

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

2/16/84

DOCKETED  
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In the Matter of

APPLICATION OF TEXAS UTILITIES  
GENERATING COMPANY, ET AL. FOR  
AN OPERATING LICENSE FOR  
COMANCHE PEAK STEAM ELECTRIC  
STATION UNITS #1 AND #2  
(CPSES)

Docket Nos. 50-445  
and 50-446

CASE'S EXPECTED FINDINGS OF FACT  
FOR FEBRUARY 20-24, 1984 HEARINGS

Pursuant to the Board's directives in its 12/28/83 Memorandum and Order (Scheduling Matters) (pages 2-3, item 5) and the telephone conference call of 2/10/84, CASE (Citizens Association for Sound Energy), Intervenor herein, hereby files this, its Expected Findings of Fact for February 20-24, 1984 Hearings.

As indicated in the telephone conference call on 2/10/84, CASE's Expected Findings are not in great detail, but are rather designed to summarize CASE's principal arguments and give the other parties fair notice of CASE's position.

We are, of course, at this time unable to predict what information may come out during cross-examination, voir dire, etc. Therefore, our Findings of Fact will need to incorporate such information when it is available. Our Expected Findings of Fact are attached.

Respectfully submitted,

*Juanita Ellis*  
\_\_\_\_\_  
(Mrs.) Juanita Ellis, President  
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CASE'S EXPECTED FINDINGS -- WELDING ISSUES

During the February 20-24, 1984, hearings, CASE expects to prove the following (it should be noted that some of this proof will come from past testimony or documents already in the record, not necessarily from actual testimony in the hearings themselves):

1. That the testimony of Darlene and Henry Stiner is correct, including but not limited to some of the following.

WEAVE WELDING -- HEAT INPUT

2. That one of the primary problems with weave welding is that it often produces excessive heat input.
3. That excessive heat input was one of the Stiners' concerns regarding weave welding.
4. That Applicants have not proved with documentation that weave welding is permitted by procedures at Comanche Peak.
5. That Applicants have not addressed the Stiners' recollection that procedures (specifically CPM-6.9, 11032, 11065, and Weld Parameter Guides) do not allow weave welding, in that Applicants have never produced those procedures which were in effect when the Stiners worked at Comanche Peak. If the Stiners are in error in this regard, the best evidence would be the documents themselves. Absent the documents themselves, the Board should give greater weight to the Stiners' testimony (since they do not have copies of the documents) than to the Applicants' witnesses' testimony (who do have the documents and could easily produce them).

WEAVE WELDING -- HEAT INPUT (continued):

6. That even if weave welding over four-core-wire diameter is permitted at Comanche Peak, there is still a problem because weave beading (or welding) over four-core-wire diameter is also done, and is in fact a common practice at Comanche Peak.
7. That weave welding is only one of many facets of the problem with which the Stiners are concerned.
8. That Applicants have not indicated that they have identified and/or checked all of the areas in which Henry Stiner worked regarding weave welding, since Mr. Stiner testified that weave welding and other problems occurred in every place he had ever worked. Further, since Applicants have only addressed the areas which require Charpy impact testing in this regard, there is no indication that they have identified or checked other areas where Charpy impact testing is not required for illegal weave welding over four-core-wire diameters. (See items 5 and 6 preceding.)
9. That heat indicating crayons or other devices to check the heat input are not regularly used at Comanche Peak.
10. That effective heat input was a problem identified by ASME when they made their survey in late 1981 which led to their allowing Brown & Root's N stamp at Comanche Peak to expire.
11. That effective heat input is a continuing and major problem at Comanche Peak.
12. That welding has been done at Comanche Peak without preheating when the temperature was below freezing.

WEAVE WELDING -- HEAT INPUT (continued):

13. That uncontrolled hot or cold temperatures when welding cause bad welds.
14. That another type of weave welding has been done at Comanche Peak -- taking a welding rod, beating the flux off, and using it to fill in bad fit-ups (too much gap) by placing the bare electrode into the gap and weave welding another electrode with the flux still on it over the bare wire, so as not to slow up production.
15. When considering maximum bead width, effective heat input must also be considered.
16. Excessive heat input could cause broadening and subsequent embrittlement of the heat affected zone.
17. That heat indicating crayons or other devices to check the heat input are required to be used by Comanche Peak procedures.
18. That the preheat temperature or the interpass temperature is not usually checked at Comanche Peak.
19. That illegal welding practices are employed at Comanche Peak in order to speed up production.
20. Grinding down does not help correct weave welding; the weld underneath is still a weave weld, which is weaker because there has been no control over the heat input.
21. The proper method to correct weave welding is to grind it completely down to base metal and reweld it with a stringer bead. A preferable method would be to cut the whole thing down and redo it, because you've still got damaged parent metal.

WEAVE WELDING -- HEAT INPUT (continued):

22. Bad weave welds have been made at Comanche Peak which have not been properly corrected, in that it was not ground down to base metal but only the surface was ground off and capped so that it would appear to be a sound weld. It was covered up, not corrected.
23. Repair to the welds was not cosmetic. The weave welds discussed by Mrs. Stiner were discovered when she was inspecting the hanger for torquing; the welds were in the process of being made -- it was not an initial root pass or merely a cover pass for cosmetic reasons. Further, the hanger was cut down; one doesn't cut down a hanger for "cosmetic reasons."
24. Weave welding in excess of four-core-wire diameter is being done at Comanche Peak by inexperienced welders and experienced welders; it is being done primarily for two reasons: due to inexperience or lack of knowledge of the welders; and in order to speed up construction.
25. This illegal weave welding is in violation of ASME and AWS codes.

DOWNHILL WELDING

26. Downhill welding has been done at Comanche Peak by inexperienced welders who have not been qualified by the ASME or AWS codes as required.
27. One of the downhill welds with which Mr. Stiner was concerned was on the hanger which he referred to as the one he was fired for reporting the gouge in.
28. The concern in 27. above was not even addressed by the investigators in the NRC report regarding the Stiners' allegations.



DOWNHILL WELDING (continued):

29. Downhill welding has been performed at Comanche Peak because of limited access welds.
30. Downhill welds have been made at Comanche Peak not only on root and cover passes, but in the consecutive layers in between.
31. Limited access welds at Comanche Peak have been done improperly.
32. Welders at Comanche Peak have been instructed to get the work done fast in regard to limited access welds. This, coupled with the welders' inability to get the proper work and lead angle needed to make the required bead, has set up a bad situation.
33. One of the problems with downhill welding is lack of deep penetration, trapped slag caused by the molten puddle falling over the slag coating, which also causes lack of fusion.
34. On heavy plate 1/4" or more, upward welding is preferred.
35. AWS D1.1 requires qualification or requalification of welders using downhill welding.
36. ASME requires qualification or requalification of welders using downhill welding.
37. Downhill welding as done at Comanche Peak is in direct violation of AWS and ASME codes.

PLUG WELDING

38. According to Applicants' and NRC Staff's witnesses' testimony, plug welding is actually a different process than that mentioned in Henry and Darlene Stiner's testimony.

PLUG WELDING (continued):

39. Assuming that 38. preceding is correct, the Stiners should more properly have referred to fillet welds of misdrilled holes rather than "plug welds."
40. Fillet welds of misdrilled holes (referred to as "plug welds" in the Stiners' testimony) have been done without proper quality control inspections and without proper documentation.
41. Welding done as discussed in 40. preceding is in direct violation of the ASME and AWS codes.
42. Welders at Comanche Peak make illegal "plug welds" under orders, in order to keep their jobs and to speed up production.
43. When "plug welds" are done, slag is entrapped inside the welded area.
44. Illegal "plug welds" are a pervasive and major problem at Comanche Peak which has not been adequately addressed by either Applicants or the NRC Staff.

WELD ROD CONTROL

45. The weld rod control system at Comanche Peak does not work.
46. The weld rod control system at Comanche Peak is inadequate to meet the requirements required by code, regarding such important items as lack of traceability, no heat verification on weld rods, etc.
47. One concern regarding weld rod control is that welders at Comanche Peak often leave their weld rod cans unplugged, often leave their weld rods out of the can longer than four hours, and often use rods which have not been properly heated to begin with.

WELD ROD CONTROL (continued):

48. NRC oversight regarding weld rod control has been inadequate and too trusting.
49. Welders sometimes keep rods from one hanger and save them to do repair work on other hangers.
50. After rods have set in a welder's tool bucket for two or three days, they absorb moisture and the flux becomes contaminated.
51. There is very little control at Comanche Peak over the stubs that are supposed to be turned back in.
52. Welders have even loaned rods out of their cans to others to do repair work, so the welder won't have to get rods issued from the rod shacks.
53. Even if nobody tells welders directly to engage in these practices, it is encouraged because nobody ever really checks on it or makes a big thing out of it, everybody knows it goes on. Workers do it for convenience, because they are under so much pressure to get the work done and get the hangers up that they try to do anything they can to speed up their work. Even if not directly ordered to engage in these practices, there is an understood, implied directive from superiors and management to the welders.
54. Mrs. Stiner has personally found bundles of unburned rods wrapped in a rubber band and put in an area for safekeeping and for future use.
55. If new welds were made on a support without the old weld symbols having been removed, QC would be likely to assume that they still had rods burned on the hanger, making it impossible to have rod traceability.



WELD ROD CONTROL (continued):

56. When welds are made using rods contaminated with moisture, porosity results and inner passes containing porosity would be covered up. The weld is going to be as bad in the root or inner passes as on the cap.
57. Inspection is not done on the root and inner passes; therefore, the condition discussed in 56. preceding would be covered up. Surface examination would not show any inner porosity or anything else. This was confirmed by Applicants in their 7/15/83 Summary of the Record Regarding Weave and Downhill Welding, pages 12 and 13. (See pages 21 and 22 of Stiners' testimony.)
58. Lack of preheat and improper effective heat input is a problem which applies to all of the preceding, which exacerbates the problems.
59. Testimony of some of Applicants' and NRC Staff's witnesses is misleading, perhaps to the point of constituting material false statements. We will be asking that the Board consider this possibility.

DESIGN; AND OTHER

60. Applicants have formed a bias which concludes that the codes are not required. Problems which could result in serious consequence and are contrary to codes are dismissed after the fact as insignificant. The blase attitude of supervision at Comanche Peak precludes conscientious attention to detail. If the Comanche Peak supervision and management are convinced that violations of codes, laws and their own criteria

DESIGN; AND OTHER (continued):

60. (continued):

have no adverse impact on the safety of the plant, they assume that there is no reason for them to jeopardize the schedule or incur further costs merely to correct or even admit to areas that they consider to be non-problems.

61. The test procedures conducted by Applicants are not in compliance with standard test procedures and are actually conducted to justify an accomplished fact.
62. Applicants' response to the Walsh/Doyle allegations is carefully designed to skirt the issues rather than address them in the manner they deserve. Problems remain problems regardless of the weight of credentials which are marshalled to bury them.
63. The testing procedures utilized by Applicants and indicated in their prefiled testimony do not consider all possibilities of weld design.
64. The Applicants, by using a panel approach rather than individual testimony, have attempted to indicate that non-engineering personnel (i.e., personnel with no expertise on a subject) have expertise on the subject.
65. The panel which Applicants have presented is trying to dismiss an item which they correctly state and go into great detail regarding, but which is not a concern of Messrs. Walsh and Doyle or of the Stiners; that is, the martensite effect that pertains only to high strength steels, not low carbon steels.
66. In regards to the comment from Omer Blodgett's book, the Applicants have misconstrued the actual content of the paragraph, or violates the code in the process of making a fillet weld. The portion of Blodgett's

DESIGN; AND OTHER (continued):

66. (continued):

book is in regards to the depth of a fillet weld to its width in a single pass, and when the depth exceeds the width of a fillet weld, internal cracking will occur.

67. CASE's Proposed Findings on the Walsh/Doyle allegations are correct in regards to the welding issues.

68. Testimony of some of Applicants' and NRC Staff's       sses is misleading, perhaps to the point of constituting material false statements. We will be asking that the Board consider this possibility. This is especially noticeable regarding the use of statements based on a partial fact utilized to mislead the Board into adopting an incorrect conclusion.

69. It is, of course, impossible at this time to know what information may be derived from cross-examination, re-direct, or rebuttal testimony. However, it is expected that additional findings will be made based upon such testimony, as well as upon any documents which may be used during such testimony.

70. It is also expected that testimony in the proceedings will supply additional information for trending, which has been indicated to be a continuing concern of CASE's.

71. It is also expected that testimony in the proceedings will supply additional information regarding the credibility and/or competence of Applicants' and NRC Staff witnesses, which has been indicated to be a continuing concern of CASE's.

DESIGN; AND OTHER (continued):

72. It is also expected that testimony in the proceedings will supply additional information regarding Applicants' overall QA/QC program; intimidation, harassment, and threatening of employees; discouragement from doing the job right to begin with; and other specific concerns discussed in CASE's 1/16/84 Clarification of Issues in 12/23/83 Pleading.
- 72a. The inspection report by the NRC regarding the concerns raised by Henry and Darlene Stiner was inadequate, did not address all of their concerns, all of the items discussed in the "sanitized" back-up notes of the investigator were not contained in the report itself (and some have never been addressed in any NRC report), some of the information in the report itself is contradicted by the investigator's "sanitized" back-up notes.
- 72b. The inspection report by the NRC regarding the concerns raised by Henry and Darlene Stiner cannot be relied upon as having resolved their concerns.
- 72c. A thorough, in-depth independent investigation should be made into the concerns of Henry and Darlene Stiner by someone outside NRC Region IV who has not been affiliated with the investigation in any way or with these licensing proceedings in any way.

CASE'S EXPECTED FINDINGS OF FACT -- CYGNA REPORT

During the February 20-24, 1984, hearings, CASE expects to prove the following (it should be noted that some of this proof will come from past testimony or documents already in the record, not necessarily from actual testimony in the hearings themselves):

73. The CYGNA Report cannot be relied upon by the Licensing Board to allay the Board's concerns regarding the quality of construction or design at Comanche Peak.
74. The preceding (item 73.) is true because the report is fatally flawed, as demonstrated in the following.
75. The reviewers did not find many problems and deficiencies which they should have found (including but not limited to concerns raised by Messrs. Walsh and Doyle).
76. There is no indication that Cygna was ever supplied with a copy of CASE's Proposed Findings (Walsh/Doyle Allegations) or that they were even aware of what Messrs. Walsh and Doyle's concerns were.
77. Cygna did not discuss any of the Walsh/Doyle allegations with Messrs. Walsh or Doyle, although they apparently did have discussions with Applicants and perhaps with the NRC.
78. When problems or deficiencies were found, Cygna relied on the Applicants' statements or the NRC SIT Report in instances to resolve their concerns.
79. When problems or deficiencies were found, Cygna at times concluded that the problems were not important without adequate documentation, calculations, or other bases for their conclusions.



CYGNA REPORT (continued):

80. There is little or no documentation, calculations, or other supporting data included in the report.
81. The expressed purposes of the Report indicate built-in biases designed to prove that Applicants' nuclear plant has been built correctly, rather than being designed to ascertain whether or not it has been built correctly. Its conclusions are a self-fulfilling prophesy.
82. Cygna's review was compromised in that advance notification was supplied to Applicants in advance of Cygna's review regarding specific documentation which Cygna would be looking at.
83. Applicants failed to inform the Licensing Board of the fact that pre-notification had occurred; in fact, to the contrary, Applicants represented the Cygna Report as being completely independent, unbiased, and reliable, and have even urged that Cygna be allowed to conduct a more thorough review using the same independence and criteria. This constitutes a material false statement.
84. Applicants stipulated in the 2/15/84 telephone conference call between the Board and parties that prenotification had occurred.
85. This prenotification regarding specific documentation which Cygna would be looking at calls the entire Cygna Report into question.
86. Although Applicants have indicated in public statements that advance lists (note that this is plural) "were provided only when large numbers of records were going to be used to evaluate plant procedures, and the advance notice gave the utility time to promptly assemble the records," (plant spokesman Dick Ramsey, DALLAS TIMES HERALD, 2/14/84), the very

CYGNA REPORT (continued):

86. (continued):

fact that the documents were assembled in advance thwarted one of the intents of the Cygna Report (i.e., to ascertain whether or not the system was working correctly, which would include whether or not the system worked in a timely fashion). (See attached newspaper clippings.)

87. Although Applicants have indicated in public statements that "the lists" (again note that this is plural) "usually were not provided until the afternoon before the inspection, and thus the utility would not have had time to correct any problems before Cygna arrived," (plant spokesman Dick Ramsey, DALLAS TIMES HERALD, 2/14/84), (1) the use of the word "usually" clearly indicates that this is not always the case and that there is the possibility that some lists were provided well in advance of the inspections, and thus there would have been sufficient time to correct problems before Cygna arrived, and (2) supplying the lists the afternoon of the inspections would afford the utility sufficient time to correct problems before Cygna arrived (especially if the inspection was not done until the next afternoon rather than morning), since it is a well-known fact that the night shift works regularly at Comanche Peak. (See attached newspaper clippings.)
88. Irrespective of the questions regarding independence of the Cygna Report, Cygna's review was insufficient to stand on its own. It would be impossible to conduct an independent peer review based on the contents of the Cygna Report alone, without obtaining and reviewing additional calculations and other documentation.

CYGNA REPORT (continued):

89. Many important criteria were not considered in Cygna's review.
90. The Cygna Report overstates the extent of the inspection coverage.
91. While a review would be expected to find conflicts in assumptions in engineering judgements and few, if any, errors of fundamental substance, Cygna's review indicates the opposite in that gross mistakes and errors were found (although Cygna concluded that everything basically was all right). The review lacks depth which would have resulted from independence.
92. The extrapolation from this review to the plant per se is out of all reason and the sample was insufficient (for example, the review represented less than 1/2 of 1% of the total supports).
93. Paramount among our proofs is the fact that although large numbers of non-conservative errors were enumerated in the review by Cygna, their conclusions were 180° out of phase with reality.
94. Cygna's witnesses have no concept of the actual design which exists at Comanche Peak and cannot comment on technical issues adequately when confronted with technical questions.
95. Cygna was not independent when arriving at its conclusions on pipe supports, pipe stress analysis, document control, and cable tray supports.
96. The cumulative effect of the errors identified will be significant.
97. The testimony of CASE witnesses Jack Doyle and Mark Walsh will not be adequately rebutted in a technical manner by Applicants' or Cygna's witnesses.
98. Although CASE has not had the opportunity at this writing to review some documents just received on discovery, it is expected that some

CYGNA REPORT (continued):

98. (continued):

of those documents will be used to show that Cygna did not use proper engineering principles to arrive at their conclusions.

99. On Wednesday, 2/15/84, late in the afternoon, CASE received some of the documents we had requested on discovery; however, we have not yet received approximately 40% of the documents requested, and we have been informed that the remainder will not be available until Friday, 2/17/84. As of this writing, we have not had the opportunity to review the documents requested, but it is expected that some of them will be used to support the testimony of CASE's witnesses, to support CASE's positions and findings, to cross-examine Applicants', Staff's, and Cygna's witnesses, to disprove some of the testimony of Applicants', Staff's, and/or Cygna's witnesses, and to further prove that Cygna's review was inadequate at a minimum.

100. In addition, it is not known at this time what other information may be derived from documents received or from testimony or cross-examination regarding those documents, but we will address this in our findings.

101. The specific information contained in the testimony of CASE witnesses Jack Doyle and Mark Walsh will be proved correct.

102. Although the Cygna Report is virtually useless as far as being of assistance to the Board in resolving its concerns about the design and construction of Comanche Peak, it is very helpful to the Board in that it proves that:

CYGNA REPORT (continued):

102. (continued):

- (a) Cygna should not be considered for the performance of the more in-depth review desired by the Board.
- (b) Cygna cannot, at this point in time, conduct an unbiased, truly independent review necessary to allay the Board's concerns.
- (c) There must be very specific, very stringent criteria spelled out in detail by the Board regarding any future more in-depth reviews.
- (d) Applicants cannot be relied upon to select the organization to conduct future more in-depth reviews. There should be input from outside sources, including CASE, and a mutually acceptable organization should be selected.
- (e) It is more important that criteria be properly developed and care taken in selecting the organization which will conduct the in-depth review, than for the review to be rushed in order to meet Applicants' alleged fuel load date. Otherwise, any future review will be of no more assistance to the Board than has been the Cygna Report.
- (f) A thorough, detailed, in-depth design and construction verification is necessary at Comanche Peak in order for the Board to be assured of the adequacy of construction and design. (This is indicated just on the basis of the problems identified, if not recognized, in the Cygna Report, as well as by other testimony, documents, etc.)

103. It is, of course, impossible at this time to know what information may be derived from cross-examination, re-direct, or rebuttal testimony.



CYGNA REPORT (continued):

103. (continued):

Further, it should be noted that on 2/15/84 Applicants advised that they are withdrawing the testimony of Marcus Bressler and that they will be supplying instead testimony of two additional witnesses. Since we have not yet seen such testimony, it is unknown at this time what it contains; we expect, however, that CASE witnesses Jack Doyle and Mark Walsh will be rebutting at least some of such testimony. It is expected that additional findings will be made based upon such testimonies, as well as upon any documents which may be used during such testimonies.

104. It is also expected that testimony in the proceedings will supply additional information for trending, which has been indicated to be a continuing concern of CASE's.

105. It is also expected that testimony in the proceedings will supply additional information regarding the credibility and/or competence of Applicants', Cygna's, and NRC Staff witnesses. This has been indicated to be a continuing concern of CASE's.

106. It is also expected that testimony in the proceedings will supply additional information regarding Applicants' overall QA/QC program; perhaps regarding intimidation, harassment, and threatening of employees; discouragement from doing the job right to begin with; and other specific concerns discussed in CASE's 1/16/84 Clarification of Issues in 12/23/83 Pleading.

# The Dallas Morning News

Tuesday, February 14, 1984

## N-plant contractor alerted to review, ex-worker says

By Walter Borges

Staff Writer of The News

A former employee of the contractor building Comanche Peak has said the contractor was told which documents were to be reviewed by a consultant studying the plant's engineering design prior to the consultant's visit to the nuclear power plant.

Dobie Hatley said in an affidavit that officials of Brown & Root Inc. of Houston, the plant general contractor, told her to check a list of documents a day before Cygna Energy Services visited the plant last fall. The affidavit was filed Monday with the U.S. Nuclear Regulatory Commission panel that will make a recommendation on Comanche Peak licensing later

this year.

Ms. Hatley, who was a records specialist, was fired by Brown & Root last Tuesday. Officials of plant owner Texas Utilities Co. said she was fired for "poor job performance." However, in the affidavit, Ms. Hatley said she was fired for "failure to obey instructions."

The \$500,000 Cygna study was commissioned after two former Comanche Peak design engineers charged that pipe supports at the plant were poorly designed and that the designs had not been corrected.

Cygna issued a two-volume report in November that said the plant's designs were "adequate" and had been "properly implemented."

A spokesman for Texas Utilities said the documents to which Ms. Hatley referred were requested by Cygna in advance as part of a study of design documentation.

"Those requests were in cases where prior knowledge would not affect the information they wanted," said Texas Utilities spokesman Dick Ramsey.

But the president of the Dallas-based Citizens Association for Sound Energy, which opposes licensing for the plant, disagreed with the utility's interpretation.

"The Cygna study was not independent to start with," CASE president Juanita Ellis said Monday.

## Nuclear tip-off alleged

### Panel told plant knew of reviews

By JACK BOOTH

Staff Writer

A former documents supervisor at the Comanche Peak nuclear plant has charged that utility officials were given advance notice of which records a supposedly independent consultant would examine during a review of the plant's safety.

Dobie Hatley, who was fired from the plant near Glen Rose on Feb. 7, said her supervisors gave her a handwritten list the day before the consultant arrived and told her to make sure the records were in order.

The next day a consultant from Cygna Energy Services of San Francisco "looked at those specific documents and no others," Mrs. Hatley said in a sworn affidavit sent to the U.S. Atomic Safety and Licensing Board, which oversees work at Comanche Peak.

"It was obvious that someone had been given information about which specific documents Cygna would be reviewing," said Mrs. Hatley, 48.

Juanita Ellis, president of the Citizens Association for Sound Energy, a public interest group, said the list casts doubt on whether Cygna was as independent as it was supposed to be during the \$500,000 study. The study was commissioned by Texas Utilities Generating Co., the consortium of six utilities that owns the plant, after the U.S. Nuclear Regulatory Commission staff said it had doubts about the plant's safety.

Mrs. Ellis said advance notice could have given the utility the opportunity to track down any missing documents before Cygna inspectors arrived. The adequacy of the utility's record keeping has been a key issue in the licensing hearings for the plant.

Plant spokesman Dick Ramsey said Cygna provided advance lists of documents it needed, but only in cases where it was not concerned about whether the records were complete. The lists were provided only when large numbers of records were going to be used to evaluate plant procedures, and the advance notice gave the utility time to promptly assemble the records, Ramsey said.

He said the lists usually were not provided until the afternoon before the inspection, and thus the utility would not have had time to correct any problems before Cygna arrived.

Before allowing the study to proceed, the NRC staff laid out

See PLANT on Page 2

# Utility warned of reviews, ex-employee says

PLANT — From Page One

specific rules for keeping communication between the consultant and the utility to a minimum, including the provision that all correspondence between the two groups would have to be kept on file for NRC review.

The licensing board called the study superficial after its completion, saying it lacked a means of determining how thorough the consultant's inspectors were.

The NRC suggested Dec. 28 that the utility order yet another study. Two weeks ago, TUGCO suggested a more extensive study by Cygna. At the same time, two former engineers at the plant charged in affidavits to the licensing board that the first Cygna report was biased in TUGCO's favor.

In another development, two former quality control inspectors at Comanche Peak said Monday that they were persuaded to transfer to the South Texas Nuclear Project near Bay City after it became obvious that they would be called to testify in a hearing about alleged harassment of inspectors at Comanche Peak.

Jerry Artrip and Walter Elliott said they, along with four other inspectors, were told in January that they had the option of transferring to the South Texas nuclear plant or face probable layoffs in 120 days, if they stayed at Comanche Peak.

They said the transfer question was raised the day after hearings were scheduled for Fort

worth on the harassment issue. Artrip said the aim of the transfer appeared to be to make it difficult for the six inspectors to appear at the Fort Worth hearing, because they were not given paid days off to attend the hearing, nor were their traveling expenses paid. They said only the six inspectors who were subpoenaed were approached about transfers.

Both men said they were not needed at the South Texas plant, and Elliott said he was even assigned to a different type of work because no openings existed in the paint department.

During the harassment hearing Monday in Fort Worth, William A. Dunham, a former supervisor of paint quality control inspectors, testified before U.S. Labor Department Administrative Law Judge Robert Feldman that he was fired last Aug. 26 for complaining that inspectors were being harassed, and because he reported the situation to the NRC staff.

Dunham, now a supervisor at the South Texas project, said the main supervisor for the paint department repeatedly tried to pressure inspectors to overlook defective work so that construction schedules could be kept.

He said the incidents of harassment included a meeting in which supervisors said they were thinking of firing Elliott, the inspector who now works at the South Texas plant, because Elliott was reporting defects. Dunham said he successfully convinced them not to fire Elliott. Elliott said in an interview

that he was warned by an angry supervisor to stop reporting the defects on formal reports required by the NRC.

During cross-examination, Dunham admitted he served a year in prison after a 1974 conviction for burglary, and he said he received a suspended six-month sentence in 1977 for a conviction for breaking and entering.



# Inspection at N-plant attacked

Continued from Page 13

ing detailed information about which drawings and documents would be requested.

"The next day Cygna came and looked at those specific documents and no others. It was obvious that someone had been given advance information about which specific documents Cygna would be reviewing," she said.

George Hedrick, a Fort Worth spokesman for Texas Electric Service Co., one of the utilities in the consortium of plant owners, defended the inspection.

"We deny that there was any intent to identify in advance where they were going to be looking for any ulterior motives," Hedrick said. "We don't believe Cygna would do anything to compromise their professional opinion."

Cygna, under a \$500,000 contract with plant owners, was conducting an independent design review of pipe supports and the fuel building. The review, ordered by the licensing board in July, also was to determine whether proper documentation procedures had been followed.

Plant opponents last week attacked the Cygna report as insufficient and biased. The three-member licensing board is expected to hear testimony on the report next week.

Before she was fired Feb. 7, Hatley supervised 23 employees in the plant's document control section. She had worked for Brown & Root for five years. She said she was fired because upper management and construction supervisors objected to her vigilance in following documentation procedures.

Comanche Peak, under construction near Glen Rose 45 miles southwest of Fort Worth, is owned by a consortium of six utilities, including Texas Electric Service Co.

In another development on Monday, a former quality control inspector, who has accused the plant's builders of intimidation, testified at a U.S. Labor Department hearing in Fort Worth that he lied about his criminal record on job applications.

The revelations of former inspector Bill Dunham followed his accusations that he was fired from his \$13.95-an-hour job because he had told U.S. Nuclear Regulatory Commission officials that plant inspectors were being harassed, intimidated and threatened.

FORT WORTH STAR-TELEGRAM

TUESDAY EVENING, FEBRUARY 14, 1984

## Inspection at N-plant attacked

By BRUCE MILLAR  
Star-Telegram Writer

An official at the Comanche Peak nuclear power plant rigged a document inspection by an outside consulting company hired to conduct an independent review of the plant's design, a former supervisor at the plant alleges.

A spokesman for the plant's owners denied the accusation.

Dobie Hatley, a former documentation supervisor for Comanche Peak's general contractor, Brown & Root Co., said that on the day before the November inspection, Brown & Root Project Control Manager Hayward Hutchison handed her a list of documents that he said Cygna Energy Services Inc. representatives would request.

In written testimony before the U.S. Atomic Safety and Licensing Board on Monday, Hatley said that Hutchison told her to make sure all the documentation was correct, giving

Please see Inspection on Page 21

**NOTE:** Mrs. Hatley did not talk to reporters regarding her prefiled testimony. She did not state that anyone "rigged" anything. Her prefiled testimony, which has now been withdrawn, speaks for itself. Any other inferences did not come from her.



## Rigging of review alleged

### Comanche Peak accusation denied

By BRUCE MILLAR  
Star-Telegram Writer

A former supervisor at the Comanche Peak nuclear power plant alleged Monday that a top plant official rigged a document inspection by an outside consulting company hired to conduct an independent review of the plant's design.

Dobie Hatley, a former documentation supervisor for Comanche Peak general contractor Brown & Root Co., said that on the day before the November inspection, Brown & Root Project Control Manager Hayward Hutchison handed her a list of documents that he said Cygna Energy Services Inc. representatives would request.

Hutchison told her to make sure all the documentation was correct, giving detailed information about which drawings and documents would be requested, Hatley said in written testimony submitted to the U.S. Atomic Safety and Licensing Board.

"The next day Cygna came and looked at those specific documents and no others. It was obvious that someone had been given advance information about which specific documents Cygna would be reviewing," she said.

Cygna, under a \$500,000 contract with plant owners, was conducting an independent design review of pipe supports and the fuel building. The review, ordered by the licensing board in July, also was to determine whether proper documentation procedures had been followed.

Plant opponents last week attacked the Cygna report as insufficient and biased. The three-member licensing board is expected to hear testimony on the report next week.

Please see Ex-official on Page 14

NOTE: Mrs. Hatley did not talk to reporters regarding her prefiled testimony. She did not state that anyone "rigged" anything. Her prefiled testimony, which has now been withdrawn, speaks for itself. Any other inferences did not come from her.

# Previous whistle-blower hid record

By BRUCE MILLAR  
Star-Telegram Writer

A former quality control inspector who has alleged intimidation by builders of the Comanche Peak nuclear power plant testified Monday that he has a criminal record and lied about it on job applications.

The revelations of former inspector Bill Dunham followed his accusations that he was fired from his \$13.95-an-hour job because he had told U.S. Nuclear Regulatory Commission officials that plant inspectors were being harassed, intimidated and threatened.

Dunham, 31, who was fired by contractor Brown & Root Co. Aug. 26, also testified that he had been told by his supervisor not to issue formal reports of construction deficiencies.

"I was fired for bringing to light problems, for daring to utter the words 'harassment, intimidation' aloud," he said at a U.S. Labor Department hearing in Fort Worth on his request for back pay and reinstatement.

Utility officials said Dunham was fired for insubordination to Gordon Purdy, senior quality control supervisor at Comanche Peak.

"You'll have to take me to the gate, because I won't cheapen my attitude on quality," Dunham testified he told Purdy.

Dunham's allegations "give an entirely wrong impression of our qual-

ity assurance policies and practices at Comanche Peak," officials of plant operator Texas Utilities Generating Co. said in a prepared statement.

Last September, a Labor Department investigator said Dunham had been fired because he had reported to management that quality control inspectors were harassed and intimidated from reporting deficiencies.

A U.S. Nuclear Regulatory Commission investigation of the protective coatings quality control where Dunham formerly worked resulted in a December notice of violation and a proposed \$40,000 fine against plant owners. The fine is under administrative appeal.

Comanche Peak, under construction near Glen Rose 45 miles southwest of Fort Worth, is owned by a consortium of six utilities, including Texas Electric Service Co.

Under cross-examination by plant owners' attorney Bruce Downey, Dunham said he served one year in the Oklahoma State Reformatory after his 1973 conviction of burglary. He was given a six-month suspended sentence following his 1978 conviction of breaking and entering.

He testified that he twice concealed his criminal record on job applications to Brown & Root and Munday Industrial Service in Deer Park.

## Ex-official calls inspection at Comanche Peak rigged

Continued from Page 13

Before she was fired Feb. 7, Hatley, 48, supervised 23 employees in the plant's document control section. She had worked for Brown & Root for five years. She said she was fired because upper management and construction supervisors objected to her vigilance in following documentation procedures.

"Whenever I caught something that was wrong, I would yell and scream about it. The other reason, I feel, is that I did start to voice my concerns about the safety of construction in certain areas where I felt that they were trying to cover it up instead of making it right," Hatley said.

Texas Utilities Co. officials have proposed hiring Cygna for a second review of the adequacy of pipe support designs. That proposal came in response to a Dec. 28 board order expressing doubts about the design and proposing a further independent review. Utility officials could not estimate the cost of the additional study.

George Hedrick, spokesman for Texas Electric Service Co., one of the utilities in the consortium of plant owners, defended the November inspection.

"We deny that there was any intent to identify in advance where they were going to be looking for any ulterior motives," Hedrick said. "We don't believe Cygna would do anything to compromise their professional opinion."

Hedrick said Cygna officials often would request documents a day ahead of time, saying they wanted to review certain plant systems.

"There was no way we could change the documents or the systems prior to their looking at them," he said. "And if there was something wrong, no one wants to know more than Texas Utilities Generating Co."

TUGCO is the operator of Comanche Peak, which is owned by six utilities. The plant is under construction near Glen Rose in Somervell County, 45 miles southwest of Fort Worth.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES  
GENERATING COMPANY, ET AL. FOR  
AN OPERATING LICENSE FOR  
COMANCHE PEAK STEAM ELECTRIC  
STATION UNITS #1 AND #2 (CPSES)

Docket Nos. 50-445  
and 50-446

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that true and correct copies of  
CASE'S EXPECTED FINDINGS OF FACT FOR FEBRUARY 20-24, 1984 HEARINGS

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\*\* Hand delivered if possible; otherwise, sent \*.

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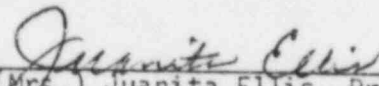
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