

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of:

TEXAS UTILITIES ELECTRIC
COMPANY, et al

(Comanche Peak Steam Electric
Station, Units 1 and 2)

Docket Nos. 50-445
50-446



DEPOSITION

OF

SAMUEL HOGGARD

DEPOSITION of SAMUEL HOGGARD, taken on the
19th day of August, 1984, in the above styled and
numbered cause at Glen Rose Motor Inn, located at
Highway 67 & FM Road 201, in the City of Glen
Rose, County of Somervell and State of Texas
before Janet Schaffer a Certified Shorthand
Reporter in and for the State of Texas.

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PDR ADOCK 05000445
T PDR

1 APPEARANCES:

2
3 BISHOP, LIBERMAN, COOK PURCELL & REYNOLDS
4 Attorneys at law
5 1200 Seventeenth Street, Northwest
6 Washington, D. C. 20036
7 By: Mr. Bruce Downey

8 APPEARING FOR APPLICANTS

9 INDEX

10
11 EXHIBIT

MARKED

12 No exhibits marked
13

14 MR. DOWNEY: This is the resumption
15 of the deposition of Mr. Samuel Hoggard,
16 H-o-g-g-a-r-d. Mr. Hoggard testified earlier in
17 this proceeding about certain matters relating to
18 the safety apparatus on the rotating platform
19 rail. The Applicant has recalled Mr. Hoggard to
20 testify about certain allegations made by Robert
21 Hamilton concerning incidents that were alleged to
22 have occurred involving Mr. John Moon.

23 I will remind Mr. Hoggard that he was
24 previously sworn as a witness in this case and
25 remains under oath.

1 Q. (BY MR. DOWNEY) Mr. Hoggard in your
2 earlier testimony you indicated that you
3 supervised the first aid activities of the site,
4 is that correct?

5 A. Yes, sir, it is.

6 Q. Mr. Hoggard, would you please describe
7 the first aid facilities at Comanche Peak?

8 A. We have a first aid treatment facility
9 which I have staffed with five medical personnel,
10 two of whom are registered nurses. The rest are
11 paramedics. On day shift I had two registered
12 nurses who aid a paramedic. There are two
13 paramedics at night.

14 Q. During what hours is the first aid
15 station operable?

16 A. First aid station is open 24 hours a day
17 seven days a week.

18 Q. How long has it been open 24 hours a day
19 seven days a week?

20 A. Since the onset of the project.

21 Q. Are any other medical facilities on the
22 site other than the one that you supervise?

23 A. No, sir.

24 Q. Mr. Hoggard, are you aware of the
25 allegations made by Robert Hamilton concerning an

1 inspector named John Moon?

2 A. Yes, sir, I am.

3 Q. What is your understanding of Mr.
4 Hamilton's allegation?

5 A. It's my understanding that Mr. Moon
6 supposedly received a chemical burn to the back
7 side of his body and for which he was reportedly
8 treated at the first aid facility by job site
9 paramedics.

10 Q. Mr. Hoggard, have you reviewed the
11 records of the medical facility at Comanche Peak
12 to determine whether Mr. Moon was treated in the
13 way that Mr. Hamilton alleges?

14 A. Yes, sir. I did review those records.

15 Q. And for what period of time did you
16 review the records?

17 A. From February 1979 to January 1982.

18 Q. And what records did you review?

19 A. The Brown & Root first aid roster and
20 also the OSHA Form 200.

21 Q. Mr. Hoggard, what information is
22 maintained on the Brown & Root first aid roster?

23 A. Employee comes in, reports an injury.
24 His name is recorded, his age, craft that he works
25 for, his badge number, what type of accident

1 occurred, type of injury received, type of
2 treatment received. And the medic or registered
3 nurse that gives the treatment initials at the
4 end.

5 Q. And is this log maintained in any
6 chronological order?

7 A. Yes, it is.

8 Q. Are all first aid treatments recorded on
9 this log?

10 A. Basically, yes. We don't record just a
11 common eye flush, someone comes in with dust in
12 the eye, something like that. We don't record
13 those. If there's something in the eye that they
14 have to go to a physician to remove, then that is
15 recorded. But basically, it's basic first aid
16 treatment that is recorded.

17 Q. And would that include the recording of
18 any chemical burns treated at the facility?

19 A. Yes, sir.

20 Q. In reviewing the first aid log for the
21 period February 1979 through January of 1982, did
22 you find any record of Mr. Moon being treated at
23 the facility?

24 A. No, sir, found no record at all.

25 Q. Mr. Hoggard, you testified that you also

1 reviewed the OSHA Form 200's, is that correct?

2 A. Yes, sir, I did.

3 Q. What information is maintained on those
4 records?

5 A. OSHA Form 200 is required by
6 Occupational Safety and Health Administration. On
7 that log are named those people that are sent to
8 the physician for medical treatment beyond first
9 aid treatment. It also has a specific area where
10 you log if it was a chemical burn or if it was
11 exposure for chemicals causing occupational
12 illness or injury.

13 Q. And does the site have a policy
14 concerning referral of employees to physicians
15 when the employee receives a chemical burn?

16 A. Yes, sir. If it's a chemical burn that
17 is in a tender area of the skin, an uncovered
18 portion of the body, if it covers an area such as
19 full arm, full hand, full back side, buttocks
20 area, something of that nature, they will be
21 referred to a qualified physician.

22 Q. Now, is that especially true in the case
23 of a second degree burn on these areas?

24 A. Yes.

25 Q. In your review of OSHA Form 200, did you

1 find any indication that Mr. Moon had been treated
2 for chemical burn at Comanche Peak during the
3 period February 79 through January 1982?

4 A. No, sir, I found no record of such
5 reported injury.

6 Q. Based on your review of the records of
7 the medical facilities at Comanche Peak, have you
8 formed a judgment about whether Mr. Moon was
9 treated for a chemical burn during the period
10 February 1979 through January 1982?

11 A. Yes, sir, I have.

12 Q. And what's your judgment on this matter?

13 A. In my judgment, Mr. Moon did not report
14 any such jury to the first aid facility or the job
15 site medics; therefore, he was not treated for
16 such injury.

17

18

19

20 I, SAMUEL HOGGARD, have read the foregoing
21 deposition and hereby affix my signature that same
22 is true and correct, except as noted herein.

23

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25

SAMUEL HOGGARD

1
2
3 SUBSCRIBED AND SWORN to before me this the

4 _____ day of _____, 1984.
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7 _____
8 NOTARY PUBLIC IN AND FOR THE
9 STATE OF TEXAS

10 My commission expires: _____
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1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

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4 I, Janet Schaffer, RPR, Certified
5 Shorthand Reporter in and for the State of Texas,
6 do hereby certify that there came before me on the
7 19th day of August, A. D., 1984, at the Glen Rose
8 Motor Inn, Glen Rose, Texas, the following named
9 person, to-wit: SAMUEL HOGGARD, who was by me duly
10 sworn to testify the truth and nothing but the
11 truth of his knowledge touching and concerning the
12 matters in controversy in this cause; and that he
13 was thereupon examined upon his oath and his
14 examination reduced to writing under my
15 supervision; same to be sworn to and subscribed by
16 said witness before any Notary Public.

17

18 I further certify that I am neither
19 attorney or counsel for, nor related to or
20 employed by, any of the parties to the action in
21 which this deposition is taken, and further that I
22 am not a relative or employee of any attorney or
23 counsel employed by the parties hereto, or
24 financially interested in the action.

25

1 In witness whereof, I have hereunto set
2 my hand and affixed my seal this 19th day of
3 August, A.D., 1984.

4
5 License Expires:

6 December 31, 1984
7 CSR No. 1543

JANET SCHAFFER, RPR, CSR
IN AND FOR THE STATE OF TEXAS
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Dallas, Texas 75202
(214) 742-3035