

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

IN RE:

DUKE POWER COMPANY, et al.  
(Catawba Nuclear Station,  
Units 1 and 2)

Docket Numbers

50-413

50-414

II  
Johnson / S. Goldberg  
Gray  
FF

MAY 19, 1983  
6:00 P.M.

DEPOSITION OF:

WILLIAM RONALD McAFEE

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PDR FOIA  
AHLERS83-434 PDR

A9



## LAWYER'S NOTES

[illegible]

1  
2 APPEARANCES:3 ROBERT GUILD, ESQ.  
4 Charleston, South Carolina5 Counsel on Behalf of Intervenor Palmetto Alliance,  
6 Incorporated7 DEBEVOISE & LIBERMAN, ESQS.  
8 Washington, D.C.9 BY: J. Michael McGarry III, Esq.  
10 and Anne W. Cottingham

11 ALBERT V. CARR, JR., ESQ.

12 RONALD L. GIBSON, ESQ.  
13 Charlotte, North Carolina

14 Counsel on Behalf of Applicant Duke Power Company

15 GEORGE E. JOHNSON, ESQ.  
16 Office of Executive Legal Director  
17 Washington, DC

18 Counsel on Behalf of Nuclear Regulatory Commission

## 19 ALSO PRESENT:

20 Jennifer Phillips  
21 Government Accountability Project22 Betsy Leviticus  
23 Carolina Environmental Study Group24 Maureen O'Brien  
25 Catawba ActionRoger W. Ouellette  
Duke Power CompanySteve Alexander  
Duke Power CompanyJames Allgood  
Duke Power CompanyGeorge Grier  
Duke Power Company

## 1 ALSO PRESENT:

2 Michael F. Lowe  
3 Palmetto Alliance, Incorporated

4 Lee Ann Kornegay  
5 Electronic Recorder  
6 Palmetto Alliance; Incorporated.

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9 <u>Witness</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>
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1           The Deposition of William Ronald McAfee is taken at  
2 the offices of Duke Power Company, Charlotte, North Carolina,  
3 on this the 19th day of May, 1983, in the presence of Robert  
4 Guild, Counsel on Behalf of Palmetto Alliance, Incorporated;  
5 J. Michael McGarry, III, Anne W. Cottingham, Albert V. Carr, Jr.,  
6 and Ronald L. Gibson, Counsel on Behalf of Duke Power Company;  
7 and George E. Johnson, Counsel on Behalf of The Nuclear Regula-  
8 tory Commission.

9           It is agreed that Lynn B. Gilliam, Notary Public in  
10 and for the State of North Carolina, may take said deposition  
11 in machine shorthand and transcribe the same to typewriting.

12  
13           WILLIAM RONALD McAFEE,  
14 having been first duly sworn to tell the truth, was examined  
15 and testified as follows:

16           MR. McGARRY: Would you please state your full name  
17 for the record?

18           THE WITNESS: William Ronald McAfee.

19           MR. McGARRY: Mr. McAfee, today we are taking your  
20 deposition pursuant to a Notice of Deposition of May 4, 1983.  
21 That Notice indicated that your Deposition will be taken on  
22 Thursday, May 18. That was a typographical error, it was Thurs-  
23 day, May 19.

24           That Notice of Deposition reflected that the deposition  
25 be taken in Columbia, South Carolina. However, in discussions

1 with your Counsel, your preference to have your deposition taken  
2 after work was made known to us; and in accommodation to you,  
3 we are taking the deposition.

4 I would like the Record to reflect who is in attendance.

5 (Whereupon, those in attendance made their identity  
6 for the Record as follows:)

7 MR. GUILD: Robert Guild, Counsel for Palmetto  
8 Alliance, Intervenor in the Proceeding.

9 MR. GIBSON: Ronald Gibson, Counsel for Applicants.

10 MR. CARR: Albert Carr, Counsel for Applicants.

11 MR. McGARRY: Michael McGarry, Counsel for Applicants.

12 MR. JOHNSON: George Johnson, Counsel for the NRC  
13 Staff.

14 MS. PHILLIPS: Jennifer Phillips, Government Accounta-  
15 bility Project.

16 Ms. LEVITICUS: Betsy Leviticus, Carolina Environmental  
17 Study Group.

18 MS. O'BRIEN: Catawba Action.

19 MR. OULLETTE: Roger Oullette, Duke Power.

20 MS. COTTINGHAM: Anne Cottingham, Counsel for the  
21 Applicants.

22 MR. ALLGOOD: James Allgood, Duke Power, Catawba.

23 MR. ALEXANDER: Steve Alexander, Construction Depart-  
24 ment at Catawba.

25 MR. GRIER: George Grier, Corporate Q.A. Manager, Duke.

1 MR. MCGARRY: Let the Record show that there are no  
2 other individuals present in this room.

3 Before we start the Deposition, I think it would be  
4 appropriate to get ground rules straight. First of all, you  
5 ought to be aware this Deposition is being taken pursuant to  
6 10-CSR.

7 Your testimony is under oath; this Deposition may be  
8 used in either Discovery by Applicant, or Palmetto Alliance;  
9 or it may, at our election, be used in Evidence at the Hearing.

10 At the completion of this Deposition you will be  
11 furnished a copy of the Deposition to correct it for any typo-  
12 graphical errors, not for substantive errors.

13 Throughout the course of this Deposition, if you have  
14 any changes in your testimony, this is the time to make those  
15 changes.

16 I want to make sure you understand any questions that  
17 are asked of you; if you don't understand, ask me to repeat.  
18 With respect to answers, nodding will not suffice. The Court  
19 Reporter and the tape recording will have to pick up the verbal  
20 response.

21 THE WITNESS: I understand.

22 MR. MCGARRY: Let's get into the Deposition.

23 DIRECT EXAMINATION

24 BY MR. MCGARRY:

25 Q Where do you live?

A Route One, Box 69; York, South Carolina 92745.

1 Q How long have you resided at that address?

2 A Approximately three years.

3 Q Before that time what was your address?

4 A 2161, India Rock Road, Rock Hill, South Carolina, 29730.

- 5 Q How long did you reside at that address?

6 A Approximately two years.

7 Q What is your educational background?

8 A Graduate 1972 York High School; 1975 BA, Gardner Webb  
9 College. I did graduate work at Vanderbilt University in the  
10 area of the Old Testament.

11 Q Where is Gardner Webb?

12 A Boiling Springs, North Carolina.

13 Q And your major?

14 A Biblical Literature and Languages.

15 Q Would you describe your college education; is that  
16 Liberal Arts education?

17 A Yes.

18 Q Did you focus on scientific courses?

19 A No.

20 Q Were you in the Service?

21 A No.

22 Q Did you attend any technical schools?

23 A No.

24 Q What jobs have you held?

25 A Well, I was an assistant to the Hebrew Professor at

1 Gardner Webb for two years. After that --

2 Q Let me stop there, that job would entail assisting  
3 him in Hebrew studies?

4 A Assisting him as his secretary, and also teaching  
5 assisting.

6 Q In Hebrew studies?

7 A Hebrew studies and Biblical studies.

8 Q That was approximately what years?

9 A That was '73 to '75.

10 Q And the reason for leaving?

11 A The reason for leaving, I graduated.

12 Q What was your next job?

13 A Well, I had several sales jobs when I was in graduate  
14 school in Nashville, Tennessee. None for very long, they were  
15 all just part-time jobs. Would you like me to be more specific?

16 Q Start with an example and we will make that determina-  
17 tion.

18 A For example, I sold pre-need cemetery spaces.

19 Q For how long a period of time?

20 A Six months.

21 Q Why did you quit that job?

22 A Well, I went home for the summer. I went back to  
23 South Carolina.

24 Q So we have a complete record, what other jobs have  
25 you had?

1           A     Okay, after quitting Graduate School in December of  
2     '76 I began work for Duke Power Company as a Utility Worker  
3     March 29, 1977. I was Utility Worker in various capacities.  
4     I poured concrete, I cleaned concrete forms; and then I became  
5     pre-pour runner for the Utility Department. Then I eventually  
6     became a Secretary for the Utility Department Office. Then I  
7     was transferred to the Electrical Quality Control Group, where  
8     I worked for approximately nine months until I quit. Since  
9     then --

10          Q     Let me ask you to slow down for a minute. You left  
11     Vanderbilt in December of '76, and you began work for Duke in  
12     March of '77; Right?

13          A     In the meantime, excuse me, I did substitute teaching  
14     for York School District Number One, York, South Carolina.

15          Q     What was the subject?

16          A     Substituting was anything and everything.

17          Q     What grade?

18          A     Nine through twelve.

19          Q     Did you substitute very often?

20          A     From three to four days a week.

21          Q     Now, you were moved pretty quickly once you got to  
22     Duke; but as I understood it the first job was pouring concrete,  
23     the second job was pre-pour runner, Secretary to the Utility  
24     Department Office; and number four job was Electrical Quality  
25     Control Group. Is that correct, there were four different jobs



1 you held while at Duke Power Company?

2 A Correct.

3 Q You left Duke Power Company; Is that correct?

4 A That's correct.

5 Q When?

6 A March 16, '78.

7 Q Why did you leave?

8 A I was very concerned about nuclear technology in  
9 general and even more concerned about the way Duke Power was  
10 building their nuclear plants.

11 Q Are you a member of Palmetto Alliance?

12 A Yes.

13 Q What is Palmetto Alliance's Charter, if it has one?

14 A I'm not familiar with the specifics.

15 Q If someone asked you what does Palmetto Alliance stand  
16 for, what does it represent or what are its goals, how would  
17 you respond?

18 A They are a consumers group which advocates alternative  
19 forms of energy and is opposed to nuclear generated electricity.

20 Q Does Palmetto Alliance want to see Catawba built?

21 A I can't speak for the organization.

22 Q Do you want to see Catawba built?

23 A No.

24 Q Why don't you want to see Catawba built?

25 A Because I think if it is built completely and put on

1 line, it will represent a public health hazard, whether it op-  
2 erates correctly, in quotes, or in the case of an accident it  
3 would be a much greater hazard.

4 Q So your concern is one of health effects from routine  
5 and accidental releases; Is that correct?

6 A Yes, and if I might add, the reason I'm concerned  
7 about the routine operations of the plant is because there were  
8 things that went on there when I was employed there which were  
9 not according to NRC Regulations and were not according to  
10 OSHA Safety Standards. And the reason I bring in OSHA is be-  
11 cause it is very hard to weld a pipe when you are up on a shaky  
12 scaffold and weld it correctly.

13 Q Did you build scaffolds?

14 A No.

15 Q Did you weld?

16 A No, I didn't. It is very hard to inspect a cable  
17 tray hanger on a shaky scaffold. Whereas I did not build scaf-  
18 folds, I know when I'm standing on a shaky scaffold.

19 Q Are you a member of any other group aside from Palmetto  
20 Alliance?

21 A Any other group as far as --

22 Q Similar nature to Palmetto Alliance?

23 A I am a member of Catawba Action.

24 Q What is Catawba Action?

25 A We are a local York County group basically concerned



1 about the Catawba Plant and this construction operation.

2 Q Does that group want to see Catawba built?

3 A I cannot speak for the group.

4 Q Are you a member of any other group.

5 A No.

6 Q Are you a member of any professional organization?

7 A No.

8 Q Do you recall preparing an Affidavit that was used  
9 in the original Petition to Intervene by Palmetto Alliance in  
10 this case?

11 A Yes.

12 Q I hand you a copy of the Affidavit of William R. McAfee  
13 dated July 22, 1981, which was appended to Palmetto Alliances'  
14 initial Petition to Intervene. Does that document appear to be  
15 a copy of the Affidavit I made reference to?

16 A Yes.

17 Q Did you prepare that Affidavit?

18 A Yes.

19 Q Did you receive assistance in preparing that Affidavit?

20 A Assistance in what manner?

21 Q Did you discuss the language of that Affidavit with  
22 any individual?

23 A As far as the language, No.

24 Q Did you discuss preparation of that document with  
25 any individuals?

1 A I read affidavits which had been prepared in the  
2 summer Nuclear Licensing Case, and got a basic format.

3 Q Did you write that Affidavit yourself without assis-  
4 tance of any other individual?

5 A I did.

6 Q Are you familiar with that Affidavit today?

7 A I can't quote it.

8 Q Take a minute and read it, would you please (indicat-  
9 ing)?

10 A Sure.

11 Q Does that Affidavit properly reflect your views with  
12 respect to the construction of Catawba?

13 A At that time, yes.

14 Q Do you have any other concerns concerning the construc-  
15 tion of Catawba?

16 A Are you wanting me to get very specific as far as  
17 exactly where my concerns lie?

18 Q Yes.

19 A Okay, do you want me to get specific, I'll be glad  
20 to: While I was pre-pour runner I witnessed concrete poured  
21 in downpours of rain with no rain protection. As I said, I  
22 was pre-pour runner. I went up to the pour, the concrete on  
23 the reactor building One containment. The concrete had too  
24 much water in it by anyone's reasonable standards. It didn't  
25 look like concrete. It had water floating on top of the concrete,

1 and I'll say here I'm not a concrete inspector, but reason should  
2 prevail. Also, as a pre-pour runner on occasion the Q.A. Depart-  
3 ment, which at that time was separate from the Q.C. Department,  
4 waived requirements on concrete forms in order to let the Construc-  
5 tion Department make the pours, even though the requirements were  
6 not met.

7           Okay, after I became a Quality Control Inspector I  
8 witnessed a lot of work and very large percentage work, not a  
9 major, but a large percentage of work which was not done correct-  
10 ly the first time because the construction personnel were not,  
11 in many cases, informed how to do the work.

12           There are construction procedures which the construction  
13 craft people are supposed to follow. For instance, in installing  
14 anchor bolts, we got lectures on the construction procedures.  
15 Unfortunately, apparently the craft people did not, whereas we  
16 knew how to install them from our inspections. In the cases,  
17 the craft people did not how to install them.

18           In one particular case I went down to inspect a cable  
19 tray support in Reactor Building One Pipe Checks. We were told  
20 by the Welding Foreman, Cecil Cox, these cable tray supports were  
21 finished and ready for inspection. We went down to inspect them  
22 and found an anchor bolt which we could not verify the length of.  
23 As a result of that we went back up to the Quality Control Shack  
24 and mentioned that we were naturally going to write an NCI on  
25 it.

1           One of my supervisors, Jim Allgood, told me to wait  
2 a minute, he wanted to check it out. He went down and checked  
3 it out and said he could determine a marking on it. I said  
4 "Well, if you can determine a marking on it you sign it; you  
5 are certified." At that point he said "Well, we will do an  
6 x-ray or radiograph or whatever." So I said "Fine."

7           The next day I was told that the test had been done  
8 and that the anchor bolt was, in fact, long enough.

9           Q     It was or was not?

10          A     It was; when I asked to see the evidence I was told  
11 on no uncertain terms that I was a smart ass. And I have yet,  
12 to this day, to see any evidence that that concrete anchor bolt  
13 is the length it is supposed to be. I do not know if the anchor  
14 bolt was ever verified as to its length or whether it was ever  
15 corrected if it was not long enough.

16          Q     Is that it?

17          A     May I refer to some notes, please.

18          Q     Sure.

19               MR. GUILD: Counsel, let me say if you want to  
20 rely on Mr. McAfee's recollection or unprompted by  
21 documents that you obviously have available to you,  
22 that is fine; but of course, there are a number of  
23 documents that have already been provided to the  
24 Applicants in response to Discovery. If you want to  
25 ~~allow him to refresh his recollection he may be able~~

1 to address some other points.

2 MR. McGARRY: We may get into that, but now I  
3 want his specific recollection of those incidents that  
4 were of concern to him while at Duke Power Company.

5 MR. GUILD: On the Record, I will ask that he  
6 not refer to the notes, but just his recollection.

7  
8 BY MR. McGARRY:

9 Q Do you recollect any other instances that were of  
10 concern to you?

11 A I was very concerned about important document control  
12 or inadequate document control, I should say, in that quite often  
13 we went down to inspect work which was done on the basis of super-  
14 ceded prints, prints that have been revised. These prints were  
15 never supposed to have been in the field unless they were super-  
16 ceded; and that is the best of my recollection at this time.

17 Q You have been aware that your Deposition was going  
18 to be taken for now some ten-plus days; Is that correct?

19 A Yes.

20 Q Have you reflected, in preparation for this Deposition,  
21 as to your concerns regarding matters you observed while employed  
22 at Duke Power Company?

23 A Yes, sir.

24 Q Are the instances that you have now related the sum  
25 and substance of your recollection?



1 A At this time, yes.

2 Q With regard to the Affidavit, how did you become in-  
3 volved in this case?

4 A Well, I read in the Evening Herald Newspaper that we  
5 had ten days to Intervene in the Catawba License; and at that  
6 point I contacted Bob Guild, Attorney for Palmetto Alliance, in  
7 reference to whether Palmetto Alliance would be interested in  
8 Intervening and to find out the process whereby we would Inter-  
9 vene.

10 Q Were you a member of Palmetto Alliance at that time?

11 A No.

12 Q When did you become a member of Palmetto Alliance?

13 A In July, it's July of '81.

14 MR. GUILD: The year is in the Affidavit, is in  
15 the document, I think.

16 MR. CARR: Let him testify.

17

18 BY MR. McGARRY:

19 Q I hand you a copy of Palmetto Alliance's original  
20 Contention 6 (indicating). Will you read that Contention?

21 A Yes.

22 Q It is simply the first two pages.

23 A Okay.

24 Q Are you familiar with that Contention?

25 A Yes.

1 Q Did you assist in the formulation of that Contention?

2 A Yes.

3 Q Explain how you assisted in the formulation of that  
4 Contention.

5 A Well, I'm the Quality Control Inspector who complained  
6 of systematic deficiencies.

7 Q And is it correct in saying that the bases for that  
8 position are the specific instances that you have referred to  
9 today?

10 A Yes, sir.

11 Q And no other instances?

12 A No.

13 Q I'm correct in saying "And no other instances"? Is  
14 that correct?

15 A No, I'm saying you are incorrect.

16 Q What other instances are you referring to?

17 A Well, there was an instance of the control room roof  
18 raining. This was while I was inspector. Another inspector  
19 NCIed the entire control room because the control room boards  
20 got soaking wet because of rain because the roof above the  
21 ceiling had not been sealed, and when it rained water stood on  
22 the roof, seeped through the concrete, and leaked all over the  
23 control board. That was a matter of concern. I was not directly  
24 related to that because another inspector, in fact, wrote the  
25 NCI.

1 Q Are there any other instances that underlie concern  
2 expressed in the original Contention 6?

3 A Yes, on a couple Contentions, I was walking through  
4 the plant. We were just beginning to pull cable at Catawba.  
5 We had specific regulations that said these cables had to be  
6 protected when they were pulled. They had to be hung up and  
7 kept out of any danger of being damaged. It wasn't uncommon to  
8 go around and see cables which had been cut down, cables which  
9 had walk boards laying on them, cables which were being walked  
10 on, cables which were in the water.

11 Q Just so we get an understanding.

12 A Yes.

13 Q I can understand why you didn't recite the control  
14 room, particularly when I asked you previously to list all in-  
15 stances of concern to you, because I would imagine the basis  
16 would be you heard about that from some other individual. How-  
17 ever, the example you have just referenced, walking through the  
18 plant, you walked through the plant and you saw cables being  
19 walked on. And the very first example that you gave me, you  
20 talked about pre-pour runner, when you were a pre-pour runner  
21 and you saw rain in the concrete. You indicated on the Record  
22 that you were not a concrete inspector, however, that was of  
23 concern to you. I asked you on at least two occasions were  
24 there any other concerns. I believe the Record reflects this  
25 last example should have been indicated to me and to this



1 Deposition at that time.

2 I I'm asking you for the last time, are there any other  
3 concerns that you have regarding the specific construction of  
4 Catawba, whether you witnessed them, yourself, or you heard  
5 about them.

6 MR. GUILD: Counsel, I will ask that we try to  
7 avoid the argumentive tone. I think that much of the  
8 difficulty would be solved if you simply provide Mr.  
9 McAfee access to the stack of Documents that you have  
10 sitting in front of you, which have reflected his  
11 earlier recollection of concern.

12 This is not a guessing game, he is being as  
13 forthcoming as we can to open-ended questions. I  
14 would suggest specific questions that address previous  
15 answers might, Mr. McAfee, would generate responsive  
16 answers. But you don't see him thinking of everything  
17 responsive to your open-ended question.

18 I suggest that you made that point and it would  
19 be more productive to get to the specific question.

20 MR. McGARRY: We will ask for specifics.

21  
22 BY MR. McGARRY:

23 I have a pending question; there is a pending ques-  
24 tion: 'Are there any other concerns that you have, either which  
25 are based upon your personal observations or matters that you

1 heard about, concerning the construction of Catawba?

2 A Yes, I was very concerned about the work load of the  
3 welding inspectors because they were under a great deal of stress  
4 from the craft and from craft supervision to get the job done,  
5 or at least to get the okay on the job, whether the job is actually  
6 done correctly or not. I witnessed this as a pre-pour runner  
7 having to deal with welding inspectors and being in the inspection  
8 group.

9 I talked with welding inspectors and saw some of what  
10 they went through in having to deal with the craft supervision.

11 Q Any other items?

12 A Yes, I was concerned that my training for Quality  
13 Control Inspector was carried out in what I considered to be a  
14 second-hand manner in that a person training us was receiving  
15 his instructions or instruction from another person who was in  
16 charge of the Quality Assurance at the Cherokee Station at that  
17 time.

18 I never met the man, although he signed my certification  
19 papers. That concerned me.

20 Q Any other concerns?

21 A Not that I can recall at the present, but as my Counsel  
22 said, if some Documents were made available to me I'm sure I  
23 could recall more.

24 Q I asked you to turn to the last page of the Document  
25 and I represented to you that that is the Contention as worded

1 by the Board and "in an Order" of December first, 1982.

2 I make reference to the intended quote five lines  
3 from the bottom. Would you read that, please (indicating)?

4 Are you familiar with that Contention?

5 A Yes.

6 Q Do you agree with that Contention?

7 A Yes.

8 Q Can you testify in support of that Contention?

9 A Yes.

10 Q Can you testify with respect to systematic deficiencies?

11 A If more Documents are made available to us, yes.

12 Q On the basis of the information presently known to  
13 you can you support a systematic deficiency allegation?

14 Let me clarify that.

15 A Please.

16 Q I'm speaking about you, yourself; not Palmetto Alli-  
17 ance. We are taking the Deposition of Mr. Ron McAfee today.  
18 Can you personally substantiate a systematic deficiency alle-  
19 gation?

20 A Would you define "systematic deficiency"?

21 MR. GUILD: Counsel, I would like to suggest  
22 that, as you know, the Contention is a legal pleading  
23 and pleads conclusions of Law that support the relief  
24 that Palmetto Alliance has sought; and I would suggest  
25 if Counsel would direct the question to a specific

1 factual matter that is within the Witnesses' know-  
2 ledge, I'm sure he can respond.

3 MR. McGARRY: Let me clarify the Record in dis-  
4 cussing the original Contention, Mr. McAfee. You  
5 indicated yes, you were familiar with that Contention  
6 and you were involved in drafting it.

7 And you made reference to that last sentence:  
8 "A number of former Duke Power Company construction  
9 workers, including a certified Quality Control Inspector,  
10 have complained of systematic deficiencies in plant  
11 construction and company pressure to approve faulty  
12 workmanship."

13 BY MR. McGARRY:

14 Q Rather than me defining the definition, I would like  
15 you to answer my question.

16 A Oh, I define "systematic deficiencies," as deficiencies  
17 that are wide-ranging within the whole system, and particularly  
18 the system of Quality Control, which at Catawba, was lacking.

19 Q You define systematic deficiencies as matters, "that  
20 are wide-ranging." And then you referred to Quality Control.

21 Repeat that; I lost you.

22 A In other words, something other than just minor in-  
23 stances; in my case the systematic deficiency which I had  
24 reference to was the whole system of Quality Control, which at  
25 Catawba was not administered according to 10 CFR and according  
to Duke Power's own regulations.

1 Q What is the basis underlying that position? How do  
2 you support that allegation?

3 A My personal experience.

4 Q What is that experience; give us an example of that  
5 experience.

6 A That experience is when I was told not to write NCI's,  
7 although as an inspector I was required by law, I believe.

8 Q When were you told not to write NCI's?

9 A In the case of the anchor bolt which I cited earlier.  
10 I was told not to write the NCI.

11 Q Were you ever told on another occasion not to write  
12 an NCI?

13 A Not just blatantly; we were discouraged to write NCI's.  
14 We were encouraged to find other means to solve the problem.

15 Q Lets explore that for a moment: You were encouraged  
16 to find other means to resolve the problem?

17 A Right.

18 Q Can you give me an example?

19 A Yes, we were, well, on the other cable tray supports,  
20 when we told our supervisor that there was something wrong with  
21 them and we asked his opinion, shall we NCI them; and he said  
22 "No, lets talk to the craft foreman."

23 Q Did that bother you?

24 A At that time it didn't, no; because as it turned out--

25 Q Can I stop there?



1 A Can I finish what I'm saying?

2 Q Certainly you can.

3 A As it turned out, in some cases it was much more  
4 effective as far as getting the problem resolved to go talk to  
5 the craft foreman because in some instances he would go correct  
6 the problem without going through the paper work of the NCI.

7 Q Just taking it step by step, do you have any difficulty  
8 in a suggestion made by you supervisor, "Lets go talk to the  
9 craft foreman" in the first instance, without knowing what the  
10 craft is going to say, "Lets go talk to the craft"?

11 A At that time, it depends on who we were going to go  
12 talk to. Some foreman are much more accommodating than others  
13 as far as going and taking care of it. Some foreman said, "Well,  
14 I'm not going to worry about it."

15 Q Lets stop and back up a minute. As a basic principle,  
16 as a basic concept without knowing any of the personalities in-  
17 volved, wouldn't you go talk to the craft supervisors? Do you  
18 find anything inherently wrong with the suggestion in the first  
19 instance that it would be appropriate to discuss the matter with  
20 the craft?

21 A Well, it is wrong in the sense that it was not my job  
22 to go discuss with the craft. It was my job, upon finding a  
23 non-conforming item, to write a Non-Conforming Item Report.

24 Q Who told you that was your job?

25 A Well, I believe, well I know Duke Power did at one time;

1 and at other times they told us to ignore previous instructions  
2 on that.

3 Q When did they tell you that was your job?

4 A When they were training us to be inspectors.

5 Q How long were you an inspector?

6 A Nine months.

7 Q How long were you a certified inspector?

8 A Five months, I think.

9 Q Would you accept four months?

10 A I don't know the date my certification papers were  
11 signed.

12 Q Getting back to the systematic deficiency, I believe  
13 you were making reference to wide-ranging major incidents?

14 A That's correct. I am making reference to the entire  
15 Q.C. Program and Quality Assurance Program, that they were not  
16 carried out according to the guide lines in 10 CFR. They were  
17 not carried out in accordance with Duke Power's own stated in-  
18 structions.

19 Q And you make reference to being told not to write an  
20 NCI on one occasion, and you make reference to being discouraged  
21 in writing NCI's, but rather being encouraged to see if you can  
22 resolve the matter with the craft; Is that correct?

23 A Yes, and I witnessed, as I said, welding inspectors  
24 should not be told to okay the job whether it was right or not.

25 Q With respect to being discouraged to write NCI's and

1 being encouraged to see if you can resolve a matter with the  
2 craft, in how many instances were you discouraged to write NCI's?

3 A I can't give you a definite number, but in one instance  
4 that sticks in my memory we were called down to inspect 27  
5 cable tray supports, and out of the 27, seven were, in fact,  
6 according to the definition of an NCI, an NCI. Seven out of  
7 27 were.

8 Q Did you write NCI's?

9 A No, we were encouraged to work with the craft.

10 Q Well, let's take this example --

11 A Okay.

12 Q Where were these cable tray supports located?

13 A Reactor Building One, Pipe Chase.

14 Q Is there an elevation that is important to under-  
15 standing the precise location?

16 A It is basically at the bottom of the reactor building.  
17 It runs all the way around the building.

18 Q Do you recall any specific locations at the bottom  
19 of that building?

20 A No.

21 Q Where these 27 cable chase supports were located?

22 A No, it ran perhaps a-third or a-quarter of the way  
23 around the building. I cannot recall the degree markings  
24 on them.

25 Q Seven out of the 27, in your judgement, warranted



1 an NCI; Is that correct?

2 A Yes.

3 Q What happened?

4 A We talked to the craft foreman and he agreed to correct  
5 them.

6 Q Who was it? Who was the craft foreman?

7 A Cecil Cox.

8 Q Did he correct them?

9 A Yes, he did.

10 Q Did you subsequently inspect them?

11 A Yes.

12 Q Were you satisfied?

13 A Yes.

14 Q Any other examples wherein --

15 A There were other examples of us co-ordinating our  
16 inspection work with the craft in resolving so called NCI's  
17 without writing NCI's; but --

18 Q Can I maybe cur this a bit short?

19 A Sure.

20 Q I can understand your position when you were told  
21 not to write an NCI, and you thought an NCI should be written.

22 A That is what we were told.

23 Q I can understand your concern.

24 A Yes.

25 Q But I'm having difficulty in understanding your

1 concern when an NCI, in your judgement, should have been  
2 written and wasn't written. But then you worked the matter  
3 out with the craft as such that you, as a professional, were  
4 satisfied, that that should continue to trouble you.

5 A Well, one thing that troubled me is that it wasn't  
6 my job to play poker, if you will, with the craft. My job  
7 was to inspect, and upon finding a non-conforming item, to  
8 document it.

9 Q Let's just explore this a little bit further: If  
10 Mr. Cox had not corrected the situation --

11 A Yes.

12 Q --- You would have had an opportunity to inspect these  
13 seven cable chase supports, would you not?

14 A Yes.

15 Q And if you weren't satisfied you had an opportunity  
16 then to write an NCI?

17 A Yes.

18 Q So can you fairly characterize that as playing poker?

19 A It is just a figure of speech.

20 Q I understand, but it is connotation.

21 A Well, I don't understand "connotations."

22 Q What do you mean by the term "playing poker"?

23 A Playing politics perhaps would be a more fitting --  
24 in other words, working with people as opposed to writing them  
25 up and making them mad and red tagging their work. You have

1 a much better working relationship in some instances. Some in-  
2 stances there were people that you couldn't work with like that.

3 Q Well, let's continue to explore the systematic de-  
4 ficiencies. Are there any other instances wherein you were  
5 discouraged to write NCI's and encouraged to work with the  
6 craft to resolve the matter?

7 A Yes.

8 Q What are they?

9 A Okay, on cable tray support grades, cable room work  
10 was done by Bobby Land, Electrician. We were called down to  
11 inspect on several occasions and the work was not per-print.

12 Q I'm sorry, work was not --

13 A Per-print.

14 Q Per-print?

15 A He was an individual who, after you got to know him  
16 we were able to work with him; and we went and told him he had  
17 these problems and he corrected them.

18 Q Were you satisfied with the correction?

19 A Yes.

20 Q Are there any other examples?

21 A Yes, well, there were cable tray hangers and supports  
22 in the auxiliary building. Again, we worked with the craft  
23 to resolve them.

24 Q Whereabouts in the auxiliary building were these  
25 cable trays?

1           A     I don't recall the elevations. There were a number  
2 of floors.

3           Q     Do you recollect the crew who was responsible for  
4 hanging these cable trays.

5           A     I'm not sure.

6           Q     Continue.

7           A     Okay, they were also, other than the 27 I cited in  
8 the Pipe Chase, there were other instances.

9           Q     Let me explore the cable tray hangers and supports  
10 in the auxiliary building. What were the facts, the import  
11 of that incident?

12          A     They were basically the same as in the Pipe Chase,  
13 rather than being redundant.

14          Q     To the best of your recollection you found some pipe  
15 supports that were not satisfactory?

16          A     Cable tray supports.

17          Q     And you brought this to the attention of the craft?

18          A     Of my supervisor, and then of the craft supervisor.

19          Q     And the craft supervisor corrected them and you were  
20 satisfied with that correction?

21          A     Yes, he had them done per-print, which was my concern,  
22 that they were built according to prints.

23          Q     And you re-inspected them and were satisfied?

24          A     I re-inspected and tagged them.

25          Q     And were satisfied?

1 A Yes.

2 Q Any other concerns?

3 A No, that was basically all the areas I was responsible  
4 for as an inspector.

5 Q I'm flat curious, you were a QC Electrical Inspector?

6 A Yes.

7 Q And your duties would include inspecting cable tray  
8 hangers and supports?

9 A That I did.

10 Q And it was flat curiosity.

11 A Really, okay.

12 Q That was just what it was. Now, any other examples  
13 that you can think of?

14 A No.

15 Q Concern focuses on the definition of systematic  
16 deficiency. I try to understand that what you are really  
17 making reference to is the entire Quality Assurance/Quality  
18 Control Program at Catawba?

19 A I consider that a system.

20 Q Just so I have the same term, you call it the whole  
21 Quality Assurance System?

22 A System or you can use the synonym Program.

23 Q And the basis for your concern with this system which  
24 causes you to conclude there is a systematic deficiency is, One,  
25 we are told not to write NCI's; and Two, you were discouraged

1 in writing NCI's and we have discussed the particulars and you  
2 have nothing further to add to the particulars; is that correct?

3 A No.

4 Q Is there any other basis that would support your claim  
5 of a wide-ranging major problem with the Quality Assurance System  
6 or Program at Catawba?

7 A Not that I can recall.

8 Q Mr. McAfee, I would like to direct your attention now  
9 to Interrogatories that were prepared by the Applicant. I will  
10 make reference first to Applicants first set of Interrogatories  
11 to Palmetto Alliance concerning, among other Contentions, Pal-  
12 metto's Contention 6, and that Document bears the date of April  
13 nine, 1982.

14 I hand you a copy of those Interrogatories (indicating).  
15 Are you familiar with those Interrogatories? Were you aware  
16 of those Interrogatories?

17 A Yes.

18 Q Did you assist in the preparation of responses to  
19 any of those Interrogatories?

20 A Let me clarify, is this the first set of Interroga-  
21 tories?

22 Q That is the first set; that's correct.

23 A Yes, I did.

24 Q Can you recollect which Interrogatories you responded  
25 to?



1 A Out of 128 ?

2 Q Perhaps you can help us, in the first instance, by  
3 indicating the topic area.

4 A Pardon me?

5 Q The topic area.

6 MR. GUILD: Is Mr. McAfee's Affidavit attached  
7 to those Interrogatories?

8 MR. McGARRY: I don't believe it is attached.

9  
10 BY MR. McGARRY:

11 Q Do you recall preparing an Affidavit for those Inter-  
12 rogatories?

13 MS. COTTINGHAM: That is an incomplete set of  
14 sheets having to do with specific questions.

15 MR. CARR: That is my copy of the entire --

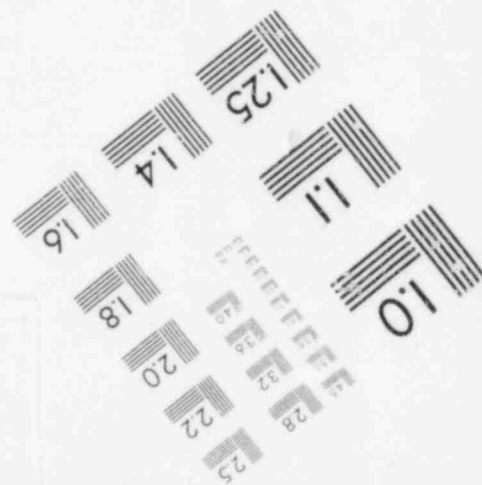
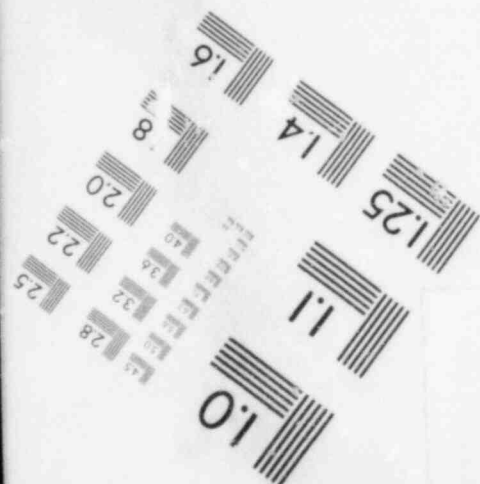
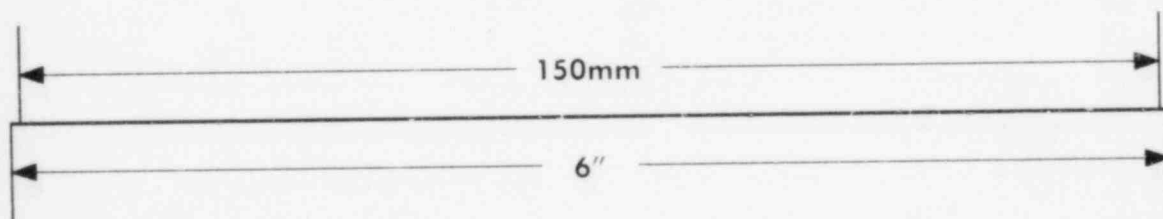
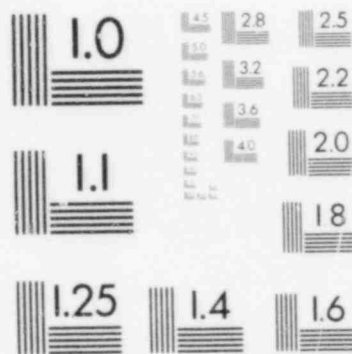
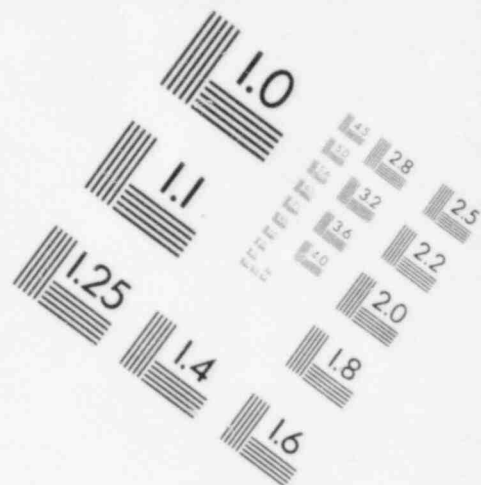
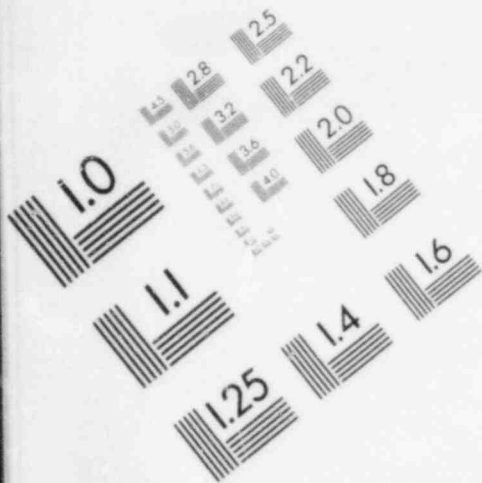
16 MR. McGARRY: We are looking for the response.

17 MR. CARR: The answer to that question is no;  
18 There are only two affidavits attached.

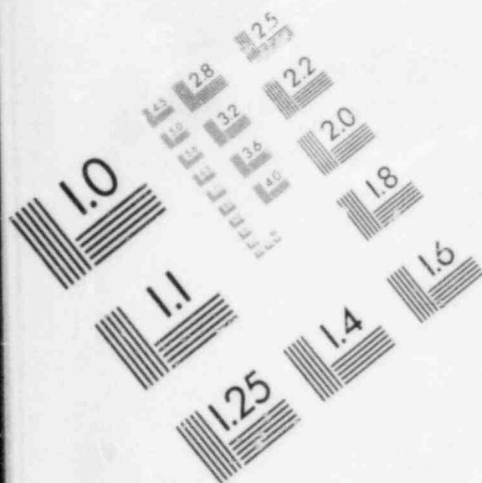
19 MR. GUILD: I think my recollection, Counsel,  
20 is that Mr. McAfee and Mr. Hoopengardner were witnesses,  
21 but that it was Mr. Lowe who was identified as the  
22 assistant in preparation of the answer.

23 MR. McGARRY: Yes, I think that is what the  
24 Record reflects.  
25

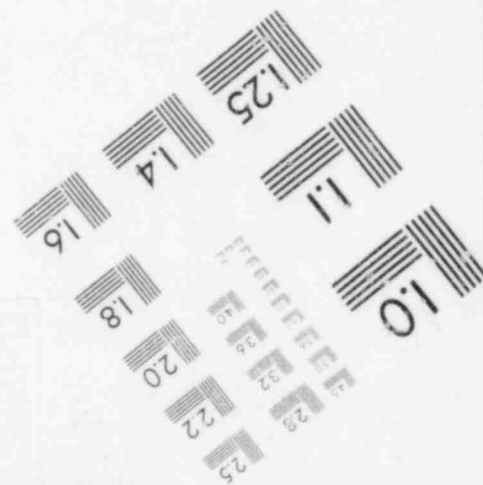
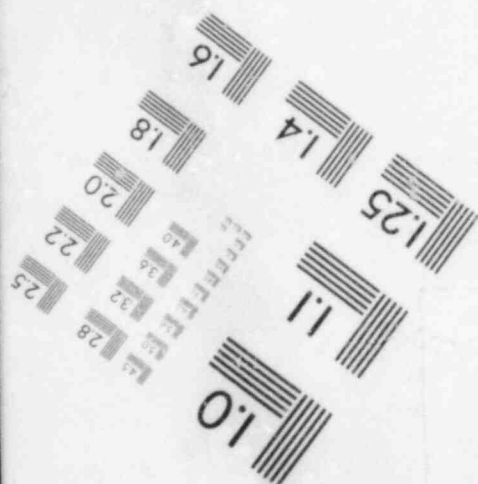
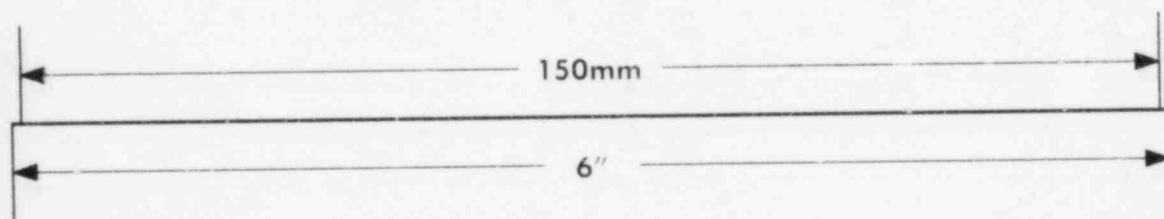
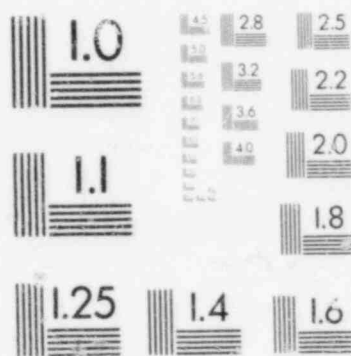
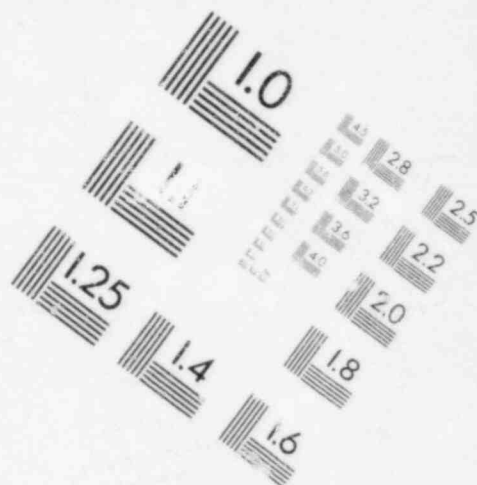
IMAGE EVALUATION  
TEST TARGET (MT-3)







# IMAGE EVALUATION TEST TARGET (MT-3)



1 BY MR. McGARRY:

2 Q Do you recollect?

3 A My recollection is that I did correspond with Counsel  
4 on certain of these Interrogatories. I did not see his response,  
5 so I have no idea knowing which Interrogatories he actually used  
6 that I helped with.

7 Q As of May 19, 1983, have you seen Palmetto Alliances'  
8 Responses to Applicants' Interrogatories of April 8, 1982 con-  
9 cerning Contention 7?

10 MR. GUILD: Is that the same one?

11 MR. JOHNSON: I think that is the date of the  
12 answers.

13 MR. GUILD: That is the answers.

14 THE WITNESS: Yes, that is what he was asking  
15 about, had I seen those.

16

17 BY MR. McGARRY:

18 Q Have you seen, as of today, May 19, 1983, the responses  
19 of Palmetto Alliance, those responses bearing the date of April  
20 28, 1982, to Palmetto Alliances' Contention 6?

21 A That is the Answers to Interrogatories?

22 Q Answers to Interrogatories.

23 A No.

24 Q I ask you to the best of your ability can you recall  
25 what is the nature of the correspondence you had with Counsel

1 concerning Applicants' Interrogatories of April 19, 1982?

2 A What was the nature?

3 Q Yes, do you recall the subject matter?

4 A Well, I was responding to those Interrogatories to the  
5 best of my ability. Many of them I had no idea. On things like  
6 who is the Quality Control Inspector sited in Contention 6,  
7 which was obviously me; What was his address, which is obviously  
8 mine.

9 I was very knowledgeable on those things.

10 Q Did you prepare a response to every one of the Inter-  
11 rogatories?

12 A As I said, most of them I was not, you know, in a  
13 position to do, as far as responding.

14 Q Do you recollect how much time you spent in preparing  
15 your response?

16 A Maybe a couple hours.

17 Q Mr. McAfee, I direct your attention to certain of  
18 the responses, and I am going to be guided in this instance  
19 by Palmetto Alliances' Responses in the front of their April  
20 28, 1982, Document which indicated that you, Mr. Ron McAfee,  
21 had knowledge with respect to Interrogatories 17 through 80;  
22 and I will read 77 to you, if that is satisfactory, and you  
23 can see the answer, and we will be referring to you, as I  
24 believe your answers will be Item B and Mr. Hoopengardner's  
25 is Item A.

1                   Seventy-seven reads as follows: "Please provide with  
2 names and addresses of each construction worker or other employee  
3 on this Contention." Is the answer satisfactory to the best  
4 of your knowledge?

5           A     Yes.   --

6           Q     Yes; 78 reads as follows: "Provide the terms of em-  
7 ployment for each construction worker or other employee on whom  
8 you intend to rely in support of your position on this Contention."  
9 Is the answer satisfactory to the best of your know-  
10 ledge?

11          A     What number?

12          Q     Seventy-eight B?

13          A     Yes.

14          Q     Seventy-nine," Provide the position or positions held  
15 by each construction worker or other employee on whom you in-  
16 tend to rely in support of your position on this Contention."  
17 Is the answer to 79-B satisfactory to the best of your know-  
18 ledge?

19          A     Yes, sir.

20          Q     Eighty, "Provide a specific allegation by each  
21 Construction worker or other employee on whom you intend to  
22 rely in support of your position of this Contention." Would  
23 you please take your time and read 80-B?

24          A     May I just see that response so I can refresh my  
25 recollection?

1 Q I have a copy (indicating). Now is this response  
2 correct to the best of your knowledge?

3 A Yes, sir.

4 Q As I see it there are six allegations and I believe  
5 you have made reference to each one of those allegations already;  
6 is that correct?

7 A No, that is not correct.

8 Q All right, will you correct my understanding?

9 A Okay, one thing I did fail to mention was the fact  
10 that blueprints were changed to reflect construction errors.  
11 And if you would like me to elaborate on that I will.

12 Q Yes, would you?

13 A On certain occasions we would go to inspect the cable  
14 tray supports, cable tray hangers and all the cable tray supports,  
15 or I should say most of them, were seismically braced. We found  
16 several instances in which seismic bracing was not run in the  
17 direction the print called for it to be run.

18 We would, usually on this our procedure was to talk  
19 to the Technical Support engineers, and generally the resolution  
20 to this was that Design Engineering would revise the blueprint  
21 to reflect the change in direction of the seismic bracing.

22 And I will add that it was my understanding that  
23 seismic bracing ran pretty much a continuous system. In other  
24 words, you didn't brace all of them in one direction. You would  
25 alternate the direction of bracing and so forth.

1 Q Let's just explore that one for a moment: As I  
2 understand it, you would go out in the field to conduct your  
3 inspections, and you look at the blueprints to determine if  
4 the work was performed pursuant to the blueprint; Is that  
5 correct?

6 A Yes.

7 Q And in some instances you determine that the work was  
8 inconsistent with the blueprints?

9 A Yes.

10 Q And then the matter went to the Technical Support  
11 engineers. Who were they?

12 A They were in the construction department, they were  
13 engineers.

14 Q What does that mean; What are they supposed to do  
15 when you bring this to their attention? Are they supposed to  
16 determine if this is improper or if it is acceptable?

17 A My understanding of their job when I was out there  
18 is that they were to determine or help us to determine if it  
19 was a significant non-conformance. That was my understanding  
20 of their job.

21 Q Stop there. Did you receive training as to what their  
22 job was? How did you come to understand that was their job?

23 A Basically from -- we didn't receive any formal train-  
24 ing that was their job -- but that was the way we were told to  
25 use, if you will, these people.



1 Q Did it bother you that you had to bring this matter  
2 to the Technical Support engineers? Did you have problems with  
3 that concept?

4 A At that time I didn't at all because it wasn't just  
5 with these seismic bracings that we went to Technical Support  
6 with. This was on the matter of, well, other minor things.

7 Q I understand that they look at many things. I'm just  
8 trying to look at, right now, do you have any problems with the  
9 fact that they look at a wide-range of construction analysis?

10 A No.

11 Q And now we are talking about a specific instance of  
12 this seismically braced -- What was seismically braced?

13 A Cable tray hangers, Cable tray supports.

14 Q Where were they located?

15 A Well, the vast majority of the ones I was responsible  
16 for inspecting were in the Reactor Building One Pipe Chase  
17 again, and the auxiliary building.

18 Q And what crews were involved?

19 A Cecil Cox.

20 Q And as I understand it, the matter was taken to  
21 Technical Support, and what did Technical Support do with the  
22 matter?

23 A They would contact Design Engineering.

24 Q Do you know if they contacted Design Engineering in  
25 this instance?

1 A Well, there were several instances.

2 Q Do you know if they contacted Design Engineering  
3 in each of these instances?

4 A I didn't hear the phone calls. We were told that  
5 they did.

6 Q What is the function of Design Engineering in this  
7 process to the best of your knowledge?

8 A It is my understanding that Design Engineers design  
9 the plant, and if the blueprint or design needs to be changed,  
10 then it is their responsibility.

11 Q They were contacted to see if they wanted to change  
12 the prints or non-conform the item; and help me out with this:  
13 If they can change the prints do they have to make some deter-  
14 mination that it is proper to change the prints to the best of  
15 your knowledge?

16 A They have to make a determination based on whatever  
17 criteria they use.

18 Q You don't know what that criteria is?

19 A No, I am not an engineer.

20 Q And these instances involving seismically braced  
21 cable tray supports and hangers, did Design Engineering make  
22 the judgement that the blueprints should be changed?

23 A In most instances, yes, that I brought to their atten-  
24 tion.

25 Q And were you satisfied with the resolution of the matter?

1           A     Well, I wasn't fully satisfied. In other words, I  
2 was not comfortable with the fact that a print was being changed  
3 because a craft worker made a mistake and braced something the  
4 wrong way.

5                     I had to be satisfied because they reviewed the print  
6 and that was the new print I had to inspect by. Do you under-  
7 stand?

8           Q     I understand. Let me again just explore it for a  
9 moment: Am I correct in understanding you were not totally  
10 satisfied because this was reflective of inefficiency or not  
11 doing the job right the first time; but once the engineers,  
12 those people I assume who have a technical background, made a  
13 determination it was appropriate to change the design, those  
14 were then your marching orders; and inasmuch as the seismically  
15 braced cable trays and hangers were now running in a direction  
16 consistent with a revised blueprint, you no longer had a pro-  
17 blem with the work?

18           A     I was still concerned about the fact that it was  
19 changed to reflect a construction foul-up. I had no choice but  
20 to inspect by the blueprint.

21           Q     Were you concerned that the seismically braced cable  
22 trays or cable hangers would not perform the function they were  
23 supposed to perform?

24           A     I considered that a possibility.

25           Q     What would be the basis for your judgement?

1 A Well, based on my conversations with engineers con-  
2 cerning the whole system of seismic bracing --

3 Q What engineers did you have conversations with?

4 A There was some of the Technical Support engineers  
5 at Catawba. I didn't talk to them very often and I don't recall  
6 any of their names, to be quite honest with you.

7 Q And did they state that the specific revised blueprints  
8 that we are talking about now were improperly revised?

9 A The engineers that I talked to?

10 Q Yes.

11 A No.

12 Q And if I understand the role of the Technical Support  
13 engineers and Design engineers, contrary to your opinion they  
14 were of the opinion that the seismically braced cable trays  
15 and hangers as constructed could perform the function they would  
16 be called upon to perform; Is that correct?

17 A The Design engineers re-designed it. None of the  
18 Technical Support engineers ever actually told me this was wrong,  
19 but one of them explained the seismic bracing system or theory  
20 to me; and based on that conversation I don't see how he could  
21 think it was right to change it.

22 Q Isn't the final judgement of this issue determined  
23 by the work done by the Design engineers?

24 A Final judgement is, yes.

25 Q All right, we were going through Item B, 80-B;

1 And I asked you was my observation correct that the six items  
2 referenced therein have already been discussed; And you said  
3 "No, incorrect." The revised blueprint with that change, is  
4 there any other addition or amendment you would make to my  
5 statement?

6 A No.

7 Q Okay. Now, I hand you a copy of Palmetto Alliances'  
8 Supplementary Responses dated April 19, 1983, to the same  
9 April 19, 1982 Interrogatories (indicating). Did you assist  
10 in the preparation of that Response?

11 A No.

12 Q I would ask you to direct your attention to Inter-  
13 rogatory Five. It is on Page four (indicating). Will you  
14 take a moment to read that, please?

15 As I understand this Response, Mr. McAfee, it appears  
16 that that aspect of the Response that is germane to you is  
17 found at the bottom of Page four. Would you agree with that?

18 A Would I agree with your observation?

19 Q Yes.

20 A Yes, sir.

21 Q And as I understand the Response, in essence the  
22 Response refers back to the April 28, 1982 Response which  
23 we have already discussed; and in essence, supplements that  
24 Response as I understand the supplement in reference to you,  
25 Mr. Ron McAfee, would be the Exit Interview; Is that correct?

1 A Yes, sir.

2 Q Thank you very much. I hand you a copy of a memor-  
3 andum dated July 12, 1979, which I believe is the Exit Interview  
4 (indicating). Would you read that?

5 A I am familiar with it.

6 Q Does that Exit Interview further reflect your obser-  
7 vations of sub-standard workmanship at Catawba?

8 A No, it doesn't because this is not a true representa-  
9 tion of our Exit Interview that I had with Larry Davidson. I  
10 might note this is dated July 12, 1979; and it was conducted  
11 March 16, 1979.

12 Q March sixteen '79 was your Exit Interview?

13 A Yes, sir.

14 Q To the best of your recollection what matters did you  
15 discuss at your Exit Interview?

16 q A Well, I discussed my concern of Nuclear Power and  
17 Radiation Releases, and this memo states when I was asked if  
18 I had any concerns about what would be done at Catawba, I did  
19 say I had concerns.

20 I was concerned that there was waste of alot of money  
21 in work that was done wrong which had to be corrected. I was  
22 concerned that the Q.C. program was not fulfilling the letter  
23 of it's purpose. In short, this memo does not reflect my true  
24 picture of the Exit Interview. Parts of it are correct, but  
25 parts of it are not true at all.



1 Q Have you seen a copy of this Exit Interview before?

2 A Before right now?

3 Q Yes.

4 A I had.

5 Q When did you see a copy of that?

6 A Just a few days ago.

7 Q Had you, before that time had you seen a copy of that?

8 A No, I had not.

9 Q Now, with respect to your Exit Interview concerns,  
10 aside from concerns generally with nuclear power concerns, with  
11 waste of money, you mentioned concerns with Q.C. Program not  
12 fulfilling its purpose. Is that the concern that we have been  
13 discussing in this Deposition?

14 A Yes.

15 Q Is there any other aspect of that concern?

16 A No, I think that basically sums it up, if I'm  
17 understanding you correctly.

18 Q I think I understand you correctly. I want to be  
19 sure of myself and the Applicants want to be sure, themselves,  
20 there are not some other instances of your concern that the  
21 Q.A. Program was not fulfilling its purpose. If there are  
22 other matters of concern, let's get them on the table.

23 A I don't think so.

24 Q Are you aware that on May 4, 1982, the Applicants  
25 served another set of Interrogatories upon Palmetto Alliance?

1 MR. GUILD; May 4, 1983.

2 THE WITNESS: Yes, I'm aware of it, not of the  
3 substance of it.  
4

5 BY MR. McGARRY: ---

6 Q Have you seen those Interrogatories?

7 A No; I mean were you served it, but that is it?

8 Q Have you been asked to assist in the Response to  
9 those Interrogatories?

10 A No.

11 Q Mr. McAfee, Now directing your attention to Interroga-  
12 tories that Palmetto Alliance has filed, are you aware that  
13 on April 21, 1982, Palmetto Alliance served Interrogatories  
14 upon the Applicant concerning Contention 6?

15 A Yes; not aware of the time, the date slipped my mind.

16 Q Here is a copy of that (indicating).

17 A Okay.

18 Q Did you assist in the preparation of Interrogatories  
19 concerning Palmetto Alliances' Contention 6?

20 A Not directly; in other words, I didn't say Here  
21 is an Interrogatory to ask --

22 Q What did you do?

23 A Well, I had correspondence with Counsel.

24 Q What was the nature of that correspondence?

25 A Basically we covered it all 'already'; if you under-

1 stand what I mean. In other words, it was concerning these other  
2 problems or concerns.

3 Q These other problems and concerns are limited to those  
4 problems and concerns we have discussed today?

5 A To the best of my recollection.

6 Q How much time did you spend in preparing your comments  
7 as to what type of Interrogatories ought to be asked?

8 A I don't remember.

9 Q Did you see Applicants Response to those Interrogatories

10 A Some of them I have, yes.

11 Q I hand you a copy of Applicants Response of December  
12 31, 1982, to Contention 6 (indicating). Have you seen that  
13 Response?

14 A Yes.

15 Q When did you see that Response?

16 A I can't give you a date.

17 Q Approximately?

18 A I would say probably a couple months ago.

19 Q Where did you see those Responses?

20 A At my house.

21 Q Did you read the entire Response, and let the Record  
22 reflect it runs from pages 14 to -- what is the last Page, Mr.  
23 McAfee?

24 A On the bottom of the stack?

25 Q Yes.

1 A Forty-four. Yes, I believe I did read this whole  
2 Response; Yes.

3 Q Did you keep a copy of that Response?

4 A I don't know.

5 Q To the best of your knowledge do you have a copy  
6 of that at home or at your office?

7 A The best I can tell you, I don't know.

8 Q Do you recollect reading that Response more than once?

9 A No, I read it once.

10 MR. GUILD: Counsel should give the witness an  
11 award for plowing through this lengthy objection,  
12 and more than one. He deserves to be committed.

13  
14 BY MR. McGARRY:

15 Q Are you aware that on February 28, 1983, Applicants  
16 supplemented the Response that we have just been discussing?

17 A No.

18 Q Are you aware that on March 16, 1983, Palmetto Alliance  
19 filed additional Interrogatories styled as Follow-up Interroga-  
20 tories upon the Applicant?

21 A Yes.

22 Q I hand you a copy of that Document (indicating). Did  
23 you assist in the preparation of those Interrogatories?

24 A Not directly.

25 Q ~~Was your effort with respect to those Interrogatories~~

1 consistent with your effort in the initial set of Interrogatories?

2 A Yes.

3 Q Were there any additional areas of concern that you  
4 mentioned to Counsel?

5 A No.

6 Q Are you aware of Applicants Responses to those follow-  
7 up Interrogatories?

8 A No.

9 Q Are you aware that in Discovery Palmetto Alliance  
10 sought Documents from the Applicant?

11 A Yes.

12 Q Are you aware that Documents were made available to  
13 Palmetto Alliance by the Applicant?

14 A Yes.

15 Q Have you been asked to examine Documents relevant  
16 to Contention 6?

17 A Yes.

18 Q When were you asked?

19 A Shortly after Applicants made them available.

20 Q If I said February 15, 1983, would that date be  
21 consistent with your recollection?

22 A I wouldn't -- I don't know --as I said, it was shortly  
23 after you made Documents available.

24 Q Who asked you to review the Documents?

25 A Counsel.

1 Q What Documents were you asked to review?

2 A Documents available in the Document Room.

3 Q And you are referring to the Document here at Duke  
4 Power Company in the Legal Department?

5 A Yes. -

6 Q Did you review such Documents?

7 A Yes.

8 Q When did you review such Documents?

9 A I can't recall the date. I signed in when I came  
10 so you should have it on record.

11 Q How many times did you come and examine the Documents  
12 in the Document Room?

13 A Let's see, I believe I personally only came up here  
14 once to examine Documents.

15 Q How long did you spend in your examination of Docu-  
16 ments in the Duke Power Document Room?

17 A I would say approximately three hours.

18 Q Are you aware that Palmetto Alliance asked for copies  
19 of certain materials that they examined in the Duke Power Com-  
20 pany's Document Room?

21 A Yes.

22 Q Have you been asked to review those Documents rele-  
23 vant to Contention 6?

24 A Yes.

25 Q When were you asked to review those Documents?



1 A Basically when we first got access to them.

2 Q You mean when Palmetto Alliance received the copies  
3 they had requested?

4 A Yes, well, we have not received most of the copies  
5 we requested yet; but Counsel asked if I would help review the  
6 Documents in case I might have some knowledge concerning the  
7 Contention 6.

8 As I said, I've only been up here once, but others  
9 have been doing research in the Document Room and I was asked  
10 to review the Documents.

11 In fact, even prior to looking at most of them --

12 MR. GUILD: I can help: There is an outstanding  
13 request for copies of some inspection reports as I  
14 understand, Counsel Carr is making available; And  
15 I think that is what the witness has reference to,  
16 specifically.

17 MR. McGARRY: That would be a limited number  
18 of Documents.

19 MR. CARR: Six, Seven Pages.

20

21 BY MR. McGARRY:

22 Q What were you looking for when you came to the Duke  
23 Power Company Document Room?

24 A Well, I was looking for evidence.

25 Q What type of evidence?

1 A Evidence which would substantiate our Contention.

2 MR. GUILD: At some point I think, if I could  
3 understand, I guess the drift of Counsel's questions,  
4 Mr. McAfee and I have an Attorney-Client relationship  
5 in which he has provided me assistance in formulating  
6 Legal positions which Palmetto Alliance has taken and  
7 has assisted preparing work papers for litigation on  
8 Contention 6;

9 And if Counsel would be sensitive to the fact  
10 that we, as they, assert Attorney-Work Product privilege  
11 and Attorney-Client privilege, it would be helpful to  
12 me to understand the direction of the questioning.

13 He has no problem telling you what he is looking  
14 at or for.

15

16 BY MR. McGARRY:

17 Q I appreciate that concern. The sensitive question  
18 is in examining Documents were you looking for Documents to  
19 support your particular allegations, and that is the allegations  
20 of Ron McAfee; Or were you looking for Documents to support  
21 a broader allegation or a combination?

22 A Both; Combination, both.

23 Q Did you find such Documents?

24 A Yes, we found such Documents; yes.

25 Q Can you tell me what those Documents were?

1 MR. GUILD: I would object at this point. If  
2 there is a narrow class of Documents that we have  
3 reference to in response to a number of interrogatory  
4 questions that Counsel has directed the witness's  
5 attention to and those were Documents in the nature  
6 of ones that would assist in refreshing his recollection  
7 about specific factual matters within his range of  
8 responsibility and experience as a Duke Power Employee  
9 on-the-job, and then there are Documents that generally  
10 are being reviewed and processed as part of the work-  
11 product to prepare for Litigation of Contention 6.

12 As to the second class of Documents, we would  
13 assert a work-product and attorney-client privilege.

14 As to the first class of Documents, those that  
15 were identified as potential sources to refresh the  
16 witness's recollection, I have no objection to you  
17 inquiring.

18 MR. McGARRY: I have not limited my inquiry to a  
19 particular class. I have asked the witness what  
20 documents did he discover that he felt were particularly  
21 helpful to supporting the contention. Do you have an  
22 objection? Are you directing the witness not to answer  
23 that question?

24 MR. GUILD: If you could help by rephrasing the  
25 question or phrasing the question to avoid the area

1 to which I believe an objection is appropriate, yes;  
2 but if the question is not narrowed since I believe  
3 the response would call for an answer that would  
4 violate that work-product privilege, then I will.

5 MR. McGARRY: I will walk through it again and  
6 you can make that determination.  
7

8 BY MR. McGARRY:

9 Q You came to the Duke Power Company Document Room;  
10 correct?

11 A Correct.

12 Q You examined Documents, correct?

13 A Correct.

14 Q You were looking for Documents that supported your  
15 particular Contention, that is, the Contentions of Ron McAfee;  
16 correct?

17 A Right.

18 Q And you were looking for Documents that supported the  
19 broader Contention of Palmetto Alliance?

20 A Yes.

21 Q In examination of those Documents did you uncover  
22 Documents that you felt were helpful to those both A and B,  
23 that is your particular concern and to the concerns of Palmetto  
24 Alliance?

25 A Yes.

1 Q And I ask you can you identify those Documents?

2 A Well, specifically letters and complaints raised by  
3 welding inspectors at Catawba.

4 MR. GUILD: Counsel, If I can I would like to  
5 confer with Mr. McAfee for a moment.

6 (Whereupon, there was an off the Record discussion  
7 between the witness and Mr. Guild.)  
8

9 BY MR. McGARRY:

10 Q Mr. McAfee, I think when we left off I had asked you  
11 what Documents have a bearing on your position, Mr. McAfee.

12 Are you familiar with where we are at this point in time?

13 A Yes.

14 Q Can you answer the question what Documents were impor-  
15 tant to you with respect to your concerns, the concerns of Ron  
16 McAfee?

17 A Well, the Documents which I found so far, basically  
18 collaborate my concerns about the Q.C. System or Program although  
19 they don't directly deal with me in my personal concerns as an  
20 employee.

21 Q I understand, but one of your concerns is the Q.C.  
22 Program not fulfilling its purpose?

23 A Correct.

24 Q And you found Documents which in your opinion support  
25 that position?

1 A Yes.

2 Q Can you tell me what those Documents are?

3 MR. GUILD: Counsel, this is the point where  
4 we are running afoul of the position that I mentioned  
5 earlier; and that is Mr. McAfee has assisted Counsel  
6 in preparing our Litigation positions with respect to  
7 this Contention and to the extent, again, that you  
8 want to direct his attention specifically to Documents  
9 that refresh his recollection regarding his personal  
10 experiences at Catawba, I have no problem.

11 But to the extent you are specifically asking him  
12 to disclose strategy evaluations and work-product for  
13 the Litigation of this Contention, I would Object.

14 MR. McGARRY: This Board has directed us, rather  
15 than asking Interrogatories, to conduct the Deposition  
16 of Mr. McAfee; and we have established today that one  
17 of Mr. McAfee's concerns is the Q.A. Program.

18 We then think it is a legitimate area of inquiry  
19 to ask what is the basis of your concern regarding  
20 the Q.A. Program. We spent some time regarding your  
21 specific concerns, concerns based on your knowledge.  
22 It would be legitimate to ask is there any other in-  
23 formation that supports your concern with respect to  
24 the Q.A. Program, and you indicated, yes, there are  
25 Documents you found in the Document Room. So it is



1 a legitimate area of inquiry -- Do you feel any of  
2 these Documents support your concern with respect  
3 to Quality Control.

4 MR. GUILD: That is legitimate, and first the  
5 welding inspector concerns collaborate his concerns,  
6 and those are contained and reflected in Documents.

7 Beyond that, if you are asking him to re-evaluate  
8 those specific Documents on Contention 6, we would  
9 assert the Objection.

10 MR. McGARRY: I understand to the best of his  
11 knowledge I am asking what Documents has he seen that  
12 he thinks support his position, what underlies his  
13 allegations that Quality Assurance is not being properly  
14 conducted at Catawba.

15 In addition to your personal experience, you have  
16 seen Documents, and what Documents support that posi-  
17 tion

18 MR. GUILD: Try to answer that question as he  
19 just framed it.

20 THE WITNESS: Okay, the complaints of welding  
21 inspectors to supervision in the form of hand written  
22 complaints, I feel collaborate my concern, in addition  
23 to some notices of violations which I have read. I  
24 am not prepared to site you the serial number.  
25

1 BY MR. McGARRY:

2 Q No, I wouldn't expect that, but could you tell me the  
3 sense of those Notices of Violation?

4 A The sense of them is that they deal with the break  
5 down, if you will, of the Q.C. System.

6 Q So Q.C. would have been referenced in the Notice of  
7 Violation?

8 A Yes.

9 Q Any other Documents?

10 A No.

11 Q Now with respect to Category B which is the grander  
12 or larger area of Palmetto Alliance's concern, again, I ask you  
13 the same set of questions; is there any Document that you have  
14 seen that you think supports the broader allegation?

15 MR. GUILD: Again, I'll assert the position I  
16 have already stated, the clear dividing line I  
17 thought was reflected in the last set of answers; and  
18 I think that is the appropriate area of inquiry.

19 He has been responsive, but to the extent you are  
20 asking him to reflect his knowledge of our Litigation  
21 work product and Palmetto's strategic position in this  
22 Litigation of which he may have knowledge, we will  
23 assert the Objection.

24 MR. McGARRY: I would like to clarify a position.  
25 I alluded earlier to the Board's order which was dated

1 May 13, 1983, which directed Palmetto Alliance to  
2 make available Mr. McAfee as well as Mr. Hoopengardner,  
3 and they were to respond in Depositions in lieu of  
4 response to Interrogatories.

5 We believe that the Licensing Board's direction  
6 is clear. We have asked legitimate Interrogatories,  
7 and the Board has told us that our option or our means  
8 to receive those answers is through this Deposition.

9 Let me just read something that the Board has said  
10 which has a bearing on the precise issue we are dis-  
11 cussing. "Now that Discovery is coming to a close  
12 Palmetto Alliance is under an obligation to review all  
13 of the information that is provided, that has been  
14 provided to it at its request, and to decide what  
15 specific pieces of information it intends to rely on,  
16 and to tell the other party specifically what it is."

17 This is the time you have had to have made your  
18 choice, by this particular point in time.

19 MR. GUILD: Counsel, I disagree, not to cut you  
20 off; but I get your point. Of course the Board  
21 directs further responses by Palmetto Alliance as a  
22 party, and those responses are due the 31st of May;  
23 and the Board, as you quote, states t at at that point  
24 Palmetto Alliance ill be obligated to have reviewed  
25 materials that are available and to essentially make

1           those choices that you allude to.

2           Mr. McAfee is available to respond to questions,  
3           and I have Objected to no questions that you have  
4           asked of Mr. McAfee that are within his knowledge;  
5           but if the drift of this series of questions is not  
6           his personal experience or knowledge but is to the  
7           legal basis of Palmetto Alliance's position on this  
8           Contention, you are treading the same ground as if I  
9           had one your witnesses here and I asked him what did  
10          you and Mr. McGarry talk about in preparing your defense.

11          Mr. McAfee is perfectly happy to respond to ques-  
12          tions about what he knows about Q.A. problems at Cat-  
13          awba. But to the extent that it is the product of  
14          his work with Counsel in preparing Litigation of posi-  
15          tions with Palmetto Alliance, we believe it is Objec-  
16          tionable.

17          MR. MCGARRY: Let me get to Point B. I am asking  
18          him with respect to Point B, what Documents does he  
19          feel support the broader allegations of Palmetto  
20          Alliance, not necessarily what Documents you and he  
21          together support, but what Documents, he, Ron McAfee,  
22          thinks supports the broader --

23          MR. GUILD: Let me see if I can ask him to answer  
24          the question. Frankly, I think you have gotten all  
25          the substantive information with regard to Point A,

1 but Mr. McAfee, will you attempt to answer the ques-  
2 tion as Mr. McGarry has posed it?

3 THE WITNESS: The answer to that as far as Docu-  
4 ments that I have looked at this point, Part B we  
5 are talking about now?

6 MR. McGARRY: That's correct.

7 THE WITNESS: Would be the same answer that I  
8 gave to Part A.

9  
10 BY MR. McGARRY:

11 2 Just so our position is abundantly clear in the Record,  
12 we think at this point in time it is not satisfactory for you to  
13 simply say I've seen some Notices of Violation and I can't recall  
14 what they are.

15 We think as the Board said, that Palmetto Alliance is  
16 under an obligation to provide all of the information provided  
17 to it at its request and to state what information it is relying  
18 on and to tell the other party specifically what it is. Discovery  
19 is to end tomorrow, and we should know one day before the close  
20 of Discovery the specific items that you, Mr. McAfee, support.  
21 your narrow Contention, and the broader Contention.

22 MR. GUILD: I think the witness has answered the  
23 question, and I have stated my position as a party  
24 with respect to the vehicle for providing response  
25 to the Board's direction, and that would be in the

1           Answers to Interrogatories that are due the 31st of  
2           May.

3           MR. McGARRY: So are you saying, are you direct-  
4           ing the witness not to answer or are you saying he  
5           has no further answer?

6           MR. GUILD: I'm saying he has answered the ques-  
7           tion.

8  
9 BY MR. McGARRY:

10          Q       And you have nothing further to add; is that correct,  
11          Mr. McAfee?

12          A       That's correct.

13          Q       So that we can move along on this issue, I would ask  
14          one more question so we get the position clearly understood, and  
15          then we will move on. That is with respect to the Notices of  
16          Violation.

17                 We have asked you with respect to the Notices of  
18          Violation you have made reference to, we have asked you to ident-  
19          ify the particular specific Notice of Violation that you are  
20          referring to that references a break down in the Q.A. System,  
21          and we expect you to answer those questions today.

22                 My understanding is you can not today provide us  
23          those specific Notices of Violation; is that correct?

24          A       Correct.

25          Q       Are you familiar with Applicants additional responses



1 concerning Palmetto Alliance's Interrogatories to Applicants  
2 bearing the date of April 12, 1983?

3 A As it relates to Contention 6?

4 Q Have you seen that Document before (indicating)?

5 A No, I have not.

6 Q Have you seen Applicant's supplemental response to  
7 Palmetto Alliance's Interrogatory bearing the date of April 29,  
8 1983?

9 A No.

10 Q Concerning today's Deposition, when did you learn that  
11 you would be Deposed?

12 A About two weeks ago.

13 Q How did you learn?

14 A Phone call from Counsel.

15 Q In preparation of this Deposition did you talk to  
16 anyone?

17 A Yes.

18 Q Who did you talk to?

19 A Counsel.

20 Q What did you discuss?

21 MR. GUILD: Counsel, I mean what is the purpose  
22 of the question?

23 MR. McGARRY: To ascertain what was the nature  
24 of the conversation between you and Mr. McAfee to  
25 prepare for this Deposition.

1 MR. GUILD: To the extent that you want to know  
2 what advice and legal opinion Counsel has been pro-  
3 viding Mr. McAfee by his lawyer, you obviously are  
4 intruding on Attorney/Client privilege.

5  
6 BY MR. McGARRY:

7 Aside from that, was there any discussion? Did you  
8 discuss what message you should send to Applicant Duke Power  
9 Company in this Deposition?

10 A No.

11 Q After you left Duke Power Company what job did you  
12 then take on?

13 A I worked for J.P. Stevens Stores as a private sales-  
14 man.

15 Q When did you begin that job?

16 A It was a little over a week after I quit Duke.

17 Q That would have been March of 1979?

18 A March 26 I believe to be exact.

19 Q 1979?

20 A Yes.

21 Q How long were you with J.P. Stevens?

22 A About six months.

23 Q Why did you leave?

24 A To go into Solar Industry, Solar Energy.

25 Q Did you go into Solar Energy.

- 1 A Yes.
- 2 Q When did you go into it?
- 3 A Immediately after leaving J.P. Stevens.
- 4 Q What was the nature of the job?
- 5 A I sold wood stoves and solar hot water systems.
- 6 Q What was the name of the company?
- 7 A Sun Belt Solar and Wood Energy.
- 8 Q Are you still employed with that company?
- 9 A No.
- 10 Q When did you terminate your employment with that Com-
- 11 pany?
- 12 A About the end of the year, '79, late December of '79.
- 13 Q So you were with them just a couple months?
- 14 A Yes.
- 15 Q Why did you terminate your employment?
- 16 A Because their management was ill run.
- 17 Q Were you fired?
- 18 A No.
- 19 Q Were you fired from Stevens?
- 20 A No.
- 21 Q Then what did you do?
- 22 A Then I was unemployed for several months. Then I
- 23 started working with a company, or actually it was two different
- 24 companies, which installed polyurethane insulation.
- 25 Q When did you begin that job?

1 A It was summer of '80.

2 Q Are you still employed by that Concern?

3 A No.

4 Q What was the name of that Concern?

5 A Let's see, Renewable Energy Resources.

6 Q Is that a local company?

7 A Yes, in York.

8 Q As were the other companies, J.P. Stevens and Solar --

9 A Yes.

10 Q Why did you leave that company?

11 A Basically lack of work, they just didn't have alot  
12 of work.

13 Q When did you leave that job?

14 A The last job I did for them was a little over a year  
15 ago.

16 Q So you worked for them for over a year?

17 A Off and on, yes.

18 Q What have you been doing since that time?

19 A Well, I did a good bit of substitute teaching in  
20 the public schools from three and four year olds all the way  
21 through high schools, whenever they needed me.

22 Q I'm sorry, what?

23 A Whenever they needed me; and after that in February  
24 I began working with a general contractor from Clover.

25 Q Doing what?

1 A Remodeling and building houses.

2 Q Are you doing that now?

3 A Yes.

4 Q Let's focus on your Duke Power Company employment.

5 When you were employed by Duke Power Company were you employed  
6 at Catawba?

7 A Yes.

8 Q No other plant or system?

9 A No.

10 Q Why did you apply to work for Duke Power Company?

11 A I needed a job.

12 Q How soon after filing your application were you hired?

13 A A week or two, it wasn't a long time.

14 Q Did you go through an Indoctrination Program once  
15 you were hired concerning what was expected of you as an employee  
16 of Duke Power Company?

17 A I suppose you could call it Indoctrination; it was  
18 a very mild Indoctrination. You know, I guess the biggest thing  
19 was the lecture about what to do if we came up behind a yellow  
20 sign which indicated Radiation Testing. That was the heaviest  
21 thing, Radiation.

22 Q When you began working for Duke your first job was --

23 A I poured concrete, cleaned concrete and poured concrete  
24 forms.

25 Q In what area of the plant did you conduct this activity?

1 A Reactor Building One, Auxiliary Building, Cooling  
2 Building, Turbine Towers; I believe that was it.

3 Q What was the nature of the job?

4 A Well, we had to clean concrete forms before they could  
5 pour concrete. We had to clean dirt, trash, you name it out of  
6 them.

7 Q And that was all of that first job?

8 A Well, we cleaned forms and poured concrete, you know,  
9 we did this, that.

10 Q What crew were you assigned to?

11 A Roger Cook's.

12 Q And did the entire crew perform the same job or jobs  
13 that you were performing?

14 A Yes.

15 Q How were your hours, was it a 40 hour week?

16 A It was about the usual.

17 Q Five days a week?

18 A Five days a week, eight hours a day, occasional over-  
19 time.

20 Q As I understand it this is a fairly straight forward  
21 job; it didn't require any technical knowledge.

22 A No.

23 Q After that employment how long did that last?

24 A As far as that general job, it was about nine months;  
25 and then I moved on to be prepour runner.



1 Q During those first nine months did you have any con-  
2 cerns?

3 A Not really.

4 Q The concerns we have discussed today came after those  
5 first nine months?

6 A Yes.

7 Q Now, you are in the Duke Power Company nine months and  
8 you now become a prepour runner?

9 A Yes, sir.

10 Q What is a prepour runner?

11 A Okay, it is a person who goes around and gets the  
12 proper signatures on a form, and I'm talking about signatures  
13 from craft foremen and appropriate inspectors. For instance,  
14 a welding inspector who has inspected a weld that concrete is  
15 going to be poured on top of, I had to get his signature. If  
16 there was a pipe sleeve that a pipe inspector had inspected, I  
17 got his signature. The carpentry foreman who built the form,  
18 and so on, and when I got all the signatures and I got the Engineer  
19 signature and Q.A. approval.

20 Q How long were you in that job?

21 A Let's see, I was in there about three months.

22 Q What area of the plant?

23 A Let's see, it was various areas at all times, really  
24 all areas at different times. They had to shift us around. In  
25 other words, if we had more pourers in Reactor Two, then I had to

1 run for that.

2 Q Were you working with a crew?

3 A No, we were basically working independent.

4 Q Who was your supervisor?

5 A Well, technically my supervisor was still Roger Cook.

6 Actually C.B. Crotts, the General Foreman in charge of concrete,  
7 was my actual supervisor.

8 Q Did you receive any special training with respect to  
9 this job?

10 A Just on-the-job training from the former prepour runner.

11 Q Had you received any special training with respect to  
12 the previous job?

13 A They taught us how to pour concrete correctly.

14 Q In this second job, the prepour runner, did you have  
15 any concerns as a result of that experience?

16 A Yes, as I alluded to earlier, I was concerned when Q.A.  
17 waived requirements on pourers. I was concerned about the diffi-  
18 culty we had in getting welding inspectors to sign the pour sheets.  
19 At that time I didn't understand the reason for the difficulty.

20 Q Okay, let me just go through these, if I could. When  
21 you were a prepour runner you had a concern that Q.A. waived re-  
22 quirements concerning concrete forms so as to let construction  
23 people make their pours; is that correct?

24 A That's correct.

25 Q And you also indicated previously you had a problem

1 about too much water in the concrete in one instance; is that  
2 correct.

3 A Yes.

4 Q And now you said thirdly, while you were a prepour  
5 runner you had a concern about the difficulty of a welding  
6 inspector to sign what?

7 A Core Sheets, the forms we had to circulate.

8 Q Were there any other concerns that arose while you  
9 were a prepour runner?

10 A Not at the time I was a prepour runner.

11 Q Now let's examine those three; let's take the water  
12 and the concrete. Where was the location of that incident?

13 A Reactor Building One containment.

14 Q And what part of the containment?

15 A It was in the well, it was on the wall above what is  
16 called the interior doghouse.

17 Q Okay, did you report this matter to any individual?

18 A Now I may have discussed it with somebody, I didn't  
19 go to higher supervision and voice a loud complaint. I said I  
20 may have mentioned it.

21 Q What did the concrete look like, how do you know that  
22 it was too wet?

23 A Well, because there was water on top of the concrete.  
24 In other words, water is in concrete, but it was raining so hard  
25 that water was actually pooling on top of the concrete.

1 In other words, the water was not mixed with the concrete.

2 Q Do you know if that concrete was permitted to stay  
3 in place?

4 A To my knowledge it was, they didn't tear the wall  
5 out.

6 Q Do you know if anybody raised this concern?

7 A No.

8 Q Do you have any further particulars to share with us  
9 concerning this matter?

10 A No.

11 Q This would have happened in your first nine months  
12 of employment?

13 A No, this was when I was a prepour.

14 Q That's right, at the end of your first year of employ-  
15 ment; you started when?

16 A I started what when?

17 Q When did you start working at Catawba?

18 A At Catawba, March 28, '77; I'm sorry.

19 Q So this would have been approximately between January  
20 and March of '78?

21 A Yes.

22 Q With respect to Q.A. waive requirements on concrete  
23 forms to let construction make pours, what are you specifically  
24 referring to there, what incidents?

25 A Well, I was trying to get a core signed off one day.

1 Construction was very eager to make the pour, but one of the  
2 Q.A. Engineers was holding the pour up due to some requirements  
3 which I'm not familiar with. I wasn't familiar with it at that  
4 time, and I guess he would have been the junior Q.A. Engineer  
5 said, "Well, we can waive the requirements."

6 Q But you don't know what requirements he was referring  
7 to?

8 A No, that was my understanding from his conversation  
9 with the other Engineer; and they waived their requirements.

10 Q So I'm clear you have no idea of what those require-  
11 ments were, either then or now?

12 A Correct, they had something to do with the concrete  
13 form.

14 Q But you don't know as a fact whether it was appropriate  
15 for him to waive it or not; is that correct?

16 A Well, I can't be a judge of that. It concerned me.

17 Q Again, what area are we talking about with respect to  
18 this?

19 A I don't recall the area of the plant.

20 Q Do you recall who the Q.A. individual was?

21 A No, I don't.

22 Q Do you recall any names associated with this activity?

23 A No, sir; I don't.

24 Q The last item concerns the difficulty in getting weld-  
25 ing inspectors to sign pour sheets. Can you explain that to me?

1 What incident are you referring to there?

2 A Well, before the concrete could be poured, if like I  
3 said, a weld was going to be covered by concrete it had to be  
4 inspected, and the inspector had to okay it. The difficulty  
5 was perhaps twofold in that it was hard to tell at times which  
6 inspector was responsible for which welds; and whereas we might  
7 be referring to one inspector, he would say no, that's another  
8 fellows responsibility.

9 And it seemed like the old run around where you had  
10 to track down the right inspector, and even though it might,  
11 two cores might be in the exact same area, two different inspec-  
12 tors may have responsibility.

13 Q Were you able to track them down?

14 A Yes, eventually.

15 Q So before the pour took place you, indeed, did get  
16 their signatures; but it was a matter, it was difficult to get  
17 their signatures?

18 Q Now that concludes the concerns you had resulting from  
19 your employment as a prepour runner; is that correct?

20 A Correct.

21 Q Now we turn to when you became a Q.C. Inspector; is  
22 that correct, after you were a prepour runner what happened then?

23 A Well, then I went up in the Utilities Office and was  
24 basically Office Secretary and, you know, took care of the busi-  
25 ness there in the office which consisted of keeping, logging in



1 the new employees in the Utility Department, keeping track of  
2 who was on whose crew, making out time sheets, and just, you  
3 know, taking care of just general little office trivia that is  
4 associated with an office on a construction job.

5 Q Now from your first job, why did you leave that and  
6 become a prepour runner?

7 A Because it was a promotion of sorts in my sights.

8 Q Now why did you leave your job as a prepour runner?  
9 to go to the Utilities Office?

10 A Because that was another promotion of sorts.

11 Q When you were in your capacity in the Utilities Office,  
12 did any of the concerns that you have referenced today manifest  
13 themselves?

14 A Not really.

15 Q How long were you in the Utilities Office in months?

16 A I guess about 3 months.

17 Q And again, so I'm clear what your concerns are, when  
18 you were in the Utilities Office did any other concerns we haven't  
19 discussed manifest themselves?

20 A No.

21 Q After the lapsing of those 3 months then what job did  
22 you take over?

23 A Electrical Q.C.

24 Q Electrical Q.C.?

25 A Inspector.

1 Q Why did you leave the Utilities Office and become  
2 an Electrical Q.C. Inspector?

3 A Because I was trying to become an Inspector from the  
4 time I was hired on.

5 Q When you went over to the Electrical Q.C. side of the  
6 house, did you start working immediately or did you undergo  
7 training?

8 A Well, I had on-the-job training. I went around with  
9 the other inspectors, helped them perform their duties. So I  
10 was working with them.

11 Q But you, personally, were not making the inspections;  
12 you were observing how they were conducting the inspections?

13 A And assisting them in the inspections.

14 Q But there was another individual that would sign off  
15 in this initial phase; is that right?

16 A Yes.

17 Q How long did this initial phase last?

18 A Until I was certified.

19 Q Do you know how long a period of time it was from the  
20 commencement of your employment in the Q.C. Electrical Department  
21 until you became certified?

22 A You are talking about 5 months, I'm not sure about  
23 the date.

24 Q Does that sound approximately correct.

25 A I thought it was closer to 4 months; but 4 or 5 months

1     okay.

2           Q       Fine, and where were you employed, what area of the  
3     plant?

4           A       Reactor Building Number 1, Pipe Chase Auxiliary Build-  
5     ing and the Cable Room. And as I said earlier, I can't remem-  
6     ber the elevation that I worked on primarily.

7           Q       What crew, who was your supervisor?

8           A       Supervisor was Dick Haney.

9           Q       Dick Haney was your Supervisor for how long?

10          A       Nine months.

11          Q       How did you become certified?

12          A       You go through at least 3 months on-the-job training;  
13     and then you go through, I guess, 3 or 4 days of in class train-  
14     ing, which I guess we were in class actually about half the  
15     day; and then you are tested on inspection criteria. Then  
16     eventually you are certified if you pass.

17          Q       And did you go through this entire program?

18          A       Yes.

19          Q       And were you certified?

20          A       Yes.

21          Q       As a Q.C. Inspector, do you have concerns concerning  
22     the safety of Catawba and the proper construction of Catawba?

23          A       Yes, my concerns grew as time went on and as I became  
24     more aware of the way the program was actually carried out.

25          Q       Now, you have already discussed several items, and let

1 me just repeat these and see if there are any additional ones;  
2 but I have these listed under the title Q.C. Inspector: Alot  
3 of work not done correctly the first time because construction  
4 not informed how to do the work, procedures not conveyed.

5 You knew the procedures, you being Q.C. Inspectors; but the  
6 craft, in your estimation, didn't understand the procedures?

7 A Correct.

8 Q Lets talk about that point: You mentioned anchor  
9 bolts as an example. What is a support for that concern?  
10 What specific instance are you making reference to?

11 A Well, other than the one I alluded to earlier, it was  
12 a common problem that not so much in my experience alone, but  
13 in the experience of other inspectors, that they witnessed alot  
14 of anchor bolts with just one put in correctly according to the  
15 construction procedure and according to the criteria we had to  
16 inspect by.

17 Q Now where were these anchor bolts located?

18 A In various areas of the plant.

19 Q What happened? Let me stop you. What areas of the  
20 plant, throughout the plant or --

21 A Throughout the plant, yes.

22 Q What did you do about it when you came across these  
23 anchor bolts that were not properly installed?

24 A Well, as I said, by the time I became certified a  
25 great deal of the problem had been corrected; but they finally

1 did instruct the craft people.

2 Q We were talking about the anchor bolt, and you said  
3 by the time you were certified the situation was corrected be-  
4 cause --

5 A It had gotten better because they had carried out some  
6 classes teaching craft people how to correctly install them.  
7 Apparently before they just gave them the anchor bolt and said  
8 "Here go put them in." And this was after they had given us  
9 the instruction on how to install them and we suggested maybe  
10 you ought to tell the craft people how to put them in.

11 Q Did they have to get certified and how to put these  
12 bolts in, to the best of your knowledge?

13 A I don't know.

14 Q So from the time you were certified you did not en-  
15 counter any problem in installed anchor bolts; is that correct?

16 A Yes, I did encounter some.

17 Q What happened when you encountered some?

18 A Well, there was the situation I alluded to earlier  
19 in the reactor building, Pipe Chase in the cable tray supports.

20 Q Yes, which is Cecil Cox?

21 A Yes.

22 Q Okay, let's talk about that, just the cable chase  
23 support. Cecil Cox supervised the crew doing the work, and this  
24 had to do with you could not determine the length of the bolt;  
25 is that correct?

1 A Correct.

2 Q And you said you wanted to write up an NCI. Actually  
3 you said "we said." Who was "we"?

4 A Myself and the inspector I worked with, Johnny Byers.

5 Q How do you spell that?

6 A Byers.

7 Q And you both felt that you should write up an NCI?

8 A Yes, that is what we intended to do.

9 Q And you talked to Jim Allgood; is that correct?

10 A Yes.

11 Q And he said he would check it out?

12 A That's correct, yes.

13 Q And he said he could determine a length by radiographic  
14 means; is that correct?

15 A Yes.

16 Q What kind of radiographic means?

17 A I don't know, I'm not familiar with radiography.

18 Q And then the next day someone said that this had been  
19 done; is that correct?

20 A Yes.

21 Q Who was that someone?

22 A Jim Allgood.

23 Q And you asked to see the results; is that correct?

24 A Yes.

25 Q And what happened?



1 A I never saw the results.

2 Q All right and to your knowledge that is where the  
3 matter had been left?

4 A To my knowledge, yes.

5 Q Did you seek to follow up on that matter?

6 A This occurred not too long before I quit.

7 Q So I ask you the question, did you follow up on this  
8 matter?

9 A No.

10 Q Now let's get back to the anchor bolts in general.  
11 The anchor bolts you saw as a Q.C. Inspector that you determined  
12 were improperly inserted, we have talked about this one now with  
13 Cecil Cox and Jim Allgood. Were there any other anchor bolts?

14 A There were no other anchor bolts that I had to inspect  
15 and approve. Now I saw some other anchor bolts, but they were  
16 not my inspection responsibility.

17 Q And you don't know if those were corrected or not?

18 A No, I don't.

19 Q With respect to the anchor bolts that you saw prior  
20 to the correction, the training that you alluded to that was given  
21 to the craft people, were those deficiencies corrected?

22 A Some of them were; I know some of them were. I don't  
23 know that all of them were.

24 Q Do you know as a fact whether any anchor bolts had been  
25 improperly installed?

1 A Would you repeat that?

2 Q Do you know as a fact whether there are any improperly  
3 installed anchor bolts at Catawba today?

4 A Not today. I can't say there are today because I  
5 haven't been there. If you improperly install an anchor bolt  
6 you can knock out the concrete, fill the hole and start again;  
7 so it is not something you can't fix.

8 Q When you left Catawba were you of the view that there  
9 were any improperly installed anchor bolts at Catawba?

10 A Yes.

11 Q Which ones?

12 A Well, as I alluded to the one in reactor building Pipe  
13 Chase --

14 Q That is the one Cecil Cox, Jim Allgood --

15 A Yes.

16 Q Any other ones to your knowledge?

17 A To my knowledge, not that I can point my finger at.

18 Q Now the next item I have here is poor document control;  
19 Did work on basis of superceded prints that had been revised.  
20 What are you referring to there?

21 A Well, once a print is revised then the prints' previous  
22 revision is superceded and work is not supposed to be done from  
23 that blueprint.

24 Q Are superceded prints permitted in the field?

25 A We were only permitted to keep some that we had initialed

1   alot of things on just for our records that had "superceded"  
2   stamped all over them. The craft is not supposed to keep them  
3   is my understanding.

4       Q       What is your concern here, that the craft did work  
5   on the basis of superceded prints?

6       A       Yes, not saying it was the craft's fault in all cases.  
7   It was probably Document Control's fault that they didn't get  
8   all the superceded prints up, and all the new prints out.

9       Q       What incidents are you referring to to support this  
10   allegation?

11      A       It is just, well, one incident with Electrical Foreman  
12   Bobby Land, we were discussing some cable tray supports with  
13   him and we discovered that he was working off of an old print,  
14   a superceded print, in fact, which was not marked "superceded,"  
15   which he didn't know had been superceded. We informed him of  
16   that and he went up to Document Control and got the proper print.

17      Q       Where was this area?

18      A       Cable Room.

19      Q       Did Mr. Land correct the situation?

20      A       Yes, he went and got the proper documents.

21              MR. GUILD: Counsel, he is repeating exactly the  
22   same facts, some specific incidents that he did 20 pages  
23   ago in my notes when you asked him several hours ago  
24   about this same incident.

25              MR. McGARRY: I didn't get into detail, Counsel.

1 MR. GUILD: Bobby Land, electrical crew, cable  
2 tray supports, work was not performed properly, he  
3 was satisfied with the correction.

4 MR. McGARRY: If you will bear with me, I have  
5 no problem with that if I see something here when I  
6 get down to my notes on the next page.

7 MR. GUILD: Mr. McAfee is asking me "why is he  
8 asking me to repeat all of the things I finished say-  
9 ing?" and it is beginning to seem to me that is what  
10 is happening.

11 MR. McGARRY: I see Bobby Land; is that the inci-  
12 dent you have previously discussed?

13 THE WITNESS: No, it was not. It was a logical  
14 mistake on Bob's part.

15 MR. McGARRY: I am not trying to belabor this  
16 point. I am trying to go through each one of these  
17 incidents and find out what you know about it.

18 MR. GUILD: Please wake me up.

19 THE WITNESS: This was a separate incident, but  
20 Bob had no way of knowing that; it sounds very much  
21 the same.

22

23 BY MR. McGARRY:

24 Q , Having said that, Mr. Land did correct the situation  
25 and you were satisfied?

1 A Yes.

2 Q Now are there any other incidents to support this  
3 allegation of poor document control?

4 A No, those are the only specifics.

5 Q The next one I have is control room leaking water on  
6 control boards. Is that a concern that arose when you were a  
7 Q.C. Inspector?

8 A Yeah.

9 Q Now my understanding of this one is you didn't person-  
10 ally observe the situation?

11 A Yes, I did.

12 Q Tell me about it.

13 A Well, I've already done that. I said water was  
14 standing on the roof. It soaked through the concrete on the  
15 ceiling. It was like the whole ceiling was raining water on  
16 the control room boards. Another inspector red tagged the  
17 control room board.

18 Q What inspector?

19 A Tory Coleman, I believe.

20 Q What type of inspector was he?

21 A Electrical Quality and Control.

22 Q Was the Control Room under your area of jurisdiction,  
23 if you will?

24 A No, it was his.

25 Q What is the significance of water leaking on the

1 control board in your estimation that supports your allegation?

2 A Well, it is -- as you know, water and electricity  
3 don't mix, and water and electrical components don't mix very  
4 well either -- and the control boards that were in the control  
5 room at that time had been fabricated in the warehouse, kept  
6 under very strict storage conditions.

7 When they were over in the warehouse they didn't let  
8 the rain in on them, they kept them at a certain temperature  
9 level and both the temperature and the water requirements for  
10 storage of these boards were violated.

11 Q How do you know that the controls that you have been  
12 just discussing were under strict measures in the warehouse?

13 A Because of my training as Q.C. Inspector.

14 Q And was the control room operable at the time of this  
15 leaking?

16 A Operable?

17 Q Yes; was it operating, were people utilizing these  
18 controls at that time water was leaking on them?

19 A They were still fabricating.

20 Q Do you know if this water had any adverse impact on  
21 the equipment in the control room?

22 A I can't say that; I know that it did, I know that  
23 it didn't do it any good and it was contrary to its storage  
24 requirements, the conditions under which it was stored.

25 Q Do you know if this equipment would be subsequently



1 checked and reviewed by Q.C. prior to its being made operable?

2 A It should be.

3 Q What does a red tag mean or signify?

4 A Non-conforming item.

5 Q What would happen with respect to this equipment that  
6 had a red tag?

7 A No work should be done on this equipment until the  
8 NCI was resolved.

9 Q Was the NCI written up?

10 A Yes.

11 Q What was the resolution?

12 A To install space heaters in the area around the control  
13 boards; that was my understanding of the resolution.

14 Q Do you know if those space heaters were installed?

15 A Yes, they were.

16 Q Do you know if any other actions were taken with  
17 respect to the equipment that was leaked upon?

18 A No.

19 Q The next item you make reference to is while walking  
20 through the plant you saw people pulling cables and saw people  
21 walking on cables and pulling cables?

22 A Yes.

23 Q Whereabouts in the plant?

24 A In the area around the Cable Room and the auxiliary  
25 building.

1 Q Was this an area under your inspection jurisdiction?

2 A Yes.

3 Q Were you walking through these areas specifically to  
4 examine or inspect how the cables are being pulled?

5 A No, we weren't. See, this was after the cables were  
6 pulled that they were allowed to fall into improper storage,  
7 if you will. They are supposed to be kept tied up where they  
8 couldn't get damaged, but in some cases they might have a walk  
9 board, maybe supporting a walkboard or they may have been cut  
10 down because somebody needed a piece of rope and they are laying  
11 on the floor where they could be walked on.

12 Q Was the cable that you are referring to cable that  
13 was going to be used in the plant?

14 A Yes.

15 Q Was it excess cable?

16 A No, it was cable that had been pulled to do a job.

17 Q When cable was pulled to do a job is there ever any  
18 excess?

19 A They always leave some excess just so they will make  
20 sure and have enough; but you might have a roll 20 feet long  
21 that is coiled or rolled up, and it is tied up. All of that  
22 is not excess. That roll starts where the cable tray support  
23 ends.

24 Q What did you do about the situation when you saw it?

25 A I contacted the electrical foremen and got them to

1 maintain proper storage on them.

2 Q Who was the electrical foreman that you contacted?

3 A Bobby Land.

4 Q And did he correct the situation?

5 A Yes, sir.

6 Q Are you satisfied with that correction?

7 A Yes, I was.

8 Q Now the next area is work load of welding inspectors  
9 under stress from supervision to get the job done.

10 A Craft Supervision.

11 Q I'm sorry, the craft, the actual welders?

12 A Yes, the welders and the foremen; they weren't under  
13 pressure from their supervision.

14 Q I see. What examples, what instances support that  
15 allegation?

16 A Well, just welding foremen getting on, harassing,  
17 if you will, building inspectors and telling them to approve  
18 it.

19 Q You are not a welding inspector; is that correct?

20 A That's correct.

21 Q How do you know that welders harassed welding inspec-  
22 tors?

23 A Because I witnessed it.

24 Q Where?

25 A In the auxiliary building, reactor building one.

1 Q And what was the building inspector's reaction?

2 A Well, he turned around and walked off.

3 Q Do you know if the welding inspectors failed to do  
4 the job they were supposed to do in that instance?

5 A I do not.

6 Q Do you know?

7 A My understanding is that he refused to inspect it.

8 Q Who was --

9 A That guy was harassing him.

10 Q Who was the welding inspector?

11 A I don't recall.

12 Q Do you know if that welding inspector came back and  
13 inspected?

14 A I don't know for a fact that he did.

15 Q Who did the harassing?

16 A The welder.

17 Q Which welder?

18 A I don't recall his name.

19 Q To the best of your knowledge do you know as a fact  
20 that the welds that were supposed to be inspected were not in-  
21 spected?

22 A I don't know personally of any that were not inspected  
23 that were supposed to have been inspected because all I had to  
24 do as far as my responsibility was to verify if something I was  
25 inspecting had a weld on it, that it was inspected. I made sure

1 of that, anything that I inspected.

2 Q And in each instance you, indeed, found it was the  
3 proper inspection?

4 A Yes.

5 Q I am just asking you from your personal knowledge --

6 A Yes.

7 Q Number nine, training for Q.C. Inspectors was carried  
8 out in second hand manner; person training us was receiving  
9 instruction from Cherokee. You never met the individual from  
10 Cherokee that signed your certification?

11 A I never met that person.

12 Q What is the importance, significance of this?

13 A The person was giving instruction for how to instruct  
14 from someone from Cherokee whom we never saw, never met or talked  
15 to.

16 Q Do you mean then that the instruction you got was  
17 improper, inferior?

18 A I was concerned about it.

19 Q Why were you concerned about it? Is your concern  
20 simply because of the Cherokee connections or are there other  
21 specifics?

22 A Because of the Cherokee connection and I said I con-  
23 sidered it second hand.

24 Q Second hand because of that -- I don't mean to belabor  
25 the point, if there is nothing else behind this I'll press on --

1 Is there anything else behind the second training allegation  
2 other than what we have said?

3 A That is basically it.

4 Q Nothing else?

5 A Yeah.

6 Q Cecil Cox and Bobby Land, this was the cable tray  
7 support grid in the cable room and it was Bobby Land. You  
8 say work was not pursuant to the blue prints. You told Bobby  
9 Land he had a problem and he corrected it; and then you were  
10 satisfied and is that an accurate summation?

11 A Yes.

12 Q I think we have already discussed that one, I agree.  
13 The next item were blue prints changed to reflect construction  
14 errors, and I think we have fairly discussed that one. You  
15 mentioned scaffolding, scaffolding was defective or improperly  
16 installed.

17 A It was shaky; I mean if you're up 10, 15, 20 feet on  
18 a scaffold and you have the responsibility of checking to make  
19 sure that a nut or bolt is torched, taking the measurements down  
20 to a fraction of an inch, trying to see if a weld had been  
21 inspected and looking for a vis-okay on it; and the inspector's  
22 initials, it is hard to do it when your feet and the scaffold  
23 are moving and swinging under you.

24 Q Where did the swinging scaffold exist?

25 A Auxiliary building.



1 Q What elevation, what location?

2 A This was in the lower elevations, 522, the actual  
3 elevatinns has gotten kind of, you know, way back in my memory.  
4 540 was another.

5 Q So there were several instances?

6 A Yes.

7 Q What work were you inspecting when you were on these  
8 swaying scaffolds?

9 A Cable tray hangers.

10 Q Do you maintain that this scaffolding impaired your  
11 ability to do your work?

12 A Yes.

13 Q Do you sign off on the work that you were inspecting?

14 A If it was per print; if it wasn't -- in other words,  
15 if I couldn't get to see something I would either get a ladder,  
16 shore up a scaffold , or whatever I had to do to verify it. I  
17 didn't sign something off and say I guess it is okay. I didn't  
18 do that kind of work.

19 Q Did you have authority to have scaffold shored up?

20 A That is a good question, I don't know. They never  
21 told us we could go and get scaffold builders. When we needed  
22 a scaffold there was one we could drag over and fix if there  
23 wasn't one already there.

24 Q So as I understand the sensing of the scaffolds,  
25 eventually you completed your appointed task.

1 A Right.

2 Q And eventually you satisfied yourself here the work  
3 was properly done, or if it wasn't you took appropriate action;  
4 is that right?

5 A Right.

6 Q Just so I'm complete, when I look at your response  
7 to Interrogatory 80, which we previously discussed, the only  
8 item that appears we haven't discussed was with respect to in-  
9 adequate testing, training supervision of Quality Control Inspec-  
10 tors, inadequate training.

11 We have discussed inadequate testing; we haven't dis-  
12 cussed inadequate supervision. Let's discuss those two, what  
13 do you mean by inadequate testing of Quality Control Inspectors?

14 A I felt in my personal opinion that the testing was  
15 inadequate because basically we were the net -- well, how  
16 can I put it -- it was as if, almost as if we were told what  
17 the test was going to be. In other words, these are the questions.

18 It wasn't quite that blatant, but it was almost that  
19 blatant; and I consider that, as somewhat of an educator, to  
20 be an inadequate form of testing if you want to find out what  
21 the individual knows about the given subject matter.

22 Q The testing was about one step that you went through  
23 in receiving your certification; is that true?

24 A Correct.

25 Q I think you already explained you had on-the-job

1 training for 3 or 4 some odd months; is that correct?

2 A Yes.

3 Q Do you feel that when you were certified you should  
4 have been certified?

5 A Yes, I felt that I should have been.

6 Q Do you feel that the people that you worked with  
7 should have been certified who were certified?

8 A Most of them.

9 Q Anyone in particular you felt should not have been  
10 certified?

11 A Yes.

12 Q Who were they?

13 A Richard Bunton.

14 Q Was he in your class?

15 A He was in my class.

16 Q And he took the same test you took?

17 A Yes.

18 Q Any other inspectors?

19 A No, the rest of them were more or less competent.

20 Q Let me just explore the testing with you so I have  
21 a clear understanding: When did you take the test relative  
22 to becoming certified? Was it at the end of this on-the-job  
23 training?

24 A Well, you know, the end was not a definite -- it  
25 wasn't like a break in on the job training. Okay, we waited

1 until we had enough people for a class, was my understanding,  
2 to train; and then the testing came and then I think it was about  
3 a month later that we received our certification, the piece of  
4 paper you have there.

5 Q I am simply trying to understand this program.

6 A Okay.

7 Q Once you got into this program, the Q.C. Inspector  
8 Program, you were on-the-job walking around with another inspec-  
9 tor?

10 A Yes.

11 Q And you did that for X number of months?

12 A Yes.

13 Q During that time were you going to classes; were you  
14 taking tests?

15 A No.

16 Q You took tests toward the end of this on-the-job train-  
17 ing?

18 A Yeah.

19 Q Shortly before the end of this certification?

20 A Right, we took tests right after these three or four  
21 days or half days of classroom training. That was when the  
22 tests were administered, right after this classroom training.

23 Q While you were in these classes the inspector instructor  
24 was telling you now look, guys, here is the type of questions  
25 you are going to get? What did he say to you?

1 A Basically, that is pretty much the way he put it.

2 Q Now I am harkening back to my education, and you have  
3 an education and I've been exposed to that situation before in  
4 numerous classes; but the instructor would say to me, you take  
5 these notes now and you will get it back.

6 An example, it might be for a whole semester and not  
7 a 3 day period, but this is what you will get, so I'm just try-  
8 ing to find out why you found that comment of the instructor  
9 inappropriate.

10 A It just seemed inappropriate to me in the circumstances.  
11 The inspector I referred to had just transferred in from another  
12 instrumentation craft which he may have been an experienced elec-  
13 trician, but from my observation of him, you couldn't tell it.  
14 And that is just my observation.

15 Q So you are looking at it, it is a result-oriented ob-  
16 servation? In otherwords, someone passed the exam who in your  
17 estimation should have not passed the exam?

18 A Correct.

19 Q And the basis for your saying that this individual  
20 shouldn't have passed it is you just observed him on the job  
21 and you personally had problems with him in a job sense?

22 A And he had a hard time grasping the inspection criteria.

23 Q Was Mr. Bunton--- is it Bunton?

24 A Bunton.

25 Q ---Bunton on the job when you left?

1 A Yeah.

2 Q Now how about inadequate supervision of Quality Control  
3 Inspectors?

4 A Well, let's see, Quality Supervision, I would go back  
5 to what I mentioned earlier about the incident with the anchor  
6 bolt and Jim Allgood.

7 Q I'm trying to follow if that is what that means. Is  
8 there anything else that underlies that?

9 A That is, you know, that is pretty much the crux of  
10 it. There were a few couple other instances which I don't  
11 remember nearly so strongly because our conversations were not  
12 near as colorful as on that occasion.

13 Q Why do you think that that was improper supervision?

14 A Because I don't think it was the supervisor's place  
15 to tell me not to write an NCI. It was my responsibility to  
16 document NCI's; and I don't feel like it was his place.

17 Q Now what other incidents were you referring to?

18 A As I said, they were much more minor and they basically  
19 -- it wasn't so much, well, it wasn't what the anchor bolt at  
20 all. It may just be --

21 Q Go ahead. Let me put it this way: Are there any  
22 other incidents you will rely upon to support that allegation,  
23 other than Allgood allegations?

24 A No.

25 Q I will ask you one more question, hopefully, on



1 Mr. Allgood: Are you maintaining that Mr. Allgood did not have  
2 the authority to resolve this matter that you brought to his  
3 attention?

4 A I don't know if he had the authority or not. I'm  
5 not knowledgeable about exactly what authority he did have. He  
6 was not my first line supervisor. He was the Q.C. Engineer;  
7 but I do know they told us it was the inspectors responsibility  
8 to document NCI's.

9 Q All right, let me turn to some definitions of terms  
10 and perhaps we can cut some of this short. Let me, just so  
11 the Record is clear, there have been several comments during  
12 this Deposition about the length of the Deposition. I just  
13 want the Deposition to reflect it is now 9:30. We started at  
14 6 o'clock, that is 3 and a-half hours. I believe the Record  
15 reflects other Depositions taken this week and last week have  
16 taken longer. I am doing the best I can in moving this along.

17 I don't think 3 and a-half hours is an extremely  
18 long amount of time to depose this witness.

19 MR. GUILD: You and Mr. Carr have not been present.  
20 All the rest of Counsel have been here examining wit-  
21 nesses or participating in Depositions all day long,  
22 and the hour is late and I appreciate you have a job  
23 to do.

24 MR. McGARRY: Let me make another observation on  
25 the Record. We started this Deposition at 6 o'clock

1 as an accommodation to Palmetto Alliance. We Noticed  
2 the Deposition at 1 o'clock. We all understood we  
3 might go late, so I would appreciate again not the  
4 side bar comments. Let's press on.  
5

6 BY MR. McGARRY:

7 Q With respect to definitions of terms in Interrogatory  
8 80 Responses, there is reference made to faulty workmanship and  
9 to lack of proper Quality Assurance and to Company pressure;  
10 and actually the Company pressure is mentioned in Interrogatory  
11 Response 108, and I just want to assure myself -- we have been  
12 talking about faulty workmanship; is that correct?

13 A (The witness nodded his head affirmatively.)

14 Q And we have been talking about inadequate Quality  
15 Assurance; is that correct?

16 A (The witness nodded his head affirmatively.)

17 Q And again, you are nodding your head.

18 A Excuse me, yes.

19 Q To both questions?

20 A Yes.

21 Q Have we talked about Company pressure also?

22 A Yes.

23 Q So all the incidents you have talked about today  
24 embrace those three categories; and I don't have to pursue those  
25 further to find out if there are any other incidents that under-

1 lie: substandard workmanship, faulty, inadequate Q.A. or Com-  
2 pany pressure?

3 A Correct.

4 Q Let me follow up one other area of Company pressure:  
5 In the Interrogatory Responses under Responses of Palmetto Alli-  
6 ance, and they are dated April 28, 1982, I refer you to 107;  
7 and I think we have talked about Company pressure and focuses  
8 on the circled words there, "threats of retaliation." Is  
9 that a concern of Ron McAfee?

10 MR. GUILD: Do you have a question?

11 MR. JOHNSON: What is the Company pressure which  
12 you contend has occurred?

13

14 BY MR. McGARRY:

15 Q And I'm asking Ron McAfee's answer.

16 A I was never threatened, on the job site that is. How-  
17 ever, if you would like to expand on that, at a Rock Hill City  
18 Counsel meeting --

19 Q I am not sure -- you asked me if I wanted you to ex-  
20 pand on that -- while you were employed at Duke Power Company  
21 were you threatened?

22 A No.

23 MR. GUILD: Let's have the Record then become  
24 complete.

25 MR. McGARRY: I didn't ask a question so I think

1 it is not the subject of my examination.

2 MR. GUILD: Well, I think the witness had an  
3 answer he wanted to offer to the question; and he  
4 should be allowed to complete his answer to the  
5 question.

6 MR. McGARRY: No, because I did not ask the  
7 question. He anticipated the question and said --

8 MR. GUILD: I think you asked him if he had  
9 ever been subject of a threat or retaliation; and  
10 you narrowed the question to eliminate his answer.

11 If the Record is to be complete, you should allow  
12 him to complete his answer.

13 MR. McGARRY: I have no question pending.

14  
15 BY MR. McGARRY:

16 Q Mr. McAfee, I would now like to focus on an area of  
17 your pursuit of the deficiencies that you observed at Catawba;  
18 and I will make reference to Interrogatory Response 90, and  
19 actually 90 through 93 of April 28, 1982 Responses to  
20 Palmetto Alliance.

21 I would imagine you were the B of Number 90.

22 MR. GUILD: And the question, Counsel?

23 MR. McGARRY: And the question, Number 90 --

24 (Whereupon, Mr. McGarry read from the  
25 cited Interrogatory.)

1 BY MR. McGARRY:

2 Q Is that Answer you now have before you to  
3 Interrogatory 90, 90-B

4 A Yes.

5 Q Do you have anything to add to that?

6 A No.

7 Q Okay, can I just see that; and Dick Haney,  
8 I believe we have already discussed; and Jim Allgood  
9 we have discussed.

10 It says "Other persons whose names and  
11 positions are presently unknown." What does that  
12 mean?

13 A Well, you know, I shared my concerns with  
14 Johnny Byers, who was my inspector/partner, you  
15 might say.

16 We worked together. I don't know where  
17 he is now. He has been fired.

18 Q Ninety-one, it says "If the answer to  
19 Interrogatory 89 is affirmative," and it was; "What  
20 was the concern expressed, and what was the specific  
21 nature of the concern expressed?"

22 I will show you, here is 91-B (indicating).  
23 Are you satisfied with that response?

24 A Well, yes; at various times it pretty much  
25 sums it as far as I understood your question.

1 Q Aside from what we have discussed today,  
2 is there anything else you want to add in with respect  
3 to which concerns were expressed and what was the  
4 specific nature of the concern expressed?

5 A No.

6 Q Just so I'm clear and the Record is clear,  
7 I believe you have been responsive and you have given  
8 us this information throughout the course of the  
9 Deposition.

10 I just want to know if there is anything else.  
11 I'm trying to double-check, quite frankly.

12 A That's right.

13 Q Number 92 says "If the Answer to Interrogatory  
14 90 is affirmative, what was the response of the  
15 specific individuals to whom concerns were expressed?"

16 And your answer was "Anger and frustration."  
17 And would that be Jim Allgood and would that be Dick  
18 Haney?

19 A Yes.

20 Q Also?

21 A Yes.



1 Q And in Allgood, you have already described  
2 that; I didn't pick up a flavor of anger and frustra-  
3 tion; but who was Haney again?

4 A My first-line supervisor.

5 Q What was the incident with Haney? Just a  
6 cuss word is all I know.

7 A Well, we haven't talked about a particular  
8 incident.

9 Q Let's talk about it.

10 A Okay, he was just--when I went to him and  
11 discussed these things--I guess we will have to attri-  
12 bute the anger to Jim and the frustration to Dick  
13 Haney, because he was frustrated; not only with the  
14 job we were getting as far as the craft, but the fact  
15 that on top of the fact that there was always something  
16 that they were finding wrong was frustrating to him.

17 Q Do you have any problems with Mr. Haney?

18 A No, not any serious problems.

19 Q Number 93, "If the Answer to Interrogatory  
20 89 is affirmative, was any subsequent action part of  
21 any individual's concern referenced that has a bearing  
22 on this Contention?

23 "If so, please identify." Read Number 93 so  
24 we can pursue that; will you?

25 A That is not my answer.

1 Q Okay, what would your answer be?

2 A Read the question again.

3 MR. GUILD: Can we just see the question?

4 (Whereupon, the Witness was shown  
5 the requested document.)  
6

7 THE WITNESS: All the incidents that we  
8 have discussed, "Did you ever write up an  
9 NCI?" To tell you the truth, my memory is  
10 not real clear on whether I did or not; so I  
11 don't know.  
12

13 BY MR. McGARRY:

14 Q With respect to the incidents we have discussed,  
15 was the NRC contacted to the best of your knowledge  
16 with respect to any of these matters?

17 A Concerning me?

18 Q Concerning the matters that you have raised  
19 here today; do you know if the NRC was advised of  
20 any of those matters?

21 A Not that I know of.

22 MR. GUILD: I think the answer is probably  
23 responsive when he was on the job; and since  
24 the litigation is pending, it should be reflected  
25 documents have been exchanged that reflect

1 NRC's concern.

2 MR. McGARRY: Yes, I think that is very  
3 helpful. And to clarify it, one of the Interro-  
4 gatory Responses made reference to NRC re-  
5 ports; but is that Hoopengardner or Mr. McAfee?

6 MR. GUILD: Yes.

7 BY MR. McGARRY:

8 Q Let me, just to pursue it--since you have  
9 left the employment of Duke Power Company, do you  
10 know if any of the matters you have raised here today  
11 have been brought to the attention of NRC?

12 A It is my understanding that they have been.

13 Q Did you bring them to NRC's attention?

14 A No.

15 Q Who brought them to the NRC's attention?

16 A Mr. Hoopengardner has brought some to their  
17 attention.

18 Q I'm talking about Ron McAfee's concerns.

19 MR. GUILD: The Record should be clear  
20 that the Chairman of the Licensing Board, as  
21 I am sure Counsel is aware, directed a Memo  
22 to the NRC Staff in response to Pa metto  
23 Alliance's documents reflecting Mr. McAfee's  
24 concerns. And there are details, Staff  
25 Records, that reflect the response to that.

1 BY MR. McGARRY:

2 Q You are referring to a November 4, 1982  
3 letter from Mr. Johnson to the Board concerning this  
4 matter.

5 Did the NRC contact you concerning concerns  
6 that you had relative to the safe operation at Catawba?

7 A I have never been contacted by the NRC.

8 Q Were you contacted by the NRC's Office of  
9 Investigations at the Atlanta Field Office?

10 A No, I wasn't.

11 Q Just trying to refresh your recollection; let  
12 me hand you a document that was served on the Board  
13 and Parties (indicating); and it bears an October 8,  
14 1982 date.

15 And it is an attachment to the November 8  
16 letter; and why don't you take a moment and read it.

17 A I do not remember any conversations with  
18 them, with NRC, Atlanta.

19 I do recall them corresponding with Counsel,  
20 and since the letter was, "We suggested he make Mr.  
21 McAfee and Mr. Hoopendardner submit to the investi-  
22 gation."

23 That was relayed to me by Counsel, but I do  
24 not recall a conversation at all.

25 Q Now just asking you for your own personal

1 knowledge and information, this next series of ques-  
2 tions, you made reference to Counsel receiving an  
3 inquiry from NRC's Office of Inspection and Enforce-  
4 ment, I presume. Is that correct?

5 MR. GUILD: Counsel, I think there is  
6 probably some document that reflects the ex-  
7 act course of dealing, and not to try to para-  
8 phrase them.

9 I don't think it is really material to the  
10 deposition. If you want to have an Off-the-  
11 Record discussion and dig out some documents  
12 later, but I think that the Witness is answer-  
13 ing responsively to the subjects within his  
14 knowledge.

15

16 BY MR. McGARRY:

17 Q I was picking up on your reference to corres-  
18 pondence that your Counsel had with the NRC, and I  
19 just want to know your opinion.

20 Were you hesitant or did you not want to talk  
21 to the NRC, you, Ron McAfee?

22 A Me, Ron McAfee, I saw no reason why I should  
23 talk to the NRC at that particular point in the licens-  
24 ing.

25 Q What was the basis for your position?

1 A I just felt that there was no reason to.

2 Q You had concerns about Catawba; is that  
3 correct?

4 A (The Witness nodded his head affirmatively.)

5 Q And in your opinion you felt there would be  
6 no advantage to bringing these concerns to the atten-  
7 tion of the NRC?

8 A No; in my opinion I felt that the NRC could  
9 not do anything about my concerns.

10 Q What was the basis for that opinion?

11 A The basis for that opinion is that as a worker  
12 at Catawba and since then I've seen how the NRC  
13 operates; and in my opinion they are basically a  
14 rubber stamp for the industry.

15 They are not really interested in what my  
16 concerns are; and so they are not going to investigate  
17 in a serious sense what my concerns are.

18 MR. GUILD: You asked the question.

19 MR. McGARRY: And I wish you hadn't --  
20 here we go --

21  
22 BY MR. McGARRY:

23 Q What instances are you referring to where you  
24 saw the NRC rubber stamp activities at the Catawba  
25 plant?



1       A       Well, the time I was there when an NRC  
2 inspector did come, he made a very light inspection,  
3 if you want to call it that.

4       He looked at paperwork on blueprints and paper-  
5 work. I never saw one go even down into the plant.

6       Q       Who was this NRC Inspector?

7       A       I don't know.

8       Q       How often did you see him?

9       A       He came twice while I was inspecting.

10      Q       Would you have occasion to see him?

11      A       I saw him in the office in passing.

12      Q       Catawba is a big site; is it not?

13      A       Yes.

14      Q       Would you expect to see him every day?

15      A       No; he only came for one day at a time.

16      Q       How do you know he only came one day?

17      A       This is the one, the electrical that dealt with  
18 the Electrical QC. He was there on-site one day.

19      Q       One day during your entire --

20      A       No; one day at a time. As I recall, there  
21 were two visits to our Electrical QC Group while I  
22 was an inspector.

23      Q       I see.

24      A       Okay, and each visit was one day.

25      Q       And he came by himself?

1 A Yes.

2 Q And you can't recall his name?

3 A No.

4 Q And did you go along with him that entire day?

5 A No, as I said, he stayed basically up in the  
6 offices; and I never saw him go down into the plant,  
7 itself.

8 Q Were you in the offices the entire day he was  
9 in the offices?

10 A About half the day, apprximately.

11 Q Were you in close contact with him?

12 A No.

13 Q Do you know as a fact that he didn't leave  
14 that office and go down into the plant?

15 A No, not as a fact. As I say, I didn't see him.

16 Q With respect to Catawba Quality Assurance  
17 Program, are there changes or modifications in the  
18 Applicant's Quality Assurance Program?

19 Let me amend that question: Are changes or  
20 modifications in Applicant's Quality Assurance Program  
21 necessary to provide confidence that the plant will  
22 perform satisfactorily in service; and if so, what are  
23 they?

24 , Answer to the best of your ability.

25 A Well, the answer is obviously yes; and I can

1 sum it up by saying that the changes would be wide-  
2 spread as far as just implementing the Quality Assur-  
3 ance Program that they have on paper into the actual  
4 work product.

5 And the Program on paper sounded pretty  
6 good and sounded like it would assure quality. The  
7 problem is that it was not carried out.

8 Q And what do you attribute that to? Is it to  
9 the policies in implementing it, or the procedures to  
10 implementing it; or the instructions that are given to  
11 implement it?

12 A Probably all three.

13 Q Are there any specifics that underlie that  
14 position, or is it just simply your observations, being  
15 at Catawba for the period of time that you were?

16 A Based on my observations.

17 Q I'll move away from this area, but I want to  
18 be sure in your responses to that question, there was  
19 nothing in addition underlying that response other than  
20 the specifics we have discussed today.

21 Is that correct?

22 A That's correct.

23 Q Has it been indicated to you that you may  
24 testify in this Proceeding?

25 A Yes, sir.

1 Q When you testify, and again, I'm asking you to  
2 the best of your knowledge today, do you intend to re-  
3 ly on any documents?

4 A Possibly.

5 Q Do you know today what those documents are?

6 A No.

7 Q Will you discuss any matters that we haven't  
8 discussed in this Deposition?

9 A I don't think so; I think you've covered the  
10 ground pretty well.

11 Q Do you have anything else to add to what you  
12 have already said today?

13 A No.

14 Q I'm asking you to the best of your knowledge  
15 today, on May 19, 1983?

16 A What?

17 Q I think you have answered my question; I'm  
18 just clarifying. We have spent a lot of time this  
19 evening trying to understand what your concerns are.

20 And if there is something else, this is the  
21 time that we get it on the table; so I ask you is there  
22 anything else?

23 A Not at this point.

24 Q I am looking at a newspaper article I'm sure  
25 you are familiar with (indicating). Does it have a

1 date on that? Let's identify it for the Record.

2 A It looks like 10/25/79.

3 Q Will you read the headline?

4 A "Inspector Charges Carelessness at Nuclear  
5 Power Plant."

6 Q What I'm trying to do is satisfy myself. In  
7 that article reference is made to five concerns that  
8 you had; and I was looking quickly if those were five  
9 concerns we have already discussed I don't plan to  
10 pursue it.

11 If you would just confirm that --

12 A They are covered.

13 Q They are covered; okay. Fine, thank you.

14 I have two questions I should have asked before but  
15 I didn't. Where are you presently working now?

16 A I work for a general contractor, building.

17 Q This is full-time?

18 A Yes.

19 Q Out of curiosity, when you went to Garnder  
20 Web, and you have a degree in the Bible --

21 A Basically.

22 Q Okay, I don't mean this personally; but are  
23 you a Baptist?

24 A No; why did you ask?

25 Q I want to know if you were a Fundamental

1 Baptist.

2 A Why?

3 Q Because a Fundamental Baptist places some  
4 literal interpretations on meanings of various state-  
5 ments.

6 It was a curiosity.

7 MR. GUILD: Counsel, you and Mr. McAfee  
8 should have a long off-the-Record discussion  
9 on this subject.

10 I trust it would be entertaining for both of  
11 you.

12 MR. McCARRY: Al, do we have any further  
13 questions?

14 MR. CARR: I don't believe we have  
15 anything. George, do you have any questions?

16 MR. JOHNSON: I have several questions;  
17 yes, sir. I just wanted to clarify the Record  
18 on just a couple points.

19

20

CROSS-EXAMINATION

21

BY MR. JOHNSON:

22

23 Q You were asked whether you contacted the NRC  
24 when you advised the NRC of any matters discussed  
25 here tonight.

25

I didn't get the answer. What was your answer



1 to that question?

2 A No.

3 Q The answer was No. You were also shown a  
4 memorandum dated October 8 earlier on, and asked  
5 the question whether you had, subsequent to your  
6 appointment at Catawba, ever spoken to any NRC  
7 Inspector or Investigator; and I believe you said No.

8 Is that true?

9 A I don't recall speaking to any.

10 Q I will show you a Report of Inquiry, dated  
11 September 23rd, 1982 (indicating). It is prepared by  
12 one D. D. Murphy; and it says in part:

13 "On October 26, 1982, McAfee was contacted  
14 telephonically ---" I'm sorry -- "On August 26, 1982,  
15 McAfee was contacted telephonically and stated that he  
16 had said all he had to say at the Licensing Hearing,  
17 and did not wish to discuss the matter with an NRC  
18 Investigator at this time.

19 "McAfee said he would get with his attorney,  
20 Mr. Guild, and if he changed his mind he would con-  
21 tact NRC."

22 A I do recall the conversation now; but my main  
23 recollection was the letter from NRC to Bob, to  
24 Counsel, saying that they suggested he make me sub-  
25 mit to an Investigator, talk with an Investigator.

1           So I do recall the telephone conversation;  
2 but it was just a short one because I said I didn't  
3 have anything to say at that point.

4           Q     Do you have anything to add to the reasons  
5 why you did not talk to the Investigator?

6           A     No.

7           Q     Okay, one more matter: Earlier on when  
8 Mr. McGarry was asking you about systematic deficiencies  
9 at the plant in the Quality Assurance Program,  
10 one of the areas in which you were focusing had to do  
11 with what I believe we were using as a basis for your  
12 assertion that you were discouraged from writing NCI's  
13 and encouraged to resolve matters with the craft  
14 supervisors.

15           Mr. McGarry went through a number of instances  
16 in which you asserted this had been the case; and  
17 you answered that you had talked with the craft supervisors;  
18 and that the work had been corrected as per  
19 your request.

20           And that you inspected it and you were satisfied.  
21 You went over several of these examples. What  
22 was not asked, and the question I would like to ask  
23 you is were there any instances in which this procedure  
24 was followed in which you were encouraged to resolve  
25 the matter with a craft supervisor; and you spoke to

1 to the people and the matter was addressed and you  
2 were not satisfied with the corrective action taken?

3 A No.

4 Q There were no such instances?

5 A No.

6 MR. JOHNSON: That is all I have.

7 MR. McGARRY: I have one question; I  
8 apologize.

9  
10 REDIRECT EXAMINATION

11 BY MR. McGARRY:

12 Q You had mentioned that the QC Program did  
13 not meet 10 CSR; and I forgot to follow up:

14 How does it not meet 10 CSR?

15 A I cannot quote you the paragraph and subpara-  
16 graph. Just based on my understanding of 10 CSR,  
17 the QA and QC Programs did not meet the require-  
18 ments set out in 10 CSR.

19 Specific requirements would be hard for me  
20 to put my finger on right now without having a 10 CSR.

21 Q Let me tell you, I know we are belaboring it;  
22 but this is something we had a problem with before  
23 in Interrogatories.

24 And I do apologize for this late hour, but I  
25 think this is important: This is largely set forth in

1 10 CSR. We reiterate, however, it will not suffice  
2 to refer generally to Appendix B.

3 It contains eight criteria which should be  
4 cited.

5 MR. GUILD: Counsel, we have already  
6 referred to it.

7 MR. McGARRY: I refer to the part which  
8 he intends to use to respond to the Board  
9 Order.

10 What does Mr. McAfee understand is appro-  
11 priate; and I showed him the 10 CSR, Part  
12 50A, Appendix B (indicating). And if he has  
13 anything to add to his answer, I would ask  
14 that he do that.

15 MR. JOHNSON: I would like the Record  
16 to show that Mr. Guild pointed to a Provision.

17 THE WITNESS: It was an Appendix.

18 MR. GUILD: I don't have a Provision,  
19 but I would be happy to find a couple, if you  
20 would like, George.

21  
22 BY MR. McGARRY:

23 Q Mr. McAfee, when you made that statement  
24 that it does not meet 10 CSR, did you have any  
25

1 particular section of Appendix B in mind?

2 A No; I've read it before; and based on my  
3 interpretation of it, I had seen things which didn't  
4 coincide.

5 Okay, now, if you want to wait for me to go  
6 ahead and re-read it, I suppose I can do that.

7 Q I understand the representation of Counsel,  
8 Palmetto Alliance, will be responding with specific  
9 instances.

10 It will be helpful if we can somehow identify  
11 in that response your concerns. That would be help-  
12 ful and then we won't have to belabor this matter.

13 MR. GUILD: Let's do it now.

14 MR. McGARRY: Fine.

15 THE WITNESS: Okay, one in particular,  
16 Appendix B, Paragraph XIII, "Handling, stor-  
17 age and shipping measures shall be established  
18 to control the handling, storage, shipping,  
19 cleaning and preservation of materials and  
20 equipment in accordance with work and inspec-  
21 tion instructions to prevent damage or deteri-  
22 oration.

23 "When necessary for particular products,  
24 special protective environments, such as inert  
25 gas atmosphere, specific moisture content

1 levels, and temperature levels, should be  
2 specified and provided."  
3

4 BY MR. McGARRY:

5 Q And that relates to the control room leaking?

6 A Yes, sir.

7 Q Does it relate to any other ones?

8 A Well, that is just one. Do you want me to  
9 go through each and every paragraph?

10 Q I have given your Counsel an option; and I  
11 don't mean to belabor you at this hour to go through --  
12 I'm suggesting in Palmetto Alliance's response, where  
13 they will identify the specific ones, you can go over  
14 this tomorrow and mention to your Counsel which ones  
15 are of concern to you.

16 And it would be helpful if you would relate  
17 those to the concerns we have discussed today; but  
18 that is fine with us.

19 But your Counsel said, "Lets go through it  
20 tonight." So blame him, not me.

21 MS. PHILLIPS: Nobody is blaming you.

22 THE WITNESS: Okay, I cite Paragraph II  
23 beginning with, "Activities affecting quality  
24 shall be accomplished under suitably controlled  
25 conditions."



1 "Controlled conditions include the use of  
2 appropriate equipment, suitable environmental  
3 conditions for accomplishing the condition,  
4 such as adequate cleanness; and assurance  
5 that all prerequisites for the given activity  
6 have been satisfied."

7 That is in relation to the scaffolds -- suit-  
8 able equipment. Okay, here I guess are  
9 Paragraphs XVI and XV, "Nonconforming  
10 Items shall be reviewed and accepted, rejected,  
11 repaired or reworked in accordance with docu-  
12 mented procedures."

13 And XVI, "Measures shall be established  
14 to assure that conditions adverse to quality,  
15 such as failures, malfunctions, deficiencies,  
16 deviations, defective material and equipment,  
17 and nonconformances are promptly identified  
18 and corrected."

19  
20 BY MR. McGARRY:

21 Q I'm sorry; what is it again? "Nonconforming  
22 materials, parts or components", what does that relate  
23 to?

24 A Well, it relates to nonconforming items --

25 Q I'm sorry, which concerns that we have

1 discussed tonight?

2 A How Quality Control is carried out; I'm read-  
3 ing you the part relative to that last aspect.

4 "Nonconforming items shall be reviewed and  
5 accepted, rejected, repaired, or reworked in accordance  
6 with documented procedures."

7 As I have already alluded to, I, myself, did  
8 not do this; and a lot of other inspectors didn't do  
9 this. We worked it out with the craft otherwise; so  
10 the QA Program is -- Paragraph XVI is " In the case  
11 of significant conditions adverse to quality, the mea-  
12 sures shall assure that the cause of the condition is  
13 determined and corrective action taken to preclude  
14 repetition."

15 This pretty much reiterates, it deals with  
16 corrective action for NCF's.

17 Q Do you know what that relates to?

18 A Yes, okay; "Measures shall be established to  
19 assure that the cause of the condition is determined  
20 and corrective action taken to preclude repetition.

21 "The identification of the significant condition  
22 adverse to quality, the cause of the condition, and the  
23 corrective action shall be documented and reported to  
24 appropriate levels of Management."

25 Q Is that relating to the same item? Rather

1 than writing an NCI you were told to work it out with  
2 the craft in the first instance?

3 A Correct, okay.

4 Q Is that it?

5 A That is it; thank you.

6 MR. McGARRY: That is it.

7 FURTHER THE DEPONENT SAITH NOT.  
8

9 I, William Ronald McAfee, hereby certify that  
10 I have read and understand the foregoing transcript  
11 and believe it to be a true, accurate and complete  
12 transcript of my testimony.  
13

14  
15 William Ronald McAfee  
16

17  
18  
19 This Deposition was signed in my presence by  
20 William Ronald McAfee on the \_\_\_\_\_ day of \_\_\_\_\_,  
21 1983.  
22

23  
24 Notary Public  
25

1  
2  
3 CERTIFICATE

4 STATE OF NORTH CAROLINA

5 COUNTY OF MECKLENBURG

6 I, Lynn B. Gilliam, do hereby certify  
7 that the proceedings were by me reduced to machine  
8 shorthand in the presence of the witness, afterwards  
9 transcribed upon a typewriter under my direction;  
10 and that the foregoing is a true and correct trans-  
cript of the proceedings.

11 I further certify that these proceedings  
12 were taken at the time and place in the foregoing  
13 caption specified.

14 I further certify that I am not a relative,  
15 counsel or attorney for either party or otherwise  
16 interested in the outcome of this action.

17 IN WITNESS WHEREOF, I have hereunto  
18 set my hand at Charlotte, North Carolina, on this the  
19 \_\_\_\_\_ day of May, 1983.

20  
21  
22  
23 LYNN B. GILLIAM  
Court Reporter  
Notary Public  
24

25 My Commission expires May 12, 1988.