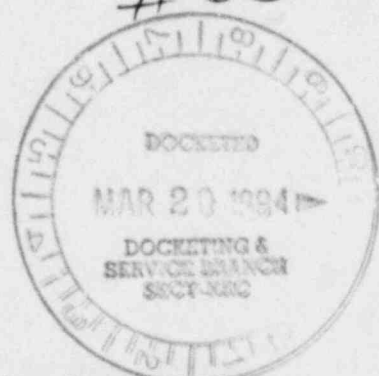


A-63
11/29/83

#63

YORK COUNTY
SOUTH CAROLINA

AFFIDAVIT



Jack Fox, being first duly sworn, deposes and says:

1) My name is Jack Fox.

2) I am employed by Duke Power Company in the Construction Department at the Catawba Nuclear Station in York County, South Carolina as a Powerhouse Mechanic, I have been so employed since 11/24/80.

3) On 11/11/81, I was in the basement of RB #1 grinding on a deleted weld. Before I started, I placed a red mark on my grinding disc with a marker. Shortly after I started to grind I heard Larry Jackson yell to me from approximately 8 feet above my work area and 15 to 18 feet straight ahead of me. He wanted me to show him the red mark on my grinding disc. I held my grinder up so he could see the red mark. Jackson then began climbing down toward me. Jackson asked to see the disc. I took the disc from the grinder and gave it to him. By then a group of workers had gathered in the area. Jackson told me that the red mark wasn't on the disc when he first observed me grinding. Some of the workers in the group started ragging Jackson about not having caught me. They told him that the red mark was on the disc when he first observed me. Jackson looked through my box attempting to find a marker but he was unsuccessful. Jackson went away and returned with a red tag. He asked me to show him where I was grinding. I asked him why he couldn't see me from 18 feet away. He then asked for the weld ticket. I told him there wasn't one because the weld was a deleted weld. I told Powerhouse Mechanic, Billy Primus to find Ed McKenzie. After waiting for a while, I walked away. I found Ed McKenzie and told him what had happened. Jackson walked up and informed us that we were being written up for violating CP170. McKenzie told Jackson that the disc was painted red. Jackson produced the disc and pointed to the red mark. He said, "this ain't going to get it." Jackson

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gave the disc to McKenzie. McKenzie placed the disc in his shirt pocket. He told Jackson that the disc was his property because he signed for it at the warehouse. Jackson reached for the disc which was in McKenzie's pocket and McKenzie brushed his hand away. Jackson then began poking McKenzie in the chest while informing him that he would give him the disc back. McKenzie got mad and clenched his fist. He told Jackson, "If you poke me again, I'll deck you." Jackson then asked McKenzie if he would risk his job to hit him. McKenzie said he would. At that point, McKenzie told Jackson that he was trying to be an ass about the entire situation. Jackson said, "Those pricks are down there trying to make me look like an ass." Jackson started to leave and McKenzie asked him to try to resolve the situation in the field as opposed to taking it to the office building. Jackson told McKenzie, "Let's you and me go up to the Hill now." Ed informed Jackson that he didn't work for him and if he wanted to go to the Hill, to go on. McKenzie then said he had work to get done. Shortly thereafter I saw both men leave the building.

On the way home that afternoon, Jackson started bragging about writing me up. I informed Jackson that the matter was not settled and I didn't want to talk about it. Jackson said, "If McKenzie had hit me, he would have lost a \$25,000 a year job."

On 11/12/81, I told McKenzie about what had happened on the van on 11/11. McKenzie told me that I would be within my rights to file a harassment charge. He also said he didn't believe much would come of it even if I did file a charge. I took my paperwork and went to my work area.

While on my knees working with my grinder, Jackson walked up and asked me to show him the pipe I was grinding on 11/11. I pointed to the pipe, which was approximately 8 feet away. I then went back to work. When I looked up again, I discovered that Jackson had tagged the wrong pipe. I

looked for Jackson to inform him of the mix-up. When I found Jackson, he was with McKenzie. They already knew about the wrong pipe having been tagged, Jackson said, "they lied to me. They told me the wrong pipe." McKenzie said, "nobody lied to you." Jackson told McKenzie he wanted us to go to the office building with him. I was then instructed by McKenzie to return to work.

I didn't at anytime hear McKenzie call Jackson a stupid asshole and I never heard McKenzie tell Jackson that anything would be settled off the job.

Jack Fox
Jack Fox

Sworn to and subscribed before me this

30th day of November, 1981.

Hinda S. Bradford
Notary Public

My Commission Expires: 18 May 1983

NUCLEAR REGULATORY COMMISSION

Docket No. 50-413 DPN 5-5-83 63
 In the matter of Getaway

Staff	IDENTIFIED	<input checked="" type="checkbox"/>
Applicant	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Intervenor	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Party	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Comments	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Reposited Don Graham 11/30/83