

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3

4 INTERVIEW
5

6 OF
7

8 CHARLES THOMAS BRANDT
9

10 Conference Room No. 2
11 Visitors Information Center
12 Texas Utility Generating Company
13 P. O. Box 2300
14 Glen Rose, Texas 76043

15 Thursday December 1, 1983
16

17 The interview commenced, pursuant to notice,
18 at 1:25 p.m.
19

20 PARTIES PRESENT:
21

22 On Behalf of the NRC Office of Investigations:
23

24 H. BROOKS GRIFFIN, Investigator
25 DONALD D. DRISKILL, Investigator
U. S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive
Suite 1000
Arlington, Texas 76001

26 On Behalf of Texas Utility Generating Company:
27

28 MCNEILL WATKINS, II, ESQ.
29 Debevoise & Lieberman
30 1200 Seventeenth Street, N. W.
31 Washington, D. C. 20036
32 - - -

33 TAYLOE ASSOCIATES
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PROCEEDINGS

MR. GRIFFIN: For the record, this is an interview of Thomas Brandt, B-r-a-n-d-t, who is employed by Ebasco Services Corporation.

The location of this interview is the Comanche Peak Steam Electric Station near Glen Rose, Texas.

Present at this interview are Thomas Brandt for Ebasco, McNeill Watkins, attorney for Debevoise and Lieberman, Donald D. Driskill and myself H. Brooks Griffin.

The subject of my questions to you, Tom, will be regarding coatings records and instances of intimidation that have been alleged.

Tom, if you would please rise. I am going to swear you to the contents of your testimony.
Whereupon,

CHARLES THOMAS BRANDT
having been first duly sworn by Investigator Griffin, was examined and testified as follows:

MR. WATKINS: Mr. Brandt, do you have anything to say for the record before we start?

THE WITNESS: Yes. No. 1, I think that the mode of this investigation or interview or whatever you want to call it is a little bit out of the ordinary in the fact that it has never been done in this fashion before to my

1 knowledge in my three and a half years here and the fact
2 that it is a sworn statement and there is a court reporter
3 present, and on this very same investigation "X" number of
4 inspectors were interviewed in a fashion unlike this.

5 MR. GRIFFIN: Would you like an explanation,
6 Tom?

7 THE WITNESS: Yes.

8 MR. GRIFFIN: The NRC Office of Investigations
9 has not made an official policy, but is operating under a
10 belief that in instances where employees of companies
11 retain attorneys or request attorneys or in instances
12 where individuals that we interview request attorneys, or
13 if say in the case of as an example, an alleged wants to
14 make a statement to the NRC with an intervenor present, we
15 have decided within the Office of Investigations to use
16 court reporting services so that the flavor as well as the
17 content of the interviews will be captured and those
18 parties interested within the NRC and without and in the
19 case of you being interviewed, you would be supplied a
20 copy of the transcript, will have an opportunity to
21 recount the exact questions and answers and this will not
22 be lost and it will not be subject to interpretation.

23 We are trying to make it as exact and as
24 accurate as we possibly can and it allows us as the
25 investigators the freedom to pose our questions and

1 prepare our questions without having to take notes and
2 preparing a written statement afterwards.

3 So it makes it easier for us. We capture the
4 exact flavor of what we said and there can be no doubt. It
5 removes all doubt or almost all doubt, and for these
6 potentially adversarial or conflicting situations where
7 somebody might object or have objections to a
8 proceeding, we have just used this as a tool to expedite
9 our investigations, our interviews and to get a more
10 accurate picture of what was said and what the testimony
11 of the person is.

12 THE WITNESS: Which of the circumstances you
13 have outlined is present here?

14 MR. GRIFFIN: The presence of an attorney.

15 THE WITNESS: No one here requested an attorney
16 until you showed up with a court reporter.

17 MR. GRIFFIN: I have a further explanation for
18 that. Tom has been interviewed by the NRC before and he
19 has given a statement to the NRC before, a signed sworn
20 statement, which from our point of view is pretty much the
21 same as having a sworn testimony before a court reporter.
22 The last time Tom was interviewed, he declined I believe
23 to give a statement. Is that correct, Tom?

24 THE WITNESS: That is right.

25 MR. GRIFFIN: So we chose to have a court

reporter in this instance because there was going to be an attorney present and we knew that that was going to take place.

Obviously Tom doesn't have to give us a statement if he doesn't want to and he doesn't have to be interviewed here today, but it is more to our liking and it satisfies our purposes if we have every reason to believe that the testimony received is understood clearly between all parties involved and that the interviewee is obligated and bound to the truth through the swearing process. So we use this tool to expedite our interviews.

THE WITNESS: That has never been an issue, Brooks. I explained to you last time exactly what my hesitancy with the sworn statement was.

MR. GRIFFIN: Right. I understand.

THE WITNESS: The only -- I won't go any further. To give it to you just in a nutshell, I was asked last week I think if I wished to have an attorney present and I said no, but when you showed up in the fashion that you have, I have no intentions of talking to you without an attorney present.

MR. GRIFFIN: Well, when did you make that decision, Tom, this morning?

THE WITNESS: No.

MR. GRIFFIN: When we arrived?

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1 THE WITNESS: when you arrived.

2 MR. GRIFFIN: when we arrived to talk to
3 Curley?

4 THE WITNESS: when you arrived to talk to
5 Curley and he explained briefly the process that he went
6 through.

7 MR. GRIFFIN: Well, see, if it was just me
8 talking to you or Don talking to you or even both of us
9 talking to you over in your office, there would be no
10 court reporter or lawyer present. That is the way we
11 normally do it and that is the way we like to do it, but
12 if we are getting other parties involved and if there is a
13 question as to what was said or how it was understood, we
14 find that a court reporting service eliminates that
15 problem.

16 THE WITNESS: That is fine.

17 MR. DRISKILL: Just let me interject one thing.
18 The topic came up during the course of the investigation,
19 gosh, it has been September I believe, the topic came up
20 of interviewing Gordon Purdy, yourself and Ron Tolson, and
21 we were told at that time that we may have to wait a
22 couple of days for some attorneys to come in, giving us
23 the clear indication at that particular point in time with
24 respect to the Dunham issue that the three of you would
25 prefer to have attorneys present.

1 We didn't ask each one of you, and I don't
2 even believe you were on the site on that occasion.

3 THE WITNESS: Is that when you interviewed the
4 inspectors with Rice?

5 MR. DRISKILL: Yes.

6 THE WITNESS: Okay.

7 MR. DRISKILL: We were given that indication.
8 So we let Rice come back and do his thing and I don't know
9 whether he had attorneys. I don't really know anything
10 about what happened.

11 THE WITNESS: Let me explain my bottom line
12 concern. We are here trying to do a job, as you guys are.
13 You know, everybody has got a job to do. There are
14 400-plus QC inspectors out there that see the NRC come in
15 with the Department of Labor and conduct a joint
16 investigation of the Dunham thing as kind of a casual
17 type investigation going. You asked for certain people and
18 we went out and found them and brought them in.

19 Now the inspectors know, due to word of mouth,
20 if nothing else, about this investigation. They know for a
21 fact that when the Department of Labor came back to talk
22 to management, it was the Department of Labor alone and
23 they proceeded on, with skepticism I guess is the best
24 word to use, the fact that you interviewed all the
25 inspection personall as a joint investigation in a casual

1 environment, but yet when you come back to talk to the
2 supervisory personnel and management personnel, it is a
3 separate investigation and it is a much bigger deal. You
4 come in with court reporters, swearing in and the whole
5 bit.

6 MR. GRIFFIN: The swearing goes with our
7 statement taking, whether it is sworn that way or the
8 other way, and the court reporting service, if that is
9 intimidating or if that disturbs anybody, that is not our
10 purpose at all. It is not supposed to make this a more
11 formal proceeding.

12 THE WITNESS: I understand that, Brooks. All I
13 am saying is the perception that it gives 400 people out
14 there that we are trying to manage and head in a straight
15 direction.

16 MR. GRIFFIN: Well, I personally do not see it
17 the same way. I understand now ---

18 THE WITNESS: I am not saying I see it that
19 way. I am just telling you the way they see it.

20 MR. GRIFFIN: Okay.

21 THE WITNESS: They perceive it as a much bigger
22 deal, like, oh God, they are after Brandt, Tolson, Purdy
23 and Krisher.

24 MR. GRIFFIN: We are never after anybody. We
25 investigate and try to reconstruct the facts as they

1 occurred, and this is just simply a tool that we use. If
2 somebody reads something as this being more critical or
3 as this being damning to QC representatives, then I think
4 they just misrepresent what we intend.

5 THE WITNESS: I can hear you saying that,
6 Brooks, but there is no ---

7 MR. GRIFFIN: We can't back up because we are
8 liable to offend these 400 QC inspectors.

9 THE WITNESS: No, it is not offending them. I
10 think it would make, you know, I am not saying my job, but
11 anybody, put yourself in my position or Ron Tolson's
12 position or Purdy's position. You know, by the hoopla, for
13 lack of a better term, that is being shown or demonstrated
14 over management interviews as opposed to line inspector
15 interviews ---

16 MR. GRIFFIN: Well, the distinction is that in
17 line inspector interviews they don't have their attorneys
18 present, and in this instance ---

19 THE WITNESS: The line inspectors were offered
20 attorneys when they were interviewed, and in this
21 instance ---

22 MR. GRIFFIN: Well, I am not familiar with the
23 particular situation that you are talking about, but when
24 I interview inspectors on site, when I just casually call
25 them in and solicit whatever information they have in the

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1 area that I am investigating, I don't have a VP for the
2 utility over in Dallas calling us and saying we are going
3 to have attorneys down there. Now when you mention
4 attorneys and we know attorneys are going to be there,
5 expect to see court reporters because that is the way the
6 Office of Investigations is going to do it so that there
7 can be no doubt as to what was said.

8 THE WITNESS: I understand that, Brooks. I have
9 no personal problem with it. Don't get me wrong. I will be
10 glad to have the interview done on national television. I
11 don't care.

12 (Laughter.)

13 All I am saying is you are you are casting a
14 shadow of doubt I think without warrant over the
15 situation.

16 MR. GRIFFIN: Well, that is not our intent at
17 all, and I frankly do not believe that that is the case.
18 Now you have your own opinion on that. We have not
19 announced our coming down here. The people that know about
20 this are the people you work for and the client managers
21 in Dallas. Now we haven't made an announcement and nobody
22 knows we are here.

23 THE WITNESS: Well, let me tell you how the
24 troops know.

25 MR. GRIFFIN: Okay.

1 THE WITNESS: The other day Curley Krisher was
2 gone from his office and was unreachable for four hours
3 and people ask where he is. Well, he is with the NRC.

4 MR. GRIFFIN: And is there anything unusual
5 about that? All of you are subject to be interviewed by
6 the NRC on a repeated basis.

7 THE WITNESS: I am getting quite use to it.

8 MR. GRIFFIN: We are remote from your office
9 and we don't have you nailed down to a chair or handcuffed
10 and you are not hanging from the wall.

11 (Laughter.)

12 We are up here in what I consider a fairly
13 remote place.

14 THE WITNESS: I agree.

15 MR. GRIFFIN: We originally wanted to have this
16 done at TUDCO corporate headquarters in Dallas, and that
17 would have been fine, too, or any other place. You all are
18 the ones that decided where and to a certain degree when.

19 If we can go off the record a moment, I have
20 got to take a phone call.

21 (Short recess.)

22 MR. GRIFFIN: Back on the record.

23 You said you have some more statements.

24 THE WITNESS: Yes, I have two requests. No. 1,
25 I do formally request confidentiality of the transcript in

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1 light of what has already happened in another similar
2 investigation.

3 MR. GRIFFIN: You request confidentiality?

4 THE WITNESS: Yes, of the transcript.

5 MR. GRIFFIN: Okay. Now let me tell you what we
6 do with the transcript. We mail you a copy. Now are you
7 referring to how we use it or the dissemination within the
8 NRC?

9 THE WITNESS: No. I am talking about external
10 to the NRC.

11 MR. GRIFFIN: Only you get a copy. We mail you
12 to your home address a copy.

13 THE WITNESS: That is all I am requesting,
14 because if it can't be that way I am going to have
15 problems talking about individuals in light of the
16 potential civil action that can occur as a result of the
17 labor suit. I have been down this road once.

18 MR. GRIFFIN: Okay. Well, you are not talking
19 about confidentiality in the same way that if we would go
20 out and we would talk to an alleged or a witness who wants
21 to give information because I presume you plan to discuss
22 your testimony with other members, not only your attorney,
23 but with other members of the community.

24 MR. WATKINS: Perhaps I can help. By
25 confidentiality in terms of your treatment of the

transcript, we would request, and I am speaking for you, Tom, that it not be disclosed to the Department of Labor or any representative of the Department of Labor, that it not be disclosed to any member of the public under the Freedom of Information Act in response to a Freedom of Information Act request, not that the substance of Mr. Brandt's testimony be disclosed whether via the transcript or questions from you to any member of the QC inspection program here, and there is a reason for that, a management reason for that.

It is difficult enough to supervise the troops as it is without having the NRC, yourselves or somebody else within the NRC go to an inspector and say Mr. Brandt told us this about you and would you care to comment.

MR. GRIFFIN: There is another of putting that. You could say on such and such a date did you attend a meeting in which you said this, and if Mr. Brandt was the one that told us ---

THE WITNESS: I have no problem with that. But particularly, as I said when we were off the record, I believe, in light of the pending DOL investigation, which you chose, at least with my interview with the DOL not to protect it, in the event that the same event happens with this investigation as opposed to a Section 210 complaint that happened in the Atchison 210 complaint in that it was

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1 introduced in a public hearing unsanitized, and the
2 complainant's attorney had copies of my privileged
3 statement to the Nuclear Regulatory Commission and I
4 object to that.

5 MR. DRISKILL: Okay. For the record, let me
6 respond by stating that we can accept your request for
7 confidentiality. However, there are certain provisions
8 which relate to that, one of which is if we receive a
9 court subpoena for your testimony, we will have to provide
10 it.

11 I am not sure that either Brooks or I have the
12 right to commit NRC to not providing investigative
13 information, even to include confidential information, to
14 another government agency conducting an investigation into
15 an area.

16 MR. GRIFFIN: Under the parameters that you
17 have set. In some areas confidentiality is quite clear. I
18 will tell you what we can do. We can go off the record and
19 we can explore it a little further and make sure we have a
20 clear understanding of exactly what limitations you want
21 on your testimony and then we can research whether we can
22 abide by that. If we can, then we can proceed.

23 We will go off the record.

24 (Short recess.)

25 MR. GRIFFIN: We will go back on the record.

1 Do you have anything else ---

2 THE WITNESS: I have one other request. I would
3 like a copy of the transcript.

4 MR. GRIFFIN: Okay. I don't recall whether it
5 was on the record or off, Tom, but you indicated earlier
6 that until you learned that a court reporter was to be
7 used here you had not specifically or you had not planned
8 to retain an attorney or have an attorney present; is that
9 true?

10 THE WITNESS: That is true.

11 MR. GRIFFIN: Okay. And you say your reason for
12 wanting an attorney was the fact that it was to be
13 reported under oath?

14 THE WITNESS: Right.

15 MR. GRIFFIN: Could you tell me when you made
16 the decision to have an attorney present?

17 THE WITNESS: Can I ask a question?

18 MR. GRIFFIN: Sure.

19 THE WITNESS: When was Kirsher interviewed?

20 MR. DRISKILL: Monday afternoon.

21 THE WITNESS: It was that evening.

22 MR. GRIFFIN: That evening?

23 THE WITNESS: That evening, about 6 o'clock
24 that evening.

25 MR. GRIFFIN: Had anybody spoken to you prior

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1 to that time about having an attorney with you?

2 THE WITNESS: In the NRC investigation?

3 MR. GRIFFIN: No, in this instance for this
4 interview.

5 THE WITNESS: I had been asked if I was going
6 to use an attorney by Ron Tolson sometime last week, if I
7 was going to request that an attorney be present and my
8 answer was no.

9 MR. GRIFFIN: Okay. So nobody instructed you
10 that you would have an attorney and that that attorney
11 would be a TUGCO attorney?

12 THE WITNESS: Absolutely not.

13 MR. GRIFFIN: Or a Brown and Root attorney?

14 THE WITNESS: Absolutely not.

15 MR. GRIFFIN: Ebasco, I presume, does not have
16 any policy that requires you to have an attorney?

17 THE WITNESS: That is correct. Ebasco's policy
18 is that an attorney will be made available if requested.

19 MR. GRIFFIN: Okay. Last week when the NRC
20 contacted with Clements at TUGCO, he indicated to us that
21 all three of you would have an attorney. Now did you
22 discuss this with Clements or any of his representatives
23 and thereby state that you didn't want an attorney?

24 THE WITNESS: I have not discussed this
25 investigation with Mr. Clements at all. I was asked by, as

1 I said, Ron Tolson who reports to Mr. Clements one level
2 removed, if I wished to have an attorney present during
3 the investigation, and I stated at that point no.

4 MR. GRIFFIN: Okay. Then when you found out on
5 Monday evening of the form in which Krisner was
6 interviewed, you decided you wanted an attorney?

7 THE WITNESS: That is right.

8 MR. GRIFFIN: How did you decide which attorney
9 you wanted?

10 THE WITNESS: It has been customary, if
11 requested, that the utility provide an attorney. That was
12 discussed both in NRC investigations and Department of
13 Labor investigations in a three-way discussion between
14 Texas Utility, Ebasco's legal department and myself.

15 MR. GRIFFIN: So when did you realize Mr.
16 Watkins was going to be your personal representative?

17 THE WITNESS: Tuesday sometime.

18 MR. GRIFFIN: Did you choose Mr. Watkins for
19 expediency in that he was going to be representing Gordon
20 Purdy and I presume Mr. Tolson?

21 THE WITNESS: Mr. Watkins meets with my
22 approval is that is the question.

23 MR. GRIFFIN: Have you ever met Mr. Watkins
24 before or talked to him?

25 THE WITNESS: Yes, I have.

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1 MR. GRIFFIN: On other inquiries?

2 THE WITNESS: On other inquiries, yes.

3 MR. GRIFFIN: Okay.

4 Mr. Watkins, is it correct to say that you are
5 here today representing Tom Brandt as his personal
6 representative?

7 MR. WATKINS: For purposes of this interview,
8 yes.

9 MR. GRIFFIN: Although it has been stated
10 before, would you restate who else you represent or who
11 else your firm represents in this matter?

12 MR. WATKINS: In this investigation?

13 MR. GRIFFIN: In relation to Comanche Peak. I
14 mean be more specific.

15 MR. WATKINS: Debevoise and Liberman represents
16 TUGCO in the NRC licensing proceedings. It also represents
17 Brown and Root in the Department of Labor Dunham case.

18 MR. GRIFFIN: All right. And you say that your
19 firm does not formally represent Ebasco in any manner?

20 MR. WATKINS: Not to my knowledge.

21 MR. GRIFFIN: In this instance you are employed
22 by TUGCO then and you are representing Mr. Brandt as his
23 personal representative?

24 MR. WATKINS: I am not employed by TUGCO.

25 MR. GRIFFIN: You are employed by Brown and

Root.

2 MR. WATKINS: I am employed by Debevoise and
3 Liberman, a partnership, and I am here for Mr. Brandt for
4 purposes of this interview.

5 MR. GRIFFIN: Your law firm then, who is their
6 client in this matter?

7 MR. WATKINS: The firm has many clients.

8 MR. GRIFFIN: Okay. In this matter though, do
9 they have many clients in this matter?

10 MR. WATKINS: At this moment as I sit here in
11 this room speaking to you, Mr. Brandt is my client.

12 MR. GRIFFIN: Is Mr. Brandt paying you?

13 MR. WATKINS: That is information to which you
14 are not entitled.

15 MR. GRIFFIN: Okay. Well, let me restate that
16 then. I am trying to find out if you have been retained as
17 it appears on the surface by TUGCO to represent employees
18 who work for various contractors and subcontractors in
19 behalf of TUGCO.

20 MR. WATKINS: Mr. Griffin, I personally have
21 done very little, if any, work for TUGCO in my entire
22 career, and my firm, as I say, several lawyers in my firm
23 represent TUGCO in the NRC licensing proceeding. I
24 personally am working for Brown and Root in the Dunham
25 Department of Labor case, and right now I am representing

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1 Tom Brandt in this interview for purposes of this
2 interview.

3 MR. GRIFFIN: Okay. Well, the reason I put this
4 question to you is that last week I was in telephone
5 contact with Nick Reynolds who is also a member of your
6 firm I believe.

7 MR. WATKINS: Yes, he is one of my law
8 partners.

9 MR. GRIFFIN: And Mr. Reynolds indicated that a
10 TUGCO attorney would be down here or an attorney from the
11 firm. I am just trying to snow for the record the relation
12 of who at Comanche Peak employs your firm.

13 MR. WATKINS: Well, as I have stated, TUGCO is
14 a client of the firm and Brown and Root is a client of the
15 firm. I have said that twice and I don't think it can be
16 any more clear.

17 MR. GRIFFIN: In this case, for the purposes of
18 today, you are also a client of Mr. Brandt's?

19 MR. WATKINS: No. Mr. Brandt is a client of
20 ours.

21 MR. GRIFFIN: Okay. Again, Mr. Watkins, if a
22 potential conflict of interest should arise between Brown
23 and Root and the interests of Mr. Brandt, how would you
24 address that?

25 MR. WATKINS: If by your questions or any of

1 Mr. Brandt's answers a potential or a natural conflict of
2 interest emerges, I will ask for a recess and I will
3 discuss the matter with Mr. Brandt.

4 MR. GRIFFIN: Mr. Brandt, then Mr. Watkins
5 represents you freely and voluntarily of your own
6 choosing?

7 THE WITNESS: Right.

8 MR. GRIFFIN: Well, let's proceed then with the
9 questioning, if that is agreeable to both of you all.

10 MR. WATKINS: Fine.

11 THE WITNESS: Okay.

12 MR. GRIFFIN: Tom, I am going to be going into
13 a variety of areas. Some of them are ones that you have
14 addressed on numerous occasions before. So for the
15 purposes of the ongoing investigations, I am going to be
16 covering some old ground for you.

17 BY MR. GRIFFIN:

18 Q Do you recall an incident in March of 1982 in
19 which Charles Atchison wrote an NCR on vendor welds in the
20 pressurizer tank in Unit 1? Do you recall that NCR?

21 A At that time in March of 1982 I was unaware
22 that Mr. Atchison had ever written an NCR on the welds in
23 the 822 pressurizer tank room.

24 Q When did you become aware of this NCR?

25 A I had seen a sketch in March of 1982 which

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Mr. Atchison had prepared indicating what he perceived to be welding defects and a CB&I supplied pipe whip restraint assembly. I had only one sheet of paper which was a sketch of an area of this whip restraint. It was sometime later during the summer or fall of 1982, I don't remember off the top of my head, when the non-conformance report form emerged either in the licensing proceedings itself or attached to one of the intervenor's pleadings with the Board to where Atchison's handwritten and unnumbered draft of the non-conformance report was brought to my attention.

Q Was this NCR that came to light later on, it was not then an actual NCR that had put in the program, made part of the system, documented, and then tracked on site here?

A I was unaware at the time that Mr. Atchison had anything other than a concern over these welds.

Q Was anybody ever told you that this NCR had been characterized as having been lost on site? Have you ever heard that before?

A I have heard that explanation. I have also heard explanations as to how it was purported to be found.

Q Would you mind telling me what you had heard?

A The story that was told was that a Mrs. Darlene Stiner found the draft non-conformance report in a Tupperware package she had at her house. Frankly, I do not

1 believe that.

2 Q Was this NCR ever issued?

3 A Yes, sir, it was.

4 Q When was that?

5 A Sometime during the summer of 1982. It is a
6 matter of record in the ASLB proceedings. It was not,
7 however, issued as Mr. Atchison had reported it. Mr.
8 Atchison's evaluations of the welds were in error. Both
9 Mr. Atchison's draft and the correct reflection of what
10 was potentially defective in those welds is a matter of
11 record in the permanent plant record system at Comanche
12 Peak.

13 Q Who issued this NCR?

14 A I did.

15 Q Was your name written on it as the issuing
16 party?

17 A I believe the name on the issuing party is C.
18 T. Brandt and C. C. Randall. If not, it is one or the
19 other. We conducted a joint investigation of Mr.
20 Atchison's concern.

21 Q I am well aware that some of these issues have
22 been more than thoroughly examined by the Board and other
23 parties, but nevertheless we need to go over them one more
24 time for a separate investigation.

25 A It would be nice if we could get everybody

together.

(Laughter.)

Q At the time that you first became aware of this drawing, I presume the drawing was made by Atchison?

A I was told the drawing was made by Atchison.

Q Did he show you the drawing himself?

A No.

Q How did you come into possession of this?

A It was brought to me by either Randy Smith or Mike Foote.

Q Did they represent it as having been John or this issue identified by Atchison?

A Yes, that is correct.

Q And did you ever have any communication with Atchison about this?

A Directly?

Q Yes.

A No.

Q Did you have any through your subordinates?

A Yes.

Q Who?

A I don't know that my subordinates ever discussed it with Atchison. I know they told me they did. I have no reason to doubt them. When I received the drawing, I went with Randy Smith and Mike Foote to the

1 pressurizer tank room, the 822 or 832, whatever it is,
2 reactor building, Unit No. 1, to look at the described
3 welding anomalies, for lack of a better term.

4 Due to the way that Mr. Atchison, or whoever
5 had prepared the sketch, it looked like Mr. Atchison's
6 handwriting quite frankly, I was looking for a piece about
7 13 or 14-foot long. The way he had drawn the sketch was
8 very confusing as it turned out even to the Chairman of
9 the ASLB.

10 We located a foreman, a general foreman who
11 was familiar with Mr. Atchison's concerns and he pointed
12 me to the area of his concerns. At the time there was only
13 one safety belt amongst the three of us. I went up and
14 looked at the concerns, which were largely porosity, and,
15 as I recall, one linear indication. I went up and looked
16 at the area, came back down and told Randy Smith and Mike
17 Foote that the porosity that Atchison had noted was
18 acceptable. The linear indication that he had identified
19 on this one-page sketch that I had I believed was a crack
20 in the paint and not any linear indication on the weld and
21 also made an observation that a weld some distance away,
22 which was a Brown and Root weld, and by some distance I
23 will say three feet, had just been PT'd. The craft foreman
24 or general foreman, whoever it was that was with us had
25 complained about the amount of surface preparation

2 required. It was readily apparent, as the weld looked like
3 it had been polished to a mirror finish, and I mentioned
4 also to Mr. Foote and Mr. Smith at that time that it
5 appeared Mr. Atchison was requiring an excessive amount of
6 surface preparation prior to performing the liquid
7 penetration.

8 MR. GRIFFIN: Okay. Could we go off the record
9 just for a moment.

10 (Discussion off the record.)

11 (Short recess.)

12 MR. GRIFFIN: Let's go back on the record.

13 BY MR. GRIFFIN:

14 Q I may have already asked you this, Tom, but
15 was it your understanding or did you hear from third
16 parties that Darlene Stiner had found this NCR that
17 related to this pressurizer tanks in Unit 1?

18 A That was the story that I heard.

19 Q Do you have any personal knowledge of that?

20 A I don't have any idea where Darlene Stiner
21 lives and she purportedly found it at her house. The
22 answer to the question is no.

23 Q It was not found on site or it was not located
24 on ---

25 A The story I heard was she found it at home. As
a matter of fact, she even told me that, that Mrs. Ellis

1 had come to her house and said that, and I have forgotten
2 now it was explained now Mrs. Ellis even knew she had it,
3 but Mrs. Ellis came and claimed that that was Mr.
4 Atchison's property and came to retrieve it from Darlene.
5

6 Q You indicated that one of your subordinates
7 went back to Atchison and gave him was it your reply to
8 the conditions you found as relates to these vendor welds?
9

10 A What I was told was, and keep in mind we are
11 talking a year and a half ago, by either Mike Foote or
12 Randy Smith, that they had gone back and told Atchison
13 essentially that I didn't have a problem with the porosity
14 and if ne still concern over the linear indication, to
15 have the paint removed. Mr. Atchison chose not to have the
16 paint removed, as was evidenced by me personally when I
17 went to reinspect the welds. When I became aware of the
18 draft NCR later during the summer of 1982, the paint was
19 still intact.
20

21 Q Did you give Foote or Smith, whichever one of
22 these two supervisors who went back to Atchison, did you
23 give them any instructions beyond just your opinion on the
24 state of these welds?
25

A When I came down off the scaffolding or wall,
or combination thereof, they were both standing or leaning
against the vertical leg of the scaffolding, and keep in
mind this is a very small room we are talking about,

probably half the size of the room we are in with a tank in it, quite close quarters, so we were in close proximity to one another, and I just looked at them, and to the best of my recollection my statement was you guys have got a problem with Atchison. In my opinion, he doesn't know what he is doing. He obviously does not understand the reject criteria. I also mentioned the polishing of the welds. Possibly in retrospect Randy Smith didn't understand what I was saying at the time as far as my statement that I did have a problem with Atchison. Mike Foote knew me well enough by that time to know that I was telling him hey, we needed to look at it. I didn't say go yee therefore and speak to Charles. I just said to tell him ta-da, ta-da, ta-da.

Q Did you later learn of what Atchison was told? Did you get any feedback as what he had been in told and in what manner?

A It is a matter of record, to the best of my recollection in the Department of Labor hearing and the ASLB hearing that Atchison was told that if he had further concerns with that weld on that whip restraint to have the craft remove the paint.

Q Do you have any personal knowledge of anybody intimidating or attempting to intimidate Atchison to be not so thorough in his inspections as a result of this

1 incident?

2 A That question implies that Atchison was
3 thorough. I couldn't disagree with the statement more.
4 Atchison was never thorough in his inspections. Atchison
5 could not realize that a weld could have anomalies in it
6 and still be acceptable in accordance with the code.

7 So if your question, and I will attempt to
8 rephrase what you are trying to get at, was that did
9 anybody ever tell Atchison to slack off and cut the craft
10 some slack, no.

11 Q Okay. Let's move on to another instance. Do
12 you recall an incident in Unit 1 in which an NCR was
13 written on hilty bolt failure during hydrotorquing? Do
14 you recall that NCR?

15 A Yes, I do.

16 Q Did you review that NCR?

17 A I beg your pardon. No, I don't. I recall an
18 incident on -- hilty bolts, to the best of my knowledge,
19 were never torqued with a hydrotorque. The issue that was
20 raised by Mr. Atchison was the A-480 bolts failing during
21 torquing with a hydrotorque, not hilti bolts.

22 Q Did you review this NCR?

23 A Prior to issuance?

24 Q No, after it was issued.

25 A Yes.

1 Q Did you give Atchison any instructions as
2 related to his NCR?

3 A I don't ever remember discussing the NCR with
4 Atchison.

5 Q Did you discuss it with some of your
6 subordinates who then discussed it with Atchison?

7 A The answer to the first part of the question
8 is yes, I did discuss it with my subordinates because at
9 the time we didn't know what the problem was. The first
10 two people that I remember discussing it with were Bill
11 Hartshorn and Mike Foote. Mike Foote I know discussed this
12 with Atchison. Mike was intimately involved in the
13 establishment of torque values for A-490 bolts subsequent
14 to the problem and was also responsible for making the
15 observation that Atchison didn't know how to read the
16 hydrotorque which was in our best estimation today the
17 reason the bolts were failing.

18 There are four individual scales on the head
19 of the hydrotorque corresponding to a series of mechanical
20 advantages and hydraulic advantages, depending on size of
21 the head. Excuse me, there is a scale on the meter of the
22 hydrotorque, and depending on what size head you use,
23 there are four scales. It is called T-1 through T-4.
24 Atchison was unaware of the fact that each particular
25 scale corresponded to a particular size head. So it is

1 unknown by me or anybody, other than possibly Atchison,
2 what scale he was really using on the hydrotorque when the
3 bolts failed.

4 Q Do you know what instructions Foote may have
5 given Atchison related to this?

6 A Foote instructed Mr. Atchison on the proper
7 use of the hydrotorque.

8 Q Do you know if Mr. Foote threatened or
9 intimidated or attempted to get Mr. Atchison to be less
10 thorough?

11 A Certainly, I do know, and the answer is
12 certainly not, because at the time we went through an
13 extensive -- we tested the bolts that failed. We ran tests
14 to establish torque values for the A-490 bolts, which at
15 the time took, I won't say a considerable amount of
16 effort, but took some effort. We were interested in really
17 why the bolts failed and not in the fact that Atchison or
18 anybody else had identified the problem.

19 Q Were these tests conducted by representatives
20 from Chicago Bridge and Iron?

21 A No.

22 Q Do you know of any testing on these bolts by
23 Chicago Bridge and Iron that resulted in bolt failure?

24 A No.

25 Q Has the issue of these bolts been resolved?

1 A Yes, it has, both on site and both to the
2 satisfaction of your resident inspector.

3 Q Let's move on to another issue. Do you recall
4 an incident in February 1982 when Atchison refused to sign
5 off on design changes on Westinghouse whip restraints
6 without blueprints which did not contain Westinghouse
7 headquarters approval?

8 A I am aware of the charge by Atchison. We were
9 not, the best of my recollection, ever able to come to
10 grips with exactly what he was talking about. The people
11 he alleged made the changes, we went back and reviewed
12 many instances and the changes had all occurred with
13 Westinghouse concurrence. It was possibly not formal on
14 anything that was issued to Mr. Atchison indication that
15 Westinghouse Pittsburgh had reviewed it, but in all cases
16 the Westinghouse site representative had approved the
17 change, who is responsible for maintaining continuity with
18 the Westinghouse design process in Pittsburgh.

19 Q Are you aware of any threats of harm or bodily
20 injury made to Atchison made by a millwright lead over
21 this incident?

22 A No, absolutely not.

23 Q You never heard of any such incident at all?

24 A No.

25 Q Did you yourself tell Atchison during your

1 discussion with him on this incident back off or I will
2 fire you?

3 A Mr. Atchison and I never discussed that
4 incident by Mr. Atchison's own admission. In the August
5 1982 Department of Labor hearings Mr. Atchison and I,
6 other than casual conversation passing in the hall and in
7 the field only had two occasions to ever speak to one
8 another. I don't remember off the top of my head what
9 those two occasions were. Excuse me, only had two
10 occasions to speak to one another while he worked for me.

11 Q Do you know if anybody told Atchison to back
12 off on this issue or that he would be fired?

13 A No, I don't. I have no reason to believe that
14 it even occurred.

15 Q Okay. Let's move on to another subject. What
16 was your involvement in the termination of Robert
17 Hamilton, Joe Krolak and a fellow by the name of Sheldon?

18 A Sherman Sheldon. I was the decision-maker
19 together with Gordon Purdy who was their administrative
20 supervisor.

21 Q So the facts were presented to you and you
22 decided on the termination?

23 A Yes, sir.

24 Q As relates to that incident, during the
25 incident had you heard of statements that were allegedly

made by a supervisor by the name of Hawkins in which Hawkins indicated or related to other parties that this particular inspection, and I believe it is on a ring in the dome, was unsafe?

A I am not firsthand familiar with what happened. I am familiar with the facts surrounding the incident, but it is not really a similar incident. The incident that you are referring to occurred in Unit 1 as opposed to Unit 2, which was the incident which I was familiar with and was involved with. The incident in Unit 1 involved some unsafe practices, for lack of a better term, involved swinging essentially on a rope from place to place 106 feet above the ground floor, and I would have to concur with Mr. Hawkins that that is unsafe.

Q So are you saying that if this is the same incident, it is not the same inspection that these men were required to perform?

A Absolutely not. As a matter of fact, Mr. Krolak, which is one of the two men, had been on the rotating access platform rail as early as I believe two days, but I will specify within a week prior and made no mention of any unsafe practices. Before I made any decision, I sent Mr. Harry Williams and Mr. Mike Foote up to the area. Harry Williams was definitely afraid of heights and Harry had no problem with walking completely

1 around the circumference of the containment. I called
2 Safety. Sam Hogart, who is the senior safety
3 representative, indicated that he had inspected the area
4 and it was safe, and Neil Britton, who at the time was the
5 protective coatings supervisor, had indicated to me that
6 he felt the area was safe.

7
8 Prior to dismissal the gentlemen were told to
9 perform the inspection and not once, I might add, did any
10 of them claim that they were afraid of heights. Had anyone
11 come and said, Tom, I am just absolutely scared to death
12 to go up there, I would have evaluated the situation much
13 differently than I did.

14 Q What did they give as their reasoning?

15 A They just said it was unsafe and we ain't
16 going. As recently, or as late I guess is a better way to
17 put it, as Mr. Britton going out and getting the three
18 individuals and coming into my office at my direction
19 early the afternoon that they left, Mr. Britton said,
20 guys, you are making a mistake. Brandt is serious.
21 Hamilton laughed and said Brandt is bluffing. I did not
22 know that at the time, but in retrospect it even confirms
23 my decision of what really was the motive.

24 Q Well, what was the motive?

25 A In my opinion, it was an effort to call it. It
was a power play and an effort at mutiny, and the fact

1 that they tried to implicate Houston Gunn in the issue.
2 Houston Gunn has worked in the fab shop on a concrete
3 floor as long as I have been here and he is still working
4 in the fab shop on a concrete floor and has never been
5 assigned to the area. They also attempted to implicate Joe
6 Fazi in the issue who at the time was assigned to night
7 shift and who on the very night that Mr. Hamilton was
8 dismissed went up and performed inspections on the
9 rotating access platform rail.

10 Q But to what end?

11 A Bob Hamilton called Houston Gunn and said come
12 on, we have got to go to Brandt's office. We are getting
13 fired for not walking the rail. I had never requested
14 Houston Gunn to walk the rail.

15 Q I am asking you, Tom, what is your
16 understanding of the reason they didn't want to do it?

17 A I think it was an effort at mutiny.

18 Q To what end?

19 A To what end?

20 Q Yes.

21 A To show me that they were going to do what
22 they wanted to do, that they would decide what was safe
23 and unsafe. I mean it is hard for me to believe that
24 someone probably in his early 40's, as Mr. Krolak was,
25 could have routinely performed the inspection on the rail

and for no situations to have changed, and all of the sudden one day decide that walking the rail was unsafe.

Q Do you know of any other factors or concerns that the three gentlemen had that would have brought an incident like this to a head, or that would add support to why this occurred at this time?

A I don't understand the question.

Q Well, let me approach it from a different way. Do you believe that these three people legitimately believed that this was an unsafe inspection?

A I think I just answered that. It is incredible for me to believe that a guy had been up there routinely in exactly the same condition, and just one day woke up in a new world and decided it was unsafe.

Q Okay. Well, then let me go back to the question I asked before. Are there any other circumstances or events or things that were going on ---

A Not to my knowledge.

Q They just hit you with this cold?

A One morning they decided they weren't performing the inspection.

Q And you don't know why ---

A I have no idea.

Q --- other than just you feel like it may have been a mutiny?

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1 A I have no idea. As a matter of fact, I even
2 looked into any extenuating circumstances and was unable
3 to discern any. I specifically asked the question did the
4 conditions on the rail itself change and, you know, for
5 some reason had the craft spilled some grease on the rail
6 to make it slick where they would feel unsafe. I have a
7 memo in file from Mr. Britton saying that the rail was
8 clean, no debris, no obstructions, a safety line within
9 hand's reach and no grease.

10 Q During the process of their termination did
11 they offer you any other explanation other than it was
12 unsafe?

13 A Absolutely not.

14 Q Prior to the time these men were terminated,
15 would you characterize their performance as inspectors as
16 adequate?

17 A Sherman Sheldon had not been employed long
18 enough for me to make a decision one way or the other. Joe
19 Krolak was no ball of fire and had trouble properly
20 preparing documentation and seemed to have a little
21 problem understanding the changes we had made in the
22 program in November of 1981 as a result of a notice of
23 violation received from Region IV in order to properly
24 document the inspections which they were performing. Bob
25 Hamilton had been the coatings lead inspector for probably

1 years and was directly responsible for non-implementation
2 of the program which resulted in a notice of violation. So
3 I had a hard time believing that I would recommend him
4 very highly.

5 Q Are you familiar with who they were rated by
6 the performance appraisals prior to their termination?

7 A No. It was never any concern of mine.

8 Q Did you ever find out through this incident if
9 they had had satisfactory appraisals?

10 A I never looked. To me it was a clear-cut case
11 of insubordination.

12 Q Did anybody give you any instructions or
13 influence you in your decision to terminate these people?

14 A To be quite honest about it, I don't even
15 remember asking anybody. I remember calling Gordon Purdy,
16 as they were all three Brown and Root employees, to my
17 office and I said, Gordon, I have a problem with three of
18 your people. He asked me what it was and I explained the
19 situation fully to him. We sat all three of them down in
20 the presence of Neil Britton and Harry Williams, Gordon
21 Purdy and myself discussed the situation with them and
22 asked them if they had anything further to add. They had
23 none, and I said well, guys, this is the last chance. You
24 either need to go and perform the inspections or I don't
25 need you. They all three chose to go to the gate.

1 We filled out, I won't call it a counseling
2 form because it really wasn't counseling, but a
3 description of the incident indicating the recommended
4 course of action was to be termination which Gordon Purdy
5 and myself co-signed.

6 Q Prior to your terminating these fellows, was
7 Tolson involved in or aware of what was going on?

8 A As I just stated, I don't remember asking
9 anyone or involving anyone else. I might have told Tolson,
10 but I can't really speculate on whether I did or not.

11 Q How about Mr. Chapman or Mr. Clements, where
12 they aware of this incident at all as it developed?

13 A Definitely not, not from me anyway.

14 Q Okay. I want to switch subjects again. Do you
15 recall an incident involving Darlene Stiner and a QC
16 trainee in which the trainee was using large amounts of
17 liquid penetrant during a training exercise? Do you recall
18 this incident?

19 A No, not from that description anyway.

20 Q Large amounts of liquid penetrant on a wall
21 apparently applied without knowledge of the normal means
22 of performing that.

23 A No.

24 Q Did you ever instruct Darlene Stiner to
25 perform plug welds?

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1 A Darlene Stiner never welded while I supervised
2 her. The answer to your question is no.

3 Q Did you ever instruct her to accept plug welds
4 performed by other people?

5 A I don't ever remember instructing her to.
6 However, such is a said practice, not to accept, but to
7 inspect plug welds would have part of her normal course of
8 duties.

9 Q Are plug welds, and I am asking because I
10 don't know, are plug welds an acceptable means of welding
11 according to site procedures?

12 A The term plug weld is misleading, as I have
13 testified at some length on at the ASLB proceedings. The
14 term plug weld, if I can draw a picture for you, as
15 defined by both ASME and AWS, would be performed by
16 drilling a hole through this piece of material,
17 essentially welding to this piece of material at that
18 location and only that location. By doing such you would
19 be transmitting any kind of shear force applied there to
20 that member.

21 What Darlene Stiner has historically been
22 concerned with in her plug weld story, for lack of a
23 better term, has been the repair of a misdrilled bolt hole
24 in a single piece of material which AWS clearly defines as
25 fillet welding a hole.

1 Q So in your opinion a plug weld is not the
2 proper term?

3 A That is right. My testimony in the ASLB
4 proceeding uses the term plug weld, but it is italics.

5 Q Tom, you were called on another instance
6 involving Darlene Stiner regarding vendor welds on some
7 large doors that she had written an NCR on.

8 A No, not any involvement that Darlene Stiner
9 had with any large doors. There have been NCR's on large
10 doors, but not that Darlene Stiner and I ever had any
11 discussion or anything on. As a matter of fact, I was
12 unaware that she was even involved with the missile doors.

13 Q Could you tell me what the NRC's that you are
14 familiar with, what they involve?

15 A There are some NCR's involving vendor welding
16 made by Overly Manufacturing Company which were
17 subsequently repaired.

18 Q Because the welds were found to be
19 unsatisfactory?

20 A Right, when they were received on site.

21 Q And NCR's were written and they were
22 dispositioned?

23 A The vendor told Overly to come in and repair
24 the welds.

25 Q And all these NRC's, have they been

1 dispositioned and closed?

2 A I won't say they have been closed. They have
3 all been dispositioned, to the best of my knowledge.

4 Q And you have already stated that you did not
5 recall Darlene Stiner's involvement regarding these vendor
6 welds. Do you recall ever instructing Darlene Stiner to
7 buy off on large doors in spite of her concerns of vendor
8 welds?

9 A No, I definitely did not do that.

10 Q Did you yourself inspect these welds once this
11 issue was brought to your attention, not necessarily as
12 relates to Darlene Stiner, but just to ---

13 A Provided that we can make that clarification
14 that your question appears to make the assumption anyway
15 that we are talking about the same doors or same welds, I
16 have reason to believe that is not the case because I
17 think the particular issue that I am talking about was
18 identified and resolved after Darlene Stiner left the
19 site.

20 Maybe I can make a generic statement. I have
21 never instructed anybody to accept anything they were
22 uncomfortable with accepting. I have on occasion disagreed
23 with inspectors, in which case as a Level III certified in
24 accordance with ANSI N-45 2.6, I signed off approval on
25 the IR as the Level III examiner. It has happened on two

1 cases that I can remember, one with an inspector named
2 Mike Rhodes on a piece of structural steel that was in the
3 warehouse, and the other incident that I distinctly
4 remember was with Dan Hanke in an incident in the paint
5 laydown yard on some whip restraints, and by inference I
6 essentially did the same with Mr. Atchison's concerns on
7 porosity that he identified in this 822 pressurizer tank
8 room incident. I have never asked any inspector to sign
9 something they were uncomfortable with.

10 Q Do you recall ever having a conversation with
11 Darlene Stiner in which you told her to confine her
12 inspections to those that she had been assigned and not to
13 report deficiencies or to examine areas other than those
14 she had been assigned?

15 A There was a period of time that we had
16 problems with inspectors just wandering about looking at
17 what they perceived were random issues. I can't say beyond
18 a shadow of doubt in my mind that I didn't tell Darlene
19 that she was assigned to, for example, classified pipe
20 supports and she didn't need to be looking at ASME class
21 one, two and three piping. That is possible that I might
22 have told her that, in which case if I had told her that,
23 as I said, I never told anybody if they had a genuine
24 concern about something to not bring it to light. I have
25 encouraged it in several issues.

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1 Q Did you ever hear Mr. Tolson tell Darlene
2 Stiner to confine her inspections to those she was
3 assigned?

4 A Not that I recall. I only recall Mr. Tolson
5 and I ever talking jointly with Darlene Stiner [REDACTED]
6 [REDACTED]
7 [REDACTED]

8 Q Okay. Well, that brings us to our next
9 subject. You were present for, would it be fair to term it
10 a counseling session?

11 A It wasn't really a counseling session [REDACTED]
12 [REDACTED]

13 Q Yes.

14 A [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED] Ron and I called her in and talked to
18 her I believe in the presence of -- excuse me. The first
19 discussion I believe was just Ron and I, and I am talking
20 off the top of my head. I don't remember time sequence
21 that well because it was never any big deal as far as I
22 was concerned. [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED] and

1 didn't think that it was in her best health interests to
2 continue working as an inspector and we just wanted her to
3 be aware of what her options were as far as leave of
4 absence.

5 It might have been in the same meeting or it
6 might have been in a subsequent meeting that we brought
7 Mr. Ray Yockey, who is Brown and Root's personnel manager
8 on site into the discussion to implicitly describe to her
9 what her options were as far as a leave of absence.

10 Q Do you know how many such meetings that she
11 had with Tolson over the course of ---

12 A I can't speak for Tolson. I can speak for
13 meetings that I was involved with Mr. Tolson and Darlene
14 and, as I said, it might have been the same meeting or it
15 might have been two meetings. I don't really know.

16 Q Are you aware of her attending other meetings
17 on this same subject, more specifically being called to
18 Tolson's office?

19 A The meetings that I am describing took place
20 in Tolson's office.

21 Q I am talking about other meetings. Are you
22 aware of other meetings?

23 A I believe, and once again I would have to
24 check the records to be sure, I believe Darlene was a
25 person that we were concerned with due to our commitment

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1 to Reg Guide 1.58 as of February 21st or 26th, 1982. It
2 endorsed and required the adoption of ANSI N-45 2.6 as far
3 as certification of inspection personnel and added that in
4 addition to all those requirements the Commission was
5 requiring that any inspector be a high school graduate or
6 a recipient of a GED.

7
8 To the best of my recollection, Darlene was
9 one of the personnel who had been here prior to February
10 '82 and had been certified when that requirement did not
11 apply, and I believe Ron and I sat down and explained to
12 her that in order to continue work she would have to go
13 obtain a GED to comply with the reg guide.

14 Q Did these meetings that you attended in
15 Tolson's office with Darlene Stiner that related to her
16 [REDACTED] not having a high
17 school education come about following her appearance
18 before that ASLE board?

19 A I am not sure of dates, and I want to say in
20 both cases no. Definitely in the education case the answer
21 is no. It was significantly prior to that. In either case,
22 her appearance had no effect on our discussion.

23 Q During these meetings, the one or two that you
24 attended in Tolson's office [REDACTED] did
25 you or Tolson make any recommendations to Darlene Stiner
regarding her employment?

1 A It appears to be a leading question. I don't
2 really know what you are after. I have explained to you
3 that we even went to the extreme of calling in the Brown
4 and Root personnel manager to explain to her what Brown
5 and Root's corporate policy was as far as leave of
6 absence.

7 Q well, I mean do you call everybody in and
8 counsel them or ---

9 A She had made statements to her peers that she
10 really couldn't do her job any longer due to the physical
11 limitations of [REDACTED]

12 [REDACTED] we
13 moved her out of the field to the fab shop and housed her
14 in a building right outside the fab shop maybe, on, ten
15 yards away from the fab shop which, as far as I am
16 concerned looking in retrospect, we probably treated her
17 with kid gloves. I don't know that I would do the same for
18 everybody that got pregnant. To me if you are an inspector
19 you are expected to be able to climb and go up and down
20 stairs and by her own admission she couldn't do such.

21 we kept her [REDACTED]
22 [REDACTED] to the extent of even providing
23 transportation for her to and from the guard gate because
24 she complained of physical threats and was concerned about
25 her well being.

1 Q was this following the ASLB hearings?

2 A This was following the hearings. I won't say
3 physical threat. Please strike that. It was harassment I
4 think was the actual complaint in the event that from the
5 guard gate where she would have to have entered to her
6 place of work which was probably 3/8ths of a mile. We
7 arranged to have her park in the 2-C parking lot and the
8 Brown and Root administrative assistant was sent every
9 morning in a car and picked her up in the 2-C parking lot
10 and delivered her to her door of her office and returned
11 in the afternoon, picked her up at her office and
12 delivered her to the 2-C parking lot. I don't know what
13 more we could have done for her.

14 Q I am just trying to explore what ---

15 A I understand what you are trying. The only
16 thing I could have done any more was to sit and hold her
17 hand for eight hours a day.

18 Q All I want to do is recount the facts as they
19 occurred, including the ones that you just said.

20 A I understand.

21 Q During the two counseling sessions, the one or
22 two that you were involved in with Tolson and Darlene
23 Stiner, did either one of you, you or Tolson, recommend
24 that she end her employment as a QC inspector?

25 A Keep in mind that we are talking a year and a

1 half ago. I want to say a year and a half ago. It seems
2 that way. It seems like it was the first part of last
3 summer, the summer of '82. It is possible that we
4 encouraged her to take a leave of absence because that is
5 really what I felt she should do. It is hard for me to
6 justify even to myself in fairness to other inspectors to
7 have one inspector that is being treated the way she was
8 to the extent of rather than having to walk what we call
9 the cattle shoot here which leads from the craft parking
10 lot which QC parks on, which is a mass of humanity moving
11 down to the gate on an 18-foot wide sidewalk essentially,
12 walking probably oh, a quarter to three-eighths of a mile
13 even to get in the site and then walking to your office on
14 the site. When you have got 400-plus people doing that and
15 one person being escorted from a privileged parking area
16 to her door and back working in an area that is roughly
17 ten yards from her work area doing no climbing, doing no
18 stair climbing, and doing a minimal number of inspections,
19 it is in my opinion not really fair to the people that are
20 out working in 100-plus degree heat climbing up and down
21 scaffolding in the daily construction activities.

22 Q Was the decision made to do all these things
23 for her based on her appearance before the Board?

24 A Absolutely not. The original confrontation
25 with Darlene Stiner was before she ever appeared.

1 Q I am asking you did you do all these nice
2 things for her because [REDACTED] she
3 appeared before the Board? What was the thinking behind
4 all this?

5 A As ridiculous as it may seem, it certainly did
6 to me, the intervenor filed for a protective action, filed
7 a request with the Chairman of the ASLB for a protective
8 order on Darlene Stiner. Based on the fact that I had
9 moved her twice in three days, the intervenor alleged that
10 this was harassment when in fact I had moved her from an
11 area in which she was housed with 17 or 18 other
12 inspectors probably close to a half a mile from her work
13 area to an area which was less than 10 yards from her work
14 area.

15 At this point it was the considered opinion of
16 both myself and the applicant's management that in order
17 not to make more of an issue out of it than it had already
18 become, we would provide any and all methods of making her
19 job as easy as possible for Ms. Stiner as could possibly
20 be done.

21 Q [REDACTED]
22 [REDACTED]
23 [REDACTED]

24 A I don't know.

25 Q As a supervisor, have you had to deal with
this problem before with pregnant women in these demanding

1 jobs?

2 A I have never seen concessions made on seven
3 nuclear power facilities similar to the concessions made
4 to Ms. Stiner. I have never seen concessions even close to
5 the concessions we made for Ms. Stiner.

6 Q Do you know what site policy is or what Brown
7 and Root policy is [REDACTED]

8 A I have no idea. Site policy is you may only
9 perform your job as long as you are physically capable of
10 performing your job.

11 Q So all this attention paid to Ms. Stiner was
12 special and unusual?

13 A I would say highly. If by attention you mean
14 the fact that we were virtually catering to her every whim
15 and fancy, yes, I would say that is unusual. I would say
16 that is extremely unusual in the construction industry.

17 Q In general were the concerns that Ms. Stiner
18 raised before the ASLB valid, in your opinion?

19 A That seems to be a Sherman Williams type of
20 question.

21 Q Well, I am asking for your opinion.

22 A It is hard for me to even remember what
23 concerns belonged to who in the ASLB hearing.

24 Q How about the ones that I have recounted to
25 you here today, the ones that you recalled?

1 A The only one that I believe we even talked
2 about that I was familiar with was the large doors which I
3 don't recall Ms. Stiner ever having any dealings with. I
4 honestly don't remember what Ms. Stiner's concerns in the
5 proceeding were.

6 If I might add something just in retrospect.
7 It is my personal opinion representing only myself that
8 there had been no significant safety issues raised by
9 anyone in the ASLB proceedings.

10 Q On a different subject, were you involved in
11 Henry Stiner's termination?

12 A Absolutely not.

13 Q Do you have any personal knowledge of the
14 incident leading up to his termination?

15 A Negatory.

16 Q To change subjects again, in the area of
17 coatings documentation, prior to Revision 4 of the quality
18 instructions related to coatings, which Rev. 4 was
19 October of '81, NCR's were part of the quality
20 instructions; is that right?

21 A NRC's were part of the quality instructions
22 after October of '81, and I don't know where you are
23 headed.

24 Q You don't know where I am headed?

25 A No. The answer to your question is yes, but I

1 might add that they were part of the instruction after
2 Rev. 4 in 1981, if by the NCR you mean non-conformance
3 report. It is a paper that says ---

4 Q 16.0 and the QI's?

5 A Yes.

6 Q When a decision was made on site here to get
7 to the IR program, were not NCR's dropped from the
8 instructions, the quality instructions?

9 MR. WATKINS: Can you be a little more
10 specific?

11 MR. GRIFFIN: I think he understands the
12 question.

13 THE WITNESS: I understand the question and I
14 am going to clarify it for him, if that is permissible.

15 MR. GRIFFIN: Sure.

16 THE WITNESS: Let's go all the way back to
17 Appendix B. 10 CFR 50 Appendix B does not ever mention the
18 term non-conformance report. It says in one of its 18
19 criteria that non-conforming conditions must be properly
20 identified and controlled. Whether you identify such on a
21 piece of paper called a non-conformance report, a piece of
22 paper called a deficiency report ---

23 BY MR. GRIFFIN:

24 Q Okay, Tom, if you will let me break in on you
25 a minute. What you are going to tell me I already know. I

1 have had the advantage of going back and looking at the
2 historical file for the revisions and the QI's related to
3 coatings for various things like steel. In my review I was
4 able to determine that Rev. 4, which was October of 1981,
5 you all went to an IR program.

6 A Rev. 4 of the coatings procedure went to an
7 IR as opposed to probably nine to ten other little sheets
8 of paper they called check lists and mixing forms,
9 batching forms, final inspection forms, which our
10 inspection force from 1979 to 1981 handled to marvelously
11 we got a severity level 4 I believe notice of violation
12 over the subject.

13 All of the coatings procedures were rewritten
14 to put them in the inspection report format as opposed to
15 check lists.

16 Q Okay. According to my review of the historical
17 file, when you all went to the IR program, 16.0 was
18 dropped from the QI's for a period of time.

19 A It might have been dropped from the QI's, but
20 I can show you literally hundreds of NCR's that have been
21 written on coatings post-1981.

22 Q But they were not contained in the procedure.
23 I am telling you that. Is that consistent with your
24 memory?

25 A No.

1 Q Okay. So as far as you know, 16.0 was
2 still ---

3 A I am not arguing the point, Mr. Griffin. I
4 don't remember.

5 Q Okay. Well, that is what I am asking you.

6 A I only see hundreds of procedures every week
7 and I don't remember.

8 Q I understand.

9 A If you want to talk philosophy of NCR or IR, I
10 will be glad to talk about it.

11 Q No, that is not the gist of my question. I
12 just want to know what you knew and you say you do not
13 know ---

14 A If it was not included -- I was the author
15 probably without looking of Revision 4 to the coatings
16 instruction. If not, I was the approver and the author was
17 a gentleman by the name of either Dick Cummings or Mike
18 Foote.

19 We were working kind of jointly and I had the
20 responsibility for approving them. If at that time the
21 non-conformance reporting procedure, CP/QP 16.0, was
22 omitted, it was essentially an oversight. It was used by
23 inspectors at that time to identify what they perceived to
24 be non-conforming conditions. Unsat IR's were typically
25 limited to unsatisfactory conditions found in the coatings

1 scene as part of a routine inspection. I don't know if
2 that muddied the issue, but that is essentially the way I
3 recall it.

4 Q So as to why 16.0 was dropped, it would have
5 been an oversight?

6 A It was just not included. The program was, I
7 mean it wasn't simple. I mean if you look at the scope of
8 the revision between Rev. 3 and Rev. 4, and taking your
9 word for the fact that Rev. 4 was written in October '01,
10 because that is about the time that it was changed, and
11 assuming that Rev. 4 is the rewrite of the program which
12 occurred at that time, which I am not sure of, it wasn't
13 intentional at that time to leave it out. It was the
14 complete rewrite of the program and the fact that it
15 didn't say hey, if you encounter non-conforming conditions
16 identify it on a form we call an NCR in accordance with
17 16.0, it wasn't intentional. There was no philosophy
18 behind that event.

19 Q And you say inspectors continued to write
20 NCR's following that date?

21 A Yes, sir.

22 Q And did you continue to assign numbers to
23 them?

24 A Whenever asked, we have always given an NCR
25 number to anybody. I know of no incident when anybody was

refused an NCR number.

Q And you were the reviewer of all NCR's that came through?

A No.

Q Who was? Who would have been for coatings?

A In 1981?

Q Yes.

A Probably Harry Williams.

Q Did Harry Williams have the authority to void NCR's?

A Yes, he did.

Q Did this continue to be the case?

A Yes, it did.

Q As long as Mr. Williams was employed here, he had the authority to void?

A Yes.

Q I am going to drop back in time prior to October '81. During the period in 1980 and '81, the early part of '81 there appears to have been about a 14-month gap in the writing of NCR's. I am telling you this. Are you aware of this? Are you familiar with this?

A Only multihanded. I mean not even secondhanded.

Q You have heard that?

A I have heard that.

1 Q Do you know of any explanation for a 14-month
2 gap?

3 A No. I never even looked at a possible
4 explanation for it.

5 Q And you never heard anybody voice an
6 explanation?

7 A I have never heard anybody really ask the
8 question until just recently.

9 Q Do you know of anybody during 1980 or the
10 early part of '81 that told the inspectors they could not
11 write NCR's?

12 A No.

13 Q You indicated earlier that following Rev. 4 in
14 October of '81 there were many NCR's written.

15 A That is my personal observation. I might say
16 for the record that prior to September 1980 I was not even
17 at Comanche Peak. I had very limited exposure to the
18 coatings program prior to October or November 1981. So
19 what went on was more job talk or hearsay rather than kind
20 of personal involvement.

21 Q Prior to Rev. 4, the QI's referred to final
22 acceptance, but the in process concept as relates to IR's
23 does not relate to final acceptance; is that right?

24 A I don't understand that.

25 Q Prior to Rev. 4 inspections were considered

finals.

A No.

Q They were not?

A No.

Q They were in process?

A At least the philosophy and possibly the procedure stated at that time that final acceptance of the coating would come at the time of final walkdown. Consequently, many of the records that were really in process application type records were never properly filled out, some were never signed and many were not traceable to any area. Some say, for example, pressurizer room, Unit 1. The pressurizer room is probably 60 feet high and 20 feet square and all the surfaces are coated and not traceable to anything, which was ultimately the reason we were served with a notice of violation.

Q Okay. Well, let me again tell you I in reviewing the historical file it referenced final acceptance up to Rev. 4, and final acceptance was not referred to from Rev. 4 on, but you have no knowledge or recollection that and I don't suppose you can answer my question.

A I don't even understand your observation. I am more confused now than I was.

Q Well, one of the paragraphs in the QI's that

1 relate to coating inspections referenced the final
2 acceptance.

3 A Right, which is what I just answered stating
4 the the inspectors were waiting for this day to come with
5 all these records still what they considered in process
6 waiting to do this final inspection, which is now we got
7 the records as screwed up as they were.

8 Q So the fact that prior Rev. 4 it stated that
9 it was final acceptance, the in process concept was
10 already in place and in use?

11 A Yes.

12 Q Okay. Once the inspection report was put in
13 use, how were IR's used for deficiencies identified which
14 were not part of assigned inspections?

15 A I don't understand the question.

16 Q If an inspector indentified a deficiency that
17 was not part of their assigned inspection, now did they
18 report those deficiencies?

19 A At what point in time?

20 Q when they identified them.

21 A No, the time frame.

22 Q This would have been from Rev. 4 through Rev.
23 15, which I believe is October of this year.

24 A There is more than one answer to the question,
25 if I can explain just briefly.

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1 Q Sure.

2 A As I started on the dissertation a minute ago
3 and I cut off that it makes no difference, to meet both
4 regulatory and federal law requirements what you identify
5 discrepant or deficient conditions on, what you call that
6 piece of paper, or not even a piece of paper. We could we
7 could, if we wanted, etch it in stone. You have got me at
8 a certain disadvantage because I don't have the procedures
9 in front of me at this time.

10 Q Now I am just asking you, Tom. This is really
11 pretty straightforward.

12 A I understand. 'If you will let me finish, I
13 think I will answer your question, Brooks. For a long time
14 they were writing NCR's in answer to your question. For
15 some reason, probably more on this site than many I have
16 been on, the NCR cycle seems to get bogged down in paper
17 and just doesn't move as quickly. Given the same problem,
18 you can reach the same ends more quickly with other
19 documents than the document we call a non-conformance
20 report achieving essentially exactly the same degree of
21 quality and essentially the same involvement from the same
22 people.

23 Somewhere between the period of
24 October/November '81 and present, we decided we could do
25 it much more efficiently on an inspection report. I

2 probably am responsible as anybody for initiating that
3 philosophy having received my supervisor, Mr. Tolson's
4 blessing on it before I ever did it. I started it in the
5 classified pipe support area and it proved to be very
6 successful as far as expediting the resolution of the
7 problem, not in expediting the work necessarily, but as
8 far as identifying the problem and getting properly just a
9 corrective action described, implemented and closed in a
10 much more expeditious fashion than what we were doing with
11 a non-conformance report.

12 We expanded from the classified pipe supports
13 into other areas and ultimately ending up in coatings, and
14 exactly what time that took I can't tell you. But the
15 process for identifying a discrepant condition is exactly
16 the same on the inspectors behalf, I mean looking through
17 the eyes of an inspector if he puts it down on an
18 inspection report or on a non-conformance report.

19 Q Okay. Now back to my question. If an inspector
20 identifies a deficiency that is not part of his assigned
21 inspection, what method under the IR program ---

22 A He marks it un-sat and describes the problem.

23 Q Does he just get a blank IR?

24 A Right.

25 Q And he puts the location and then puts ---

A He puts the item description, the location ---

(Pause due to telephone call interruption.)

MR. GRIFFIN: Let's go off the record.

(Short recess.)

(The pending question and partial answer were read by the reporter after the recess.)

THE WITNESS: In addition to the item description and the location, he describes what the particular problem is he has observed, makes the IR un-sat, obtains an IR number for the IR and enters it into the system.

BY MR. GRIFFIN:

Q How are un-sat's on IR's tracked?

A By a log, a manual log similar to an NCR log.

Q Is this log a formal record?

A Yes.

Q Is it a permanent record or does it become a permanent record?

A The term permanent record as defined by NCR-45 2.9, I will have to say in my interpretation neither a non-conformance report log or an inspection report log are permanent records.

Q Who maintains this log?

A QC themselves.

Q QC who?

A Themselves. The clerk in each particular area

1 is responsible. For example, the protective coatings log
2 begins with the numbers PC. The backfit that we have been
3 undergoing for a couple of years now is PCR. Hilti bolts
4 are IRMH.

5 Q Well, the gist of my question is you have a
6 formal system for tracking un-sat's on IR's?

7 A Right, procedurally described in CP/QP 18.0.

8 Q I had not read that, but it says now the log
9 will be set up, how they will be tracked and how it will
10 be reported when they are dispositioned. Does it address
11 that?

12 A It tells how an inspection report may be
13 closed. In essence it provides disposition to the problem
14 that the inspector reported.

15 Q Since the inception of IR's in the coatings
16 procedures, did writing an NCR guarantee an inspector trip
17 to your office?

18 A No, in no way.

19 Q In other words, you continued to accept NCR's.

20 MR. WATKINS: Excuse me, could you read the
21 question back. I just didn't hear it.

22 (The pending question was read by the
23 reporter.)

24 THE WITNESS: I might add that Appendix B
25 requires you to have a QA program established that clearly

1 defined how you operate. When an inspection procedure
2 describes that any deficiencies you find shall be reported
3 on an IR and not on a non-conformance report and
4 inspectors insist on using non-conformance reports,
5 technically they are in violation of the procedure. To
6 stretch a point, a non-conformance report could be written
7 on that inspector's behavior for failure to follow the
8 written procedure. Of course, that has never happened, but
9 NCR's are still written.

10 BY MR. GRIFFIN:

11 Q Okay. As an extension though, since the
12 inception of the IR program in that NCR's were dropped
13 from the quality instruction, did you ever have occasion
14 to counsel inspectors who wrote NCR's since they were not
15 part of the procedure as to why they weren't using IR's in
16 accordance with the procedure?

17 A The subject has come up several times to me
18 personally. I was not there, and the only reason I
19 remember the date is I remember when I was in New York
20 City, on August 18th or 19th my supervisor, Mr. Tolson,
21 had a meeting with some paint inspectors explaining
22 philosophically how the program was structured and why we
23 wanted them to use an IR.

24 Let me again emphasize this is secondhand
25 information. I was not there. After that one particular

1 inspector that was involved in the meeting went out the
2 very next day and wrote a non-conformance report on the
3 same subject we had discussed in the meeting. Yet, he was
4 not counseled for it, which in retrospect might have been
5 a mistake.

6 Then a period of time later, and I don't
7 remember which day of the week, the same inspector wrote
8 another non-conformance report. His supervisor who was
9 Everett Mouser brought the non-conformance report to me
10 and said, Tom, I can't make Elliott understand what the
11 program is and what should I do? I said explain again that
12 the procedure specifically dictates the use of an
13 inspection report, get Mr. Elliott to issue an inspection
14 report, reference the inspection report on the
15 non-conformance report and bring the non-conformance
16 report back to me and I will void it.

17 Q Is this October of this year that this
18 occurred?

19 A It was August or September of this year. I
20 subsequent to that got in a discussion with another
21 inspector by the name of Tom Miller who one day came to my
22 office to find out who was responsible for bringing him
23 back to day shift. He was quite agitated over it and he
24 says I can't get anybody to admit bringing me back to day
25 shift, and I said well, you have come to the right place,

1 because it was my decision to bring you back to day shift,
2 which he didn't like any more. He said he had to respect
3 to the fact that I would at least admit it was my decision
4 and we got into a lengthy discussion about the use of IR's
5 versus NCR's.

6 Mr. Miller was going to explain what Appendix
7 B said to me so he perceived. After discusssing it at some
8 great length with three procedure books in front of me
9 showing me how I was in violation of 10 CFR 50 Appendix B
10 and my demonstrating how I wasn't, Mr. Miller said ne
11 finally understood. If you will give me just a second, I
12 can tell you when that occurred. It was the last part of
13 September, to the best of my recollection. It was on
14 September 28th as a matter of fact.

15 He said he understood. He said a lot of people
16 were confused over the philosophy of the issue and asked
17 me to describe or present the same presentation basically
18 that I had given him to the group, which I did at 5
19 o'clock the next evening on the 29th of September. I had
20 about a 30 to 45-minute philosophical discussion with both
21 day shift and night shift coatings inspectors. I asked for
22 any question and any further concerns on the NCR/IR issue
23 and there were none.

24 Q So the answer is no, that you didn't have
25 reason since the inception of our program up until these

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1 events that you related to counsel?

2 A Well, the only reason I explained that is I
3 don't know what you mean by the word "counsel."

4 Q Well, I am just saying if there had been 50
5 instances where people had come in who had written NCR's
6 and you had said we use an IR program and NCR's are no
7 longer included in reporting coatings deficiencies ---

8 A To me it was more of a training session than a
9 counseling session.

10 Q But I am just saying if there had been 50
11 instances, that you would probably have remembered these,
12 would you not?

13 A Oh, yes.

14 Q And there were no such instances?

15 A Counseling sessions, no.

16 Q Well, not formal counseling, but where you had
17 to instruct your inspectors we have an IR program and
18 NCR's are not ---

19 A To my recollection, I addressed it once
20 previously prior to August/September of '83 as a group
21 which I thought I provided an adequate philosophical
22 discussion to the group, but due to the number of
23 inspectors that claimed they still misunderstood it or
24 didn't understand and thought we were in violation of
25 Appendix B ---

1 Q But since the inception of the inspection
2 reports ---

3 A No, other than the incidents I described ---

4 Q But these inspectors have continued to write
5 NCR's; is that right?

6 A Not any more I hope. To me it is crystal clear
7 what we want non-conformance reports for and what we
8 can't.

9 Q It is also my understanding that Rev. 15
10 placed NCR's back into the inspection instructions as
11 related to failed; is that right?

12 A Due to unacceptable coatings due to loss of
13 adhesion. That was a result of the December 29th group
14 meeting which Fred Dunham, who was the night shift QC
15 coatings lead inspector, had expressed a concern on how we
16 were going to handle it because it wasn't procedurally
17 described how to isolate the area.

18 Q What date was that again?

19 A September 29th.

20 Q In the IR program you use reject tags as
21 opposed to hold tags; is that correct?

22 A For coatings, yes.

23 Q Maybe you were going to tell me this. Why was
24 the NCR reinstated?

25 A I think I did just describe that, the concern

1 that Fred Dunham had on lack of a procedural definition on
2 now to isolate the area on which the failed adhesion
3 occurred.

4 Q All right. Do you currently have a policy with
5 our inspectors that relates to inspections of items
6 outside those that they are assigned?

7 A I don't know that there is a policy.

8 Q Well, presently today are inspectors allowed
9 to conduct inspections outside those that they are
10 assigned?

11 A Not on a routine basis. If they have a
12 concern, in all cases their concern has been evaluated. If
13 we had 400 people out there doing what they wanted, I
14 think even a casual observer would have to admit it was
15 an unmanageable situation.

16 Q You indicated that over the period of the last
17 few years inspectors had continued to write NCR's even
18 though you had an IR program. When these NCR's were
19 written, did these inspectors place hold tags on the items
20 they had identified?

21 A Procedurally they were required to. I didn't
22 follow any inspector around to see that he did.

23 Q Well, I am just asking you. They wrote NCR's,
24 but ---

25 A They used hold tags if they used an NCR. That

1 is what they were supposed to have used.

2 Q Do you review IR's, unsat's on IR's, or it is
3 done by the first-line supervisor?

4 A Yes.

5 Q Tom, are you familiar with who within the NRC
6 and if the NRC was approached to give its blessing on this
7 IR program? You had indicated earlier that you had
8 presented it to Tolson. Was the NRC approached to
9 determine whether there was an agreement that this met
10 reporting necessities?

11 A Before the IR concept as far as reporting
12 discrepant conditions, and as I said I was responsible for
13 the idea essentially, was ever proceduralized or ever
14 used, it was discussed philosophically with the resident.
15 He told me agreed that I was within the bounds of Appendix
16 B any regulatory requirement. We had a philosophical
17 disagreement, which I believe if questioned at this date,
18 he would have to admit he was wrong on the effectiveness
19 of what I was trying to achieve.

20 Q But the NRC representative concurred that it
21 was an acceptable procedure?

22 A Yes, sir.

23 Q And then it was instituted?

24 A Yes, sir. It has also been evaluated by the
25 construction appraisal team, by the ASLB and both have

1 approved these.

2 Q Was there recently or in the last three months
3 consideration given to having craft supervision perform in
4 process inspections of coatings as opposed to QC
5 inspectors?

6 A Yes.

7 Q Was a decision made as to whether to
8 incorporate this?

9 A Yes, a decision was made.

10 Q What was that decision?

11 A Not to do it.

12 Q Was this a decision made by you?

13 A I had input on it, but the final decision was
14 not mine.

15 Q Whose was it?

16 A I do not know. It was made by a superior of
17 mine. At exactly what level I do not know.

18 Q Do you know if craft conducts their own
19 inspections in any other areas?

20 A Yes, they do. Craft conducts an inspection of
21 varying magnitude in just about any area of safety related
22 construction. You mean prior to submitting to QC?

23 Q Does craft conduct its own inspections in
24 place of QC?

25 A In any safety related area?

1 Q Other than what was considered here.

2 A You are implying if they ever did that.

3 Q No, no, I am not.

4 A The craft has never made an inspection to
5 satisfy Appendix B requirements in any safety related area
6 at Comanche Peak.

7 Q My question is is this method used in the
8 other area?

9 A No.

10 Q It is my understanding that recent procedure
11 changes dropped dry spray, overspray and embedded
12 particles from inspection criteria; is that correct? Are
13 you familiar with that in coatings?

14 A I don't think they are approved yet.

15 Q Also, I think there is a provision that
16 indicated inspections are to be done at arm's length with
17 a flashlight tilted at a 90 degree angle. Is that an
18 incorporated procedure now?

19 A Yes, it is.

20 Q Were you the one that implemented this?

21 A Yes, I did. It is still quite conservative.

22 Q Why were these changes made? How did you
23 arrive at these?

24 A The safety issue on protective coatings is to
25 assure that the coating stays on the wall in the event of

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1 a design basis accident as opposed to falling off the wall
2 in large sheets and theoretically, and only theoretically,
3 clogging the containment sumps.

4 I know of an architect/engineering firm, who
5 will remain nameless for purposes of this discussion, who
6 has shown analytically that that physically impossible.
7 However, in today's regulatory environment it is not worth
8 the time and effort to try to it through the NRR. Several
9 A/E firms have defined much more liberal inspection
10 guidelines than at arm's length with a two-cell
11 flashlight.

12 We were having problems at the time with
13 inspectors asking well, how much light do I have to have
14 to make this inspection, how close do I have to get, I
15 can't get my head in there close enough to see that. It
16 became a constant question of accessibility or
17 non-accessibility, and I decided to procedurally define.

18 Q So you were more specific than maybe you would
19 normally have intended to be to answer these questions?

20 A Correct.

21 Q Have a number of new QC inspectors in the
22 coatings arena been recently brought in from the paint
23 department?

24 A Yes, sir.

25 Q And are they being certified or qualified at

1 this time?

2 A Yes, sir, by the same process that anyone is
3 qualified and certified.

4 Q Are these positions that they are going to
5 occupy, is this a long-term job for these people? I mean
6 is there a need for a large influx of coatings QC
7 inspectors for an indefinite period of time?

8 A There was at the time, yes, to support
9 construction.

10 Q Will this demand continue to exist
11 indefinitely into the future?

12 A It depends on production schedules. It seems
13 rather elementary that if we are working on two units at
14 one time obviously it is going to take us twice as many
15 people than if we were only working on one unit. And if
16 you have 400 painters, you need proportionately more QC
17 inspectors than if you only have 200 painters.

18 Q Okay. Did you have 400 painters a month ago?

19 A I believe in the last two months, and I am not
20 intimately involved with the construction details, there
21 have been eight crews of painters added to days.

22 Q So prior to bringing these people into QC you
23 didn't have enough people to support the craft?

24 A Right.

25 Q Tom, do you know when final coatings

1 inspections will begin?

2 A They already have.

3 Q How long have finals been in process?

4 A I give up. I don't remember. It depends a lot
5 on what area you are talking about. For example, the final
6 coatings inspection on the containment liner in the dome
7 occurred as we were coming down out of the dome. We have
8 no reason to go back up in the dome at this point.

9 Q So all those are considered finals?

10 A Right.

11 Q Is the rework or repainting of damaged paint
12 in process now?

13 A Right, if you are talking about mechanical
14 damage.

15 Q Yes.

16 A Yes.

17 Q In the concept of final walkdown for room
18 turnover, does that allow for inspection of all damaged
19 paint?

20 A Yes, that is exactly what it involves if the
21 scope of your question is restricted to the protective
22 coatings walkdown.

23 Q It is.

24 A Yes, that is exactly what it is for.

25 Q I am interested in the coatings backfit

1 program. It was 1981 that NRC released that notice of
2 violation on old documents. Originally wasn't intended
3 that there would be a total backfit?

4 A No.

5 Q What was the original intention?

6 A The original intention was to backfit areas
7 where adequate documentation did not exist.

8 Q What steps were taken to identify what
9 documentation was adequate?

10 A We reviewed the old documents.

11 Q Who is we?

12 A QA.

13 Q Was there anybody in particular that handled
14 the review?

15 A For me to list everybody would be a long list.
16 The initial shot at it was myself, Dick Cummings and Mike
17 Foote. Since that time Neil Britton has become involved
18 and several other people.

19 Q During the review done by you, Foote and
20 Cummings, did you all also map areas as you went?

21 A That is what we were working on at that time.

22 Q Did you map them according to adequate or
23 inadequate or sat or un-sat?

24 A We only mapped adequate documentation. That is
25 all we were interested in. If I can basically describe it,

1 we would pick up an inspection report and if it meant
2 anything or if it was able to stand on its own, we would
3 map the location of that IR saying, yes, we have got
4 documentation on this area. If we picked up a record that
5 wouldn't stand on its own, it just went over here.

6 Q I have looked at some of the old records and
7 many of the packages that I reviewed had surface
8 preparation primer, mixed sheets and seal coat. Did all of
9 these together constitute an inspection package?

10 A No. what we were doing at that time was
11 making, and I am talking off the top of my head once
12 again, I believe we made three maps, one for surface
13 preparation, one for primer application and one for
14 finished coat application. We took each individual record
15 on its own and examined it and said will this stand on its
16 own as a quality assurance document, and if it would, we
17 mapped it. If it wouldn't, we disregarded it. We did not
18 throw anything away.

19 We assigned numbers to absolutely everything
20 so that they could be entered into the permanent plant
21 record system. We had had no intentions to ever take
22 credit for it.

23 Q Did you yourself ever have occasion during the
24 review to attach say a mix sheet to a seal coat sheet if
25 they were related? I am using that as an example. It could

1 have been surface preparation to a primer coat.

2 A I honestly don't remember. I can't see that it
3 would make any possible difference one way or the other,
4 but I honestly can't remember whether we did or not.

5 Q Did you make any Xerox copies of any the ---

6 A Did I personally? No.

7 Q Do you know if anybody else did?

8 A No. I do know that of the people I was working
9 with that we didn't make any. Whether somebody has made
10 copies of them, I have no idea.

11 Q How long did this review last with you, Foote
12 and Cummings?

13 A Dick Cummings left Comanche Peak in January or
14 February of 1982. Mike Foote is still here. Mike Foote
15 has been involved on and off with review of coatings
16 records since that time. My original involvement, as of
17 January of 1982 I was deeply involved in getting Brown and
18 Root through the ASME survey and in February of '82 I
19 assumed supervisory responsibility for basically all of
20 the non-ASME QC activities. The amount of time that I
21 spent reviewing coatings records was extremely limited.

22 Q When was Neil Britton brought into the review
23 process?

24 A Sometime later.

25 Q Did he in effect take over from Foote and

1 Cummings?

2 A You are asking a sequence type question,
3 Brooks, and I really don't remember.

4 Q Are you familiar at all with Britton's review?

5 A I don't understand the question. I know Neil
6 Britton reviewed records, but what he did, I don't know.

7 Q Do you know if he mapped areas?

8 A Yes.

9 Q Did he map them for adequacy?

10 A Neil did the same thing that we did. If the
11 record would stand on its own, he mapped it. If it
12 wouldn't, it went in a separate pile. At least that is
13 what he was instructed to do.

14 Q Okay. As relates to the backfit program, how
15 were these maps used?

16 A They were used by the inspectors to determine
17 whether or not, for example, whether the area had been
18 seal coated. They verified that they had a surface prep
19 IR, they verified that they had a primer IR and a seal
20 coat IR prior to letting them put any more finish coat on
21 the item. If the documentation was lacking for the
22 particular area that the ongoing work was in, the area was
23 backfit.

24 Q Okay. But in the backfitting did the
25 inspectors conducting the backfit make use of these old

1 records?

2 A Make use of the records themselves?

3 Q Yes.

4 A Not to my knowledge. They might have.

5 Q In the backfit did the inspectors reinspect
6 areas that had been mapped as having adequate
7 documentation?

8 A I am sure that happened.

9 Q Well, are you saying that they did not take
10 into account the adequacy of the old records?

11 A In some cases it was probably that craft was
12 screaming at them to release the area as far as is it good
13 to paint or not, and this is strictly supposition on my
14 part and I have no reason to believe it is true other than
15 the fact that given the choice of going and looking to see
16 the map to figure out whether you had adequate records for
17 the area or going ahead with the backfit inspection for
18 the area, I am sure there are cases out there where they
19 did the backfit inspection rather than looking for the
20 records.

21 Q Okay. But are you saying there is no formal
22 decision made whether areas mapped as having adequate
23 documentation were cluded in backfit or not?

24 A I don't see what difference it could possibly
25 make.

1 Q Well, tell me where I am wrong, but if say
2 this were a room on the site out there and the paint on
3 the, let's say it was concrete, if it was mapped as having
4 adequate documentation, I am asking you, would the room
5 have been involved in the backfit?

6 A As a matter of course?

7 Q Yes.

8 A No. There was no reason to backfit an area
9 you had adequate documentation on.

10 Q So the records that were found to be adequate
11 were used and were excluded from backfit?

12 A The only point I was trying to make, Brooks,
13 and maybe I misunderstood where you were headed, was if
14 this room, for example, had adequate documentation, did it
15 ever happen that an inspector backfit part of the room in
16 addition to having adequate original records, and the
17 answer to that was yes, probably that happened. That
18 wasn't the intent, but you just did more work than was
19 necessary.

20 Q What I am trying to get to, Tom, is in that
21 you all did these document review and in that you mapped
22 areas and certain areas were found to have adequate
23 documentation, does that mean as of this date today are
24 these old records that are represented as being used to
25 attest to ---

1 Q The quality of that paint?

2 Q Yes.

3 A Yes, sir.

4 Q So these records are still in use?

5 A Yes. They are in the vault.

6 Q In your review of the records that you
7 conducted with Foote and Cummings, were these, in your
8 opinion, did these old records meet ANSI standards and are
9 they adequate documentation?

10 A When I said that the record was adequate, that
11 is what I was referring to.

12 Q So that if you marked adequate, it met all
13 criteria?

14 A All criteria for which we are committed to at
15 Comanche Peak in our professional opinion.

16 Q I am aware that Mr. Britton created a log in
17 his document review as well as maps and in the log you
18 recorded particular inspections as sat or un-sat. Those
19 that were marked sat, it is my understanding, were mapped
20 as satisfactory.

21 A Yes, having satisfactory documentation.

22 Q If I understand you correctly, those maps were
23 used to determine which areas did not require backfitting?

24 A Yes.

25 Q I understand that for liner plate and concrete

1 there was total backfit, complete backfit; is that right?

2 A Yes.

3 Q But for miscellaneous steel, which includes
4 conduit and cable tray supports and stuff like that that
5 there was representative sampling taken; is that right?

6 A We started under the concept of doing a
7 hundred percent of them. After doing tens of thousands of
8 destructive tests, we did a statistical analysis on the
9 results of our sampling and determined that a 90 percent
10 confidence interval could be achieved if at least 95
11 percent of the coating was acceptable and discontinued the
12 destructive testing.

13 Q were those areas that were mapped as having
14 adequate documentation excluded from the sampling?

15 A I don't understand your question.

16 Q were not maps drawn for what is included as
17 miscellaneous steel?

18 A No.

19 Q Just liner plate and concrete?

20 A Yes.

21 Q Okay, that answered my question.

22 A Just to make a point, Brooks. If we had mapped
23 miscellaneous steel we would have 45,000 maps.

24 (Laughter.)

25 That ought to be self-explanatory.

1 MR. GRIFFIN: Let me tell you this, Tom. In
2 that I reviewed Britton's log, he went into areas other
3 than concrete and steel and he marked them sat or un-sat,
4 too.

5 THE WITNESS: By piece number possibly, yes,
6 but no mapping.

7 BY MR. GRIFFIN:

8 Q Well, let me restate the question. Do you know
9 if his log was used to determine ---

10 A Whether or not an area required a backfit?

11 Q Yes, and whether it was included in the
12 sampling for backfit.

13 A Are you separating those two?

14 Q Well, no. I guess they are the same, are they
15 not?

16 A Yes. Our sample was only what was backfit.

17 Q Okay.

18 A The answer to the question is yes, it was
19 used. Now the procedure stated, if you say October on,
20 that if an area has adequate documentation, just carry on
21 your ongoing inspection. If it doesn't have adequate
22 documentation, perform a backfit in accordance with 1.3-23
23 or 24.

24 Q In the old records those that reference an NCR
25 are considered inadequate; is that correct?

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1 A It depends on what the NCR is. There was like
2 six original NCR's that were broken down to 12 that were
3 broken down to probably 50 now, depending on what
4 elevation and whether it is concrete or miscellaneous
5 steel or liner. If that is the NCR number referenced on
6 the old check list, yes, those were considered inadequate.

7 Q So those that do not reference an NCR are
8 considered adequate conversely?

9 A I guess. I don't know where you are headed.

10 Q Well, I am not headed anywhere. I have gone to
11 the vault and I have looked at the documents and many have
12 NCR's. It just so happens when you look in the log book,
13 Britton's log book you find that those are un-sat.

14 A The ones that had NCR's. Okay

15 Q I am just trying to find out if that is your
16 understanding also.

17 A Yes, that is my general understanding. That
18 was the intent.

19 Q Is Britton's log book going to be the
20 permanent record for the backfit ---

21 A No. Absolutely not.

22 Q What will be used?

23 A The IR's. The original inspection reports. It
24 is rather bulky to have inspectors having to look through
25 file cabinet after file cabinet to find support No. AYX to

1 find out whether the original documentation was adequate
2 or not.

3 Q So you use a log book in place of that?

4 A Right. We would be sitting here and talking
5 about lost records if that was the case.

6 Q During the backfit program these maps were
7 used to determine which areas would be backfitted?

8 A Right.

9 MR. GRIFFIN: That is all I have.

10 Do you have any questions?

11 MR. DRISKILL: Yes, just a couple.

12 BY MR. DRISKILL:

13 Q Going back for a few minutes to the discussion
14 that was had earlier, I have got a couple of things I
15 wanted to ask you about.

16 One of the topics was the generation of
17 inspection reports spontaneously by inspectors. In other
18 words, if they are walking down past something and they
19 see a bad spot, as I understand it, your instructions to
20 them were to go get a blank IR and write this up as an
21 unsatisfactory condition and identify where it is and what
22 it is and turn that in. Is that correct in what Brooks has
23 called or represented as the IR program?

24 A Right.

25 Q That is correct?

1 A The concept wasn't necessarily though, Don,
2 you know, if I was headed to the reactor building and
3 walking through the safeguard building and if I found
4 something wrong to use an IR. Although that could have
5 been the case, that wasn't really the philosophy behind
6 it. The philosophy behind it was anything that was
7 discovered wrong with the coatings system in service level
8 one areas, which are the only areas that a QA program
9 applies to at Comanche Peak, that anyy discrepant
10 condition being identified on an IR. If it was not covered
11 as an attribute on the IR that is included in one of the
12 coatings inspection procedures, just use the blank IR and
13 describe what was wrong with the area and mark the IR
14 unsatisfactory.

15 Q So you are saying then, so that I understand,
16 you are saying if they do not possess an inspection report
17 for that area when they find this, or if there is not an
18 existing inspection report for that area, they are to
19 generate an inspection report?

20 A If I could use an example, I think I might
21 clarify it. If this is a room in the reactor building, I
22 walk by and see that we have had severe mechanical damage
23 in there to the coating system which has been previously
24 accepted. There will be an inspection report saying that
25 that had been inspected, but now is mechanically damaged.

1 The concept was to take an IR out of the coatings
2 inspection procedure where it says final visual
3 acceptance, mark that unsatisfactory and describe the
4 mechanical damage that exists in there.

5 Only in cases where there was no IR covering
6 it, you know, if it was such an odd-ball case, which I
7 can't imagine in coatings, because coatings is a pretty
8 clear-cut, not clear-cut from the scientific aspects of it
9 certainly, it is more of an art, but if there was no
10 pre-identified inspection attribute for what was wrong or
11 what was discrepant about the condition, to just take a
12 blank IR and mark it unsatisfactory and just describe what
13 was wrong with it.

14 Q Let me ask a question just for the sake of the
15 record. How does a coatings inspector generally come into
16 possession of an IR? Who is it generally speaking
17 originally generated by?

18 A The IR? The coatings inspector. They are in
19 possession of literally hundreds of them.

20 Q Based on a request though from the craft to
21 conduct that inspection?

22 A The craft does not have IR's. What generally
23 causes an inspection is that your question?

24 Q Yes.

25 A A request from the craft to inspect the area.

1 Q So based on what you have said, what I
2 understand has apparently been a controversial topic here,
3 at least with some people, has been this generation of an
4 inspection report without a request for an inspection.

5 A That has never been a controversy to my
6 knowledge.

7 Q Well, as I understand it, some people believe
8 that that was a non-conforming condition that they saw on
9 a wall and they should write an NCR.

10 A That leads me back to my soap box. I will not
11 get back on it, however. It is clearly described now in
12 the coatings instruction that when non-conforming
13 conditions other than coating failure due to loss of
14 adhesion are encountered, they shall be identified on an
15 inspection report in accordance with CP/QP 18.0.

16 The terms discrepant, unacceptable,
17 non-conforming and deficient all essentially mean the same
18 thing, and I think the controversy was the fact that it is
19 non-conforming means that it has to go in a
20 non-conformance report. The fact that we weren't asked to
21 do the inspection means that we use an NCR rather than an
22 IR. If that is the point you are trying to make, I agree,
23 that was the controversy.

24 Q I am trying for the record to determine and
25 for myself what in your mind has resulted in this

1 misunderstanding of the change in programs.

2 A I think it is straight now. You are making the
3 assuming that there is still a controversy. I feel that
4 the inspectors currently understand philosophically why
5 what we are doing is acceptable. If they do not, they are
6 either too shy to tell me so or they are just flat
7 dishonest because I have asked them as a group if they
8 understood and they all have indicated they understood.

9 I think the original controversy was over a
10 God-given right to use a piece of paper that is identified
11 as a non-conformance report, which I cannot endorse when
12 it is procedurally defined to identify deficiencies on an
13 inspection report.

14 Q Thank you. You made a comment a few minutes on
15 another topic here about Tom Miller being transferred back
16 to the day shift.

17 A That is right.

18 Q And I understand that you said you met with
19 him on I believe September the 28th, 1983 and that the two
20 of you were able to resolve your differences.

21 A I am not sure we resolved our differences, but
22 at least he understood who made the decision and why the
23 decision was made.

24 Q And why was the decision made?

25 A The decision was made by me due to the fact

1 that I was receiving so many complaints on Tom Miller's
2 performance, that both Tom Miller and others claimed that
3 he was not responsible for and that he hadn't really done
4 it this way or that way or whatever they were complaining
5 about, but I wanted to personally evaluate Mr. Miller, and
6 that is exactly what I told Mr. Miller on the 28th of
7 September. He complained that the craft was after him, and
8 I told him he was paranoid. He agreed with me, and to a
9 certain extent he says I am very paranoid.

10 I explained that the only way I could get
11 around that apparent discrepancy in what he thought of
12 himself and what other people thought of him and what the
13 craft thought of him was to bring him in a situation to
14 where I could more closely evaluate his capabilities.

15 Q Have there been any complaints about his
16 performance since he has been on days?

17 A Yes, there has.

18 Q You stated that as a result of Fred Dunham's
19 concern, NCR's were reinstated in the program; is that
20 correct?

21 A I think you took it a little bit out of
22 context. In this meeting that I held with the day and
23 night shift coatings inspectors on September 29th of 1983
24 I asked for comments or questions, one of which was Fred
25 Dunham's asking, Tom, in the event that coating fails due

1 to loss of adhesion, it is not procedurally described how
2 we isolate the area and how is that possible to resolve
3 with an IR?

4 I discussed at some length with him after the
5 general meeting in a personal meeting several things, one
6 of which was that in particular, and I described to him
7 that there were essentially two ways that we could go.
8 One, I could procedurally identify when you had coatings
9 failure due to loss of adhesion on how you isolate the
10 unacceptable area or we could go with use of an NCR in
11 that case and get an engineering evaluation on how to
12 isolate the area.

13 I told him I would get back with him in the
14 next day or two. I opted to go with the non-conformance
15 report and the procedure was changed to reflect that
16 report.

17 Q Another topic. A few minutes ago Brooks
18 brought up the proposal that coatings craft supervisors
19 conduct inspections; is that correct?

20 A That is correct.

21 Q I wanted to ask you, was this proposed
22 intended to satisfy any requirements of Appendix B?

23 A I don't know where you are headed, Don.

24 Q If the proposal had been accepted to allow
25 craft supervisors to conduct inspections, would any of

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1 those inspections have ever been accepted and used to
2 satisfy NRC requirements?

3 A Aren't we talking about a hypothetical
4 situation that didn't happen? I just don't see the merits
5 of even talking about it.

6 Q Well, the matter was discussed and you pointed
7 out that ---

8 A he asked me if it was ever discussed and I
9 said yes. I could have objected to answering the question
10 there because we were talking about a hypothetical
11 discussion that took place that was never implemented and
12 that will probably never be implemented. I can't possibly
13 see how that affects anything.

14 MR. GRIFFIN: I will be glad to give you my
15 reasoning for that.

16 THE WITNESS: Okay.

17 MR. GRIFFIN: Starting back with these old
18 records in '77, '78 and '79 I am trying to establish a
19 chronology and bring us up to date as to where the
20 revisions have gone and things that have been deleted and
21 added into the revisions of QI's. A couple of months ago
22 that was under consideration, and I am just putting it
23 together for historical purposes as developing the
24 reasoning as to why things ---

25 THE WITNESS: But it was never implemented. It

1 was never changed and it was never introduced as part of
2 the QA program at Comanche Peak. I can't possibly see how
3 that has any impact.

4 MR. GRIFFIN: Well, the NRC was approached to
5 see if this idea would fly. So it was formal enough to
6 approach the NRC with it. You are right, it was not
7 accepted by the NRC, among others.

8 THE WITNESS: I don't know that it was ever
9 formally refused by the NRC, at least to my own personal
10 information.

11 I really don't see where it is headed, Don. I
12 could talk for hours and tell you the pros and cons of the
13 issue. I could a case that it does meet Appendix B
14 requirements and turn around and five minutes argue that
15 it doesn't meet Appendix B requirements. As it never
16 happened, it was never procedurally identified and it
17 never came to pass, I just can't see where it is worth
18 discussing.

19 BY MR. DRISKILL:

20 Q Okay. One last question. You made the
21 statement I believe that you have got coatings inspectors
22 working in two units.

23 A No. I was using a hypothetical example to
24 describe why we needed extra inspectors. You know, if we
25 had three units, I would have said it takes three times as

many inspectors to cover three units as it does one.

At the time prior to bringing the craft in, we were desperately looking from one, two, three, at least four different sources that I know of, for coatings inspectors because we were literally burning the people up. They were working 60 and 70 hours a week. Some of them hadn't had a day off in a month which is inhumane and I realize that as much as any of them do. We couldn't find them quite frankly.

My job is to try to support construction, not at the cost of quality, but if construction wants to have a thousand painters and I am only geared to inspect the work of ten of them, I feel it is my obligation to try to start up and properly train and certify people to support the construction effort.

We were desperately short of people at that time. Construction was talking about essentially doubling their work force and we needed some inspection people. Interviews were conducted with about, to the best of my recollection, 50 -- excuse me. Resumes were examined first from potential QC candidates out of the craft. I think there were about 50 resumes submitted. A certain number of those were interviewed and out of those 16 were selected as QC inspectors. It was only an effort to beef up the numbers of QC inspectors available for daily routine

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1 inspections to support the ongoing construction effort and
2 to give people time off that most of them desperately
3 needed.

4 The discussion on Unit 2 or two units, I think
5 I used 10 crews and 20 crews as an example or 400 painters
6 and 800 painters. It was strictly a hypothetical example.

7 MR. DRISKILL: I have no other questions.

8 MR. GRIFFIN: Tom, have I or any other NRC
9 representative here threatened you in any manner or
10 offered you any reward in return for this statement?

11 THE WITNESS: No.

12 MR. GRIFFIN: Have you given this statement
13 freely and voluntarily?

14 THE WITNESS: I have given this statement
15 freely and voluntarily. I am not here freely and
16 voluntarily.

17 MR. GRIFFIN: Is there anything further you
18 would care to add for the record?

19 THE WITNESS: No.

20 MR. GRIFFIN: Okay. Thank you.

21 (Whereupon, at 5:23 p.m., the INTERVIEW OF
22 CHARLES THOMAS BRANDT concluded.)

23 - - -
24
25

CERTIFICATE OF PROCEEDINGS

This is to certify that the attached proceedings of the
Interview of CHARLES THOMAS BRANDT before the Office of
Investigations at Texas Utility Generating Company,
Comanche Peak Steam Electric Station, Glen Rose, Texas
76043, on Thursday, December 1, 1983, commencing at 1:25
p.m., was held as herein appears, and that this is the
original transcript for the files of the Office of
Investigations, Region IV.

Mary C. Simons

Official Reporter - Typed

Mary C. Simons

Official Reporter - Signature