

SHAW, PITTMAN, POTTS & TROWBRIDGE

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

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TELEX
89-2693 (SHAWLAW WSH)
CABLE SHAWLAW
TELEPHONE
1202: 822-1032

GERALD CHARNOFF, P.C.

November 22, 1983

Mr. Len Williamson
U. S. Nuclear Regulatory Commission
Office of Investigation
101 Marietta Street
Suite 2900
Atlanta, GA 30303

Dear Mr. Williamson:

This will confirm the telephone conversations I had last week with Mr. Vorse and today with you. I have been retained by Duke Power Company to represent it and its management personnel in connection with the pending NRC investigations at the Catawba Nuclear Station. Duke Power Company is interested in cooperating fully with the Office of Investigation to assure an expedited and complete investigation.

I am enclosing a number of organizational charts presenting the staffing of management positions at Duke Power Company and at Catawba. Except to the extent that any individual wishes to speak privately to you, I will represent each of the individuals listed by name on the attached organizational chart in connection with your investigation. Should you or your associates wish to interview any of the persons named on the attached organizational charts, i.e. my clients, I understand you will call me. I will promptly arrange for the interview at which I will be present. Please feel free to call me at my office number listed above or at my home - (301) 593-7829 or (301) 593-7949.

If you have any questions with respect to this matter or the attachment, please call me.

Sincerely,

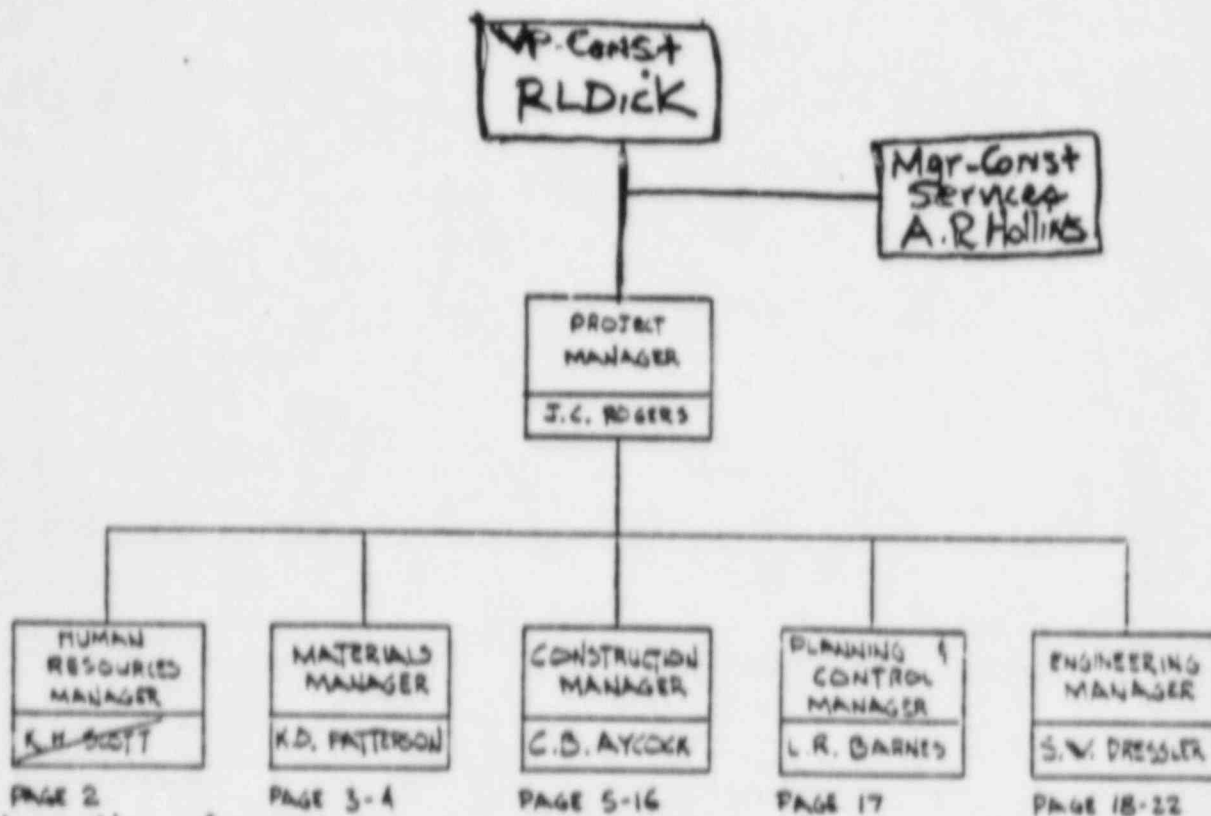

Gerald Charnoff

8507270190 850506
PDR FOIA
BELL84-722 PDR

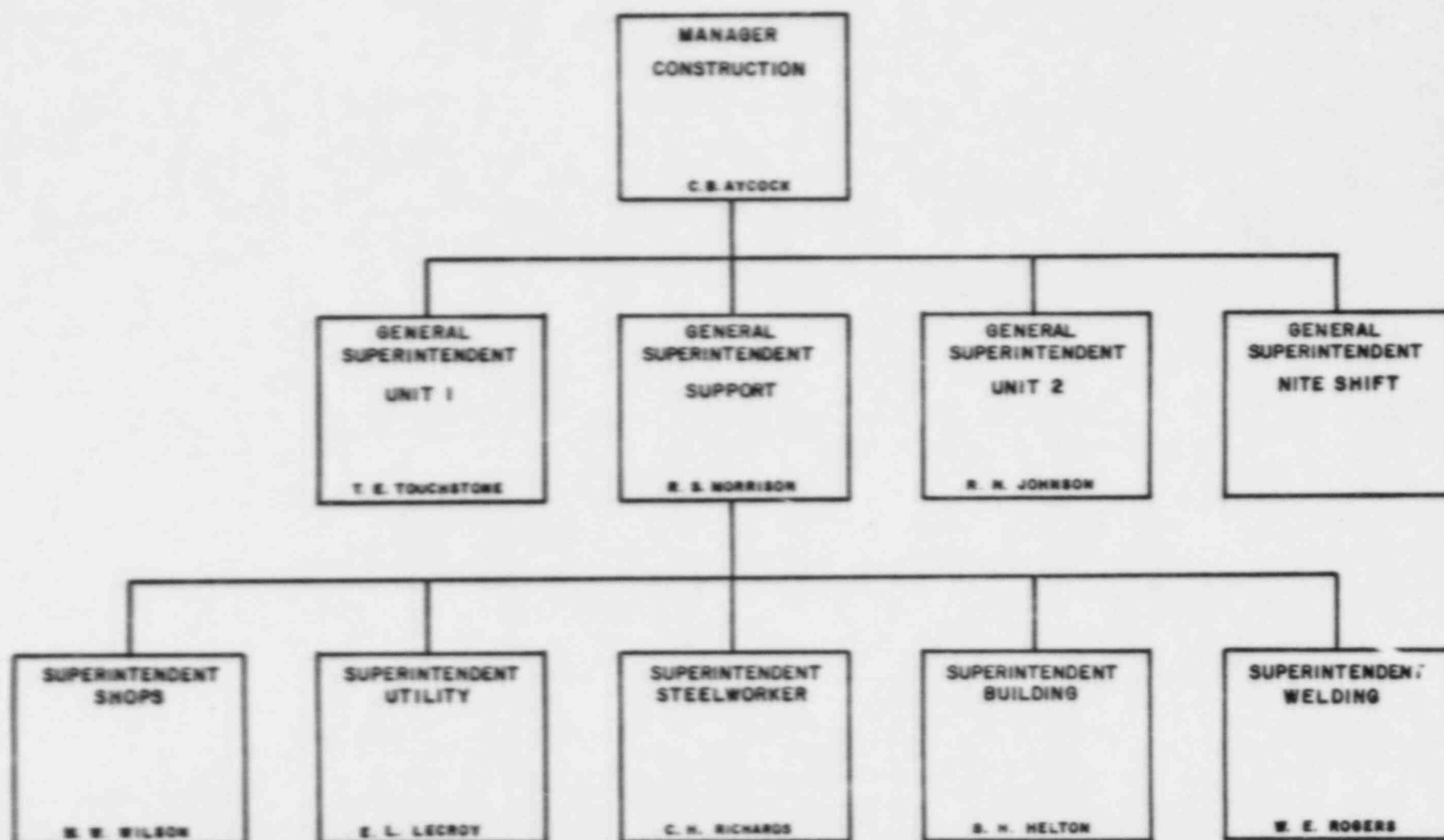
Enclosures

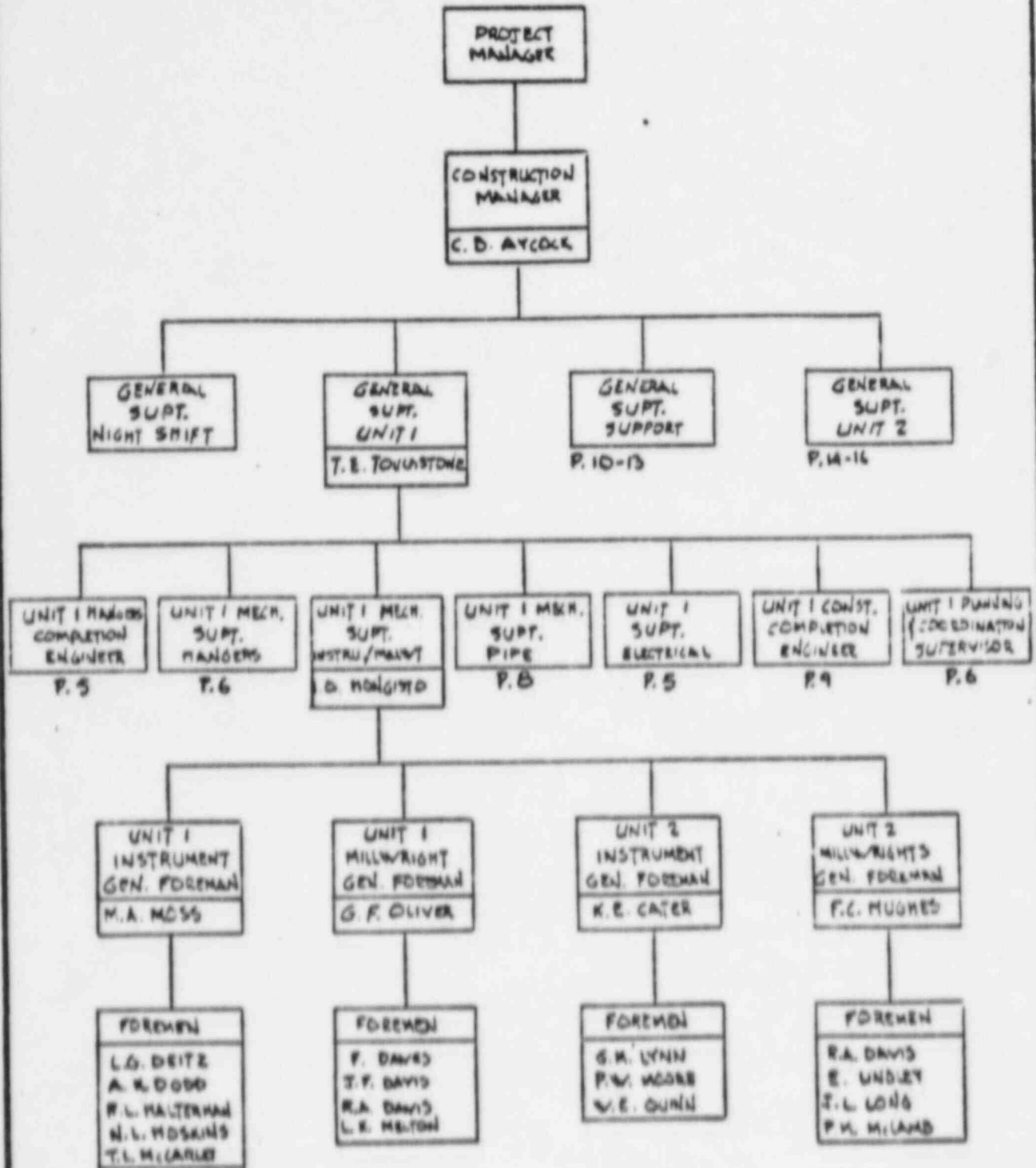
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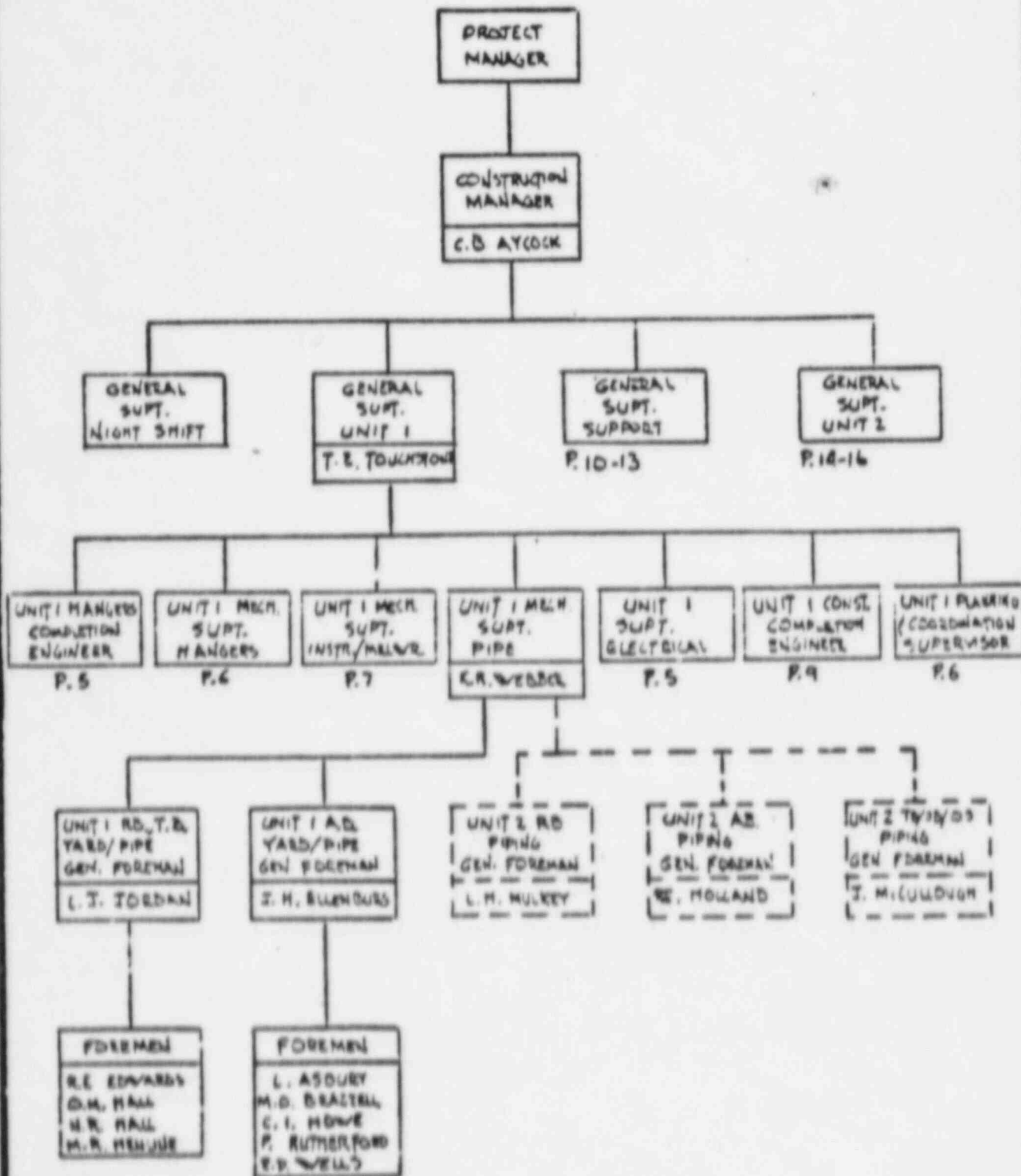
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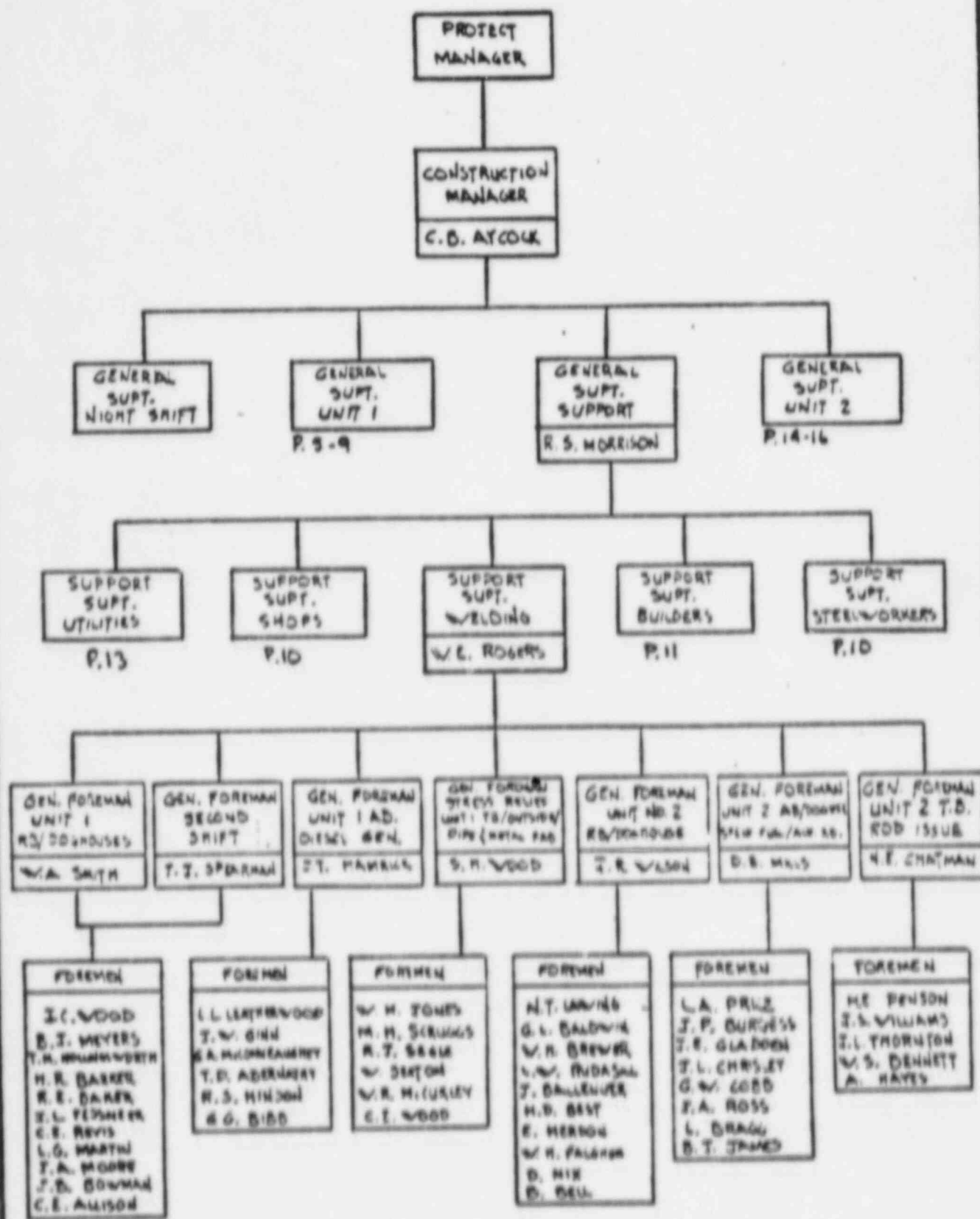


DUKE POWER COMPANY
CONSTRUCTION DEPARTMENT
CATAWBA NUCLEAR STATION
ORGANIZATION CHART



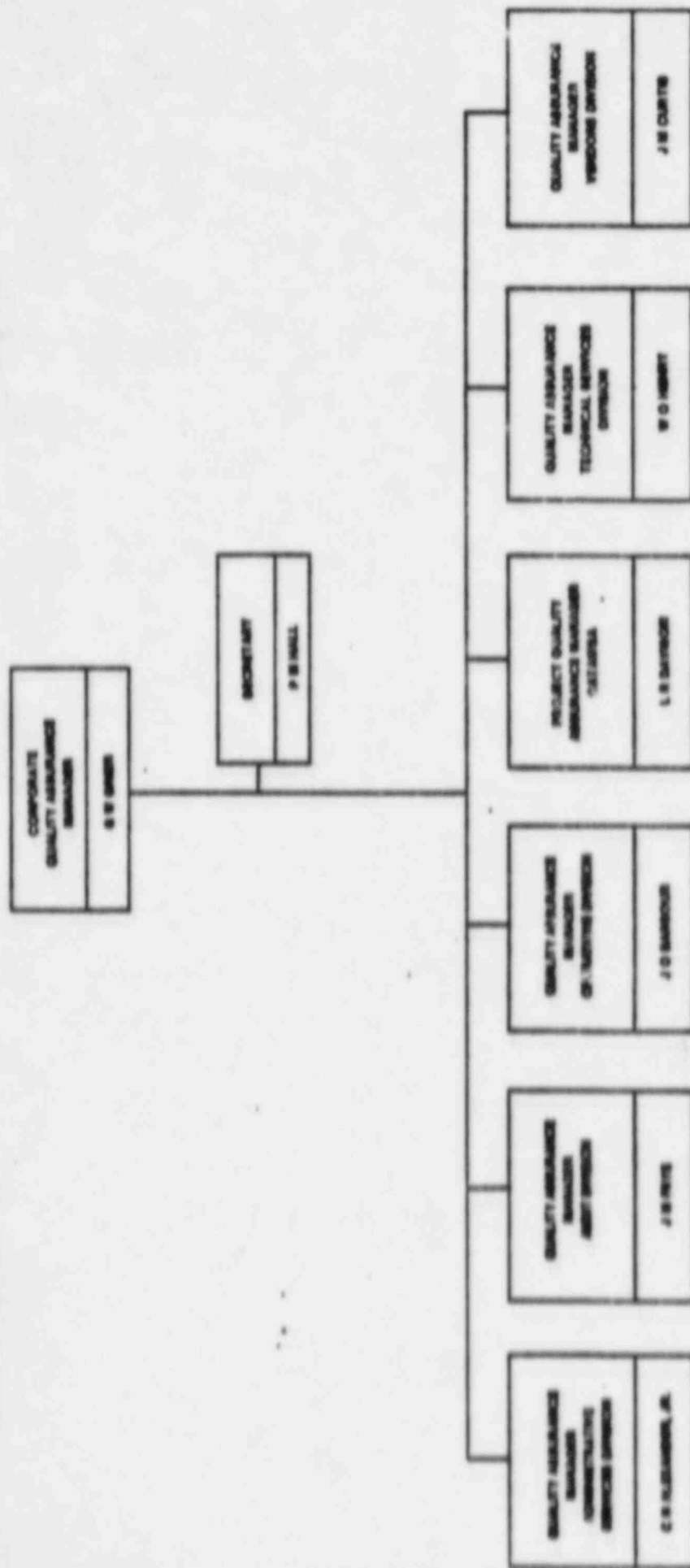




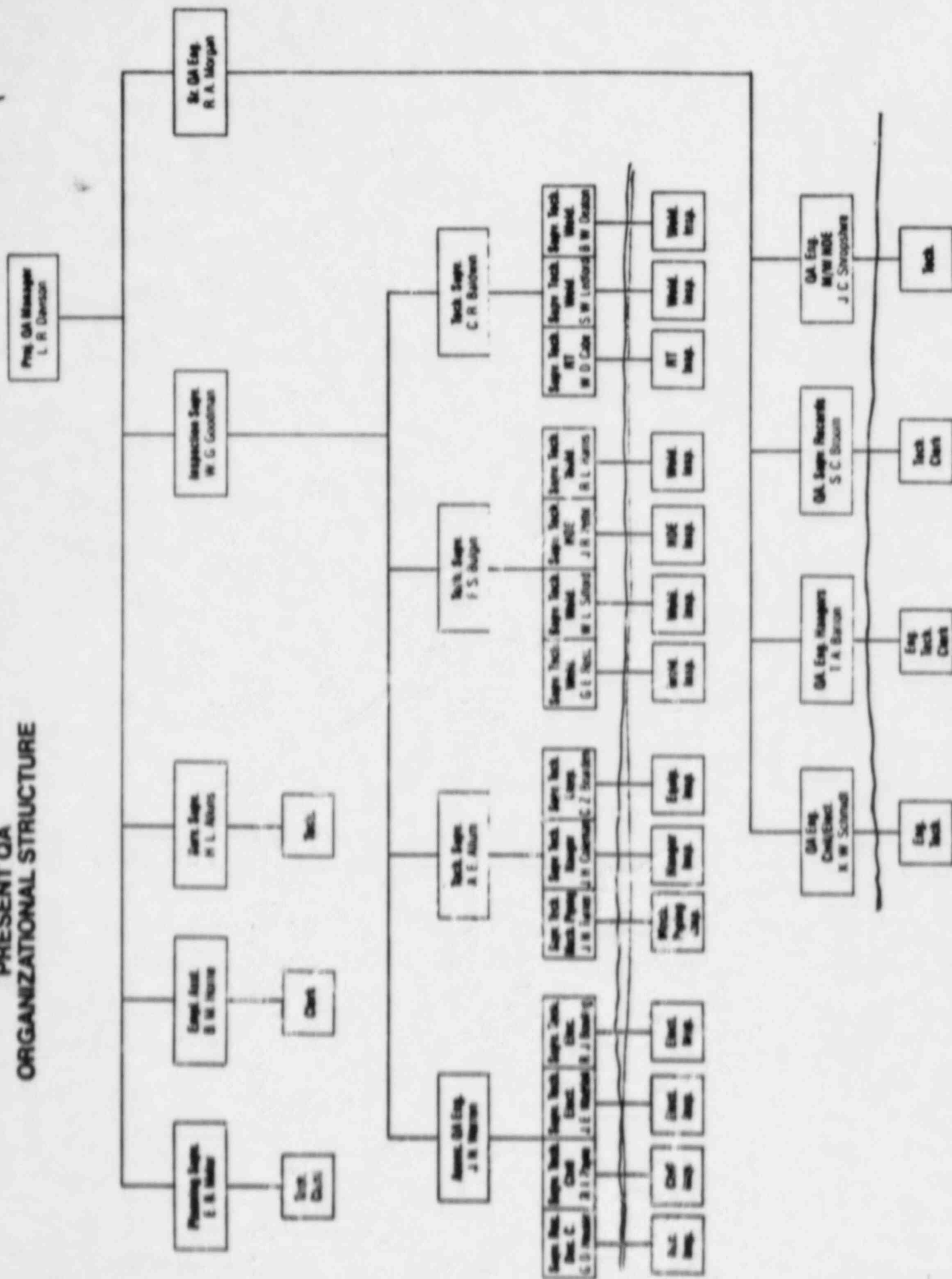


ORGANIZATION CHART
Quality Assurance Department
 Revision 22 - September 1, 1983

Page 1 of 8



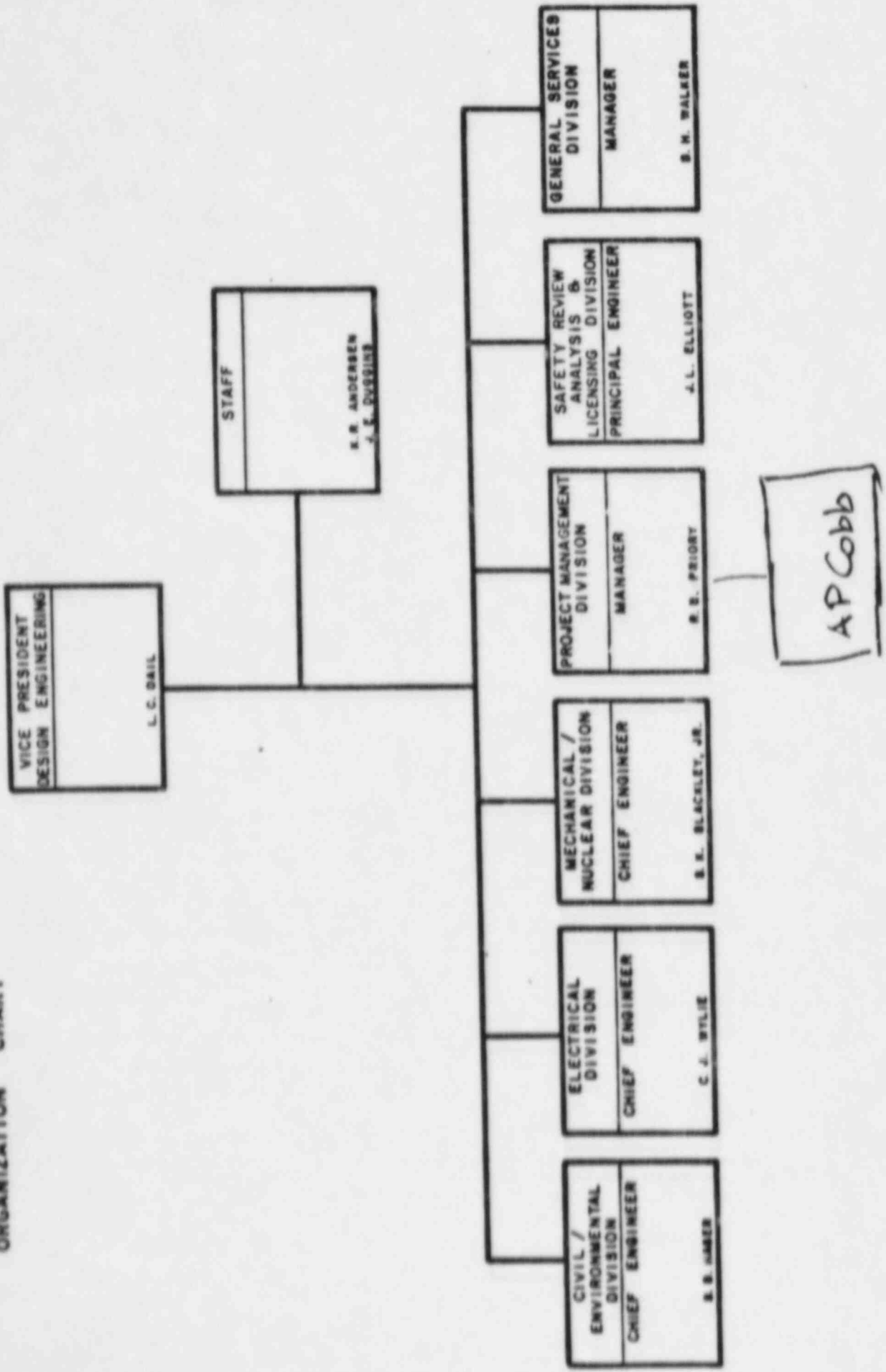
PRESENT QA ORGANIZATIONAL STRUCTURE



90112

6-1-83

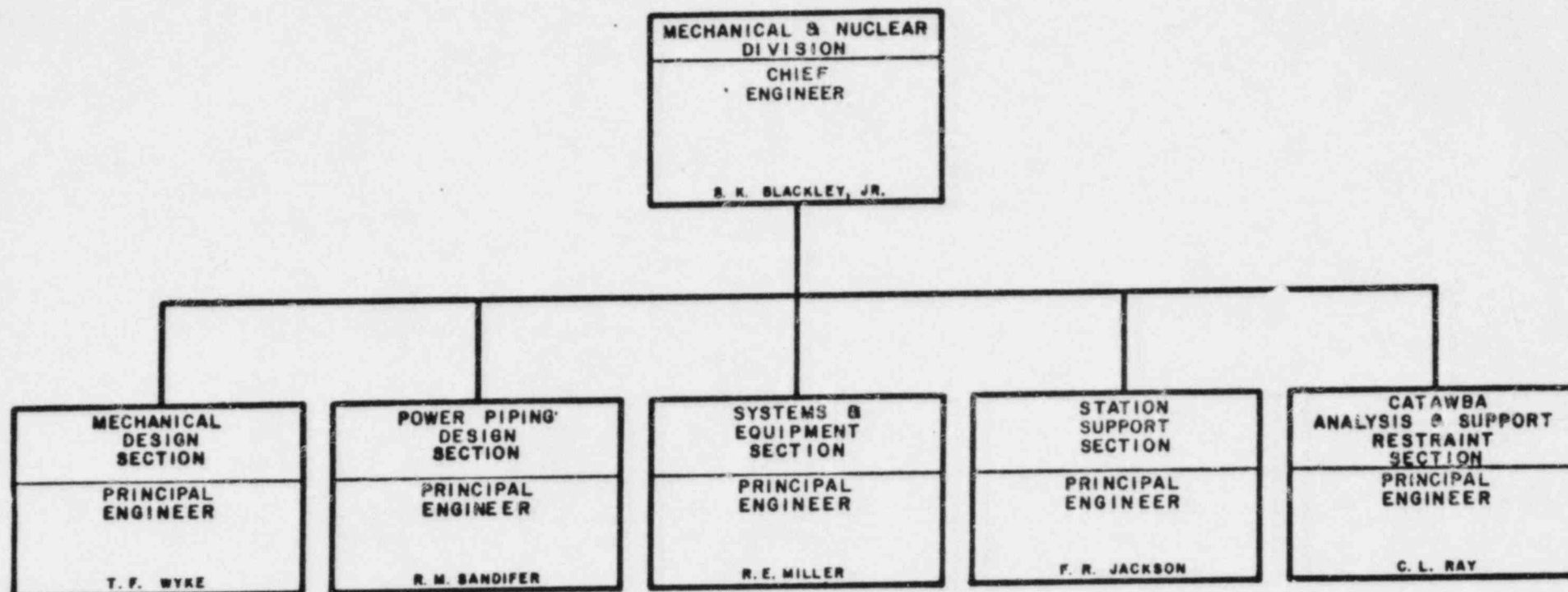
DUKE POWER COMPANY DESIGN ENGINEERING DEPARTMENT ORGANIZATION CHART



6-1-83

21501

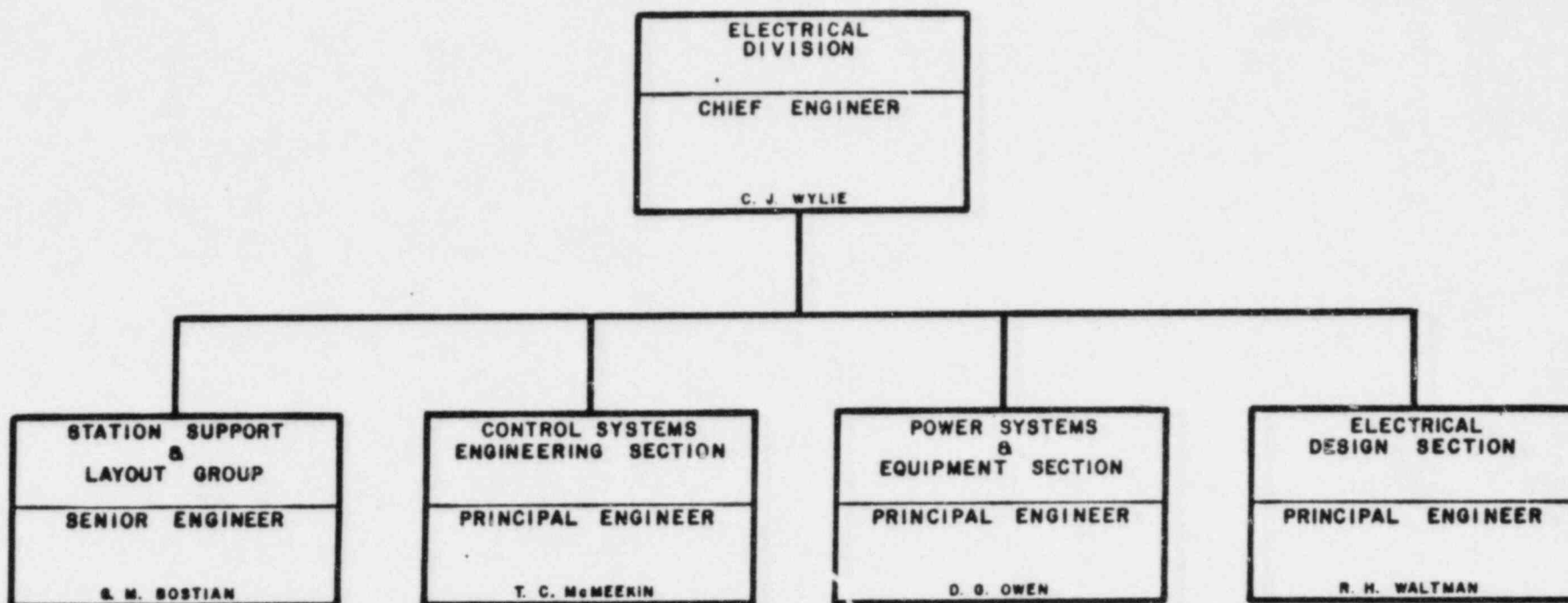
DUKE POWER COMPANY
DESIGN ENGINEERING DEPARTMENT
MECHANICAL & NUCLEAR DIVISION
ORGANIZATION CHART



DUKE POWER COMPANY
DESIGN ENGINEERING DEPARTMENT
ELECTRICAL DIVISION
ORGANIZATION CHART

6-1-83

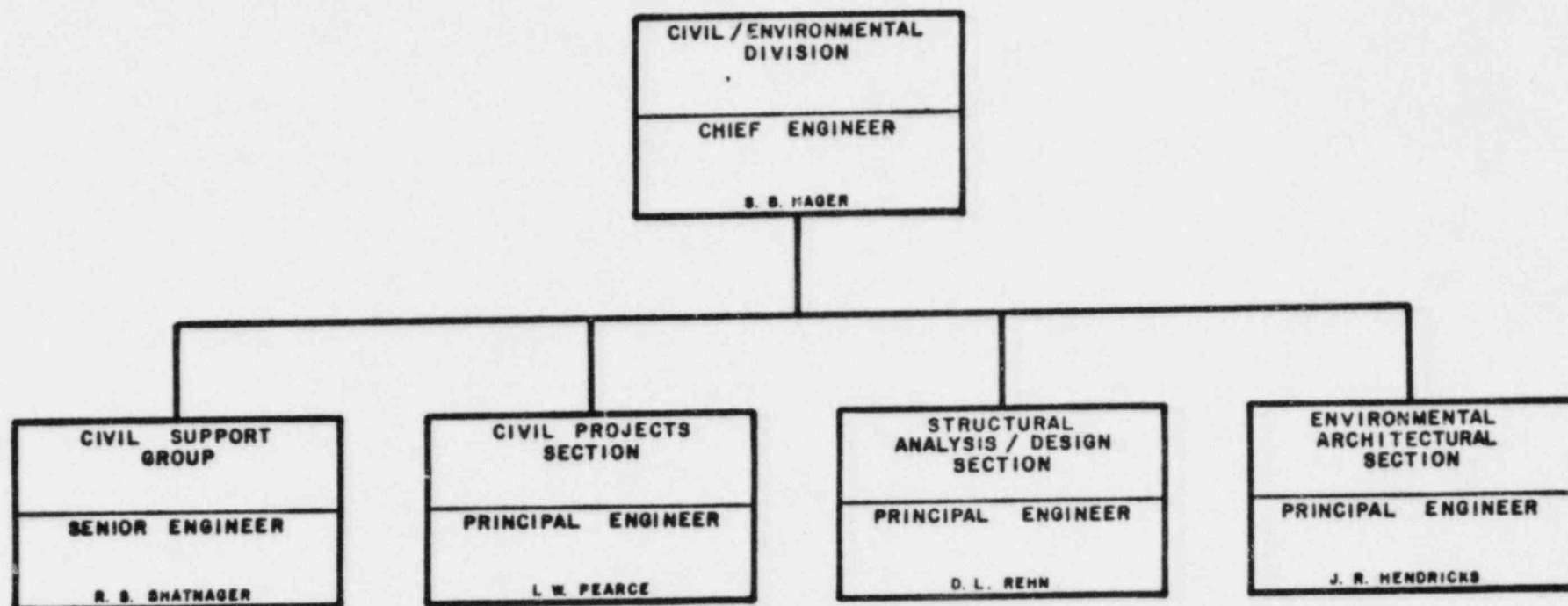
2/10/11



DUKE POWER COMPANY
DESIGN ENGINEERING DEPARTMENT
CIVIL / ENVIRONMENTAL DIVISION
ORGANIZATION CHART

8-1-83

12 of 12



MEMORANDUM TO CASE FILE

TYPE ACTION () RECORD OF CONVERSATION () CASE REVIEW / STATUS () OTHER	PARTICIPANTS <u>Williamson B. Gande</u> <u>R. Fortuna</u>	FILE NO. <u>2-83-038</u>
		DATE
	CONFIDENTIALITY REQUESTED YES NO	TIME

SUMMARY Billie Gande, called in an effort to get in touch with Tim Vorse. She said she wanted to know when OJ was going to interview the welders. I told her that I was not familiar with the details of the case, but I would be getting started. And would be in contact with OJ. She said she felt that the welders should be interviewed prior to testifying before the hearing board. I told her that I would be doing the inquiry and would be over at Oatman on Weds NOV 2 1983. She said that would be too late. The welders needed to be talked to prior to testifying before the board. I told her I would make the appropriate inquiries.

Called Fortuna for details about B. Gande's concerns. Fortuna said Ward would provide info. Ward said he would attempt to provide names and suggested that El. again look some info from pre-fil hearings.

Called Vorse for info on 10-27-83 meeting.

PAGE OF

PREPARED BY <u>ELW.</u>	DATE <u>10-31-83</u>
ACTION REQUIRED	
REVIEWED BY	
DATE	

OFFICIAL USE ONLY

MEMORANDUM TO CASE FILE

TYPE ACTION <input type="checkbox"/> RECORD OF CONVERSATION <input type="checkbox"/> CASE REVIEW / STATUS <input type="checkbox"/> OTHER	PARTICIPANTS <i>Senclaus & Ward</i>	FILE NO.
		DATE <i>11-01-83</i>
	CONFIDENTIALITY REQUESTED YES NO	TIME <i>12/5</i>

SUMMARY

I called J. Senclaus and advised him of my call from Garde. I told him that I didn't need the names anymore that Garde had provided them to me.

Called Bill Ward, told him that I felt that we should interview Garde as our other allies and obtain a statement from her and proceed as we normally do. He agreed and wanted to talk it over with Hayes.

Received a call from a female reporter from the Greenville News wanting to know the substance of the investigation. She was told that details of ongoing investigations were not revealed and she should talk to the PDD for more info.

Called B. Ward, requested permission to interview B. Garde, because facts and circumstances surrounding concern were not clear. He said he would consult with H&S and let me know.

J. Senclaus called and related that interview of B. Garde would be good idea - make contact with Garde.

PREPARED BY	DATE
ACTION REQUIRED	
REVIEWED BY	
DATE	

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D-40

OFFICIAL USE ONLY

MEMORANDUM TO CASE FILE

TYPE ACTION <input type="checkbox"/> RECORD OF CONVERSATION <input type="checkbox"/> CASE REVIEW / STATUS <input type="checkbox"/> OTHER	PARTICIPANTS	FILE NO.
	Williamson, Gards	DATE
		11-2-83
	CONFIDENTIALITY REQUESTED YES NO	TIME
		0810

SUMMARY Called B. Gards at her residence and requested interview to which she was very receptive. She said she had a doctors appointment on 11-3-83 but would call me at 1000 in OI HQS, to confirm interview

J. Sinclair was advised of pregnancy.

Returned B. Gards ^{from HQS.} call - she asked to rearrange mtg on 11-3-83- 1200 at her townhouse 3316 Clonage Ct Belknap, Md. All were in agreement, (1515)

Returned B Gards call - she wanted to know if we OI were going to buy her FOIA material - she wanted to know the scope of our investigation. She was told the scope would be determined after our interview. (1700)

PAGE OF

PREPARED BY	DATE
ELW	11-2-83

ACTION REQUIRED

REVIEWED BY

DATE

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D-41

MEMORANDUM TO CASE FILE

TYPE ACTION

- () RECORD OF CONVERSATION
 () CASE REVIEW / STATUS
 () OTHER

PARTICIPANTS

Williamson, Sinclair
 Garde, Ansell

FILE NO.

2-83-038

DATE

3 NOV 83

TIME

1230 - 1630

CONFIDENTIALITY REQUESTED YES NO

SUMMARY

Conducted interview with Garde, to discuss concerns raised as a result of the GAP Catauba investigation. Garde provided information obtained from document reviews and personal interviews of Catauba QC inspectors. She emphasized the details of the information provided was in her Sept 14, 1983 request to the Commission for an OI investigation and the FOIA request 83-220. She agreed to sign a statement highlighting the concerns raised at Catauba, but asked that I prepare it and she would review it on 4 NOV 83 at 1000. The interview was friendly, informative and helpful to understanding the concerns investigated by Hq. (11-3-83 EDW)

11-4-83-1000) Returned to Garde's residence to have her sign a stmt and provided copy of stmt.

11-4-83 - Briefed B. Hayes, R. Fortuna, & B. Ward on results of mtg with B. Garde-

11-8-83 - Returned Sinclair call- he said B. Garde had called and related that she was going to SC to the Catauba hearings and had received additional information from an anonymous source. He wanted to know if the source could call Sinclair and talk with him. Sinclair talked to anonymous source, who related that he was concerned about how the QC inspectors were

PREPARED BY

being as had questions, by Duke PC. He said he did not feel the light
 Questions were being asked.

ACTION REQUIRED

Sinclair will draft memo, relating the substance of his discussion and forward it to RII.

REVIEWED BY

DATE

MEMORANDUM TO CASE FILE

TYPE ACTION

- () RECORD OF CONVERSATION
 () CASE REVIEW / STATUS
 () OTHER

PARTICIPANTS

Williamson & Gable

FILE NO.

DATE

11-8-83

TIME

1330

CONFIDENTIALITY REQUESTED

YES NO

SUMMARY

B. Gable called, asked if anonymous source called J. Sinclair. She was told that he had. She asked when OE was coming to Catawba and ask that I please call John Bryant, one of the QC inspectors who has helped to reassure him that we (OE) are involved in the investigation and are concerned about his concerns. She said all the QC inspectors who are going to testify are under enormous pressure and it would help if OE would show some interest. 11-8-83 EXW.

1650 - A Ron Gibson called AND, said he worked for Catawba. He said he was given my name and told that I was an OE investigator assigned to Catawba and he wanted to confirm that. I told him I was involved in an investigation at Catawba - before I could say anything else he said thank you and hung up. 11-8-83 EXW.

PAGE OF

PREPARED BY

DATE

ACTION REQUIRED

REVIEWED BY

DATE

MEMORANDUM TO CASE FILE

TYPE ACTION

- () RECORD OF CONVERSATION
 () CASE REVIEW / STATUS
 () OTHER

PARTICIPANTS

Williamson, Vorse,
 Sinclair

FILE NO.

2-83-038

DATE

11-15-83

TIME

CONFIDENTIALITY REQUESTED YES NO

SUMMARY Called Sinclair, with Vorse to discuss Catawba, specifically the scope of the investigation. We discussed the possibility of using a QA/QC expert in reviewing work that had been done by the Bureau. Additionally discussed regarding the previous investigations by DPC and concerns that had been addressed and resolved were discussed. Plans were made to conduct initial interviews.

Made numerous attempts to contact John Bryant, QCWI, Catawba. Contact was made at 1800 - Bryant related that he had a hunting trip planned and would reply if we could talk at a later date. It was agreed that we would talk later.

Made attempts to contact Gary E. Ross, with phone number provided by B. Gault. Ross's number had been disconnected. Attempts to make contact with Ross, disclosed through the information operator that Ross's number was unpublished.

Called B. Gault in Rock Hill at 1900 and left message for him to call. Gault called 2000, requested assistance in obtaining Ross's ^{home} number if possible.

PAGE OF

PREPARED BY

E.L.W.

DATE

11-16-83

ACTION REQUIRED

REVIEWED BY

DATE

MEMORANDUM TO CASE FILE

TYPE ACTION () RECORD OF CONVERSATION () CASE REVIEW / STATUS () OTHER	PARTICIPANTS <i>Williamson, Horsey,</i> <i>Fortuna</i>	FILE NO. <i>2-83-038</i>
		DATE <i>11-16-83</i>
	CONFIDENTIALITY REQUESTED YES NO	TIME <i>1530</i>

SUMMARY *R. Fortuna, was called and informed of Charnoff's call. The current OI policy regarding the interviewing of employees was discussed, including the recent Silbert Committee report. Also the levels of management that required legal counsel, and the overall responsibility of OI in dealing with the assigned counsel. (11-16-83 Edw).*

GERALD CHARNOFF, P.C.

SHAW, PITTMAN, POTTS & TROWBRIDGE
 A PARTNERSHIP OF PROFESSIONAL CORPORATIONS
 1800 M STREET, N.W.
 WASHINGTON, D. C. 20036

(202) 822-1032
 TELEX: WUD 89 2693 (SHAW) LAWS
 CABLE: "SHAW" LAWS

PREPARED BY

ACTION REQUIRED

Charnoff - 202-822-1032 (P)
301-593-7829/7949
Steve Cori, AHA 704-373-4380 - Duke General Counsel

REVIEWED BY

DATE

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MEMORANDUM TO CASE FILE

TYPE ACTION () RECORD OF CONVERSATION () CASE REVIEW / STATUS () OTHER	PARTICIPANTS CONFIDENTIALITY REQUESTED YES NO	FILE NO. 2-83-038 DATE 11-16-83 TIME
SUMMARY Called B. Gonde at home to determine if she had G Ross's unlisted number. She had depended for Charlotte N.C. left message to call E.C.W. - 1230. Called for G Ross on site was informed he was on vacation would not return until 11-21-83. Gerald Charnoff called, ^{J. Vorse} and stated he was representing Duke employees and would represent any employee who desires his counsel during the impending NRC investigation. He said the results of the Selbat committee contended that licensee employees have the right to counsel and that counsel maybe a corporate attorney. He said he would be representing Duke power employees from the foreman level up, to and would not be involved in the interviews of QC inspectors. He related that he has sat in on other QC interviews so this was not new. He said Duke had sent a letter to all employees advising them of their right to counsel, and encouraging them to talk to the NRC. He related that he wanted to be cooperative. He mentioned having conversations with R. Fortum on similar investigation and suggested a conference call with Fortum. Vorse advised that he would talk to QC management about his concerns.		
PREPARED BY E.C.W.		DATE 11-16-83
ACTION REQUIRED		
REVIEWED BY		DATE
OFFICIAL USE ONLY — DO NOT DISCLOSE 0.46 FED 10		

CONVERSATION RECORD

TIME

DATE

Page 1 of 2
11-16-83

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING

☐ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

Jerry Chernoff

(202)
822-1032

SUBJECT

Catawba -

ROUTING

NAME/SYMBOL

INT

SUMMARY

Jerry Chernoff called to introduce himself and to inform me that Mr. Bill Lee of Duke Power Co. had retained him to act as counsel in the Catawba investigation, and that he will represent those Duke employees who request him to be present during interviews. Chernoff cited the Silbert Committee's report as recommending that an individual has right to counsel and that counsel may be a corporate attorney if he wishes. Chernoff explained that he would expect to be present during the interviews of the Plant Manager, QA manager, Assistant QA manager and all foremen. He said he would not insist that he sit in on interviews with witnesses or alleged. Chernoff also stated that he has sent circulars to all employees stating that 1) they can talk to the REC, 2) if they want a lawyer then Chernoff will represent 3) if they want to tape record an interview, they can 4) they do not have to talk to the REC but are encouraged to

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

© (GPO) : 1981 O - 361-526 (7227)

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

FFD 11

D-47

1042

CONVERSATION RECORD

TIME

DATE

Page 2 of 2

TYPE

☐ VISIT

☐ CONFERENCE

☐ TELEPHONE

☐ INCOMING

☐ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

SUBJECT

ROUTING

NAME/SYMBOL

INT

SUMMARY

do so.

Chernoff further stated that he will act as the focal point for the utility and will be glad to set up appointments. I told Mr. Chernoff that is not the way of doing business. Chernoff stated that he has done it that way with Region III and it is acceptable with R. Fortuna. I told Chernoff that I would contact Fortuna.

I called Regis Fortuna and he related that Chernoff's demands are too extensive and that he is inviting participation in too low a tier of license management. He said he would work a strategy out with B. Hayes and get back with me.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

TITLE

DATE

5010-71-201

© GPO : 1981 O - 361-526 (7227)

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)
DEPARTMENT OF DEFENSE

2 of 2

11-16-83 Charvott

(202) 822-1032

begin know about

Charvott - interviews with Duke personnel -
Duke has asked Charvott to represent

Charvott to sit in and represent anyone who wants him
to represent.

* Silbert committee - individual has right to counsel and
may be corporate attorney if wishes.

Plant Mgr -

Davison QA Mgr. -

asst. QA Mgr. or all foreman

not be involved with every QC inspector

2.206 pet. two

independence

harassment + ~~intimidation~~ intimidation

Charvott says he has sat in on

notice to all employees -

says can talk to NRC

if want lawyer will represent

if do want to take record, then can

do not have to talk to NRC but ~~and~~ encourage
talk to NRC.

wants to help and wants to be perfect

ASK Chernoff if agrees with ~~Cannon~~ of ethics - that he will not disclose any of the information.

Going too low - need to keep high as possible
what types of people - as need to be convinced they are
the people.

Call Pawlik

11/17/83

TELEPHONE OR VERBAL CONVERSATION RECORD

TIME

10:02

☒ A.M.
☐ P.M.

☒ INCOMING CALL

☐ OUTGOING CALL

☐ VISIT

PERSON CALLING

Gerald (Charnoff, Esq)

OFFICE/ADDRESS

PHONE NUMBER

EXTENSION

PERSON CALLED

Fortuna

OFFICE/ADDRESS

6+

PHONE NUMBER

EXTENSION

CONVERSATION

SUBJECT

Catawba of investigation (5 minute call)

SUMMARY

Mr Charnoff advised he had spoken to Vorse re his representation of Duke in the instant investigation. I told Charnoff Vorse had advised me and I in turn had spoken to Mr Byers. He said he would clarify what levels of individuals would be receiving his representation during the course of the investigation. I advised that upon his advice of the use of the levels of rep we would review for comparison to our present policy. Mr. Charnoff complimented Mr. Vorse's professionalism. I would expect nothing less.

REFERRED TO:

BH/WW

ACTION REQUESTED

FTI 11/17/83

☐ ADVISE ME OF ACTION TAKEN.

INITIALS

DATE

11/17/83

ACTION TAKEN

Sent to R-II for info to be placed in case file. OK 11/18/83

INITIALS

DATE

D-49

CONVERSATION RECORD

TIME

Nov 18

DATE

Nov 18

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING

☐ OUTGOING

ROUTING

NAME/SYMBOL INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

J. Charney

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

SUBJECT

Catawba

SUMMARY

CATAWBA - Duke goes defines 1st line supervision as management. Will call Monday & Tuesday. Will send note. This will define parameters. I told him we would appreciate ground rules in writing to the record. Charney advised that as soon as he receives an organizational chart from Duke, he will be able to better define the parameters.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

Vorse

SIGNATURE

[Signature]

DATE

11-18-83

ACTION TAKEN

SIGNATURE

TITLE

DATE

MEMORANDUM TO CASE FILE

TYPE ACTION <input checked="" type="checkbox"/> RECORD OF CONVERSATION <input type="checkbox"/> CASE REVIEW / STATUS <input type="checkbox"/> OTHER	PARTICIPANTS <u>Leora K Charnoff</u> <u>Williamson</u> CONFIDENTIALITY REQUESTED YES NO	FILE NO. <u>2-83-038</u> DATE <u>11-22-83</u> TIME <u>1200</u>
SUMMARY <u>Mr. Charnoff called and said that he had talked to J. Vore & OK. Fortum about his role in the OI Catamba investigation. He said he had been retained by Duke Power to represent its employees if needed and if wanted. He said he had discussed with Vore what level of management he would be representing and had OK organizational chart that would show those who he would represent. He related that his representation would extend past the Project QA manager down to and including the Supervising Technicians. These people are the QC inspection supervisors. Charnoff said he did not feel that it would be necessary to sit in these interviews. However he was not sure what we were looking into. He asked that all the management level interviews be coordinated through him at the convenience and he would advise the project. interviewers of his right to consent or if the interviewers chose, he would not be their counsel. He said that he would be sending organizational charts and a letter explaining his position. He added that he wanted to be as helpful and cooperative as possible and would provide all report necessary to the investigation. He said Duke would like to have OI efforts expedited if possible.</u>		
PREPARED BY <u>EJW</u>	DATE <u>11-22-83</u>	
ACTION REQUIRED <u>Await Organizational Chart & letter from Charnoff</u> <u>Discuss OI position on OPC "management level".</u>		
REVIEWED BY <u>Charnoff -</u>	DATE	

SUMMARY I called J. Bryant to follow up on a call made last week. 11-15-83. Bryant indicated a willingness to talk to the NRC and we tentatively set a date of 11-28-83 at 1030. Bryant was asked if he had any objections to talking to me in person and he offered none. ESW 11-23-83

Received Cheney letter & DPC organizational charts. 11-23-83

Received QC inspectors names and addresses from
WAP-11-23-83

11-28-83 - Williamson, Morse and Allegast discussed welding
inspector concerns, reviewed documentation, and board testimony.
Allegast provided sworn statement to investigators.

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