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USNRC

UNITED STATES OF AMERICA

BEFORE THE UNITED STATES DEPARTMENT OF LABOR

95 OCT 26 P4:39

ALLEN MOSBAUGH,

COMPLAINANT,

VS.

GEORGIA POWER COMPANY

RESPONDENT.

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
NO. 90-ERA58 BRANCH

DEPOSITION OF KENNETH MCCOY

taken by Counsel for the Complainant  
before Judy S. Burnett, Certified Court Reporter  
at Plant Vogtle, Waynesboro, Georgia  
on Wednesday, September 12, 1990, commencing at 1:45 p.m.

APPEARANCES OF COUNSEL

FOR THE COMPLAINANT:

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NUCLEAR REGULATORY COMMISSION

Docket No. 50-424/425-OLA-3 EXHIBIT NO. A-97

In the matter of Georgia Power Co. et al., Vogtle Units 1 & 2

☐ Staff ☐ Applicant ☒ Intervenor ☐ Other

☐ Identified ☒ Received ☐ Rejected Reporter SD

Date 10/11/95 Witness

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T PDR

1 including engineering licensing folks and that sort of thing.

2 But I think it was ultimately resolved in the  
3 quality concern program.

4 Q. Doesn't the quality concern program require the  
5 resolution to notification to go to the person involved in  
6 quality concern?

7 A. Yes, that's the standard program. To see if the  
8 concern, the person that expressed the concern, was satisfied.

9 Q. If that notice wasn't sent down, then the quality  
10 concerns department hadn't finished their investigation.

11 Is that what you're saying?

12 A. Either that or they've had an oversight in their  
13 regular program. But that's the normal functioning of that  
14 program. I would not know about that notice.

15 Q. Did Mr. Mosbaugh tell you in April of 1990 that he  
16 believed there were false statements made in the corrective  
17 action letters sent to the NRC?

18 A. I do not remember him directly telling me that. I  
19 was told, I believe, by Bill Shipman that Allen Mosbaugh had  
20 expressed that concern. That's my recollection.

21 Q. What did you do after you learned about that  
22 concern?

23 A. Actually I think I was out of town of something at  
24 the time that was raised and that Bill Shipman and George  
25 Hairston responded to that including revising the LER and

1 ordering a QA audit to be sure that it was completely accurate.

2 Q. I'm talking about the corrective action letter, not  
3 the LER. There's a corrective action letter and an LER. Do  
4 you remember learning that there were false statements  
5 contained in the corrective action letter?

6 A. What I understand is that Allen brought this up to  
7 Bill Shipman. That he felt that what was in the corrective  
8 action letter was in error. And what was in the LER that was  
9 being submitted was also, he thought, in error.

10 So as a result of that, they did a QA audit to  
11 verify that the LER was correct and we made a statement as I  
12 recall in the transmittal that said that we wanted to clarify  
13 our position on the original letter because there was confusion  
14 about the terms used and that sort of thing. And so that was  
15 attempted to be clarified by the LER. That's my recollection  
16 of it.

17 Q. Was there ever an investigation as to how false  
18 information got into the corrective action letter or the LER?

19 A. Yes, the QA audit reviewed all of that and  
20 concluded that there were several factors that led to that.

21 Q. Where are the QA audit results? Were they turned  
22 over to the NRC?

23 A. Yes, and we have a QA audit report that they were  
24 provided to the NRC team that investigated that allegation.

25 Q. That's quality assurance audit?