A. In the order of a year. I'm not sure

14 that's a good answer, but --

15 Q. If we could all agree on this -- I

16 think it would save us a lot of syllables -- if we

17 refer to Isotopes Specialties Company as ISC.

18 Would that be okay?

19 A. Yes.

20 Q. Okay. Are you familiar with Isotopes

21 Specialties Company being referred to as ISC?

22 A. Excuse me.

23 Q. Sure.

24 When you were working for Isotopes

25 Specialties Company, did people in the company

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1 refer to it as ISC?

2 A. I don't recall that they did.

3 Q. Okay. Well, let's -- we'll refer to

4 it as that.

5 Okay?

6 A. All right.

7 Q. What was your position or what were

8 your positions at ISC?

9 A. Chief engineer.

10 Q. And what were your duties and

11 responsibilities as chief engineer?

12 A. Designing equipment, radioactive

13 sources.

14 Q. Reactive what?

15 A. Radioactive sources.

16 Q. What type of equipment did you

17 design?

18 A. Radioactive sources.

19 Q. Okay. What are radioactive sources?

20 A. Radioactivity.

21 Do I need to define that?

22 Q. No. I think we're okay on that one.

23 A. All right. Radioactive sources,

24 object that contains the radioactivity.

25 Q. Any other duties and responsibilities

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33

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1 at ISC besides designing equipment for radioactive
2 sources?

3 A. I was on an isotope committee, which
4 is something I suppose I should define.

5 Q. Please, if you would.

6 A. A committee that sets down the
7 radiation protection program in the facility.

8 Q. How long did you serve on the isotope
9 committee for ISC?

10 A. As long as I was there.

11 Q. How many members were on the isotope
12 committee?

13 A. You want me to give a precise answer,
14 and I can't.

15 Q. I understand that.

16 Give me your best recollection if
17 it's more than a guess.

18 A. Eight.

19 Q. Okay. Do you recall the names of any
20 of the people who served on the isotope committee
21 with you?

22 A. Yes.

23 Q. What are their names?

24 A. Allen Goldstein, Philip Shepherd,
25 Joseph Shepherd.

1 Q. I'm sorry?

2 A. Joseph Shepherd.

3 Q. Joseph.

4 MS. HATHAWAY McKEITH: What was the first --

5 were there two different Shepherds?

6 MR. BISGAARD: Philip and Joseph.

7 MS. HATHAWAY McKEITH: Okay.

8 THE WITNESS: I'm sorry. Did I say Philip

9 Shepherd?

10 MS. HATHAWAY McKEITH: You said Philip

11 Shepherd.

12 THE WITNESS: Philip Gill.

13 BY MR. BISGAARD:

14 Q. Okay. I've got Allen Goldstein,

15 Philip Gill, Joseph Shepherd.

16 Do you recall the names of anybody

17 else?

18 A. Karl Amlauer.

19 Q. Is that A-m-l-a-u-e-r?

20 A. Yes.

21 Q. Okay. Anybody else that you can

22 recall?

23 A. Richard Dickey. I don't recall any

24 more.

25 Q. Okay. Were these individuals whom

1 you have just identified members of the isotope
2 committee for the entire period that you were a
3 member of the isotope committee?

4 A. I don't recall.

5 Q. Okay. I'm sure they'll be further
6 questions about the isotope committee as the
7 deposition proceeds.

8 Any other duties and responsibilities
9 at ISC in your capacity as the chief engineer over
10 and above designing equipment for radioactive
11 sources and serving as a member of the isotope
12 committee?

13 A. We all did many -- we wore many
14 hats.

15 It's hard to answer that question.

16 Q. Can you tell me anything you can
17 recall what you did at ISC over and above what
18 you've already told us.

19 A. I can't -- I can't recall.

20 Q. Okay. That's fine.

21 Did you have an office at ISC?

22 A. Not as such.

23 Q. Okay. Where was ISC located in terms
24 of street address in Burbank?

25 Do you recall?

1 A. Main Street.

2 Q. Did you ever work for ISC at any

3 other facility other than its Main Street

4 facility?

5 A. Yes.

6 Q. Okay. What other facility?

7 A. On Providencia Street in Burbank.

8 Q. While you were working for ISC, did

9 you work at both the Main Street facility and the

10 Providencia Street facility?

11 A. Yes.

12 Q. Okay. Any other facility besides

13 those two?

14 A. For ISC?

15 No.

16 Q. Yes, sir.

17 A. No.

18 Q. Okay. How -- what were the

19 circumstances of your coming to work for Isotopes

20 Specialties Company in about 1957?

21 A. I and my whole family was having

22 allergic problems in eastern Washington, so I sent

23 out some applications.

24 Q. And you sent an application to, among

25 others, Isotopes Specialties Company?

1 A. Yeah.

2 Q. How do you first hear of Isotopes

3 Specialties Company?

4 A. I don't recall.

5 Q. What business was Isotopes

6 Specialties Company in at the time that you made

7 your application for employment?

8 A. Producing materials, radioactive

9 materials, sources and equipment.

10 Q. Who hired you at ISC?

11 A. Allen Goldstein.

12 Q. And what was his position at the

13 time?

14 A. President.

15 Q. I believe you earlier testified that

16 you worked for Isotopes Specialties Company for

17 approximately one year; is that correct?

18 A. Yes.

19 Q. After Isotopes Specialties Company,

20 for whom did you work?

21 A. U.S. Nuclear Corporation.

22 Q. And you recall the year that you went

23 to work for U.S. Nuclear Corporation?

24 A. When it was formed.

25 Is that a good enough answer?

1 Q. I'm sorry?
2 A. When it was formed.
3 Q. Okay. You testified earlier you went
4 to work for Isotopes Specialties Company in around
5 1957; you worked for them about a year.
6 So we're talking about sometime in
7 the late 50's --
8 A. Yes.
9 Q. -- when you went to work for
10 U.S. Nuclear?
11 A. Yes.
12 Q. Okay. What were the circumstances of
13 you going to work for U.S. Nuclear Corporation?
14 A. Everybody I was associated left
15 U.S. Nuclear and started -- left ISC and started
16 U.S. Nuclear.
17 Q. Who was it who started U.S. Nuclear?
18 A. The same people that I mentioned
19 before.
20 Q. Okay. Let's just quickly go through
21 that.
22 Mr. Goldstein?
23 A. Yes.
24 Q. Was he the president of
25 U.S. Nuclear --

1 A. Yes.

2 Q. -- when it was formed?

3 And Philip Gill also transferred

4 over?

5 A. Yes.

6 Q. As did Joseph Shepherd?

7 A. Yes.

8 Q. And Karl Amlauer and Richard Dickey?

9 A. Yes.

10 Q. Okay. Any other names you can recall

11 that began at U.S. Nuclear when it was first

12 formed?

13 A. Ray Ballard; I believe.

14 Q. What, to your knowledge, was the

15 purpose of forming U.S. Nuclear Corporation?

16 A. To produce radioactive materials,

17 sources and equipment.

18 Q. Did some people stay at ISC that were

19 formerly with the company?

20 A. I believe so.

21 Q. Tell us, generally, what you can

22 recall about the split between ISC and

23 U.S. Nuclear.

24 A. I don't really recall except that the

25 people that I knew all left for some reason.

1 Q. Okay. Were you ever a shareholder of
2 either Isotopes Specialties Company or
3 U.S. Nuclear?

4 A. U.S. Nuclear, yes.

5 Q. Okay. When you -- when U.S. Nuclear
6 was formed, were you one of the original
7 shareholders?

8 A. Yes.

9 Q. Okay. Do you recall what percentage
10 of the company stock you held?

11 A. Maybe one percent.

12 Q. Okay. So it was certainly a minority
13 interest?

14 A. Yes.

15 Q. Okay. Do you recall the names of
16 anyone who stayed at ISC?

17 A. No, I don't.

18 Q. Do you know what business ISC was in
19 after U.S. Nuclear was formed?

20 A. No, I don't.

21 Q. Okay. When U.S. Nuclear was formed
22 and you went to work for it, where were you
23 located?

24 A. At home or --

25 Q. Bad question. Let me -- let me

1 strike that question.

2 A. Thank you.

3 Q. What was the business address of
4 U.S. Nuclear Corporation when it was formed?

5 A. I don't recall right at the moment.
6 I will later perhaps.

7 Q. Okay. Do you know what town it was
8 in?

9 A. It was in Burbank.

10 Q. Okay. Was it at the
11 Providencia Street or --

12 A. No. It was on Lake Street as I
13 recall now.

14 Q. So when U.S. Nuclear Corporation was
15 formed, it did not continue to be involved with
16 the Providencia Street property; is that correct?

17 A. Difficult question.

18 A few years later, this facility was
19 to be decommissioned, as I understand it, and
20 U.S. Nuclear was hired as an agent to help
21 decontaminate.

22 Q. This was the Providencia Street
23 facility?

24 A. Yes.

25 Q. Was U.S. Nuclear in any way involved

1 in the decommissioning of the Main Street ISC
2 facility?

3 A. U.S. Nuclear Corporation?

4 No.

5 Q. Okay. Do you know if the Main Street
6 facility was at some point decommissioned?

7 A. I don't know first hand.

8 I assume it was, but that's not a
9 good answer, is it?

10 Q. Do you have any personal knowledge,
11 you, yourself, independent of any other sources
12 of -- as to whether the Main Street facility of
13 Isotopes Specialties Company was in fact
14 decommissioned?

15 A. I have no recollection.

16 Q. Have you seen any documents on that
17 subject?

18 A. No.

19 Q. Okay. Do you have any personal
20 knowledge regarding the decommissioning of the
21 Providencia Street facility?

22 A. Yes.

23 I was involved in it.

24 Q. Okay. We'll come back to that
25 subject in a little while, Mr. Donelson.

1 How long were you with U.S. Nuclear
2 Corporation?

3 A. Until 1967.

4 Q. Okay.

5 A. Is that right?

6 Excuse me.

7 Q. Mr. Donelson, where did you go to
8 work at that time?

9 A. I started my own company.

10 Q. And what was the name of that
11 company?

12 A. Richard Donelson and Associates.

13 Q. And what was the business of Richard
14 Donelson and Associates?

15 A. Providing health physic services.

16 Q. To whom?

17 A. Anybody that would require -- would
18 request it.

19 Q. Would this be companies that were
20 dealing with radioactive materials?

21 A. Yes.

22 Q. Okay. Did you also provide
23 professional services to companies that did not
24 handle radioactive materials while you were with
25 Richard Donelson and Associates?

1 A. I provided services for facilities
2 that used X rays, which are not radioactive
3 materials per se.

4 Q. All right. How long were you with
5 Richard Donelson and Associates?

6 A. Until I retired in 19- -- now I have
7 to think.

8 It was approximately 20 years.
9 Did you say how long?

10 Q. Approximately when it was that you
11 retired.

12 A. Approximately. Start again. Sorry.

13 Q. Okay.

14 A. 1987, would that be?

15 Q. Ten or 12 years ago?

16 A. Yes.

17 Q. Approximately?

18 Okay. And what form -- strike that.

19 Was Richard Donelson and Associates a
20 sole proprietorship, a corporation?

21 A. Corporation.

22 Q. Corporation.

23 And were you the sole shareholder?

24 A. Yes.

25 Q. And you were the president of the

1 company?

2 A. Yes.

3 Q. Okay. How many employees did Richard
4 Donelson and Associates have at its peak,
5 so-to-speak?

6 A. My wife, my dog.

7 Q. Okay. So this was pretty much a --

8 A. My daughter.

9 Q. Oh, your daughter?

10 A. Yeah.

11 Q. So this was pretty much a family
12 business?

13 A. Yes.

14 Q. Okay. Have you provided any
15 consulting services since your retirement in
16 approximately 1987?

17 A. Not that I remember -- recall.

18 Q. Okay. Is there any other employment
19 that we have not talked about since your
20 graduation from the University of Washington?

21 A. No.

22 Q. Okay. All right. Good.

23 Let's take a lunch break at this
24 time.

25 And just for the record,

1 Mr. Donelson, I have to go to a court hearing and
2 so Mr. Shimada, my partner, will continue your
3 examination.

4 THE VIDEOGRAPHER: The time is approximately
5 12:46.

6 We're off the record.

7 (Off record discussion.)

8 (The luncheon recess was taken
9 at 12:46 P.M.)

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1 (The deposition of RICHARD DONELSON
2 was reconvened at 1:35 P.M.)

3
4 RICHARD DONELSON,
5 having been previously duly sworn, testified
6 further as follows:

7
8 MR. SHIMADA: All right.

9 THE VIDEOGRAPHER: The time is approximately
10 1:35.

11 We're on the record.

12
13 EXAMINATION (CONTINUING)

14 BY MR. SHIMADA:

15 Q. Good afternoon, Mr. Donelson.

16 As you know my name is John Shimada,
17 and I'm another attorney for Nucor. I have a
18 couple of preliminary questions for you.

19 Prior to today, have you had any
20 communications with anyone about this lawsuit?
21 And apart from our conversations about scheduling
22 this deposition.

23 A. I believe Mr. --

24 MR. PATTERSON: Patterson.

25 THE WITNESS: -- Patterson came to see me

1 about it one day, and your colleague and you were
2 going to show up and didn't.

3 And I expect I talked to her, Martha.

4 MR. PATTERSON: Martha Sharp.

5 THE WITNESS: On the phone.

6 BY MR. SHIMADA:

7 Q. So you met with -- actually met with
8 Mr. Patterson?

9 A. Not --

10 MR. PATTERSON: That's me.

11 THE WITNESS: Yes, I met him before.

12 I'm a little bit hard of hearing.

13 BY MR. SHIMADA:

14 Q. That's okay. I'll speak up.

15 A. Okay.

16 Q. Do you recall when this meeting with
17 Mr. Patterson took place?

18 A. A few months ago.

19 Q. Where did the two of you meet?

20 A. At my house. At my home.

21 Q. Was it just the two of you that were
22 there at the meeting?

23 A. Yes.

24 Q. And this was a meeting arranged by
25 Mr. Patterson?

1 A. Yes.

2 Q. What did Mr. Patterson tell you about
3 who he represented?

4 A. He gave me his card. He represented
5 ICN, I believe.

6 Q. And did Mr. Patterson ask you
7 questions at this meeting?

8 A. Yes.

9 Q. And what was the nature of those
10 questions?

11 A. Well, considering the property at
12 Providencia Street in Burbank.

13 Q. Were there specific areas about the
14 Providencia property that he was inquiring about?
15 Specific subjects?

16 A. I don't recall.

17 Q. During this meeting, did
18 Mr. Patterson show you any documents?

19 A. I don't recall that he did.

20 Q. Do you recall how long this meeting
21 lasted?

22 A. Maybe an hour.

23 Q. Did Mr. Patterson ask you about your
24 recollections of the nature of the operations at
25 the Providencia facility?

1 A. I believe so.

2 Q. What specifically did he ask you
3 about, if you can recall?

4 A. I don't recall.

5 Q. Did Mr. Patterson also ask you
6 questions about any possible decommissioning of
7 the Providencia property?

8 A. I believe he asked me that type of
9 question.

10 Q. Do you recall what the nature of your
11 answers were?

12 A. I recall that I discussed the fact
13 that the Atomic Energy Commission had released the
14 property and that I had been involved in the
15 decontamination of it.

16 Q. Are there any other subjects that you
17 recall discussing with Mr. Patterson?

18 A. We discussed personal people we knew,
19 personally. Nothing -- nothing -- nothing about
20 the case.

21 Q. People at ICN?

22 A. I think we might have mentioned
23 somebody at the ICN.

24 Q. Do you recall who those individuals
25 were?

1 A. Probably Matt -- mentioned Mr. Panic.

2 Q. Have you met Mr. Panic before?

3 A. Yes.

4 Q. Do you recall when your telephone
5 conversation with Ms. Sharp took place?

6 A. I have some notes I might bring back
7 a little bit of memory.

8 Q. Okay.

9 A. All right.

10 MR. SHIMADA: Let's go off the record.

11 THE VIDEOGRAPHER: The time is approximately
12 1:40.

13 We're off record.

14 (Off record discussion.)

15 THE WITNESS: I have two letters here.

16 MR. SHIMADA: All right. Let's go back on
17 the record.

18 THE VIDEOGRAPHER: The time is approximately
19 1:41.

20 We're on the record.

21 BY MR. SHIMADA:

22 Q. Mr. Donelson, immediately before our
23 break, you indicated that you had some notes
24 regarding a conversation that you had with
25 Ms. Sharp.

1 You have in front of you the folder
2 that you were going to make reference to. Having
3 had a chance to look another that folder, do you,
4 in fact, have any notes of a conversation with
5 Ms. --

6 A. No.

7 Q. -- Sharp?

8 Your folder did contain two letters
9 from Ms. Sharp; correct?

10 A. Yes.

11 Q. And these discussed the scheduling
12 and then the cancellation of your deposition?

13 A. Yes.

14 Q. Apart from discussing the mechanics
15 of the scheduling of your deposition with
16 Ms. Sharp, did you have any other conversations
17 with Ms. Sharp?

18 A. I don't recall that I did.

19 Q. Do you recall discussing at any time
20 with Ms. Sharp the -- your recollections
21 concerning the Providencia facility?

22 A. I may have.

23 I don't recall.

24 Q. Is the only subject that you can
25 recall discussing with Ms. Sharp presently is the

1 mechanics of the scheduling of your deposition?

2 A. Yes.

3 Q. Was that a yes?

4 A. Yes.

5 Q. That's okay. I drop my voice too,
6 sometimes.

7 Do you recall having any
8 communications prior to this deposition with
9 anyone from the McCutchen law firm?

10 A. No.

11 Q. Have you had discussions with
12 David Bernhardt regarding the Providencia
13 facility?

14 A. I don't recall that name.

15 Q. Do you recall speaking with anyone
16 from a firm called Rodgers & Associates regarding
17 the ISC facility at Providencia?

18 A. I have spoke to somebody on the
19 telephone one time, I don't recall the name or the
20 company.

21 He was calling from Providencia
22 Street.

23 Q. Do you recall when this conversation
24 took place?

25 A. Sometime this year.

1 Q. And this individual told you he was
2 calling from the Providencia facility?

3 A. Yes.

4 Q. And do you recall the name of this
5 person?

6 A. No, I don't.

7 Q. Do you recall what company he was
8 calling --

9 A. No, I don't.

10 Q. -- from?

11 Did he tell you why he was calling
12 you?

13 A. Yes.

14 Q. And what did he tell you?

15 A. He invited me to come down to
16 Providencia Street; he asked me about a few things
17 at the property, some of which I had forgotten.

18 Other than that, I don't recall
19 anything.

20 Q. What was the nature of the questions
21 this individual asked you regarding the
22 Providencia property?

23 A. The one I recall specifically was he
24 mentioned some holes in the floor that I had
25 forgotten about, and he asked me what they had

1 been used for, as I recall.

2 Q. Where were these holes in the floor
3 located?

4 A. How do I answer that question?
5 In the building.

6 Q. Did you -- what did you tell him that
7 you recalled about these holes in the floor?

8 A. I told him that I thought they had
9 been used for storing radioactive materials and
10 that they had been installed with liners which
11 could be removed when the decontamination came
12 along.

13 Q. Did this individual tell you where at
14 the Providencia property these holes were located?

15 A. In a way.

16 Q. What did he tell you?

17 A. I don't recall.

18 Q. Apart from these holes in the floor,
19 do you recall anything else he asked you about?

20 A. Not specifically.

21 Q. Did you take this individual up on
22 his invitation and go to the Providencia Street
23 facility?

24 A. No, I did not.

25 Q. When this individual asked you a

1 question regarding holes in the floor, that
2 brought back memories to you of holes you recall
3 being present at the Providencia property?

4 A. Yes.

5 Q. And these were holes that you recall
6 were used for storing radioactive materials?

7 A. Yes.

8 Q. Do you recall the nature of the
9 materials that were stored in these holes that you
10 have a memory of?

11 A. No.

12 Q. Is it your recollection that these
13 were holes that were in the concrete floors of the
14 property?

15 A. Yes.

16 Q. Do you recall how many holes there
17 were of this type?

18 A. No.

19 Q. Do you recall the diameter of the
20 holes?

21 A. No.

22 Q. It's your recollection that there --
23 that these holes that you had in mind had liners?

24 A. I recall that they did, yes.

25 Q. What is your recollection -- to your

57

1 recollection, what was the -- what was these
2 liners made of?

3 A. Metal of some sort. I -- I don't
4 recall which -- whether it was iron or aluminum or
5 the other, probably.

6 Q. During your time at the -- working at
7 the Providencia property, did you have an
8 opportunity to personally see these liners in
9 these holes?

10 A. I imagine.
11 I don't recall.

12 Q. So you don't recall presently whether
13 these are -- these liners are something that you
14 were told about or whether these were liners that
15 you actually saw?

16 A. I don't recall.

17 Q. Previously you mentioned in
18 describing these liners that they were designed so
19 that they could be removed for purposes of
20 decontamination.

21 Do you recall that testimony?

22 A. I believe so, yes.

23 Q. Now, is that an understanding -- let
24 me rephrase that.

25 Do you recall how you came to have

1 that understanding as to why the liners were
2 removable?

3 A. It was just good practice.

4 Q. And what do you mean by that?

5 A. One has to consider decontaminating
6 at some future time, and it maximizes your -- the
7 ability to do so.

8 Q. Did you mention these liners to this
9 individual on the telephone --

10 A. I don't.

11 Q. -- who was calling from the property?

12 A. I don't recall.

13 Q. Prior to beginning work at -- for
14 ISC, had you ever had any training in the
15 decommissioning of facilities at which radioactive
16 materials were handled?

17 A. Yes.

18 Q. What was the nature of that training
19 that you received?

20 A. We went through this already once
21 today.

22 Well, when I left -- worked at
23 Hanford Works for General Electric Company, I
24 attended a training course in the use and safety
25 handling of radioactive material.

1 Q. And did -- as part of that training
2 in the handling of the use of radioactive
3 materials, did that training also cover the
4 subject of decommissioning facilities?

5 A. I don't believe so.

6 Q. Prior to working at ISC, did you ever
7 receive any training in the decommissioning of
8 radioactive facilities?

9 A. Not complete facilities, no.
10 Decontaminating areas that were in facilities,
11 yes.

12 Q. From whom did you receive the
13 training in the decontamination of areas?

14 A. Any number of people. My
15 supervisors.

16 Q. So this was not formal training by
17 way of classroom work --

18 A. Yes, it was.

19 Q. -- this was --
20 This was?

21 A. Yes.

22 Q. Where did you receive this training
23 at?

24 A. At Richland, Washington.

25 Q. While you were working for

1 General Electric?

2 A. Yes.

3 Q. And what type of activities were

4 you -- were you trained concerning? What -- what

5 type of activities --

6 A. To --

7 Q. What type of procedures were you

8 trained --

9 A. General radiation safety procedures.

10 Q. And did these general radiation

11 safety procedures include decontamination of

12 discrete areas?

13 A. Of what?

14 Q. Of discrete areas?

15 A. Yes.

16 Q. What were you taught about that,

17 about how to do that?

18 A. Hard work.

19 Q. What do you mean by that?

20 A. It's hard work. Scrubbing.

21 Sweeping.

22 Q. What was the nature of the surfaces

23 that you were -- that would be scrubbed and

24 swept?

25 A. Anything you can think of.

1 Q. So this is training that you received
2 at General Electric?

3 A. Yes.

4 Q. What would the scrubbing be done
5 with?

6 What would you use to scrub?

7 A. Brooms, mops, sandpaper.

8 Q. Did you actually have an occasion to
9 perform actual decontamination work while you were
10 at General Electric?

11 A. Yes.

12 Q. Apart from scrubbing and sweeping,
13 what other types of procedures were you -- did you
14 receive training in the subject of decommissioning
15 and decontamination?

16 A. Oh, probably use of various chemical
17 agents in decontaminating.

18 Q. What kind of chemical agents? Do you
19 recall what they were?

20 A. No.

21 Q. How long were these classes at
22 General Electric, the classes that you had
23 concerning general radiation safety procedures?

24 A. Eight hours at a time.

25 Q. Do you recall how many days of

1 training did you receive?

2 A. Less than a year. I don't recall a
3 number of days.

4 Q. Do you recall what portion of that
5 time was spent in learning about decontaminating
6 procedures?

7 A. No, I don't.

8 Q. During this training at General
9 Electric, did you receive training in the cleanup
10 levels that you had to have achieve during the
11 process of this decontaminating work?

12 A. Yes.

13 Q. Do you recall whether those were
14 levels set by the Atomic Energy Commission?

15 A. No.

16 Q. Were -- were these levels sent -- do
17 you recall who set those levels?

18 A. G -- General Electric personnel.

19 Q. General Electric had their own set of
20 cleanup criteria at that time?

21 A. Yes.

22 Q. Do you recall whether at that time
23 the Atomic Energy Commission had issued its own
24 cleanup criteria for decontamination?

25 A. I don't recall.

1 Q. Do you recall what the cleanup levels
2 were that were established by G.E. at that time?

3 A. No, I don't.

4 Q. Would you describe the nature of your
5 training at General Electric in decontamination as
6 being various forms of cleaning the surface of
7 objects and buildings?

8 A. I don't understand the question.

9 Q. Let me -- let me rephrase that.

10 The training that you received at
11 General Electric in decontamination concerned
12 various procedures for cleaning the surface of
13 objects; correct?

14 A. Yes.

15 Q. Did any of that training also include
16 going down deeper, say, digging up concrete and
17 the procedures that should be followed for doing
18 that type of work?

19 A. I don't recall.

20 Q. Did any of that training involve the
21 taking of radioactive assays of soil, for
22 example?

23 A. Of soil?

24 Q. Soil.

25 A. I don't recall.

1 Q. I'm going to show you a document and
2 ask you just a couple of brief questions about it,
3 primarily to see if it refreshes your
4 recollection.

5 It's a document dated August 20,
6 1958, and it's entitled "Isotopes Specialties
7 Company, Inc., Administrative Procedures." And
8 specifically I'll direct your attention to page 8
9 of the document.

10 THE WITNESS: Is this the same?

11 MS. HATHAWAY MCKEITH: Uh-huh.

12 THE WITNESS: Yes.

13 BY MR. SHIMADA:

14 Q. You have page 8 in front of you?

15 A. Yes.

16 Q. There's a section 8 on page 8
17 entitled "Isotope Committee."

18 Do you see that?

19 A. Yes.

20 Q. And it recites that the various
21 individuals were members of the isotopes
22 committee: Karl Amlauer, Richard Dickey,
23 Allen Goldstein, Philip Gill, Richard Donelson and
24 Charles Miller.

25 Do you recall each of those

1 individuals being members of the Isotopes
2 Committee at ISC?

3 A. Yes.

4 Q. This document is dated August 20,
5 1958. I believe you previously testified that you
6 began working at ISC in 1957.

7 Having seen this document, do you
8 recall working at ISC through at least August of
9 1958?

10 A. I don't recall the date specifically.

11 MR. SHIMADA: I'll ask the reporter to mark
12 that as our first exhibit.

13 Have we been using --

14 MS. HATHAWAY McKEITH: We haven't marked any
15 exhibits yet -- oh, I don't know.

16 MR. PATTERSON: I didn't think to look it
17 up.

18 MR. SHIMADA: Let's go off the record.

19 THE VIDEOGRAPHER: The time is approximately
20 2:03..

21 We're off the record.

22 (Off record discussion.)

23 MR. SHIMADA: Back on the record.

24 THE VIDEOGRAPHER: One second.

25 The time is approximately 2:04.

1 We're on the record.

2 MR. SHIMADA: We'll mark the August 20,
3 1958, "Administrative Procedures" as Exhibit 1 to
4 this deposition.

5 For the record it also bears the
6 production Nos. JT0148 through JT0156.

7 (Deposition Exhibit 1
8 was marked for identification and is
9 annexed hereto.)

10 BY MR. SHIMADA:

11 Q. Mr. Donelson, I'm going to place a
12 second document in front of you and ask you to
13 take a moment to look at it.

14 For the record, it is a document
15 dated January 13, 1961, and appears to be a letter
16 from Allen M. Goldstein to the Atomic Energy
17 Commission.

18 MS. HATHAWAY MCKEITH: Thank you.

19 BY MR. SHIMADA:

20 Q. Specifically I'd ask you,
21 Mr. Donelson, to look at paragraph 4 on the first
22 page of the document, which states that the
23 "Isotopes Specialties Company Isotope Committee
24 will be altered as of January 16, 1961, to include
25 the following personnel, resumes of whom are

1 already in your possession: Philip Gill, R.N.
2 Donelson, Charles G. Miller, Allen M. Goldstein
3 and Karl Amlauer."

4 Do you see that?

5 A. Yep.

6 Q. Do you recall each of those
7 individuals as being members of the isotope
8 committee for the Isotopes Specialty Company after
9 the sale to U.S. Nuclear?

10 Let me do that again.

11 Do you recall each of those
12 individuals being members of the isotopes
13 committee for U.S. Nuclear?

14 A. I recall the individuals.

15 The committee membership changed from
16 time to time, so I can't say specifically.

17 Q. Do you recall being on the isotopes
18 committee for U.S. Nuclear?

19 A. Yes.

20 Q. Okay. And that was shortly after the
21 formation of the company?

22 A. Yes.

23 Q. Now, this letter is dated 1961.

24 The -- as you will recall, the prior document I
25 showed you was dated 1958.

1 A. Uh-huh.

2 Q. With these two documents in mind,
3 does it refresh your recollection that you were
4 employed by ISC for -- for several years?

5 A. I don't recall much about these
6 letters at all.

7 Q. Do you recall working for ISC for
8 several years?

9 A. I don't recall how long it was.

10 MR. SHIMADA: We'll mark this document as
11 Exhibit No. 2 to this deposition.

12 For the record, it bears production
13 Nos. JT0400 through 401.

14 (Deposition Exhibit 2
15 was marked for identification and is
16 annexed hereto.)

17 BY MR. SHIMADA:

18 Q. Do you -- while you were at ISC, did
19 you receive any training in the decommissioning of
20 facilities?

21 A. No.

22 Q. Do you recall for how long you worked
23 for U.S. Nuclear?

24 A. It was totally with U.S. Nuclear and
25 Isotopes Specialties, it was about 10 years, I

1 believe.

2 Q. So you believe that your total time
3 of employment by ISC and then U.S. Nuclear was
4 approximately 10 years, that total period of time?

5 A. Yes.

6 Q. While you were employed by
7 U.S. Nuclear, do you recall receiving any training
8 in the decommissioning of facilities?

9 A. No training.

10 Q. After your employment with
11 U.S. Nuclear, you formed your own company;
12 correct?

13 A. Yes.

14 Q. And did you during that time period
15 have any involvement with the decommissioning of
16 facilities?

17 A. I'm sure I must have, but I don't
18 recall any specifics.

19 Q. While you were with General Electric
20 during the time you received the training that you
21 described in decontamination procedures, were
22 there specific types of measuring devices that
23 were used to determine the level of radioactivity
24 in surfaces that you -- that were being cleaned?

25 A. Yes.

1 Q. What was the nature of those
2 devices?

3 A. Radiation detectors of several kinds
4 are Geiger counters or chambers or scintillation
5 chambers. Ion chambers. I've forgotten the
6 question.

7 Q. The question was what was the nature
8 of the devices that were used during your training
9 in decontamination procedures at General Electric
10 for the purpose of determining how high or low the
11 level of radioactivity was and the surfaces that
12 were being cleaned?

13 A. Did I answer the question?

14 Q. We'll you've listed ion chambers,
15 scintillation chambers and Geiger counters?

16 A. Yes.

17 Q. Were there any other devices?

18 A. So difficult.

19 There are different types of
20 radiation and you use different detectors to
21 determine different types of radiation.

22 Q. Do you recall any other specific
23 devices apart from those three you already
24 mentioned?

25 A. Well, those are categorically -- I

1 remember probably dozens of different devices, but
2 those are the -- the overall general description
3 of them, I guess.

4 Q. So those are three categories of
5 devices.

6 A. Yes.

7 Q. This morning you testified that a few
8 years after the formation of U.S. Nuclear the
9 Providencia facility was to be -- was to be
10 decommissioned.

11 Do you recall that testimony?

12 A. (No audible response.)

13 Q. What do you mean by "was to be
14 decommissioned"?

15 Why did you phrase it that way?

16 A. Did I phrase it that way?

17 Q. Yes.

18 A. I don't think I ever used the word
19 "decomissioned."

20 Q. Is it your understanding that
21 appearing -- is it your recollection that
22 something was to be done with the Providencia
23 facility at some time after the formation of
24 U.S. Nuclear?

25 A. "Something was to be done," I don't

1 understand the question.

2 Q. Is it your understanding that
3 U.S. Nuclear was supposed to decontaminate the
4 Providencia property?

5 A. If it was contaminated, yes.

6 Q. And how did you come to have that
7 understanding?

8 A. I imagine my supervisor told me.
9 That's not a good answer, I know.

10 Q. When you first started working with
11 U.S. Nuclear, did you have a supervisor?

12 A. Yes.

13 Q. And do you recall who that was?

14 A. Allen Goldstein.

15 Q. Do you recall being advised at some
16 time following the start of your employment with
17 U.S. Nuclear that U.S. Nuclear was going to
18 decontaminate the Providencia property?

19 A. No.

20 Q. Is that something that you recall
21 being told?

22 A. Yes.

23 Q. Do you recall who told you that?

24 A. No.

25 Q. Do you recall when you were told

1 that?

2 A. No.

3 Q. Do you recall the circumstances in
4 which you came to have this understanding?

5 A. No.

6 Q. Were you told that U.S. Nuclear was
7 going to decontaminate the property -- strike
8 that.

9 Earlier you testified that
10 U.S. Nuclear was going to be the agent for
11 decontaminating the property.

12 What did you mean by "the agent"?

13 A. Is that a bad word? "Agent"?

14 Q. No. I'm just trying to understand
15 what you were trying to say.

16 A. I'm trying to understand your
17 question and I can't.

18 Q. Okay. Was it your understanding at
19 the time this conversation with this person who
20 told you that U.S. Nuclear was going to
21 decontaminate the property, that U.S. Nuclear had
22 been hired by someone to decontaminate the
23 property?

24 A. Yes.

25 Q. Is that something you were

1 specifically told, that U.S. Nuclear had been
2 hired?

3 A. Would you rephrase that question,
4 please.

5 Q. To the best of your recollection,
6 what were you told about why U.S. Nuclear was
7 going to decontaminate the Providencia facility?

8 A. So it could be used for other
9 purposes, I assume.

10 Q. Well, now, is that something that you
11 recall or is that just something you're assuming
12 right now?

13 A. I'm assuming.

14 Q. Do you have any recollection as to
15 what you were specifically told about why
16 U.S. Nuclear was going to -- or intended to
17 decontaminate the property?

18 A. No.

19 Q. Now, do you have any personal
20 knowledge as to whether any steps were taken by
21 U.S. Nuclear to decontaminate the property?

22 A. Yes.

23 Q. And what do you know about that
24 subject of your own personal knowledge?

25 A. You lost me.

1 Q. Okay. All right.

2 MS. HATHAWAY McKEITH: He wants you to tell
3 him about the decommissioning.

4 BY MR. SHIMADA:

5 Q. What do you recall about
6 decommissioning -- the decommissioning of the
7 Providencia property?

8 A. I recall --

9 Q. That you witnessed.

10 A. I recall being there off and on. I
11 recall taking many measurements, many instrument
12 readings, many samples. I recall --

13 Well, that's enough for now.

14 Q. You say you recall being there off
15 and on.

16 A. Yes.

17 Q. Do you recall when you first went to
18 the Providencia facility for the purpose of
19 participating in these activities?

20 A. No.

21 Q. Do you recall for how long a period
22 of time you went to the property off and on to
23 perform the various activities you described?

24 A. A matter of a few months.

25 Q. Do you recall who else was present at

1 the Providencia facility during the time that you
2 went to the property to conduct these activities?
3 Do you recall any names?

4 A. The -- half a building was used by
5 another corporation, the Research Chemicals
6 company, and I believe they were all still there
7 and the names I can remember Nathanson. I can't
8 remember -- the boss's name.

9 Q. Mr. Kleiber?

10 A. Kleiber. Gene -- Cleaver? Cleaver,
11 I think it is, yeah.

12 Q. Anyone else at research chemical you
13 can recall being at the property during this
14 period of time?

15 A. I don't recall any names.

16 MS. HATHAWAY MCKEITH: Nathanson's first
17 name?

18 BY MR. SHIMADA:

19 Q. Do you recall Mr. Nathanson's first
20 name?

21 A. Fred.

22 Q. I'm sorry. Was that Fred?

23 A. Fred.

24 Q. Do you recall the names of any of the
25 individuals that were present on the ISC portion

1 of the property during these activities?

2 A. I don't recall.

3 Q. Do you recall there being an
4 individual who was in charge of these activities
5 at ISC at the Providencia property?

6 A. What activities?

7 MR. PATTERSON: Vague as to activities.

8 BY MR. SHIMADA:

9 Q. During this period of time when you
10 were going to the Providencia facility on -- on an
11 off-and-on basis to take readings and to do other
12 activities, do you recall was there someone
13 supervising -- conducting overall supervision of
14 the work at the Providencia facility?

15 A. I was.

16 Q. Okay. Who did you report to?

17 A. Allen Goldstein.

18 Q. Do you recall who else besides
19 yourself was -- was performing the work?

20 A. I don't recall names. I recall
21 faces. But --

22 Q. Do you recall how many individuals
23 were actually involved in performing the work at
24 the site?

25 A. Well, less than three.

1 Q. Counting or -- counting or not
2 counting yourself?

3 A. Yes.

4 Q. So there's three other persons
5 besides yourself?

6 A. I don't remember how many. I can
7 remember two faces.

8 I can't remember names.

9 Q. Were these two individuals persons
10 who were U.S. Nuclear employees?

11 A. Yes.

12 Q. Had they also been ISC employees
13 during the time you were an ISC employee?

14 A. No.

15 Q. Do you recall whether these two
16 individuals were hired specifically to perform the
17 work at the Providencia facility?

18 A. No. I don't recall.

19 Q. Do you recall ever seeing more than
20 two persons at the Providencia facility performing
21 this work?

22 A. I don't recall.

23 Q. What was the nature of the work that
24 these two persons were doing?

25 A. Mopping, scrubbing. Probably a

1 little jackhammering.

2 Q. Do you specifically recall seeing
3 them mopping and scrubbing?

4 A. No, I don't.

5 Q. Do you specifically recall seeing
6 them doing a little jackhammering?

7 A. No, I don't.

8 Q. Do you have any recollection as to
9 exactly what type of work was being done by these
10 two individuals?

11 A. I'm sorry, I -- your voice did --

12 Q. Right.

13 A. I'm a little bit hard of hearing.

14 Q. My voice is dropping.

15 Do you have any recollection as to
16 exactly what type of activities these two
17 individuals were performing at the Providencia
18 facility during this process?

19 A. I don't recall.

20 Q. Do you recall where at the facility
21 they were performing this work?

22 A. On the isotopes half of the
23 building. Other than that, memory is rather
24 vague.

25 Q. Do you recall seeing these

1 individuals perform work on the outside of the
2 buildings?

3 A. I don't recall.

4 Q. Do you recall seeing these two
5 individuals doing any -- doing any work on the
6 asphalt surrounding the buildings?

7 A. I don't recall.

8 Q. Okay.

9 MS. HATHAWAY McKEITH: John, it's about
10 2:30.

11 Can we take a break?

12 MR. SHIMADA: That's fine.

13 Let's go off the record.

14 THE VIDEOGRAPHER: It's approximately 2:29.
15 This is the end of tape No. 1. We're off the
16 record.

17 (Short recess.)

18 MR. SHIMADA: Back on the record.

19 THE VIDEOGRAPHER: One second.

20 The time is approximately 2:50. This
21 is the start of tape No. 2.

22 We're on the record.

23 BY MR. SHIMADA:

24 Q. Mr. Donelson, before we go on, as
25 part of your deposition, we had served you with a

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1 subpoena that had asked you to bring certain
2 categories of documents.

3 A. Uh-huh.

4 Q. Were you able to find anything in
5 response to that subpoena?

6 A. Not very much.

7 MR. SHIMADA: Let's go off the record.

8 THE VIDEOGRAPHER: Approximately 2:50.
9 We're off record.

10 (Off record discussion.)

11 MR. SHIMADA: Let's go back on the record.

12 THE VIDEOGRAPHER: The time is approximately
13 2:53.

14 We're on the record.

15 BY MR. SHIMADA:

16 Q. We've had a chance to -- or I've had
17 a chance to review the folder that Mr. Donelson
18 brought with him.

19 We'll mark copies of those documents
20 at a later time. Mr. Donelson's been kind enough
21 to consent to leaving the documents here so that
22 we can photocopy them and return the originals to
23 him on Wednesday.

24 Were those the only documents that
25 you were able to find in response to the subpoena?

1 A. Yes.

2 Q. Would you say that those documents
3 could be described as being sales brochures from
4 U.S. Nuclear and from ISC?

5 A. Yes.

6 Q. Now, you've testified that as part of
7 the decontamination activities you were taking
8 instrument readings and samples.

9 A. Yes.

10 Q. What kind of instrument readings were
11 you taking?

12 A. Geiger counter readings, ion chamber
13 readings, scintillation counter readings, all
14 detecting radiation.

15 Q. Now, what type of radiation is
16 detected by a Geiger counter?

17 A. There are several types of Geiger
18 counters.

19 Q. Do you --

20 A. Basically gamma and beta are detected
21 by practically all Geiger counters and alpha
22 contamination does not.

23 But some Geiger counters will detect
24 alpha also.

25 Q. Do you recall whether the Geiger

1 counters that you were using as part of these
2 activities were capable of detecting alpha
3 radiation also?

4 A. No, they were not.

5 Q. Were they limited to detecting gamma
6 and beta radiation?

7 A. Yes.

8 Q. Do you recall the names of the
9 specific Geiger counters you were using?

10 A. The manufacturer you mean?

11 Q. Yes.

12 A. I don't recall specifically.

13 Q. What was the purpose for the ion
14 chamber detectors that you were using?

15 A. Well, measuring radiation levels,
16 external, mostly gamma ray radiation.

17 Q. Do you recall the manufacturer or
18 manufacturers of the ion chambers that you were
19 using?

20 A. I don't recall.

21 Q. What was the purpose for the
22 scintillation chambers that you were using?

23 A. May I digress here a little bit and
24 say there are two types of measurements to take
25 one -- direct measurements where you actually

1 measure a surface of something, and the other is
2 to take what we call wipe samples, which you then
3 take to a laboratory and -- and -- and measure the
4 amount of contamination picked up by the wipe
5 sample.

6 And I believe the alpha scintillator
7 would have been one of the measurements to detect
8 alpha contamination.

9 Q. Now, the Geiger counter is a
10 direct-reading instrument; correct?

11 A. Yes, but it can be also used in a
12 laboratory for measuring samples.

13 Q. Did -- when -- did you use Geiger
14 counters as a direct-reading instrument during
15 this activity at the Providencia facility?

16 A. I -- as I recall, yes.

17 Q. The ion and scintillation chambers,
18 those are all devices used to analyze wipe
19 samples?

20 A. What was the first word now?

21 Q. Ion chamber?

22 A. No. No. Ion chamber generally is
23 not used for wipe samples.

24 Q. What type of -- is the ion chamber
25 also a direct-reading instrument?

1 A. Yes.

2 Q. And you recall using that at the
3 Providencia property?

4 A. Not specifically, but I would guess I
5 did.

6 That's not a good answer, I know.

7 Q. As has been explained to you before,
8 recognizing that this -- we're asking about things
9 that took place sometime ago, it's still important
10 that you testify based on what you recall versus
11 what you suppose happened.

12 A. Yes.

13 Q. Now, do you specifically recall using
14 Geiger counters or a Geiger counter at the
15 property?

16 A. No, I don't specifically recall.

17 Q. Do you recall using an ion chamber at
18 the property?

19 A. That's what you just asked me.

20 Q. No. I asked you about Geiger counter
21 first.

22 A. Yes.

23 Q. Do you recall using a Geiger counter
24 at the property?

25 A. Yes.

1 Q. Okay. Do you recall using an ion
2 chamber --

3 A. No.

4 Q. -- at the property?

5 Now, the scintillation chamber, is
6 that also direct reading or is that also used for
7 wipe samples?

8 A. It can be both.

9 Q. Do you recall using a scintillation
10 chamber at the property?

11 A. No, I don't.

12 Q. As you sit here today, do you have
13 any actual recollection as to the type of
14 instruments you used at the property?

15 A. No, I do not.

16 Q. Now, you've also testified that you
17 took samples at the property.

18 A. Yes.

19 Q. What type of samples do you recall
20 taking?

21 A. Would you explain what you mean by
22 "type"?

23 Q. Okay. When -- these samples, what
24 were you taking samples of?

25 A. Floor, walls, equipment.

1 Q. And in taking these samples, were you
2 wiping the surface of the floors, the walls and
3 the equipment?
4 A. Yes.
5 Q. And what were you wiping the surface
6 of the floors, wall and equipment with?
7 A. Probably some sort of a paper sample
8 type.
9 Q. Do you recall using some sort of
10 sample paper to take --
11 A. Not specifically.
12 Q. -- to take specific wipe samples?
13 A. No.
14 Q. Do you recall wiping the floors, the
15 walls and the equipment with some type of
16 material?
17 A. Yes.
18 Q. And was that material treated with
19 anything prior to wiping the walls or surface?
20 A. I don't recall.
21 Q. Do you recall whether there was any
22 type of solvent used on the material before it was
23 wiped across the surface of the walls, floors and
24 equipment?
25 A. I don't recall.

1 Q. Do you recall how you decided where
2 at the property to take these wipe samples?

3 A. I don't understand your question.

4 Q. Let -- let's talk about the wipe
5 samples that you took of the floors.

6 Okay?

7 A. (No audible response.)

8 Q. How did you decide what parts of the
9 floor to wipe to take the sample?

10 A. How did I decide? Basically I
11 decided to wipe everything, at least a portion of
12 everything.

13 In some areas, I would have taken it
14 more frequently, because I knew to some extent
15 where the radioactive material had been.

16 Q. Now, was it -- is that also true for
17 where on the walls you wiped?

18 A. Yes.

19 Q. Some areas were wiped more frequently
20 than others?

21 A. Yes.

22 Q. Did you, prior to taking these wipe
23 samples, prepare some sort of sampling plan, a
24 plan ahead of time as to where you would take the
25 samples and how frequently --

1 A. I don't recall specifically.
2 Q. -- those areas?
3 Who decided where the wipe samples
4 would be taken?
5 A. I did.
6 Q. In deciding where the wipe samples
7 were to be taken, did you consult with anyone else
8 for their input?
9 A. I don't recall specifically.
10 Q. Do you recall anyone else in addition
11 to yourself having some sort of supervisory role
12 over this work that was done at the Providencia
13 property?
14 A. I don't believe so.
15 Q. After you took these wipe samples,
16 was there a type of container that you put the
17 material into after taking that wipe sample?
18 A. Only ones I can recall are paper
19 envelopes like little -- what do they use those
20 for? Something.
21 They are just little envelope --
22 little envelope like this with flap on it.
23 Q. And you just put the piece of paper
24 in there?
25 A. Yes.

1 Q. Or whatever it was?
2 A. Yes.
3 Q. Were these samples -- were the wipe
4 samples analyzed in the laboratory, offsite
5 laboratory?
6 A. Well, they were probably taken to
7 U.S. Nuclear Corporation and analyzed there.
8 I know that's not a good answer,
9 but --
10 MS. HATHAWAY McKEITH: Why do you --
11 Could we go off the record a second?
12 MR. SHIMADA: Sure.
13 (Off record discussion.)
14 MR. SHIMADA: Go back on the record.
15 MS. HATHAWAY McKEITH: Okay.
16 BY MR. SHIMADA:
17 Q. Do you recall exactly where those
18 wipe samples were analyzed?
19 A. No.
20 Q. Were some of the samples analyzed at
21 the property itself with a Geiger counter --
22 A. Yes.
23 Q. -- or something?
24 Other than wipe samples, was there
25 any other type of sample that you took at the

1 property?

2 A. Not that I recall.

3 Q. Did you take any -- do you recall
4 taking any samples of the -- any soil at the
5 property?

6 A. No, I don't.

7 Q. Do you recall any -- taking any
8 samples of concrete at the property?

9 For instance, taking some chips out
10 of the concrete?

11 A. No, I don't recall.

12 Q. In taking these wipe samples, were
13 you following some sort of established sampling
14 protocol?

15 A. Yes.

16 Q. And what was that protocol that you
17 were following?

18 A. My own.

19 Q. Okay.

20 A. No. There are certain methods in the
21 business that are standard methods. I -- I don't
22 recall what they -- any specifics, but that --
23 that's not -- say it was done according to the
24 standard methods.

25 Q. Do you recall making reference to

1 certain standards before deciding --

2 A. No.

3 Q. -- how to conduct the wipe samples?

4 A. No.

5 Q. Prior to this activity at the
6 Providencia property, had you ever taken wipe
7 samples before as part of the decontamination
8 process?

9 A. Yes.

10 Q. And was that at General Electric?

11 A. Yes.

12 Q. And while you were doing this at
13 General Electric, was it part of actual
14 decontamination work or was it simply being
15 trained in how to do it?

16 A. It was actually decontamination work.

17 Q. And at that time doing that work for
18 General Electric, did General Electric have its
19 own company protocols as to how to conduct that
20 wipe sampling work?

21 A. I don't recall.

22 Q. Do you recall approximately how many
23 wipe samples you took --

24 A. No.

25 Q. -- at the Providencia property?

1 A. No.

2 Q. As part of this work at the
3 Providencia property, do you recall any materials
4 being removed from the property?

5 MR. PATTERSON: Objection; vague.

6 Maybe you can --

7 MR. SHIMADA: Sure.

8 Q. Do you -- as part of this work at the
9 property, do you recall any portions of the
10 structures of the building being removed and taken
11 offsite?

12 A. I don't recall.

13 Q. As part of this work at the
14 Providencia property, do you recall any portions
15 of the structures being torn down?

16 A. I don't recall any.

17 Q. At the time this work was performed,
18 do you recall making reference to any guidance or
19 regulations issued by the Atomic Energy
20 Commission?

21 A. I don't recall.

22 Q. Was there -- let me rephrase that.
23 The purpose in taking the wipe
24 samples was to determine the level of
25 radioactivity on the surface of the particular

1 item that you were sampling; correct?

2 A. That portion of it that is removable,
3 yes.

4 Q. And were there -- was there a cleanup
5 level that you were looking for to see if -- if --
6 the radiation --

7 A. I'm sure there was.

8 Q. -- was at an acceptable level?

9 A. I'm sure there was.

10 Q. Do you recall what that --

11 A. No.

12 Q. -- numeric level was?

13 A. No.

14 Q. Do you recall where you -- how you
15 came to choose that particular standard, whatever
16 it was?

17 A. I would -- to the best of my memory,
18 it was agreed with between the company and the
19 Atomic Energy Commission as to what the levels
20 were to be to be released.

21 Q. Now, is that something that you
22 were -- that you have personal knowledge of?

23 A. Yes.

24 Q. Do you recall being present during
25 discussions between representatives of

1 U.S. Nuclear and the Atomic Energy Commission
2 about a cleanup of the property?
3 A. Yes.
4 Q. Do you recall when the first of these
5 discussions took place?
6 A. No, I don't.
7 Q. Do you recall where the first
8 discussion that you participated in between
9 U.S. Nuclear and the Atomic Energy Commission --
10 A. No.
11 Q. -- took place?
12 Do you recall who was present during
13 this discussion?
14 A. I recall one name, has passed away,
15 Herbert Book.
16 Q. And was Mr. Book with U.S. Nuclear or
17 the Atomic Energy Commission?
18 A. Atomic Energy Commission.
19 Q. So you have a recollection of being
20 present during a discussion at which Mr. Book was
21 also present?
22 A. Yes.
23 Q. Do you recall who else, if anyone,
24 was present at this discussion?
25 A. No.

1 Q. Do you recall whether there were, in
2 fact, other people there?

3 A. No, I don't.

4 Q. Do you recall having a discussion
5 with Mr. Book at this meeting, you personally?

6 A. I don't remember any specifics, but
7 I'm sure I was.

8 Q. Do you have any specific recollection
9 of what was discussed at this discussion with
10 Mr. Book?

11 A. No.

12 Q. Did this discussion with Mr. Book
13 take place before the start of the activities at
14 the Providencia facility that you've described?

15 A. I don't recall.

16 Q. So you don't recall when in the
17 timeline of the work at the facility this
18 discussion took place?

19 A. I would imagine -- no, that's a poor
20 answer.

21 I don't recall specifically --

22 Q. It's okay.

23 A. -- but I would think that --
24 That's not a good answer either.

25 Q. If you don't --

1 A. There would have been several
2 meetings.

3 Q. And you recall several meetings with
4 Mr. Book?

5 A. Not specifically.

6 Q. You recall at least one?

7 A. I don't even recall that.

8 Q. Do you have some recollection of
9 Mr. Book having some involvement with the
10 Providencia facility?

11 A. Yes.

12 Q. And you don't -- do you -- do you
13 have a recollection now as to whether that
14 involvement with the Providencia facility by
15 Mr. Book specifically concerned any
16 decontamination or decommissioning of the
17 facility?

18 A. I don't recall.

19 Q. Do you recall any specific
20 discussions between U.S. Nuclear and the Atomic
21 Energy Commission concerning the decontamination
22 or decommissioning of the Providencia property?

23 A. No, I don't.

24 Q. Do you recall any modifications being
25 made to the structures at the Providencia property

1 during this work?

2 A. Define what you mean by "the
3 structure."

4 Q. Okay. The building, the floors,
5 the -- any asphalt surrounding the property.

6 A. What was the question again?

7 Q. Do you recall any changes being made
8 to that, the structures for the property itself?

9 A. I don't recall.

10 Q. Now, it's your recollection from
11 working at the Providencia property that there
12 were various holes or sumps at the property --

13 A. Uh-huh.

14 Q. -- correct?

15 A. Yes.

16 Q. Do you recall any of those holes or
17 sumps being filled in or otherwise removed during
18 the course of this activity at the site?

19 A. I recall one facility, which we
20 called pool, which was essentially a -- a pool,
21 but deep to provide water shielding for
22 radioactive materials down at the bottom of the
23 pool.

24 And I recall that that was
25 decontaminated and the area filled in.

1 Q. And do you recall -- let me rephrase
2 that.

3 That -- that work that you recall
4 with respect to the pool was performed during this
5 time frame that we've talking about that you were
6 supervising the work --

7 A. Yes.

8 Q. -- at the property?

9 Do you recall what was done to
10 decontaminate the pool prior to it, filling it in?

11 A. There were certain chemical agents
12 that are known to collect certain elements which
13 may be radioactive and it involved an application
14 of solution to the walls of the pool and then
15 removal of that material.

16 Q. So you recall those solutions being
17 applied to the walls of the pool?

18 A. Uh-huh. Yes.

19 Q. Was that work performed by yourself
20 or was that work performed by one or both of these
21 individuals that you've mentioned previously?

22 A. All -- all three I would say.

23 Q. Do you recall actually doing some of
24 that work yourself?

25 A. Yes.

1 Q. And do you recall the nature of the
2 chemical agents that you were using?

3 A. No, I don't.

4 Q. The wall --

5 A. I -- I recall another name that came
6 to my mind.

7 There was a Mr. Newman that came into
8 the picture somewhere, I'm not sure what he was,
9 but he also was the president of a company called
10 Turco, I believe.

11 And that company did a lot of work
12 with chemicals, particularly in the area of
13 removing radioactive contamination.

14 Q. Do you recall Mr. Newman's first
15 name?

16 A. You don't want me to guess.

17 I believe it was Ken. But that's a
18 bad answer, I know.

19 Q. Do you recall how Mr. Newman spelled
20 his name?

21 A. I think the standard way.
22 N-e-w-m-a-n.

23 Q. And he was president of the company
24 called Turco?

25 A. Turco, yeah.

1 Q. How do you spell Turco?
2 A. T-u-r-c-o.
3 Q. And one of their business activities
4 was removing radioactive contamination?
5 A. Yes.
6 Q. Do you recall where --
7 A. I'm sorry. Let me say providing
8 chemicals to do so.
9 Q. And where was that -- where was Turco
10 based?
11 Where was its place of business?
12 A. I don't know.
13 Q. Is it your recollection that during
14 the course of this work Turco supplied some
15 chemicals for use in these activities at the -- at
16 the property?
17 A. Using them? The -- the
18 decontaminating --
19 Q. Yes.
20 A. -- materials?
21 Yes.
22 Q. Getting back to the pool and your
23 work on the pool, do you recall what the walls of
24 the pool were made out of?
25 A. Concrete.

1 Q. And the walls of the pool were --
2 were wiped with some sort of chemical?
3 A. More sprayed than wiped.
4 Q. So the chemicals are sprayed on the
5 walls with what?
6 A. I don't recall.
7 Q. With a hand sprayer or with something
8 more powerful?
9 A. I don't recall.
10 Q. And then the rinse was collected at
11 the bottom of the pool; correct?
12 A. Uh-huh.
13 Q. Yes?
14 A. Yes.
15 Q. And was that pumped out somehow?
16 A. Yes.
17 Q. What was done with the water or the
18 solution?
19 A. It was probably -- it was analyzed,
20 and if considered to be radioactive, it was
21 probably taken to a radioactive waste site.
22 Q. Do you recall at the conclusion of
23 this spraying of liquid on the swimming pool walls
24 taking some sort of radioactive reading from the
25 walls with a Geiger counter --

1 A. Yes.

2 Q. -- some other direct reading

3 instrument?

4 A. Yes.

5 Q. And do you recall there being

6 detectable levels of radiation being present in

7 the walls of the swimming pool following this

8 spraying of the solvents?

9 A. In this business, you never say

10 there's none.

11 Radioactivity is everywhere.

12 Q. Do you recall there being --

13 Do you recall detecting levels of

14 radioactivity in the concrete walls that you would

15 consider to be something other than background

16 radiation?

17 A. Before the decontamination or after?

18 Q. After spraying this liquid on the

19 walls.

20 A. I don't recall specifically.

21 I can only guess, which isn't any

22 good.

23 Q. Do you recall whether you looked for

24 cracks in the concrete walls of the pool?

25 A. I don't recall.

1 Q. Do you recall taking any steps to
2 check whether or not there had been cracks in the
3 walls?

4 A. I don't recall. I can say there was
5 never any sizable cracks, because the pool held
6 water.

7 Q. Do you -- do you recall what that
8 pool was filled in with?

9 A. Dirt.

10 Q. Was some sort of concrete cap placed
11 on the dirt?

12 A. As I recall about it, yes.

13 Q. Do you recall taking any samples of
14 the chip samples or actual physical samples of the
15 concrete walls of the pool and -- and testing
16 those samples for radiation?

17 A. I don't recall.

18 Q. Apart from the pool, do you recall
19 any other holes being filled in at the facility?

20 A. No.

21 Q. Previously you testified that you
22 recalled there being some holes at the facility --

23 A. Yes.

24 Q. -- a recollection that was prompted
25 by this telephone conversation you received from

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1 someone at --

2 A. Yes.

3 Q. -- the property recently.

4 A. Yes.

5 Q. Do you recall what, if anything, was

6 done to those holes?

7 A. I don't recall specifically.

8 Q. Do you recall preparing a written

9 report of the sample results of your wipe samples

10 at the property?

11 A. I don't recall specifically, but I'm

12 almost positive it was done.

13 Q. Why are you almost positive that it

14 was done?

15 A. It's standard practice.

16 Q. Do you recall there being any

17 representatives of the Atomic Energy Commission or

18 any other governmental agency present at the

19 property during any portion of the work that

20 you've been describing this afternoon at the

21 property?

22 A. Yes.

23 Q. Were the -- was this -- was it just

24 one person you recall or more than one?

25 A. Only one I recall is Herbert Book.

1 Q. Now, is it your recollection that
2 Mr. Book -- there was at least one occasion during
3 which Mr. Book was at the property during the time
4 this decontamination work was being conducted?

5 A. Would you repeat that?

6 Q. Do you recall Mr. Book being present
7 during the decontamination work at any time?

8 A. Yes.

9 Q. Do you recall what office Mr. -- do
10 you recall where Mr. Book's office was? What
11 city?

12 A. I believe it was in Walnut Creek,
13 although their offices were in San Francisco at
14 one time.

15 I'm not sure the date that they
16 moved.

17 Q. How many times do you recall seeing
18 Mr. Book at the property during the
19 decontamination process?

20 A. I don't recall how many.

21 Q. But you recall at least one time?

22 A. Yes.

23 Q. Do you recall speaking with Mr. Book
24 on this occasion that he was at the property?

25 A. Yes.

1 Q. What -- do you recall what the two of
2 you discussed?

3 A. I don't recall.

4 Q. Is Mr. Book the only representative
5 of the Atomic Energy Commission that you recall
6 ever being present at the property during the
7 decontamination work?

8 A. None that I recall.

9 Q. How many --

10 A. I believe Mr. Patterson spoke of a
11 Mr. Fish, whose name I remember, but I cannot
12 place him, and he may or may not have been
13 present.

14 He was also with the Atomic Energy
15 Commission.

16 Q. So you recall a Mr. Fish as having
17 worked with the Atomic Energy Commission?

18 A. Yes.

19 Q. And you recall Mr. Patterson at some
20 point in time asking you if you recalled speaking
21 with Mr. Fish?

22 A. I recalled that he said he spoke to
23 Mr. Fish.

24 Q. Do you recall ever personally
25 speaking with Mr. Fish?

1 A. Not specifically.

2 Q. Do you recall how many man-hours were
3 spent on this work that we've been talking about?

4 A. No, I don't.

5 Q. Prior to this work, had you ever
6 supervised the decontamination of a facility?

7 A. A facility?

8 Q. Yes.

9 A. No.

10 Q. Mr. Donelson, I'm going to ask you to
11 take a look at a document. It's just a single
12 page.

13 A. Can I look, too?

14 Q. Yes. It's coming around the table.

15 MR. SHIMADA: For the record, it's a
16 document that's entitled "Figure 1-2, Thomson
17 property facility map."

18 It's taken from the September 1999
19 report by Rodgers & Associates concerning the
20 property.

21 Q. Mr. Donelson, when is the last time
22 you've been to the Providencia property?

23 A. Probably when I was decontaminating.

24 Q. Do you recall when -- when that was?

25 A. We've already gone over that.

1 Q. Okay. Does this diagram correspond
2 with your recollection of the configuration of the
3 property and the various structures of the
4 property?

5 A. Well, I don't -- where it says,
6 "former hot cells," that's what I remember -- I
7 remember what we called the hot lab to be. It
8 doesn't show it like there, it's not there
9 anymore.

10 Q. Do you refer to something you recall
11 being a hot lab being in the area where it
12 indicates here hot cells, former hot cells?

13 A. Former hot cells, yes.

14 Q. Other than that, does this diagram
15 correspond with your recollection of the layout of
16 the property?

17 A. Yes.

18 The half occupied by
19 Richards Chemicals is not shown at all.

20 Q. What type of activities were
21 conducted in the hot labs that you recall?

22 A. Probably fabrication of radioactive
23 sources primarily.

24 Q. Was that work performed in sealed
25 boxes?

1 A. Some.

2 Q. They had what I refer to at least as

3 glove boxes?

4 A. They what?

5 Q. They had glove boxes?

6 A. Yes.

7 Q. In the hot lab area?

8 A. Yes.

9 Q. This diagram shows a feature in the

10 upper right-hand corner of the main building where

11 it says, "CO-60 pool."

12 Do you see that?

13 A. Yes.

14 Q. Is that where you recall the pool

15 being located?

16 A. Yes.

17 Q. And was that pool used to store

18 cobalt?

19 A. Yes.

20 Q. And CO-60 a form of cobalt?

21 A. Yes.

22 Q. And this -- where it shows CO-60

23 pool, that's the location of the pool that you've

24 described as having been cleaned and then filled

25 in with dirt?

1 A. Yes.

2 Q. Now, that built -- this diagram also

3 shows a feature that on this diagram is described

4 as sump with CS-137.

5 Do you see that?

6 A. Yes.

7 Q. Do you recall there being a sump

8 there at the property in that location?

9 A. No, I don't.

10 Q. At the top of the figure where it

11 says, "Bay B," do you see that?

12 "Bay B"?

13 A. Yes.

14 Q. And again, there's a feature being

15 described as "floor sump with thorium material" --

16 A. Yes.

17 Q. -- "was cleaned out"?

18 Do you recall a sump being there?

19 A. I don't recall that bay at all.

20 Q. Do you recall there being a back set

21 of buildings at the property?

22 A. Yes.

23 Q. Do you recall what -- what's your

24 recollection as to the nature of the activities

25 that was conducted in those back buildings?

1 MR. PATTERSON: By ISC?

2 BY MR. SHIMADA:

3 Q. During --

4 MS. HATHAWAY McKEITH: By anybody.

5 MR. SHIMADA: By anybody.

6 THE WITNESS: I recall at one time we had a,
7 what we called a rat facility. When we were
8 irradiating rats.

9 That isn't even shown. I'm sure that
10 was removed by the time this went -- this
11 survey --

12 BY MR. SHIMADA:

13 Q. There's no rat building.

14 A. The other thing I notice there is
15 thorium in Bay B, I don't know -- I don't recall a
16 Bay B, but thorium happens to be one of the
17 materials that goes along with the Research
18 Chemical operations.

19 Thorium is a natural radioactive
20 material.

21 Q. How did you become familiar -- or how
22 did you come to have an understanding that thorium
23 was used in Research Chemicals operations?

24 A. It -- Research Chemicals are very
25 rare and they are found in nature along with

1 thorium ore.

2 Q. Did you ever have a chance to observe
3 the operations that were going on at Research
4 Chemicals?

5 A. No.

6 Q. Did you ever have a chance to talk to
7 anyone at Research Chemicals as to the type of
8 radioactive materials they were handling?

9 A. No.

10 MS. HATHAWAY McKEITH: Can I, just for
11 clarification, when you were saying "rat,"
12 r-a-t --

13 THE WITNESS: R-a-t, rat.

14 MS. HATHAWAY McKEITH: -- are you talking
15 about the rodent rat?

16 THE WITNESS: Yes.

17 MS. HATHAWAY McKEITH: Yes. I see.

18 BY MR. SHIMADA:

19 Q. So they were irradiating laboratory
20 animals?

21 A. Yes. We were.

22 Q. You were?

23 A. Yes. That was over to the left there
24 in one of those bays.

25 Other than that, all I recall is

1 storage back there.

2 Q. Now, the area between the -- what's
3 described as being storage bays and the main
4 building containing the shop area --

5 A. Uh-huh.

6 Q. -- that area right there, was that an
7 asphalt parking surface?

8 A. I believe it was asphalt.

9 I don't know that there was much
10 parking went on there.

11 Q. Was it an asphalt-covered --

12 A. Yes.

13 Q. -- surface?

14 Okay. During the course of your --
15 the work at the property to decontaminate various
16 portions of it, do you recall taking any samples,
17 wipe samples or otherwise of the part -- that
18 asphalt area?

19 A. I don't recall.

20 Q. Do you recall using a Geiger counter
21 or other direct reading instrument in that area
22 behind the shop area?

23 A. I don't recall.

24 Q. Now, to the best of your
25 recollection, what was the -- that asphalt area

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1 used for?

2 A. One corner is not shown in here,
3 Isotopes Specialties had a storage, waste storage
4 area. It was partly underground and partly above
5 ground and, apparently, it's been removed.

6 The rest of it, as far as I can
7 remember, except for that rat facility, was used
8 by Research Chemicals.

9 Q. Where in this asphalt area was this
10 waste storage area that you've made reference to?

11 A. Right behind the building in the
12 corner where it says, "Cobalt 60," in that area
13 right there.

14 Q. So within the southwest portion of
15 the asphalt area?

16 A. I can't see what -- I can't see the
17 north arrow on this thing.

18 MS. HATHAWAY MCKEITH: Oh, north is to --

19 BY MR. SHIMADA:

20 Q. This map is unusual. North is not to
21 the top.

22 It's to the left.

23 A. North is to the left.

24 So that would be in the south --

25 Q. -west corner?

1 A. -west corner, yes.

2 Q. And you say that this waste storage

3 area was partly underground?

4 A. Yes.

5 Q. Could you describe the configuration

6 for me?

7 A. It was probably about three feet

8 deep, oh, I can't guess at the lateral

9 dimensions. It had a wall of dirt surrounding it

10 about two feet thick.

11 Q. So this was a three-foot deep hole in

12 the asphalt?

13 A. Yeah, concrete lined, yes.

14 Q. So it was a -- it was three feet deep

15 and lined with concrete?

16 A. Yes.

17 Q. And then around the rim of this hole,

18 there was a two-foot thick dirt wall?

19 A. Uh-huh.

20 Q. Yes?

21 A. Yes.

22 Q. How high was this dirt wall?

23 A. Five feet. In the order of five

24 feet, approximately.

25 Q. What type of materials were -- were

1 stored, to your recollection, in this area?

2 A. Waste.

3 Q. Do you recall what was done with

4 the -- do you recall if anything was done with

5 this hole during the decontamination activities

6 you've described?

7 A. Well, I recall a lot of waste was

8 removed and was surveyed. But that's -- that's

9 about it.

10 Q. Is it your recollection that when

11 the -- your activities at the property started

12 there was still some waste containers in that

13 area?

14 A. Yes. In fact, we made more in the

15 decontamination process.

16 Q. The waste that you generated from the

17 decontamination process, did that include liquid

18 that had rinsed off from surfaces like the pool

19 that you washed?

20 A. Any liquid at that time had to be

21 absorbed in some material so we had no liquid

22 waste as such.

23 So I don't recall how it was disposed

24 of, but I think it must have been taken up in some

25 form.

1 Q. Do you have a recollection of some
2 sort of an absorbent material being used?

3 A. I don't recall exactly what it is
4 right now.

5 Q. Do you recall what type of materials
6 were -- what type of waste materials were
7 generated as part of the decontamination?

8 A. Oh, floor scrapings, in addition to
9 the pool water I'm talking about, sweepings.
10 There may have been some concrete chipping, I
11 don't recall.

12 Q. Do you recall in this waste storage
13 area that the con- -- that this concrete-lined
14 hole was filled in in some manner?

15 A. I don't recall that. It certainly
16 doesn't show it here.

17 Q. You said that the waste area was
18 assayed?

19 How was it assayed?

20 A. The same as the rest of the building.

21 Q. With?

22 A. With wipe samples and direct
23 readings.

24 As I recall, I started to say there
25 was not much contamination in that area. Ever.

1 Q. The sweeping and scrubbing process
2 that you've described, did that also -- did that
3 include removal of some layer of the -- of
4 concrete also?

5 A. Not specifically a layer. There may
6 have been spots in small areas.

7 Q. The spots being loose concrete that
8 might have --

9 A. No.
10 Loose concrete that we generated by
11 removing it.

12 Q. Do you recall there being areas --
13 Do you have a specific recollection
14 of some areas of concrete having a layer of it
15 removed --

16 A. No.

17 Q. -- during this process?

18 A. I don't.

19 Q. Do you recall how many -- the waste
20 that was generated from this process, was it put
21 in 55-gallon size drums?

22 A. Yes.

23 Q. Do you recall how many drums were
24 generated as part of this process?

25 A. No.

1 THE WITNESS: I'm going to need a break.

2 MS. HATHAWAY McKEITH: Thank you.

3 I didn't want to be the one this time
4 who insisted.

5 THE VIDEOGRAPHER: The time is approximately
6 3:52.

7 We're off the record.

8 (Off record.)

9 THE VIDEOGRAPHER: Okay. One moment.
10 The time is approximately 4:08.
11 We're on the record.

12 BY MR. SHIMADA:

13 Q. Mr. Donelson, do you recall where the
14 drums containing the waste from the
15 decontamination process was sent?

16 A. The best I recall they were sent to a
17 waste disposal company.

18 I believe their name was California
19 Salvage Company.

20 Q. Do you recall where this company was
21 located?

22 A. In -- I know. San Pedro.

23 Q. Do you recall what was done --
24 Do you have an understanding as to
25 what was done with this waste material by

1 California Salvage?

2 A. I believe at that time it was legal
3 and permissible to take it out in the ocean and
4 dump it.

5 Now, the time frame somewhere along
6 there that disposal method was stopped, but at
7 that time I believe that's where it went.

8 Q. Apart from the two individuals whose
9 names you can't recall and yourself, were there --
10 did you ever see any other persons employed by
11 U.S. Nuclear at the Providencia property during
12 this decontamination activity?

13 A. I don't recall.

14 Q. Do you recall, for example,
15 Mr. Goldstein ever being present during this
16 process?

17 A. I don't recall specifically.

18 MR. SHIMADA: Before I forget, I'll ask the
19 reporter to mark this Figure 1-2 as Exhibit 3 to
20 the deposition.

21 (Deposition Exhibit 3
22 was marked for identification and is
23 annexed hereto.)

24 BY MR. SHIMADA:

25 Q. At the time this work was being

1 performed at the Providencia facility, do you
2 recall whether U.S. Nuclear had its own internal
3 company guidelines for the decontamination or
4 decommissioning of facilities?

5 A. I don't recall.

6 Q. The Figure 1-2, Exhibit 3, shows an
7 area called "Tritium & C-14 Labs."

8 Do you see that?

9 A. Yes.

10 Q. Do you recall work involving Tritium
11 and Carbon 14 being performed in that area?

12 A. Yes, I recall it was done.

13 I had very little to do with it.

14 Q. Do you recall what type of sampling,
15 if any, that you performed in that Tritium & C-14
16 Lab area during this decontamination process?

17 A. The same as in the rest of the
18 building.

19 Q. And that is wipe samples of some
20 sort?

21 A. Wipe samples, direct measurements,
22 yes.

23 Might explain the Tritium and Carbon
24 are very low level in their radiation output so
25 that they don't require any shielding or anything

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1 like that.

2 Q. And as you sit here today, you don't
3 have any specific recollection of the number of
4 wipe samples you took in the Tritium --

5 A. No, I do not.

6 Q. -- and C-14 areas?

7 And as you sit here today, you don't
8 have any specific recollection as to where in
9 those labs you actually took those samples?

10 A. No, I do not.

11 Q. Do you recall the nature of any
12 sweeping and scrubbing that was done in the
13 Tritium & C-14 Labs?

14 A. Not specifically.

15 Q. Do you recall removing -- having any
16 equipment removed from those labs and taken
17 offsite?

18 A. Not that I recall.

19 Q. The -- Exhibit 3 shows an area
20 entitled "QA Lab" next to the Tritium & C-14
21 Labs.

22 Do you see that?

23 A. Do I have that?

24 Q. Yes. It's kind of small. It's
25 immediately to the left.

1 A. Excuse me. Would you ask the
2 question again?

3 Q. I wanted to direct your attention to
4 where it says, "QA Lab." To the left.

5 A. QA Lab. Okay. Yes.

6 Q. Do you recall there being a quality
7 assurance laboratory in that area?

8 A. I recall I've been in an area there.
9 What was in it, I don't recall.

10 Q. And, again, do you have any
11 recollection of the number of samples or the
12 location of the samples that, if any, that you
13 took in the QA Lab area?

14 A. No, I do not.

15 Q. And likewise, is it true that you
16 have no recollection of what type of cleaning
17 activity was performed, if any, in that
18 laboratory?

19 A. That's right. No, I don't.

20 Q. Immediately to the east or just
21 directly above on this figure of the Tritium &
22 C-14 Labs, there's an area called "Cooler."
23 Do you see that?

24 A. I see it.

25 Q. What was that area used for, to your

1 recollection?

2 A. I don't recall.

3 Q. You recall -- and again, is it true
4 that you don't recall the number of samples or the
5 location of any sampling that you may have done in
6 that area?

7 A. That's correct.

8 Q. And is it also true that you don't
9 recall any -- the nature of any cleanup that may
10 have been performed in that area?

11 A. I don't recall.

12 Q. Now, the area described in this
13 figure as being the "Shop Area," do you see that?

14 A. Yes.

15 Q. What kind of operations were
16 conducted in that area?

17 A. Lathes, mill work, probably some
18 welding, some shop type work.

19 Q. That was work that did not involve
20 the handling of radioactive materials?

21 A. That's true of many cases, the items
22 were being constructed to house radioactive
23 material but it was not handled in there.

24 Q. You don't recall -- isn't it true
25 that you don't recall whether you took any samples

1 in that area and, if so, the number or the
2 location?

3 A. I don't recall.

4 Q. So that's a true statement?

5 A. Yes.

6 Q. And -- and likewise, you don't recall
7 what type of cleaning, if any, was done in that
8 area, is that true?

9 A. That is correct.

10 Q. The area that's described here as
11 being "Former Hot Cells" but you recall as
12 everything to the hot labs --

13 A. Yes.

14 Q. -- is it accurate to say that, again,
15 you do not recall the number of samples or the
16 location of the samples that you took in that
17 area?

18 A. That's correct.

19 Q. And likewise, you do not recall the
20 nature of whatever cleaning was done in that area?

21 A. That's correct. I recall a little
22 bit.

23 Q. What do you recall?

24 A. When we started operations in the hot
25 lab, we covered the walls with plastic. All the

1 walls and the ceiling.

2 And that was removed, of course,
3 during the decontamination work.

4 Q. Do you recall the nature of the
5 plastic that was removed?

6 A. Polyethylene.

7 Q. Do you recall how many -- how thick
8 it was?

9 A. No.

10 Q. Was this a -- a coating that was
11 applied or were they actual sheets of --

12 A. Sheets.

13 Q. -- polyethylene?

14 How were the sheets attached to the
15 walls?

16 A. I don't recall.

17 Stapled.

18 Q. And it's your recollection that those
19 sheets were removed during the course of this
20 work?

21 A. Yes.

22 Q. And what was done with those sheets?

23 A. Went to the waste.

24 Q. Apart from the removal of those
25 sheets, do you recall the nature of any other

1 cleanup that might have been done in those hot
2 labs or hot cells?

3 A. Scrubbing and mopping is all I
4 recall.

5 Q. Was a particular type of scrubbing
6 material you used during the process of scrubbing
7 the facility?

8 A. General household cleaners, I would
9 think. Bon Ami.
10 I don't really recall specifically,
11 though.

12 Q. So you recall some sort of cleaning
13 product being used --

14 A. Yes.

15 Q. -- in addition to whatever was being
16 used to scrub?

17 A. I'm sure the material they used to,
18 when they sweep large areas, whatever it is, oil
19 impregnated --

20 What do you call that? Do you know
21 what I'm talking about?

22 Q. A sweeping compound?

23 A. Yes, a sweeping compound.

24 Q. So do you recall a sweeping compound
25 being used?

1 A. Yes.

2 Q. Do you recall the nature of that

3 compound?

4 A. No. No.

5 Q. Do you recall --

6 Do you recall what was actually used

7 to perform the scrubbing? Was it a brush, a

8 sponge?

9 What was used to do to the scrubbing

10 that you recall?

11 A. Brush, mop, broom.

12 Q. All of the above?

13 A. Yes.

14 MS. HATHAWAY MCKEITH: High tech. High

15 tech.

16 THE WITNESS: Real.

17 BY MR. SHIMADA:

18 Q. The workers that were doing this

19 work, the scrubbing and the sweeping, were they

20 wearing any kind of protective clothing?

21 A. As I recall they were, yes.

22 Q. What were they wearing?

23 A. Coveralls. It was considered dust --

24 dusted -- to be dusty, we wore masks of some

25 sort. Probably some sort of shoe covering, I

1 don't remember what.

2 Q. Did they wear any kind of
3 dosimeters?

4 A. Oh, yes.

5 Q. And was it your response -- one of
6 your responsibilities to review those dosimeters
7 on a regular basis?

8 A. Yes. Focimeter.

9 Q. Focimeter.

10 There is an area on Exhibit 3
11 entitled "former thorium operations area."

12 Do you see that?

13 A. Yes.

14 Q. What is your recollection as to the
15 nature of the activities that were conducted in
16 that area?

17 A. I believe that is a mistake.

18 Q. What --

19 A. I can't remember any thorium
20 operations going on.

21 Q. What do you recall taking place in
22 that area of the facility?

23 A. I can't really recall.

24 I almost seem to remember that the
25 hot lab, as I called it, where it says hot cells,

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1 went all the way to the wall.

2 Q. Which wall?

3 A. The left in the picture.

4 Q. Across the area denominated on this

5 as being the shop area?

6 A. Yes.

7 Q. Was the asphalt area behind the

8 shop -- between the bays and the main building

9 swept, to your recollection?

10 A. Sorry, I don't recall.

11 Q. Do you recall any kind of cleaning

12 being done in that area?

13 A. I recall making surveys. We may have

14 found a few spots and took up some asphalt, I

15 don't recall specifically.

16 That would be the standard way of

17 doing it.

18 Q. But you don't recall whether, in

19 fact, you --

20 A. I don't.

21 Q. -- actually dug up any asphalt?

22 A. No, I don't.

23 Q. Did you, as part of your activities

24 at the property, take wipe samples of the exterior

25 walls of the building?

1 A. I don't recall if we did.

2 Q. Do you recall using a direct reading
3 instrument to conduct a survey of the exterior
4 walls of the building?

5 A. I don't recall.

6 Q. The area that is described as storage
7 bays, do you recall whether you took samples in
8 that area?

9 A. Which area?

10 Q. The storage -- what's depicted here
11 as storage bays, those back buildings.

12 Do you recall whether you took any --

13 A. I don't --

14 Q. -- samples of that?

15 A. I don't recall.

16 I don't recall that there was ever
17 any loose radioactive materials out there from the
18 Isotopes Specialties part.

19 I can't vouch for Research Chemicals.

20 Q. Now, there was -- there were labs
21 being irradiated --

22 A. Yes.

23 Q. -- back there?

24 A. A short-term project.

25 Q. So it's possible that you didn't take

1 samples back there?

2 Is that what you're saying?

3 A. I don't recall.

4 Q. And likewise, you don't recall, what,
5 if any, cleaning activities were performed in
6 those back buildings?

7 A. I don't recall.

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

9 THE VIDEOGRAPHER: It's approximately 4:26.
10 We're off the record.
11 (Off record discussion.)

12 THE VIDEOGRAPHER: Okay. One moment.
13 The time is approximately 4:29.
14 We're on the record.

15 MR. SHIMADA: It's been decided that the
16 deposition will resume on Wednesday at 10 o'clock,
17 and that at the conclusion of that session we'll
18 enter into the appropriate stipulation concerning
19 preparation of the transcript and the like.
20 But today's session is concluded.

21 THE VIDEOGRAPHER: Approximately 4:29.
22 It's the conclusion of tape 2 of 2 in
23 Volume 1 in the deposition of Richard Donelson.
24 We're off the record.
25 (TIME NOTED: 4:29 P.M.)

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I declare under penalty of perjury
under the laws of the State of California
that the foregoing is true and correct.

Executed on _____, 1998,
at _____, California.

SIGNATURE OF THE WITNESS

1 STATE OF CALIFORNIA)
2) ss:
3 COUNTY OF LOS ANGELES)
4

5 I, MARCELINE F. NOBLE, C.S.R. No. 3024, do
6 hereby certify:

7 That the foregoing deposition of Richard Donelson
8 was taken before me at the time and place
9 therein set forth, at which time the
10 witness was put under oath by me;

11 That the testimony of the witness and all
12 objections made at the time of the examination
13 were recorded stenographically by me, were
14 thereafter transcribed under my direction and
15 supervision and that the foregoing is a true
16 record of same.

17 I further certify that I am neither counsel
18 for nor related to any party to said action, nor
19 in any way interested in the outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name
21 this 8th day of October , 1999.

22

23

24

25



MARCELINE F. NOBLE, C.S.R. No. 3024

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DEPOSITION EXHIBITS

RICHARD DONELSON

NUMBER	DESCRIPTION	IDENTIFIED
1	Nine-page document entitled, "Isotopes Specialties Company, Inc., Administrative Procedures," dated August 20, 1958.	67
2	Two-page letter dated January 13, 1961, to James Mason from Allen Goldstein.	69
3	One-page document entitled, "Figure 1-2 Thomson property facility map."	122

ERRATA SHEET

Pursuant to the Federal Rules of Procedure and the California Code of Civil Procedure, any changes in form or substance you wish to make to your deposition testimony shall be included in the deposition transcript. Should you have any corrections, please enter them below.

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