

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

In the Matter of:)	Docket Nos.
)	
DUKE POWER COMPANY, et al)	50-413
(Catawba Nuclear Station)	50-414
Units 1 & 2))	

COPY

I, Barbara V. Haas, Commissioner and Notary Public,
proceeded to take the continuation of the deposition of
W. O. Henry on the twenty-ninth day of June, 1983, beginning
at 8:20 o'clock a.m. in the offices of Duke Power Company,
South Church Street, Charlotte, North Carolina.

CONTINUATION OF THE DEPOSITION OF
W. O. HENRY

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4401 Colwick Rd.
P.O. Box 220183
Charlotte NC. 28222
704.364.3178

1 EXAMINATION: (By Mr. Guild)

2 Q. Good morning, Mr. Henry, I believe there may be some
3 other people in the room today in addition to those present
4 yesterday. With me, assisting Palmetto Alliance, is Billy
5 Garde of the Government Accountability Project and Michael
6 Lowe, director of Palmetto Alliance.

7 MR. JOHNSON: I'm George Johnson of the Nuclear
8 Regulatory Commission.

9 MR. GIBSON: I'm Ron Gibson, counsel for Duke
10 Power. George Grier is here, Corporate Q.A. Manager,
11 and Glenn Bell will be here also during the deposition.

12 Q. Counsel, yesterday the witness identified for the first
13 time a document that he described as entitled "Self- Evalua-
14 tion Catawba by INPO Design and Construction Criteria,"
15 which was described as an evaluation of work at the Catawba
16 construction in October of 1982. I asked then that that
17 document be produc ed so that I might inquire concerning
18 the matters therein related to quality assurance and quality
19 control under contention 6, and I believe you said you were
20 going to make some kind of inquiry concerning the availability
21 of that document.

22 MR. GIBSON: Wn determined that that document has
23 not been requested during discovery of this case and is
24 not relevant to the discovery, and decline to make it
25 available and as indicated yesterday suggest that you take

1 that document up with the Board along with the other things
2 you intend to pursue with the Board.

3 Q. Since Mr. Henry is a man with responsibilities in the
4 quality assurance area, I would intend to examine him in
5 detail concerning the contents of that document. Of course,
6 not knowing what that document says, I can't presume what the
7 contents are, but it appears from the description and title
8 that it is relevant to the subject matter of this contention.
9 Mr. Henry, we were talking yesterday when we broke about the
10 procedures available to an inspector, and specific by way
11 of example, we were talking about welding inspectors. When
12 a deficiency was noted in the work in question, and I believe,
13 you indicated that two procedures then available were described
14 in Duke Quality Assurance Procedure Q-1 which relates to
15 non-conforming item report, is that correct?

16 A. That's correct.

17 Q. And, procedure R-2 which provides for the use of a form
18 that we have described or you have described as an R-2A, is
19 that correct?

20 A. That is also correct.

21 Q. And, that both procedures receive some revision or clari-
22 fication either as a result of recommendations of the Welding
23 Inspector Task Force or subsequent to that Task Force, and
24 you were explaining some of those in general?

25 A. Yes, sir.

1 Q. I was trying to understand some of the provisions for
2 noting trends and I believe you indicated that as a result
3 of the October study, self-evaluation, that a procedure
4 change had been implemented that called for trending
5 R-2A's, is that correct?

6 A. That's correct.

7 Q. You are trending R-2A's then?

8 A. That's correct.

9 Q. Can you tell me, is there a name for the report or
10 document that would reflect that trending of R-2A's?

11 A. Nothing other than the trend analysis of R-2A's.

12 Q. Mr. Henry, would you maintain the custody of those re-
13 ports?

14 A. No.

15 Q. Who would?

16 A. That's the responsibility of the Construction Management
17 at the site where they are generated.

18 Q. Is that the Project Manager ultimately?

19 A. Or his designee.

20 Q. Do you know who his designee would be with respect to
21 trends of R-2A's?

22 A. Not specifically.

23 Q. Would it be someone in Quality Assurance?

24 A. No.

25 Q. Maybe you said, but just for clarification, how about

1 the trend analysis for NCI's?

2 A. Yes, that's in Quality Assurance.

3 Q. Would you maintain those?

4 A. Yes.

5 Q. With respect to construction activities at Catawba?

6 A. Yes.

7 Q. Are those documents made on a regular basis; monthly,
8 weekly?

9 A. Yes, they are in accordance with the regular schedule.

10 Q. What would that be?

11 A. Currently that is monthly.

12 Q. For both NCI's and R-2A's?

13 A. For NCI's monthly is correct. I don't recall what that
14 is for R-2A's.

15 Q. Mr. Henry, with respect to construction activities at
16 Catawba, are measures taken to insure that the cause of
17 deficiencies that affect or may affect the safety are
18 identified and that those deficiencies are corrected?

19 A. Yes.

20 Q. Describe those measures, sir.

21 A. As described in the procedure Q-1, any significant non-
22 conforming items require that such evaluation be made as
23 far as the root cause and corrective action to preclude
24 that occurring again.

25 Q. First, let's see, I have the latest revision of Procedure

1 Q-1 that has been received as Exhibit Five of your deposi-
2 tion. How about, if you would, direct my attention to
3 the portion of that procedure that sets forth the procedure
4 you just indicated.

5 MR. GIBSON: I'm conferring with my client,
6 Mr. Guild. The record will reflect that. We will not abide
7 by your request that he give an answer prior to consulting
8 with counsel.

9 Q. I just want the record to reflect my request that you
10 not consult prior to answering.

11 A. Again, your statement that this is the latest revision
12 of the procedure and what I wanted to point out to you is
13 that the procedure has been revised again subsequent to
14 this 6/16/82 date, and so it's not -- I was not sure we
15 should proceed with my letting you think this is the latest
16 one.

17 Q. Can we produce the latest revision then, so we will have
18 an up-to-date copy of that procedure.

19 MR. GIBSON: Why don't you ask about the revisions.
20 I don't think they would be included within your request
21 for discovery, and if after asking questions you determine
22 that you want that item, then, at that time, I will tell
23 you whether I think it's necessary.

24 Q. Mr. Gibson, we have a continuing request and the Board
25 has a direction that discovery materials be updated. If

1 there is a procedure that obviously affects the substance --

2 MR. GIBSON: I'm trying to get you to ask some
3 questions so --

4 Q. Excuse me, let me finish the statement for the record.
5 If there is an obvious procedure such as that for non-conform-
6 ing items and the latest revision has not been provided, my
7 position is that it's clearly covered by the directive from
8 the Board continuing updates for discovery request. I
9 want to have an accurate record here, and I appreciate the
10 witnesses' candor in telling me this is not the latest
11 revision, but I would ask that the latest revision be pro-
12 vided now so we don't have to guess about its terms. It
13 serves no useful purpose for me to go through further in-
14 quiry on the subject of procedure that has been revised.

15 MR. GIBSON: Prior to our making that available,
16 I'm going to ask the witness to describe the revision that
17 has been made while we attempt to get a copy of that available.
18 Q. That's not my question, but you would like --

19 MR. GIBSON: I'm asking him to describe that as
20 part of his consultation with me and the preliminary to this
21 exchange between counsel.

22 Q. That's not my question, but if you want to respond to your
23 counsel's direction, that will be fine.

24 A. The latest revision of the procedure will reflect some
25 changes in the particular individuals who might do certain

1 evaluations which forms they would use and the administrative
2 detail as how we complete the actions that are required by
3 the non-conforming item procedure as it exists and the one
4 we have here, and the point we were discussing about the
5 determination of route cause, corrective action, those
6 requirements that be done, this procedure that requirement
7 has not changed. We made some changes in the location,
8 the flow of paper and the administrative details as to how
9 that is done, but not to confuse you in thinking that this
10 was the latest issue is why I chose to make this statement.

11 Q. Mr. Henry, I'm interested in inquiring about all those
12 subjects, so I would ask counsel to produce the latest re-
13 vision.

14 MR. GIBSON: We are attempting to do that. If
15 there are some other questions you could proceed with while
16 that is being obtained, you may take some time; otherwise,
17 we may go off the record completely.

18 Q. Let me show you what has been received as Exhibit Four
19 to your deposition, and this is entitled, "Procedure R-2."
20 Is this the latest revision of that procedure?

21 A. I believe this is the latest revision.

22 Q. Is there some document that you could have some reference
23 to that would confirm that that is the latest revision if
24 you are in doubt, sir?

25 A. I think the document that Mr. Bell is looking for would

1 confirm this is the latest revision.

2 Q. As we go through the rest of this deposition -- First
3 let me ask you this. Are you aware of any other testimony
4 so far in your deposition, Mr. Henry, that should be corrected
5 or changed or updated?

6 MR. GIBSON: Object to the form of your question,
7 Mr. Guild. He is not correcting any other testimony. He
8 corrected your statement about this document.

9 Q. Let me finish my question, counsel. Are you aware of any
10 of your testimony that should be changed, corrected or up-
11 dated in light of changes or revisions in documents or
12 procedures?

13 A. No.

14 Q. Other than this particular procedure we have reference
15 to?

16 A. The second question you made the statement this is the
17 latest one, and I'm saying that it is not.

18 Q. I want to have an idea, Mr. Henry. I want your testimony
19 to address the way things are most recently, current condi-
20 tions, current procedures, current policies at Catawba unless
21 I specifically ask you about something earlier in time, sir.
22 In light of that statement, is there anything that needs
23 to be changed, corrected or updated in what we have dis-
24 cussed over the last many hours of your testimony? I want
25 to have a current idea of how things are done at Catawba.

1 A. I have attempted to answer your questions. If I felt they
2 were as current as of yesterday, I answered them that way.
3 If I felt you asked them specifically about something else,
4 I attempted to answer your question, so I will stand on the
5 answers I just gave.

6 Q . If there is anything as we go forward or anything that
7 occurs to you that requires in order to be complete and
8 accurate and truthful that you note that there has been a
9 further update or change or revision and I haven't noticed
10 it or it has been an oversight on my part, I would ask you,
11 sir, that you correct the record so that the record will
12 be complete and up to date. Will you do that, sir?

13 A. I prefer not to answer that. I will try to answer your
14 questions. I'm not sure I can make that statement and honor
15 that request when you are talking now, in the future or in
16 the past.

17 Q. That is my request, Mr. Henry.

18 A. I will attempt to answer your questions.

19 Q. We need to wait on the procedures.

20 OFF THE RECORD (8:45 a.m.)

21 CONTINUING EXAMINATION: (By Mr. Guild) (9:05 a.m.)

22 MR. GIBSON: Mr. Guild, during this adjournment,
23 we reviewed the latest revision to Q-1 and determined that
24 the revisions were not as a result of the Welding Inspector
25 Task Force. They are a part of the on-going revisions that

1 the company is required to make in all of its procedures.
2 The company has made available to Palmetto all of the re-
3 visions to the procedures that are as a result or connected
4 with the Welding Inspector Task Force Report. We take
5 the position that this request is outside the scope of
6 the deposition and beyond the earlier discovery request of
7 the company. We decline to make this document available, and
8 will not make any other revisions to company procedure avail-
9 able that were not made as a result of the Welding Inspector
10 Task Force. I understand your position that they are discover-
11 able, and I understand you will take that matter up with
12 the Board, and it will be resolved at that time. If you have
13 any further areas of inquiry for Mr. Henry or want to ask
14 him substantive questions about Q-A1 that you have been
15 looking at which includes the substantive changes relating
16 to the Welding Inspector Task Force, you may proceed with
17 that.

18 Q. Can you we have a time check. How long have we been off
19 the record waiting for Mr. Gibson to reach that position.
20 Twenty minutes. So, the procedure we are talking about is
21 not the procedure that, in fact, governs construction at
22 Catawba, is that correct, sir?

23 A. It is not the current revision of the procedure, that's
24 correct. That's Q-1.

25 Q. Counsel, for the record, it's clear that what is relevant

1 in this contention and what is discoverable is quality
2 assurance as it relates to welding at Catawba. There is
3 no limit whatsoever that is tied to what your Welding
4 Inspector Task Force did or didn't do. I presume it's your
5 position that they addressed all the problems and everything
6 is fine out there, but, of course, it's open to us to seek
7 discovery regarding our claims and your defenses, and the
8 fact that you may have that as a defence should not in any
9 way, shape or form limit what is discoverable for us, sir.
10 We would specifically request that you produce the latest
11 revision of the procedures affecting quality assurance at
12 Catawba specifically in this regard the latest revision of
13 Q-1.

14 MR. GIBSON: Mr. Guild, I understand your position.
15 You stated it quite eloquently. If you have any further
16 questions of Mr. Henry, would you proceed?

17 Q. All right, sir. This is a little bit of an exercise in
18 futility, sir, since we are now talking about a document
19 that does not currently govern procedures, but I want to
20 understand, sir --

21 MR. GIBSON: I object to the side bar comment and
22 move that it be stricken unless we are operating under our
23 same procedures that all questions are deemed objected to
24 except as to form. I object to your preparatory remark at
25 the beginning of the question, Mr. Guild. If you have some

1 questions of Mr. Henry, proceed.

2 Q. What is your point, counsel?

3 MR. GIBSON: I'm objecting to your preparatory
4 remark. If you have a question of Mr. Henry, please proceed
5 with your question.

6 Q. You want to seek a ruling on that, Mr. Gibson. Is that
7 your point.

8 MR. GIBSON: I have not requested seeking a ruling.

9 Q. I would ask you just not interrupt me.

10 MR. GIBSON: I will interrupt where I deem it
11 necessary, Mr. Guild. If you have a question, proceed.

12 Q. That's what I was trying to do. Please don't interrupt
13 in the middle of my question. If you have an objection or
14 if you wish I restate a question, Mr. Gibson, please hence-
15 forth wait until I have stated the question, and then state
16 your position, sir, all right?

17 MR. GIBSON: If you have a question, proceed, Mr.
18 Guild.

19 Q. I was trying to state one, sir. We are not talking about
20 the current procedure. We are talking about a procedure that
21 is no longer in affect. I want you to tell me first with
22 respect to what is in front of us and then I want you to
23 tell me with respect to what actually exists, all right?
24 That is the form in which I want you to respond to the
25 questions concerning how matters are handled with regard to

1 non-conforming items as we talked about Q-1. Before we do
2 that, have we determined whether or not this which has now
3 been received as Exhibit Four, the procedure R-2, is this
4 the current revision of R-2, sir?

5 A. Yns.

6 Q. By that, I mean indicated revision nine. All right,
7 sir. Which different individuals under the current revision
8 of Q-1 do the evaluation? How are the individuals who perform
9 the evaluations changed from the current -- from the former
10 policy that you have in front of you to the current policies?

11 A. The significant change in that process between this
12 revision and the current one involves designating certain
13 individuals within the departments that have responsibility
14 for writing up various forms required by these procedure
15 Q-1, to provide the means to assure that the language and the
16 form and the substance of the reports before they become
17 the final record are as consistent as we can make them among
18 the various departments that use this form. That's the major
19 change in the people and providing the means to do that.
20 There is now an additional form that they, individuals, would
21 use to provide the details of their evaluation of non-confor-
22 mance, sign that statement and proceed on with the re-work
23 corrective action and ultimately to the file.

24 Q. What is the name of that form, sir?

25 A. The form is R-6A. The new form and current procedures

1 that would be used to complete what I just described.

2 Q. Who are those certain individuals who are designated

3 to make that evaluation?

4 A. Currently, those individuals are designated in Quality

5 Assurance as Bill Bradley and there are individuals designated

6 in Design Engineering and also in the Construction Department.

7 Q. Who are those individuals in Design Engineering and Con-

8 struction.

9 Q. In Design Engineering, it's Chris Rolfe and Construction

10 it's Ray Hollins.

11 Q. What is Mr. Rolfe's position?

12 A. He is the Supervisor of a group in Design Engineering,

13 and I don't know his exact current title.

14 Q. And, Mr. Hollins?

15 A. Mr. Hollins is a Supervisor in Construction Department,

16 and also I don't know his exact title.

17 Q. Does Mr. Hollins work at Catawba?

18 A. No, sir.

19 Q. In Corporate Office?

20 A. He worked in Corporate Office.

21 Q. And, Mr. Bradley?

22 A. Mr. Bradley is in Corporate Office.

23 Q. What did you mean when you said -- when you spoke of

24 consistency?

25 A. The end result of all of the forms is to get the required

1 action done and provide a record for the file as to what
2 was done. The language as to how that is done can be made
3 more consistent by having a select group of well-qualified,
4 highly trained individuals to provide the details of that
5 analysis and review the documentation. So, in an attempt
6 to better explain on our forms and make that more easily
7 understood by others who may read it after the fact and
8 would not have been involved in all of the details that went
9 into the evaluation, it was felt that select, certain indi-
10 viduals who could provide that consistency in writing up
11 these reports.

12 Q. Those are the three individuals you just mentioned?

13 A. Those are the three individuals who are currently named.

14 Q. When was this change made to procedure Q-1?

15 A. Officially it would have been made the date of the re-
16 vision of the implementation of the current revision
17 procedure, and I don't have that exact date.

18 Q. Approximately when, sir?

19 A. It would have approximately have been affective within
20 the last week or two.

21 Q. What is the latest revision number then to procedure
22 Q-1, current revision. What is the current revision, sir?

23 A. I don't recall that.

24 Q. You just went off the record, and you went and reviewed
25 that, did you not?

1 A. Yes.

2 Q. Can you tell us for the record what that is? Did you
3 consult with the same document you consulted off the record
4 or whatever else you need to supply for the record what
5 the latest revision is.

6 MR. GIBSON: I think you have adequately described
7 it. He doesn't recall the revision number. I think you
8 have an adequate description in the record to take the
9 matter up with the Board.

10 Q. Counsel, I don't know why you insist on playing games.
11 We were off the record for twenty minutes. You went and
12 pulled the document and you had it available to him. You
13 read it, he read it, Mr. Grier read it. You were all out of
14 the room looking at the thing. Now, sir, I want the record
15 to reflect that it is available to you. It has been available
16 to you, and I'm asking a specific question, what is the
17 latest revision number.

18 MR. GIBSON: He has answered that he doesn't know.
19 We are not going to go find a document again. There is an
20 adequate description in the record. If you take the matter
21 to the Board. If you have another question of Mr. Henry, ask
22 that question, Mr. Guild.

23 Q. How many revisions have there been since the revision
24 that is indicated in the copy of Q-1 that is an exhibit to
25 your deposition, sir?

1 A. I don't know.

2 Q. Have there been more than one?

3 A. I don't know.

4 Q. Why has the policy been revised since the revision
5 that is available before us as hearing Exhibit Five?

6 A. As I tried to just explain, it was not a change in the
7 requirements of our QA program as to what we do in resolving
8 a non-conformance or stating corrective action, but it was
9 a change to attempt to get the record clear for any subsequent
10 reviews and for the long term filing of the document.

11 Q. Who recommended the change?

12 MR. GIBSON: I'm going to instruct him not to
13 answer that question. I think you have made a sufficient
14 identification and although I will object on a question by
15 question basis, I'm generally going to instruct him not
16 to answer any other questions about the latest revision to
17 Q-A1.

18 Q. I would like the question answered?

19 A. I will not answer it.

20 MR. GIBSON: I'm instructing him not to answer
21 that specific question. I'm advising you that generally we
22 are not going to answer any more questions about the revision
23 although I will object on a question to question basis.

24 Q. Was that or any other revision subsequent to the revision
25 that you have made available to me, and I believe that's

1 revision seventeen, recommended or resulting from the
2 October, '82, self-initiated evaluation at Catawba?
3 A. To my recollection, no.
4 Q. Would you know?
5 A. I don't know.
6 Q. Would you likely know if it were connected with that,
7 sir?
8 A. I would be able to determine that.
9 Q. Since counsel will not let you go consult any documents,
10 that doesn't help me. Let me see if I can be clear. Would
11 you be a person familiar with procedure changes in the
12 Quality Assurance area that resulted from recommendations
13 made by that evaluation?
14 A. Yes.
15 Q. You would generally know, and in this instance, you are
16 not aware, is that fair?
17 A. That's fair.
18 Q. Did that evaluation make any recommendations with respect
19 to procedures Q-1 or to process for handling a non-conforming
20 item?
21 A. I don't know.
22 Q. Let's look at the procedure R-2A. Now, I'm trying to
23 understand the relative responsibilities in the handling of
24 non-conforming items; in this instance, to procedure R-2
25 between Quality Assurance personnel and Construction personnel.

1 All right, personnel in both Construction and Quality
2 Assurance have some responsibility for dealing with that
3 subject, do they not?
4 A. Yes.
5 Q. Directing your attention to the responsibility provision
6 that's paragraph number three, explain, if you would, sir,
7 the distinction between responsibilities that are placed
8 on the QA Department and those on Construction?
9 A. I think they are clearly stated there in three. I will
10 certainly try to explain your questions.
11 Q. It states in that provision that the project QA Manager
12 may assume the responsibility for trending R-2A's at his
13 discretion. Why is that discretion granted to the Project
14 QA?
15 A. That is granted if QA desires or sees a need to trend
16 R-2A's independently for whatever reason, we want to trend
17 them, the procedure will give that responsibility to QA
18 to do it.
19 Q. Complete your answer.
20 A. We went over yesterday in the procedure it directs
21 Construction to trend R-2A's.
22 Q. So, the trending by QA would be in addition to that
23 responsibility by Construction?
24 A. It could be in addition to or it could be to assume
25 that responsibility and that would be the only trend.

1 Q. How would construction, then, if they would, how would
2 they be made aware of the results of the trending?
3 A. Currently the procedure requires Construction to make QA
4 aware of the trends and that is how it exists now. So, I
5 guess, I would ask you to restate your question.
6 Q. Construction performs trending at Catawba now?
7 A. That's correct.
8 Q. And, Construction makes QA aware of the results of the
9 trending?
10 A. That's correct.
11 Q. How do they do that?
12 A. They do that by forwarding the results of the trend
13 analysis to Quality Assurance Personnel.
14 Q. The Project QA Manager, therefore, has not assumed
15 responsibility for trending at Catawba?
16 A. He has not.
17 Q. Explain to me how Quality Assurance knows that Construc-
18 tion at Catawba is reporting to them all R-2A's?
19 A. As the procedure requires the R-2A's are logged and
20 forwarded to the designated individuals and their required
21 signatures and reviews on the form.
22 Q. Those include Quality Assurance people?
23 A. Yes.
24 Q. Let's go forward through the procedure R-2 then. The
25 original, the individual originating the R-2A would that be

1 the inspector typically?

2 A. It could be any individual, but inspectors do originate
3 them.

4 Q. Shall obtain a serial number. How do they obtain a
5 serial number?

6 A. They obtain a serial number from the location when a log
7 is kept, a requirement that they be logged in and numbered
8 sequentially.

9 Q. Where is that kept?

10 A. I don't know the specific location.

11 Q. Who would know for Catawba?

12 A. Mr. Davis and someone on his staff would know.

13 Q. Is it a central location, do you know?

14 A. I don't know that it's a central location.

15 Q. To whom is the R-2A forwarded once originated?

16 A. As it states here, the individual originating will forward
17 either to QA or Construction.

18 Q. To whom?

19 A. I don't know the individual who would get any one specific.

20 Q. Does the individual vary? We are talking about Catawba
21 now. Is there one individual at Catawba who would be respon-
22 sible for receiving forwarded R-2A's?

23 A. I don't know.

24 Q. Who would know that, Mr. Davidson?

25 A. Or his staff.

1 Q. Are you generally informed on the subject of how R-2A's
2 are processed at Catawba?
3 A. Generally, yes.
4 Q. I will forge ahead. Is there an opportunity for the
5 originating individuals' supervision to exercise control
6 over whether or not an R-2A is originated?
7 A. I'm not sure I understand your question.
8 Q. Tell me what you don't understand.
9 A. You say "exercise control over." I don't understand what
10 you mean by that.
11 Q. Is it consistent with Duke Power's policy that an indi-
12 vidual's supervision could instruct an individual not to
13 originate an R-2A?
14 A. It's not consistent that he would instruct him not to
15 write one, no.
16 Q. So, supervision does not review decision to originate
17 an R-2A; does not have any authority to review the R-2A?
18 A. No, to your question.
19 Q. With respect to, again, the procedure set forth at R-2,
20 this is sub-paragraph 4.2, "the individual designated by the
21 Project Manager, the Project QA Manager, shall evaluate the
22 problem, etc." Is there an individual at Catawba who has
23 been designated to perform that evaluation?
24 A. Yes.
25 Q. Who is that?

1 A. I don't know who the specific individuals are.
2 Q. Who would know?
3 A. Mr. Davidson or members of his staff.
4 Q. Paragraph 4.7, "When corrective action is completed, the
5 appropriate supervisor or person who performed that action
6 shall initial and date the form R-2A and forward it to
7 Quality Assurance." Who is the appropriate supervisor in
8 that case?
9 A. He would be the individual in that area of responsibility.
10 Q. Which area of responsibility?
11 A. Whichever area that specific R-2A was addressing.
12 Q. The craft area?
13 A. It could be craft area.
14 Q. Would it be Quality Control?
15 A. It could be in Quality Control.
16 Q. Does it depend on who originated the R-2A?
17 A. Yes.
18 Q. Does it depend on the subject of the R-2A?
19 A. Yes.
20 Q. Does it depend on both of those things at the same time?
21 A. I view those as being synonymous.
22 Q. So, if it's a welding problem that's discovered by a
23 concrete form builder, who is the appropriate supervisor?
24 A. Would you restate that?
25 Q. Sure, I'm taking an example. If there's a better example

1 or if this is not a good example or is inconsistent with
2 application and procedure, tell me. Anybody can originate
3 an R-2A?
4 A. Yes.
5 Q. Form builder originates an R-2A about welding, who is
6 the appropriate supervisor with respect to the action provided
7 for in paragraph 4.7.
8 A. The appropriate supervisor or as regards 4.7 would be
9 the individual who carried out the corrective action that
10 was indicated that needed to be done.
11 Q. The supervisor of that individual?
12 A. The supervisor in the area that had to perform the actions
13 that were required by the R-2A to be done.
14 Q. The corrective action?
15 A. The corrective actions, yes, sir.
16 Q. Four point nine, Project QA Staff shall review and
17 approve completed R-2A's to assure details. Who on Project
18 QA Staff performs that review?
19 A. I don't know the specific people. As stated before Mr.
20 Davidson or his staff would know the names.
21 Q. What is the discrepancy report log? Do you need the
22 document to refer to?
23 A. Yes. Form R-2B.
24 Q. Discrepancy report log, R-2B, contains a listing of all
25 the R-2A's initiated?

1 A. Yes.

2 Q. Where are NCI's logged?

3 A. On Form Q-1C.

4 Q. What is that called?

5 A. It's called Form Q1-A Status Log Sheet.

6 Q. Mr. Henry, are all conditions adverse to quality such
7 as failures, malfunctions, deficiencies, deviations, defective
8 material and equipment and non-conformances listed on either
9 one of those two forms; that is, the R-2B or Q-1C?

10 A. Would you restate your question, all, in the items you
11 mentioned?

12 Q. Yes, sir, I'm making reference and quoting the text of
13 Criterion Sixteen, Corrective Action of Appendix B Part 50.
14 You are familiar with that document, aren't you?

15 A. Yes.

16 Q. And, that provision?

17 A. Yes.

18 Q. The question, the best I can restate it, are all conditions
19 adverse to quality, such as, failures, malfunctions, deficiencies
20 deviations, defective material and equipment and non-conformance
21 logged on either the discrepancy report form R-2B or the
22 status log sheet, form Q-1C with respect to construction at
23 Catawba?

24 A. All that are significant enough and as applied by, covered
25 by these procedures are logged.

1 Q. What is significant?

2 A. Significant are those things that require the actions
3 that these procedures govern. I mean the scope we are talking
4 these discrepancies or non-conformances. If they meet those
5 definitions, would be significant enough to write them up
6 on that form. They might get put on the log.

7 Q. Again, are you satisfied that the conditions adverse to
8 quality such as those that are indicated expressed in that
9 Criterion of Appendix B are logged on either of those two
10 logs, sir, and if not, explain where they would be logged
11 and how records are kept of them such that affective correc-
12 tive action is taken?

13 A. I feel that all that within the scope of that would be on
14 a log as identified discrepancy.

15 Q. On either of the two logs you have identified, the R-2B
16 or the Q-1C?

17 A. Yes.

18 Q. There is no other log for discrepancies that would come
19 under that definition?

20 A. No other log that I'm aware of that comes under that
21 definition, no.

22 Q. How are problems dealt with in construction, Mr. Henry,
23 that in your judgment don't rise to that level of significance?

24 MR. GIBSON: Objection. I'm going to instruct
25 him to limit his answer to welding inspection and welding

1 construction. I think that's the scope of the present depo-
2 sition.

3 Q. Answer the question, please.

4 A. The minor and readily correctible discrepancies that are
5 found by the inspector can be corrected on the spot by
6 returning it for rework and getting it corrected to the
7 inspectors satisfaction. Those would not be logged.

8 Q. Or documented in any other way?

9 A. Not necessarily in any other way.

10 Q. Let's take a five minute break.

11 SHORT RECESS (9:40 a.m.)

12 CONTINUING EXAMINATION: (By Mr. Guild) (10:00 a.m.)

13 MR. GIBSON: Mr. Guild, during the break, I believe
14 you were provided with a copy of the latest revision to pro-
15 cedure Q-1 which is revision 18. I believe you earlier asked
16 Mr. Henry some questions about that revision. If you have
17 any further questions, he will respond to those.

18 Q. Earlier you talked about revisions to procedure Q-1 and
19 I believe that you described the significance of the latest
20 revision as including an additional form providing for a
21 uniform method of evaluating corrective action, is that true?

22 A. Yes.

23 Q. I have that copy of what was handed me and described as
24 the latest revision to procedure Q-1. Would you direct my
25 attention to that form?

1 A. Unless it's an example, you won't find that form in this
2 procedure.

3 Q. Why not?

4 A. Because that form is in procedure R-6.

5 Q. What is procedure R-6?

6 A. Procedure R-6 is the procedure that among other things
7 instructs how to fill out the form, what to do with it,
8 where to send it, how to log it, who does it, etc.

9 Q. Is that a new procedure?

10 A. Yes.

11 Q. Is that new procedure required in order to complete
12 the procedural guidance for the handling of non-conforming
13 items along with procedure Q-1, the latest provision?

14 A. It's required to be considered and used as appropriate as
15 directed by procedure Q-1.

16 Q. Can you do it without -- can you handle a non-conforming
17 item including the use of that new form R-2B, -- I'm sorry,
18 Let me rephrase the question. Can you handle a non-conforming
19 item including the use of additional form R-6A without
20 reference to the new procedure R-6?

21 A. If I understand your question, a Q-1A be handled without
22 using an R-6A?

23 Q. That's not the question.

24 A. Restate it please.

25 Q. Do I need another procedure in order to be able to have

1 a complete set of guidance on how to handle a non-conforming
2 item through the process up to and including the use of
3 the R-6A form. There is no trick to the question.

4 A. There's no trick to the answer either. I said before
5 Q-1 references R-6, and where it requires it to be used, it
6 is to be used, and when you use that form R-6A, you do that
7 in accordance with procedure R-6.

8 Q. Would you direct my attention to the provisions of R-6
9 then?

10 A. Within procedure Q-1, and I direct you to 5.1.13 that
11 will then get you that reference to R-6.

12 Q. Then, direct my attention to how procedure R-6 describes
13 the handling of that.

14 A. R-6 again is not described within Q-1 as regards the
15 details of how to do that. From Q-1, you go to R-6, and
16 then if R-6 is required to be used, then the details on
17 how to fill out the form and process it and make the evaluation,
18 those details and handling R-6A are found in procedure R-6.

19 Q. Direct my attention to procedure R-6 then?

20 A. It's not present here. It's within the manual and as
21 stated is a new procedure at the time this revision to Q-1
22 was issued.

23 Q. So, I want to know first, give me a complete understanding
24 of what procedures I need to thoroughly track the written --
25 any and all written procedural guidance for handling of non-

1 conforming items.

2 A. To get a complete picture of the handling of NCI's, you
3 need Q-1 and R-6, but not all NCI's would require use of R-6.

4 MR. GIBSON: Mr. Guild, in the interest of saving
5 time and anticipating your next request, we have had Mr.
6 Bell locate procedure R-6 and if we could take a moment to
7 write uncontrolled on each copy, we can make that available.
8 Q. I appreciate that.

9 MR. GIBSON : I want to make clear that uncontrolled
10 is not directed to be a bad word, and you may ask any ques-
11 tions you wish about that designation.

12 Q. I'm not sure I want to know. Let's mark thnn both the
13 latest revision of procedure Q-1, and that is revision 18,
14 is that right, sir?

15 A. Yes.

16 Q. Let's mark that as the next exhibit. That will be
17 Exhibit Six and Seven, and Exhibit Seven is procedure R-6,
18 and that's Rev. O. Is that the current revision of that
19 procedure?

20 A. Yes.

21 Q. Do I understand you correctly to say that those are all
22 the procedures that currently set forth written guidance on
23 the handling of construction deficiencies?

24 A. Those are the Q-A construction procedures that talk about
25 how to handle non-conforming items. It's not all of the

1 written guidance.

2 Q. I want to understand what we have here now. Previously
3 you described and identified and made an exhibit, we have
4 procedure R-2 entitled, "Identification and Resolution of
5 Discrepancies."

6 A. Yes.

7 Q. That details how you handle a discrepancy by use of the
8 form R-2A as you have described?

9 A. Yes.

10 Q. We have procedure Q-1 which describes how you handle
11 discrepancies as non-conforming items?

12 A. Yes.

13 Q. We have procedure R-6 which coupled with Q-1 describes
14 how you handle evaluation of non-conforming items, correct?
15 Evaluation of corrective action?

16 A. Yes.

17 Q. Are there any other procedures that provide written
18 guidance for the handling of construction deficiencies?

19 MR. GIBSON: Objection. I will instruct the
20 witness to limit his answer to quality control and quality
21 assurance in welding.

22 Q. Would you answer the question, please?

23 A. These are the only Q-a procedures I'm aware of that
24 do handle NCI's at the Catawba construction site.

25 Q. I didn't limit my question to NCI's. Non-conforming items,

1 NCI's is a term with precise meaning as used by quality
2 assurance, isn't it?

3 A. Yes.

4 Q. It's distinct from discrepancies for example that are
5 governed by procedure R-2. Those aren't NCI's?

6 A. As we went over yesterday, R-2A's are reviewed to see
7 if they should be elevated to an NCI, so some do become
8 NCI's.

9 Q. I follow you, but what I want to understand are construc-
10 tion deficiencies. I want you to tell me about any other
11 procedure that provides written instructions on how to
12 respond to identified construction deficiencies. No trick
13 to the question. I just want to make sure that I have a
14 complete understanding of what written procedures there
15 are.

16 A. I did not suppose any trick to your question. I'm
17 trying to answer your question.

18 Q. Not NCI's, but any construction deficiencies?

19 A. I know of no other specific written guidance to handle
20 construction deficiencies.

21 Q. Let's go back and I want you to put these procedures
22 and the compliance with those procedures in the prospective
23 of some concrete examples in the welding area, Mr. Henry,
24 to the extent that you know. You related yesterday the

25

1 alternatives that were available to a welding inspector
2 who identified construction deficiencies?

3 A. Yes.

4 Q. Help me follow through how those alternatives are handled
5 in a specific setting using the procedures you have now
6 identified. Let's take the example of a welding problem
7 and one that is identified by a welding inspector. Now, you
8 have characterized a type of problem and I don't want to
9 put words in your mouth, but to save a little bit of time,
10 you called it minor and readily correctable. Is that your
11 term?

12 A. Yes.

13 Q. Give me an example of a minor and readily correctable
14 problem in welding.

15 A. Minor and readily correctable problem could be one where
16 a welding inspector would when called to inspect the weld
17 observe that there is dust on the weld and it needs to be
18 cleaned up before he can complete his inspection.

19 Q. Describe for me how the welding inspector would handle
20 that deficiency. First of all, is that a deficiency?

21 A. In the context that I have been speaking here, I would
22 not call that a deficiency.

23 Q. I want to understand this in the context of a deficiency.
24 Now, a deficiency, let's use the term to mean a deviation
25 from acceptable workmanship, all right, sir?

1 A. Yes.

2 Q. If that's not an example of a deficiency, give me one
3 that is and then describe how it is handled.

4 A. An example could be where the welding inspector was
5 called to inspect the weld, and he sees a minor amount of
6 weld splatter adjacent to the weld, and he would request
7 the craft to remove that splatter prior to completing his
8 inspection.

9 Q. Do you define minor there as a cosmetic problem?

10 A. Yes.

11 Q. Tell me what the welding inspector would be expected to
12 do if he identified a deficiency of that character?

13 A. He would be expected to notify the welder or the super-
14 vision of that welder and advise him that for him to complete
15 his inspection, he requests that that condition be cleared.

16 Q. Direct my attention to procedures you have identified
17 and lead me through by reference to these procedures the
18 written guidance that the welding inspector would follow.

19 A. This example would probably not get you to this procedure.
20 As you recall our discussion yesterday, the individual pro-
21 cedures, where there is control of the condition by what
22 we normally call process control within those procedures
23 would provide a mechanism for either individual steps to be
24 signed off or a combination of steps. If that provides
25 adequate control such that the inspector would not sign until

1 he had the condition that he was satisfied with, he would
2 not be within either the two procedures we are talking about.

3 Q. What procedure would dictate or provide guidance for
4 the inspectors response in those circumstances?

5 A. To give you an example of what a welding inspector might
6 find to get you to this procedure --

7 Q. I would like for you to do that, but first let's use the
8 example so I can track it. The one you started with, and that
9 is minor weld splatter.

10 A. In that one, when that condition is cleaned up to his
11 satisfaction, he proceeds with the rest of his inspection
12 in accordance with established criteria. If those
13 criteria are met, then he would sign off that weld as being
14 acceptable, and process control would proceed on to the
15 file.

16 Q. Tell me the procedure that provides written guidance to
17 the inspector to handle it in the manner you just described.

18 A. One example of a procedure that would do that would be
19 procedure M-4.

20 Q. What is procedure M-4?

21 A. M-4 is inspection of welds but that is not to be taken
22 as an exact title.

23 Q. Is this one of the procedures that was revised in light
24 of the Welding Inspector Task Force recommendation, if you
25 remember? We can pull them out.

1 A. I don't recall, but you have that.

2 Q. Let's see if we can take it out.

3 MR. GIBSON: Mr. Guild, I think we have found a
4 copy faster than you.

5 A. M-4 has not been revised.

6 MR. GIBSON: As a result of the Welding Inspector
7 Task Force.

8 A. Yes.

9 Q. What documentation is required of the identification of
10 the deficiency of the sort you have just described?

11 A. No documentation would be required.

12 Q. What written guidance is available to provide a standard
13 for the welding inspector to distinguish between deficiencies
14 to be handled under procedure M-4 or process control as
15 contrasted with either Q-1 or R-2?

16 A. Again, as we discussed yesterday, if an individual pro-
17 cedure does not provide the necessary controls of a particular
18 condition or the necessary process control to sign off and
19 show the acceptable condition as being reached, procedures
20 R-2 and Q-1 are available and would be used in those cases.

21 Q. There is no other standard?

22 A. I don't understand the question or the standard in
23 regards to what? I just ask you to amplify that question.

24 Q. I'm trying to understand if there is a written source
25 of guidance to provide a standard for the exercise of

1 of judgment by in this instance a welding inspector?

2 A. There is no written standard to speak to the exercise
3 of judgment.

4 Q. When a welding inspector in this instance employs a
5 procedure M-4 or other routine process control for correcting
6 construction deficiency, and there is no required documentation
7 of the identification of that decision, is there any other
8 manner in which the company assures that the cause of the
9 deficiency is identified and appropriate corrective action
10 is taken?

11 A. There is no other written formal QA requirements that
12 I'm aware of.

13 Q. Is the Nuclear Regulatory Commission informed of the
14 procedures that you have described?

15 A. Yes.

16 Q. How are they, if you know?

17 A. They are informed by having ready access to all of our
18 manuals and procedures and routine scheduled inspections
19 and review of the work that is done in accordance with those
20 procedures.

21 Q. Do you have personal knowledge of any NRC representatives,
22 staff person or have you been informed of procedures you have
23 described for handling construction deficiencies?

24 A. Yes.

25 Q. Who is the NRC representative that had that information?

1 A. Mr. Van Doorn as the resident inspector at Catawba is
2 aware of these procedures.

3 Q. Are there any instructions that specify deficiencies in
4 the welding area which are not appropriately dealt with in
5 a non-documented fashion, Mr. Henry?

6 A. You paused and I lost -- Could you restate the question?

7 Q. I want to understand specifically in the welding area,
8 are there any written procedures, written instructions that
9 specify the welding deficiencies that are not appropriately
10 handled by an un-documented fashion?

11 A. No.

12 Q. In light of the procedures that you described, I want
13 you to tell me of any identified problems, short-comings
14 or failures in the implementation of those procedures that
15 affect welding at Catawba and then to explain generally
16 what corrective action the company has taken?

17 A. The procedures you are speaking of bning R-2, Q-1, R-6,
18 which procedures?

19 Q. The procedures we have spent the last day and a half
20 talking about.

21 A. Q-1, R-2, M-4 and R-6?

22 Q. And, any others that you haven't referred to that deal
23 with the subject of construction deficiencies in the welding
24 area.

25 A. I know of no particular problems in dealing with those

1 other than the complex, detailed nature of the procedures
2 and the improvements that would be made as we find better
3 ways to do the business. I know of no significant or
4 particular problems in people understanding and carrying
5 out the procedures.

6 Q. Well, you did identify problems in implementation of
7 welding inspection procedures and those identifications --
8 that identification occurred generally in the process of
9 investigative complaints by welding inspectors at Catawba
10 in late '81, early '82, did it not?

11 A. We identified a need for better communication and
12 understanding or trying to clarify which procedures to use in
13 which cases and again as we spoke to you yesterday, if an
14 individual were to use Q-1 and where R-2 might be more appro-
15 priate, but the reason they did that was because of some un-
16 clear language in either one of those two procedures, it's
17 been corrected to try to make sure that individual uses the
18 right procedure.

19 Q. You did identify a number of specific technical concerns
20 as having confirmed basis, did you not?

21 A. Me, yesterday?

22 Q. No, sir, You, Duke Power Company.

23 A. In what regard. Are you talking some specific document
24 or --

25 Q. I'm talking about the concerns expressed by the Catawba

1 welding inspectors?

2 A. Yes.

3 Q. Those identified and confirmed technical concerns required
4 corrective action, did they not?

5 A. Yes.

6 Q. I want you to tell me about the corrective action, first
7 of all, would you tell me about the problems that were iden-
8 tified and I want you to tell me about the corrective action.

9 A. Corrective action were those that were recommended by
10 the Welding Inspector Task Force and approved by management
11 to be implemented, and, again, as we talked about yesterday,
12 those corrective actions were carried out within whatever
13 areas of responsibility they fell in and we also talked about
14 the fact that an individual was assigned to make sure that
15 all recommendations by the Task Force were appropriately
16 assigned and the actions were completed.

17 Q. I want you to be specific. Tell me what was the most
18 significant identified technical concern that required
19 corrective action. I will make available to you some docu-
20 ments and you can -- counsel, do you have a non-pirated set
21 of documents that you identified for Mr. Bradley's file.
22 I know you kept a copy of them. I want to make them avail-
23 able to the witness so he can have his complete set, your
24 complete set.

25 MR. GIBSON: Those are in the QA Department a

1 block away. They were copies over there and brought over
2 here, but one of the things you have been unclear on, Mr.
3 Guild. Those are the documents for Mr. Bradley and that's
4 what he just described.

5 Q. That's what I'm going to hand to him right now.
6 Documents were given to me yesterday that purportedly come
7 from Mr. Bradley's file. Mr. Bradley is the individual you
8 just spoke of who had responsibility for monitoring the
9 implementation of the Welding Inspector Task Force recommen-
10 dations?

11 A. Yes.

12 Q. There's a stack there, and another binder there. If
13 you see anything you need beyond that, please tell me, but
14 what I want you to do is address that last question and that
15 is the most significant technical concern requiring corrective
16 action.

17 A. I can't identify the most significant technical concern.

18 Q. Why not?

19 A. I'm not able to make any judgment from that as to which
20 is the most significant there, and my opinion the technical
21 concerns were not that significant.

22 Q. None of them were significant, is that your opinion?

23 A. That's the report and analysis of the technical concerns
24 showed that they were not that significant of a technical
25 nature.

1 Q. Did they relate to safety-related areas?

2 A. Some, yes.

3 Q. Of those your opinion is still the same? None of
4 those were significant?

5 A. Yes.

6 Q. How are you using the term significant?

7 A. I'm using that term in that the question regarded any
8 technical concerns. They were reviewed by the Task Force and
9 other personnel or resources needed to review those for
10 their adequacy and the result of that review showed that
11 there were no significant technical concerns.

12 Q. I'm going to use -- I'm going to quote from the same
13 provisions of Appendix B, of which you are familiar, I believe,
14 and that's Criterion 16, corrective action. You are familiar
15 with that?

16 A. Yes.

17 Q. Are you using the term significant -- I'm asking your
18 opinion now, and I think you have just expressed your opinion.
19 Are you using the term significant in the same fashion as
20 it's employed in the following reference? "In the case of
21 significant conditions adverse to quality, the measures shall
22 assure that the cause of the condition is determined and
23 corrective action taken to proclude repetition."

24 A. No, I don't equate those as being totally synonymous.

25 Q. I ask you to employ the term significant as you understand

1 it to be employed in that criterion of the Commission's
2 Quality Assurance Appendix B Criterion, and then answer the
3 question in that light, please.

4 A. In that regard, if a non-conforming condition exists and
5 it's deemed to be a significant condition, non-conforming
6 condition, the root cause should be determined and corrective
7 actions taken.

8 Q. I think you either missed me or you are not addressing the
9 point. I want to focus on the technical concerns raised
10 by the Catawba welding inspectors and I asked you to express
11 your opinion about the significance of those and you expressed
12 the opinion that they weren't significant.

13 A. Yes.

14 Q. Now, using the definition of using significant as that
15 term is employed in this standard, exercise that same judgment
16 and express your opinion with respect to the Catawba welding
17 inspector concerns.

18 A. Using the definition in Criterion 16 there were conditions
19 that were appropriately non-conformed and the non-conformance
20 should have and did receive the evaluation to determine the
21 root cause and corrective action. Therefore, using that
22 definition, they were significant enough to require those
23 reviews and analysis.

24 Q. I'm not talking about a specific hardware problem. I'm
25 talking about use of the term significant as employed in that

1 criterion. Rising to that level of significance, if you
2 will. Employing that term used in that basis in your opinion,
3 are any of the technical concerns raised by the welding
4 inspectors significant?

5 A. They were significant as identified in criterion 16 and
6 were dealt with in accordance with that.

7 Q. With respect to the documents that are in front of you,
8 sir, and those are Mr. Bradley's, purportedly Mr. Bradley's
9 files, with respect to implementation of the Task Force
10 Report recommendations identified the specific concerns
11 that are in your judgment significant and describe the
12 corrective action taken.

13 A. My opinion, all of the technical concerns that resulted
14 in a non-conformance put it -- put those within the area
15 of review required by Criterion 16, so in using that and
16 the word significant being there, then they were significant
17 enough to be considered under that criterion.

18 Q. Tell me what you are referring to now.

19 A. I pulled from this file which I don't -- this is not
20 the Welding Inspector Task Force. In the file given me, I
21 see four documents here which are labeled non-conforming items.
22 Within that there is non-conforming item 9258, NCI 92, and
23 that's the only two I see. So, those were significant within
24 the context of Criterion 16. That is they needed to receive
25 the required evaluation and appropriate corrective action

1 be taken.

2 Q. I show you a copy of a document that was made available to
3 us in discovery. It's rather poor copy, but if you would,
4 sir, read that and tell me -- I will represent that that is --

5 MR. GIBSON: Can we mark this or have it identified
6 some how?

7 Q. Let me ask the witness if he can. Read that document,
8 if you would. Take a moment and read it. You don't need
9 to read it aloud, but read it and tell me whether or not
10 that represents a significant concern as you understand, sir.

11 A. I have read it.

12 Q. Yes, and your answer?

13 A. The question, please?

14 Q. I want you to evaluate the significance of the concerns
15 expressed in that document.

16 A. I can't from this.

17 Q. Why not?

18 A. There is not enough information to do that.

19 MR. GIBSON: I'm asking that some kind of descrip-
20 tion be given or that the document be marked so the record
21 will be clear as to what has been shown to him.

22 Q. We can mark it if you like.

23 MR. GIBSON: Either way. Describe or mark it,
24 Marking it is probably the easiest way.

25 Q. We will mark it as the next Exhibit and that would be

1 Number Eight. Read that the best you can, sir, and for the
2 record, read it aloud.

3 A. Dated up at the top and it says January, 1982.

4 Q. It appears to be someone's calendar, doesn't it?

5 A. Yes, and starting about nine o'clock it reads as follows,
6 "Found out that "L" dimension problem (1/14/82) had not
7 been taken care of. Had to threaten work stoppage, but
8 Joe S. says that problem is being taken care of. Talked
9 to Bob and Charles B. If situation is not corrected, work
10 stoppage will be processed. Problem since summer '81," and
11 ending about 5:30 is the number 13,662.

12 Q. Do you know someone named Joe S. who works in welding
13 at Catawba or has worked in welding?

14 A. No. I know Joe Shropshire works in Quality Assurance.

15 Q. He supervises Quality Assurance with respect to welding?

16 A. He does not supervise welding inspectors.

17 Q. He reviews work of welding inspectors?

18 A. Yes.

19 Q. Do you know Charles B.?

20 A. Yes, Charles Baldwin works at Catawba in Quality Assur-
21 ance.

22 Q. Does he review work of welding inspectors at Catawba?

23 A. Yes.

24 Q. Someone named Bob who reviews the work of welding
25 inspectors that work in Quality Assurance at Catawba?

1 A. I know a Bob in Quality Assurance, and that certainly
2 would be a guess with no initial, but there is a Bob Morgan.
3 Q. He and Mr. Baldwin work together supervising quality
4 assurance?
5 A. They are both supervisors in quality assurance, yes.
6 Q. Does the number 13,662, could it be the number of an
7 NCI for that period of time?
8 A. Most likely, yes.
9 Q. Then, on that basis, can you tell me whether or not
10 that expresses what in your judgment would be a significant
11 concern?
12 A. Not with that. I could not rule on the significance
13 of those statements just with those notes.
14 Q. It's something that would require stop work decision
15 by a welding inspector significant?
16 A. It should be a significant condition to require work
17 stoppage, yes.
18 Q. Would it then be significant and require some corrective
19 action in your opinion?
20 A. Yes.
21 Q. Can you tell me what corrective action was taken with
22 regard to that concern?
23 A. No.
24 Q. What would you need to be able to do that?
25 A. On the related documents, if they were produced, certainly

1 not from those notes that I state whether I think that is
2 significant or not.

3 Q. Do you know whether that has been taken care of or not?

4 A. No.

5 Q. I'm marking another excerpt from this calendar Exhibit Nine
6 and take a look at that, sir, and read the observation.

7 A. "CP22A, serial number 82 reference paragraph three, page
8 four, revision 22. Statement on interpretation is in error
9 informed Art. Willful disregard of procedure." That's on a
10 calendar item that has February, '82.

11 Q. Is that expressed in your opinion as significant concern?

12 A. I couldn't rule on it on just that statement.

13 Q. Do you know someone named Art that works in Quality
14 Assurance?

15 A. Yes, Art Allum also works in Quality Assurance at Catawba.

16 Q. What is Mr. Allum's job?

17 A. Mr. Allum is a supervisor in Quality Assurance.

18 Q. What is his responsibility?

19 A. His responsibility is supervision and welding inspection
20 area.

21 Q. Did he perform that function in February of '82?

22 A. I don't recall when he went in.

23 Q. In your opinion, does willful disregard of procedure reflect
24 a significant concern?

25 A. Those words are strong words.

1 Q. Yes.

2 A. But, I can't rule on the significance of it from what I

3 said from what you presented there.

4 Q. What is CP 22F?

5 A. CP is the common abbreviation for construction procedure.

6 But, again, without looking at that, I could not represent

7 that is exactly what that is.

8 Q. Do you know what that numbered construction procedure is?

9 A. I don't know that construction procedure.

10 Q. Would that be a welding construction procedure?

11 A. I don't know.

12 Q. Do you know whether or not that concern has been corrected?

13 A. I don't know.

14 Q. We are marking another series of documents Exhibit Ten.

15 Do you know a V. C. Godfrey, Jr.?

16 A. Yes.

17 Q. Who is Mr. Godfrey?

18 A. My understanding is that he is a welder at Catawba.

19 Q. You don't know Mr. Godfrey?

20 A. I said I know -- when I said I know him, I know who he

21 is. I have seen him, but I don't know him as a personal

22 friend.

23 Q. You know that Mr. Godfrey is a welding inspector at

24 Catawba who has expressed concerns that were addressed in

25 the Welding Task Force Report?

1 A. I know that Mr. Godfrey does appear in the Welding
2 Task Force yes.

3 Q. Look at that document and take it item by item, sir.

4 A. Do you want me to read it?

5 Q. You don't need to read it aloud. Read the first item,
6 and then respond to the same question. Actually, why don't
7 you take a few moments and examine the document and let's
8 stand down for a moment and take a brief recess.

9 SHORT RECESS (10:55 a.m.)

10 CONTINUING EXAMINATION: (By Mr. Guild) (11:05 a.m.)

11 Q. Mr. Henry, over the break, did you have a chance to
12 examine the document we have had reference to. It's marked
13 Exhibit Ten, and it's Mr. Godfrey's notes from January 20,
14 1982?

15 A. Yes.

16 Q. On page one under the heading NCI 9085, "When called to
17 take the NCI tags off of the pipe QC Welding found that
18 there were three heat numbers on the pipe. When brought
19 to the attention of Larry Davison, I was informed that
20 the resolutions on NCI's were of no concern of mine and to
21 remove the Q-1B tags." Is that a significant concern?

22 A. Not as just reading that. I wouldn't judge it at
23 this point with just that limited number of facts to be
24 significant.

25 Q. NCI 9358, "When called for fit-up inspections on four

1 welds, it was found that the heat number CA72 had two SA
2 numbers on these fits. This was also found by another fellow
3 inspector, John Bryant." Reading further, "The NCI was
4 voided by Larry Davison and he said that he did not see
5 a problem with the problem that I had." Does that reflect
6 a significant concern in your opinion?

7 A. Not just from the facts presented therein, no.

8 Q. Was that concern fully corrected?

9 A. I don't know.

10 Q. NCI 10,187, "Found there was not a piece number on the
11 reducer or on the M-4A. This violates M-4 and H-4. Resolution
12 on this NCI stated accept as is." Does that reflect a signi-
13 ficant concern in your opinion?

14 A. Not as stated there. I wouldn't rule it significant yet.

15 Q. Was that concern corrected to your knowledge?

16 A. I don't know.

17 Q. NCI 9119, "Found that welding had violated pre-heat
18 by exceeding 500 degrees F. Resolution stated accept
19 as is. This violates all of the process spec. that we have
20 to go by." A significant concern?

21 A. I couldn't rule off those limited facts.

22 Q. What more information would you need about that specific
23 example to express an opinion as to the significance of that
24 concern?

25 A. Supporting documents and facts needed to be reviewed to

1 determine the significance of that concern.

2 Q. Sir, I will ask you to accept as a hypothetical that there
3 was a pre-heat standard, that during routine pre-heat inspec-
4 tion it was found that the pre-heat had been exceeded by
5 exceeding the standard of 500 degrees F., that violated
6 the process specifications. Would that reflect a significant
7 concern in your opinion?

8 A. Not just on what you state. It would require investiga-
9 tion.

10 Q. NCI 7850, "Lower pressurizer support. Welder overlapped
11 weld to another without getting the pre-heat signed off.
12 About seven inches. The NCI stated only one inch. Written
13 up by tech. support." David Gadd, can you identify that
14 name?

15 A. Yes, I know Mr. Gadd.

16 Q. Who is Mr. Gadd?

17 A. He is an engineer, a construction staff at Catawba.

18 Q. "David Gadd stated that he took the welding foreman's
19 word on the amount of overlapped weld." Charles Baldwin,
20 Mr. Baldwin, you know?

21 A. Yes.

22 Q. He works in QA?

23 A. Yes.

24 Q. "Told QC Welding to remove the tag, but then removed
25 tag himself and told QC Welding to sign off weld." Does

1 that reflect a significant concern in your opinion?

2 A. Not just on the facts stated. It would require investi-
3 gation.

4 Q. Has that concern been corrected?

5 A. I don't know about that specific concern.

6 Q. "I have had several NCI's that I have written, gotten
7 approval from Beau," Beau Ross?

8 A. Yes.

9 Q. What does Mr. Ross do?

10 A. He is a supervisor in the Quality Assurance Department
11 at Catawba.

12 Q. Supervises welding inspectors?

13 A. Yes.

14 Q. "But, yet trash canned by Charles Baldwin or Larry
15 Davison. In Q-1 procedure it states that after an NCI
16 has been written, a number may be obtained. They never
17 let me get a number on these items. Do those reflect signi-
18 ficant concerns in your opinion?

19 A. Again it would need to be investigated to determine the
20 significance.

21 Q. You can't identify that as a significant concern on the
22 face of what I stated?

23 A. No.

24 Q. Do you know whether those have been corrected?

25 A. I don't know if that specific situation has been corrected.

1 Q. "Harrassment," same page, "Harrassment has been a problem
2 in the past with craft and QA. Threats made to inspectors
3 in the course of doing their jobs by angry craftsman have
4 not been handled by upper QA management to help protect
5 the inspector from future incidents." Is that a significant
6 concern in your opinion?

7 A. Not as stated on those facts. Again, it would require
8 investigation.

9 Q. "Most recent incident of harrassment was Ed McKenzie and
10 Larry Jackson. Larry Jackson was totally in order with the
11 procedure but was told that he instigated the problem.
12 Welder, Howard Beard threatened to push John Bryant off a
13 scaffold if he rejected his work. John was told by Larry
14 Davison that it was part of our job to take occasional abuse
15 from irate craftsmen." Does that reflect a significant
16 concern in your opinion?

17 A. I can't say off that statement.

18 Q. Do you know whether that concern has been corrected?

19 A. I don't know.

20 Q. "I have been called an S.O.B. by Lewis Lowery for
21 rejecting some of his work. I was told by Charles Baldwin
22 just to push it aside. A significant concern?

23 A. I can't say from that.

24 Q. "Upper management does not seem to want to retain good
25 help. I personally have been told that someone off the

1 street could fill my job with less money. If that is the
2 case, do it; but let it be clearly known that the quality
3 of the QA Department went to the dogs and that the NRC
4 and the press of news will be interested to know of this."
5 Does that reflect a significant concern in your opinion,
6 Mr. Henry?

7 I couldn't say from that.

8 Q. Do you know whether that concern has been corrected?

9 A. I don't know.

10 Q. "Larry Davison has informed me that as an inspector it
11 is of no concern of mine as to what a resolution says. He
12 has also told me and other inspectors in the past that
13 he was as far as the problem (whatever it was) would go."
14 A significant concern?

15 A. I couldn't say from that.

16 Q. Do you know whether that concern has been remedied or
17 corrected?

18 A. I don't know.

19 Q. We the are professionals and take pride in our job,
20 but it is hard to do when our people cut our throats and
21 don't give us any support in our QA procedures, construction
22 procedures, harrassment and money among other things. I
23 don't know who will read this letter, but I hope whoever does
24 read it takes it seriously because I do. I also hope they
25 give it their deepest consideration for Duke Power and myself."

1 A significant concern?

2 A. I couldn't say from that.

3 Q. Do you know whether or not those concerns have been
4 corrected?

5 A. Specifically, no.

6 Q. I'm going to mark another document as Exhibit Eleven,
7 John R. McCoy, have you heard the name?

8 A. I don't recall that I have.

9 Q. Mr. McCoy's name is listed among those identified on
10 a list of documents provided by the company entitled
11 "Handwritten notes from QC and QA Inspectors which set
12 forth their specific problems and concerns." Item and notes
13 of John McCoy. The first page, I will read, "The biggest
14 concern that I have as far as not being supported in
15 implementing the QA program is the fact that at times
16 resolutions and general gray areas have been watered down
17 in order for craft to meet scheduling deadlines. A lot
18 of these occasions have been exactly opposite of procedure
19 requirements, yet the problems being brought up were to be
20 ignored because at this point quality didn't matter, only
21 deadlines." A significant concern?

22 A. Not off just that statement. It would require investiga-
23 tion before I could say.

24 Q. You don't know whether that concern has been corrected?

25 A. No.

1 Q. How was that concern and the other concerns that we have
2 just touched on, how was that investigated and corrected, if
3 it was?

4 A. If it was investigated as far as the Welding Inspector
5 Task Force, then it was reviewed by that Task Force and
6 if it was a specific concern that could be determined valid
7 or invalid that was done, and whatever corrective action
8 the Task Force recommended would have been taken on that.

9 Q. Walk through, if you would, sir, the specifics of how
10 that concern was addressed?

11 A. I don't know how that specific concern was addressed.

12 Q. How was the concern raised by welding inspectors addressed
13 by the Welding Inspector Task Force or otherwise, if it was?

14 A. The concerns raised by the Welding Inspectors were
15 requested and received and given to the Task Force who inves-
16 tigated all of those concerns and reached a conclusion and
17 made recommendations.

18 Q. If that concern was raised by welding inspectors today,
19 how would it be handled; what procedures?

20 A. It would depend on what form and forum it was raised in.

21 Q. Say, it came to your attention, sir, in writing much the
22 same as the writings we have been examining; handwritten
23 notes from Mr. McCoy, from Mr. Godfrey or from anyone of
24 the dozen or more welding inspectors who did just that, came
25 to your attention, sir. How would it be handled?

1 A. I would direct it to appropriate levels of supervision,
2 and if it came directly to me in all likelihood I would
3 advise my supervisor of it also.

4 Q. Who would be the appropriate levels of supervision?

5 A. Depending on from whom the document was received.

6 Q. It comes from welding inspector, would you send it to
7 Larry Davison?

8 A. Larry Davison would be notified, yes.

9 Q. How about Larry Davison, if Larry Davison is the subject
10 of the complaint as in the case of a number of the items
11 Mr. Godfrey raised?

12 A. I can't say without a specific example exactly what I
13 would do.

14 Q. Let's take a specific example. This is again Mr. Godfrey,
15 his complaints or concerns that are identified as Exhibit
16 Ten. "I have had several NCI's that I have written, got
17 approval from Beau, yet trash-canned by Charles Baldwin or
18 Larry Davison, etc." You look at it. That complaint comes
19 to you and you are the first person to see it and your job
20 is QA Manager Technical Services. Who do you refer it to
21 and what do you do?

22 A. I would probably inform my supervisor that I have
23 received this written information stating that.

24 Q. Mr. Grier?

25 A. Mr. Grier.

1 Q. Who would you inform on the other end, appropriate super-
2 visor of the man complaining?
3 A. I, in all likelihood, would discuss that with my super-
4 visor before taking any further action.
5 Q. Would you inform Mr. Davison?
6 A. I might.
7 Q. In that instance?
8 A. In that instance, I can't say that there is any written
9 procedure, so I can't say exactly what I would do, a procedure
10 that I'm required to follow.
11 Q. But, how would you handle it?
12 A. As I stated, I would inform my supervisor and we would
13 discuss it.
14 Q. You don't know whether you would tell Mr. Davison or
15 not?
16 A. Certainly, if the supervisor told me not to, I wouldn't.
17 If he told me to, I would.
18 Q. You just do what you are told. Mr. Henry, the tenor
19 of complaints that I have seen and which these are just a
20 handful and you have seen most of these, haven't you?
21 A. Yes.
22 Q. You have seen the same documents in fact?
23 A. Yes.
24 Q. The tenor of many of these complaints is that things looked
25 fine on paper, sir, and it's my representation. If you

1 disagree, that's what I'm trying to solicit is your reaction,
2 is that things look fine on paper. The procedures look good
3 as written. The policies look fine in the policy manual,
4 but as Mr. McCoy points out, it's in the implementation that
5 perceived problems exist and that in the judgment of a number
6 of these welding inspectors, the quality of the inspection
7 work suffered as a consequence of implementation failures.
8 Would you agree that the focus of many of their concerns
9 was not on specific procedure as written, but on the
10 implementation of the procedure?
11 A. I would agree with that, yes.
12 Q. The affected implementation of these procedures, quality
13 assurance and quality control procedures, is a pre-requisite
14 an effective quality assurance program, wouldn't you agree
15 with that?
16 A. I will agree implementation is important, yes.
17 Q. And, the bottom line is that assuring that the as built
18 condition of the Catawba Nuclear Plant is adequate to provide
19 a reasonable assurance that public health and safety will
20 not be endangered depends on effective implementation of
21 these procedures, wouldn't you agree?
22 A. That is an important factor, yes.
23 Q. Are you sure that the procedures are being effectively
24 implemented?
25 A. To the best of my knowledge, they are.

1 Q. Were they being effectively implemented at the time
2 related in the welding inspector complaints that we have
3 looked at just now?

4 A. Yes.

5 Q. You have no concern either now or then that these procedures
6 were not effectively implemented such that the conditions
7 of the plant was in doubt?

8 A. I have no concerns.

9 Q. Mr. Henry, that's all I have for you, sir, and I appre-
10 ciate you bearing with me and responding to my questions.

11 MR. JOHNSON: No questions.

12 MR. GUILD: Counsel, only one thing, I only have
13 a copy of one document and it's two pages and that is Mr.
14 McCoy's which has been identified as Number Eleven. I
15 wonder if I could make a copy of that.

16 MR. GIBSON: During the break here, we will pull
17 it. I take it you don't want to lose it from the stack.
18 We will pull it, copy it and do that. I just have a question
19 or two for Mr. Henry.

20 EXAMINATION: (By Mr. Gibson)

21 Q. Mr. Henry, are you aware of anything that would cause
22 you to question whether the Catawba Nuclear Station is safely
23 built?

24 A. No.

25 Q. Mr. Henry, Mr. Guild asked you about some of the items

1 mentioned in a memo of Mr. Godfrey and I think a memo of
2 or written document by Mr. John McCoy. What is your under-
3 standing of how these items or documents were treated by
4 the Task Forces?

5 A. It's my understanding that the Task Force did receive
6 those items and did review those concerns and reached a
7 conclusion that there was no safety significance in those
8 concerns and I had answered that I had no specific knowledge
9 of the certain ones as to whehter it had specifically been
10 corrected, and I did not; but it's my belief that all of
11 those concerns were addressed by the Task Force and reached
12 a conclusion that they had no safety significance.

13 Q. Any further questions based on that, Mr. Guild or Mr.
14 Johnson?

15 RE-EXAMINATION: (By Mr. Guild)

16 Q. Mr. Henry, do you know whether or not the Welding Inspector
17 Task Force identified, reviewed and corrected all of the
18 problems of safety significance at Catawba?

19 A. To the best of my knowledge, they reviewed all areas
20 that had any potential significance and reached a conclusion
21 on them.

22 Q. Thank you.

23
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W. O. HENRY

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STATE OF NORTH CAROLINA)
COUNTY OF MECKLENBURG) CERTIFICATE

I, the undersigned Commissioner and Notary Public,
in and for the State of North Carolina, do hereby certify
that the foregoing sixty-three pages constitute a true
and accurate transcript of the evidence given by the said
witness in the continuation of his deposition as taken down
and transcribed by me.

This the fourth day of July, 1983.

BARBARA V. HAAS
Commissioner and
Notary Public

My Commission Expires:
April 23, 1987

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