

UNITED STATES NUCLEAR REGULATORY COMMISSION

OFFICE OF INVESTIGATIONS

In the Matter of:)

INVESTIGATIVE INTERVIEW:)

WILLIAM G. GORDON)

(CLOSED))

OFFICE OF INVESTIGATIONS
FIELD OFFICE, REGION II

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1 UNITED STATES NUCLEAR REGULATORY COMMISSION
2 OFFICE OF INVESTIGATIONS

3 In the Matter of:)
4 INVESTIGATIVE INTERVIEW:)
5 WILLIAM G. GORDON)

6 Friday,
7 July 29, 1988

8 Tennessee Valley Authority
9 Tennessee

9 The above-entitled matter came on for hearing,
10 pursuant to notice, at 10:25 a.m.

11 APPEARANCES:

12 On behalf of the Nuclear Regulatory Commission:

13 E.L. WILLIAMSON
14 Office of Investigations
15 Region II
16 Atlanta, Georgia

17 DANIEL D. MURPHY
18 Operations Officer
19 White Flint, Maryland

20 On behalf of the Respondent:

21 DEBORAH B. CHARNOFF, ESQUIRE
22 Shaw, Pittman, Potts & Trowbridge
23 2300 N Street, N.W.
24 Washington, D.C. 20037
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C O N T E N T S

WITNESS

EXAMINATION

William G. Gordon

Page 4

E X H I B I T S

None

P R O C E E D I N G S.

1
2 MR. WILLIAMSON: For the record, this is an
3 interview of Mr. William G. Gordon, project manager, Bechtel
4 North American Power, Oak Ridge, Tennessee, as conducted by
5 the Office of Investigations, NRC. It is July 29, 1988. The
6 time is 10:25. The interview is being conducted in the
7 offices of the law firm of Shaw, Pittman, Potts, and
8 Trowbridge, Washington, D.C..

9 The nature of the interview pertains to the facts
10 and circumstances surrounding the submittal of a letter from
11 TVA to the NRC dated March 20th, 1986, regarding TVA's
12 compliance with 10 CFR 50, Appendix B, at Watts Bar nuclear
13 plant.

14 Currently present at this interview are Mrs. Deborah
15 Charnoff, attorney with the law firm of Shaw, Pittman, Potts
16 and Trowbridge; Daniel D. Murphy, and E.L. Williamson,
17 investigators of the Nuclear Regulatory Commission.

18 This interview is being transcribed by a court
19 reporter.

20 Mr. Gordon, do you have any objections to being
21 placed under oath?

22 THE WITNESS: No.

23 MR. WILLIAMSON: Would you please stand and raise
24 your right hand?

25 Whereupon,

1 WILLIAM G. GORDON

2 having been duly sworn, was called as a witness herein, and
3 testified as follows:

4 EXAMINATION

5 BY MR. WILLIAMSON:

6 Q. Mr. Gordon, for the record, would you please provide
7 to us background information regarding your education,
8 experience, and also your work experience up to and including
9 the current position with Bechtel?

10 A. I graduated from the University of Virginia in 1961
11 with Bachelors Degree in mechanical engineering, immediately
12 went to work in utility power work, which has been my whole
13 professional career.

14 I worked for a large chemical company for
15 approximately three years as an assistant power superintendent
16 in a coal-fired power plant. Then I went to work for
17 Westinghouse Electric Corporation in Pittsburgh, Pennsylvania,
18 in 1963. While at Westinghouse, I worked for a large number
19 of utility power projects of all dimensions.

20 What is probably of interest to you is the nuclear
21 power experience which included work on a number of the early
22 Westinghouse nuclear projects, including San Onofre, two
23 plants in Europe, and the Connecticut Yankee plant.

24 In addition to--I worked for Westinghouse for five
25 years. I left the power industry briefly for a year and a

1 half, worked for Sperry Marine System Division in
2 Charlottesville, Virginia, as a control systems application
3 engineer. I left there in 1969 and went to work for Bechtel,
4 so I have been with Bechtel continuously since the latter part
5 of 1969.

6 At Bechtel, I have had a number of successive,
7 succession of jobs always related to large industrial or
8 utility power plants, most of that experience on nuclear power
9 projects. Specifically that includes Bechtel experience in
10 the supervision of design work for Millstone Unit 2, Davis
11 Besse, the two SNUPPS units, and that's design supervision. I
12 had a job as staff engineer with Bechtel, which means
13 supervision of staff engineers working for the chief engineer;
14 was a Bechtel chief engineer for five years.

15 I have been a project engineer with Bechtel since
16 1983. Most of that experience has been on state of the art
17 fossil projects.

18 In 1987, I started some work with TVA on a project
19 at Browns Ferry, then subsequently was loaned as a technical
20 assistant to the site director at Watts Bar for TVA. That
21 assignment was completed in December of 1987. I have been
22 assigned in an engineering role at the Sequoyah plant for TVA
23 since that time.

24 Q. You are currently a contract employee for TVA?

25 A. At Sequoyah, that's right.

1 Q. Okay. Prior to the conduct of the substantive
2 portion of the interview, we will clarify for the record the
3 nature and scope of the representation by Mrs. Charnoff as it
4 pertains to Mr. Gordon personally, and any other parties of
5 interest to the matter that is under investigation.

6 I have a few questions I would like to ask you, Mr.
7 Gordon.

8 Mr. Gordon, is Mrs. Charnoff your personal
9 representative at this interview?

10 A. Yes, she is.

11 Q. Did you select her on your own, or was she selected
12 for you?

13 A. I think the way for me to respond to that is to tell
14 you that, the chronology of how I came to be here.

15 Q. Okay.

16 A. And I believe that will be, I believe that will
17 answer your question.

18 When I was advised by Mr. Kulisek that this
19 interview was requested, I talked to my counsel in Bechtel
20 Power Corporation, Ed Giblin. Ed in turn made contact with
21 Debbie who I had knowledge of Debbie's work on this product,
22 of course, and I wanted to assure myself with Mr. Giblin that
23 there was no conflict or concern on his part for Debbie to
24 represent Bechtel and my interests here. Personally I have no
25 reservations, but I did go past Mr. Giblin to that obtain that

1 assurance from him.

2 Q. Okay. After obtaining assurance from Bechtel
3 counsel, did you contact Mrs. Bauser--Mrs. Charnoff, or did
4 Mrs. Charnoff contact you?

5 A. No. I contacted her.

6 Q. And you learned from Mr. Kulisek that this
7 interview--

8 A. Interview had been requested for this date, yes.

9 Q. And you contacted her and asked that she represent
10 you during this procedure?

11 A. That is correct, sir.

12 Q. Is Mrs. Charnoff being paid for her services as your
13 personal representative by anyone other than yourself?

14 A. I presume she is being paid by TVA who is my current
15 employer.

16 Q. Okay. Without--

17 A. I maybe should clarify that TVA is basically paying
18 Bechtel for my services, and the nature of that relationship
19 is that I expect that TVA will pay for all costs incurred
20 around this appearance.

21 Q. Okay. Did TVA give you the, TVA or Bechtel give you
22 the option of having or selecting an attorney to represent you
23 other than Mrs. Charnoff?

24 A. I feel very confident that if that, if I had any
25 desire in that way, it would have been supported, yes.

1 Q. To your knowledge, does Mrs. Charnoff represent any
2 other party of interest in this interview?

3 A. To my knowledge, she only represents TVA and myself.

4 Q. Are you currently doing any work under TVA contract
5 resulting for TVA in any capacity or being paid by TVA for the
6 performance of your work?

7 A. I would like you to to restate that. I'm not
8 sure--that was a rather--

9 MS. CHARNOFF: Yes.

10 BY MR. WILLIAMSON:

11 Q. You are currently a contract employee of Bechtel for
12 TVA?

13 MS. CHARNOFF: He is a regular employee of Bechtel
14 who is now working at TVA.

15 BY MR. WILLIAMSON:

16 Q. With a contract, I mean--

17 MS. CHARNOFF: Bechtel has a contract with TVA.

18 THE WITNESS: Bechtel has a contract with TVA. I am
19 a regular employee. I am not a TVA employee.

20 BY MR. WILLIAMSON:

21 Q. Okay. Let me ask you a couple of questions. Do you
22 envision any potential conflict of interest regarding your
23 testimony here today between Mrs. Charnoff's representation of
24 both you and TVA?

25 A. I don't envision any conflict. I could imagine

1 that's possible, but I'm not aware of any conflicts.

2 Q. If your testimony should contain information that
3 you either know or think would be derogatory toward TVA or
4 would indicate criminal activity by TVA, but was in no
5 derogatory or incriminating to yourself, would you feel free
6 to testify knowing that is Mrs. Charnoff represented TVA?

7 A. Yes.

8 Q. If there Mrs. Charnoff were to advise you not to
9 testify regarding such information, would you feel compelled
10 to follow that advice?

11 A. No.

12 Q. Is it your understanding that Mrs. Charnoff will be
13 your personal legal representative during the entire course of
14 this investigation to include subsequent enforcement or
15 criminal actions against TVA if such action is taken, or do
16 you understand that she will just be your representative
17 during this interview?

18 A. I understand that her representation is for today's
19 appearance.

20 MR. WILLIAMSON: Mrs. Charnoff, are you acting as
21 Mr. Gordon's personal representative here today?

22 MS. CHARNOFF: Yes.

23 MR. WILLIAMSON: Is Mr. Gordon paying you from his
24 own funds for your personal representation?

25 MS. CHARNOFF: We haven't discussed it, but I don't

1 expect him to.

2 MR. WILLIAMSON: If he doesn't, who would pay you?

3 MS. CHARNOFF: I have assumed that this interview
4 would be conducted under the financial arrangements that have
5 been made for, gencrally made for this investigation, and I
6 have represented a number of TVA, people who work at TVA who
7 are not TVA employees, as you know, Steve ~~Heitmann~~^{WHITE} and others,
8 and TVA has funded that representation.

9 I have not inquired, made any inquiry to TVA with
10 respect to this particular interview.

11 MR. WILLIAMSON: In view of this representation, do
12 you believe a possible conflict of interest could arise during
13 this interview?

14 MS. CHARNOFF: No. I have no expectation that there
15 will be any conflict of interest during this interview.

16 MR. WILLIAMSON: If such a conflict would arise,
17 what would you do as representative of Mr. Gordon?

18 MS. CHARNOFF: I think I have explained how we
19 handle this several times in the record during other
20 interviews.

21 Essentially an attorney, I'm not--there are very few
22 attorneys who ever represent only one client, and therefore we
23 are continuously dealing with the issue of whether or not in
24 any given circumstance two clients or more than two clients'
25 interests are in conflict.

1 I would treat this case the same way that I would be
2 expected as a lawyer to treat any other case, that is, that I
3 would discuss any conflict or potential conflict when it came
4 to my attention with each of the clients that I thought was
5 affected by it, and depending on the specifics involved, I
6 might have to stop some of the representation, or both clients
7 might seek to have me continue to represent them. It is a
8 very individual ad hoc determination in each case. There are
9 very specific rules about this under the Code of Professional
10 Responsibility for attorneys, and I would need to follow those
11 guidance, that guidance.

12 MR. WILLIAMSON: Mr. Murphy, do you have any
13 questions regarding Mrs. Charnoff's, representation of Mr.
14 Gordon--

15 MR. MURPHY: No.

16 MR. WILLIAMSON: By her?

17 BY MR. WILLIAMSON:

18 Q. Mr. Gordon, when did you report to TVA? Month?
19 Day?

20 A. The assignment in Watts Bar?

21 Q. You first reported at Browns Ferry you said?

22 A. I should probably clarify that. At Browns Ferry my
23 relationship was as a project engineer delivering a design
24 product for TVA at Browns Ferry. The work required getting
25 badged as an employee of TVA, but that was a fixed, fixed task

deliverables

1 with scope and schedule defined, and definite ~~deliverance~~ to
2 TVA of engineered products. That is a different relationship.
3 You see, I was a manager for Bechtel, managing a team of
4 individuals producing an engineering design product.

5 Q. And that begin when? What I am trying to establish
6 is the chronology.

7 A. That began--I do not recall the specific dates, but
8 early March 1987.

9 Q. And you worked there on the specific projects for
10 how long at Browns Ferry?

11 A. Not at Browns Ferry; that's what I should clarify to
12 you. I was delivering products that required trips to
13 Knoxville, trips to Browns Ferry, dealing with people, making
14 site surveys, obtaining information, establishing procedures
15 and program plans, periodic program meetings, those type of
16 activities, at headquarters at that time out of Gaithersburg,
17 Maryland.

18 Q. I guess what I am trying to determine is when did
19 you begin working at TVA?

20 A. Well, I would clarify, try to answer that by saying
21 I did not consider ~~that~~ working at TVA. I considered that
22 working for TVA.

23 Q. When did you begin working for TVA?

24 A. In early March 1987.

25 Q. And because of your position, you were required to

1 be at various places at different ^{times.} ~~types?~~

2 A. Various TVA sites, yes.

3 Q. Were you ever, did you ever work on the Watts Bar
4 start-up task group? Were you ever involved in that?

5 A. Start-up, start-up means a specific set of
6 engineering services to me.

7 Q. Yes. I am referring--

8 A. I am not sure that I have the same understanding
9 that you would.

10 Q. I am referring to a group of individuals who were,
11 who were either at Watts Bar or assigned to Watts Bar, to be
12 part of a start-up task force.

13 MS. CHARNOFF: I need to clarify something because I
14 am not sure.

15 Are you referring to the, what we call the Watts Bar
16 Task Force?

17 MR. WILLIAMSON: Yes.

18 THE WITNESS: I was a member of the Watts Bar Task
19 Force, yes.

20 MS. CHARNOFF: All right. Let me see if I can help
21 here.

22 MR. WILLIAMSON: Please.

23 BY MS. CHARNOFF:

24 Q. As I understand it, Mr. Gordon, you were assigned as
25 a Bechtel employee at TVA projects starting in early March of

1 1987, and that had to do--

2 A. That's right.

3 Q. With the Browns Ferry unit, is that correct?

4 A. That's right. That was the production of certain
5 design documents to serve Browns Ferry.

6 BY MS. CHARNOFF:

7 Q. At some point in time, your work changed from that
8 project to a Watts Bar activity. When was that?

9 A. That occurred in August, sometime in August 1987.

10 Q. And at the time, did you move from Gaithersburg to
11 Tennessee?

12 A. Yes, I did.

13 MR. WILLIAMSON: Okay. Thank you for that
14 clarification.

15 BY MR. WILLIAMSON:

16 Q. When you became part of the Watts Bar Task Force?
17 Is that the, do we agree--

18 A. Watts Bar Task Force I would understand, yes.

19 Q. I was referring to a document that has been provided
20 to us by TVA that had Watts Bar Start-up Task Force.

21 A. Okay.

22 Q. And that was the misunderstanding. When you
23 reported to Knoxville or to Watts Bar in August of 1987, what
24 did you understand your responsibilities were to include?

25 A. My responsibilities, I should probably start by

1 telling you what my understanding of the task force mission
2 was.

3 Q. That's fine.

4 A. The organization of the site at Watts Bar was with a
5 single individual called the site director. The individual
6 performing that job was a gentleman called George Toto.
7 George was responsible for all site activities at Watts Bar.
8 Because he had very limited staff available from TVA, he
9 elected to establish a support staff of individuals, and
10 that's, this particular task force that we are talking about
11 was the staff group that supported that site director with
12 various types of industry specialized experience. I was his
13 engineering representative.

14 Q. Okay.

15 A. Now the group had other skills and backgrounds
16 besides engineering. It include construction background,
17 quality assurance background, licensing background, for
18 example.

19 Q. And now I will be specific. What were your
20 responsibilities as you understood them with regard to the
21 Watts Bar Task Force?

22 A. Multi-faceted I guess is the thing I should say
23 because the site had construction activities in progress,
24 engineering design activities in progress, because the Watts
25 Bar unit was considered one of the units, was considered an

1 operating plant at that time. It was very close to being put
2 into service, so the result was that I understood my
3 responsibilities to be to support both the start-up activities
4 of the first unit, the production of engineering design work
5 needed to support that restart and also complete the
6 construction work of the second unit, and also to advise
7 George in any way around the conduct and management of the
8 engineering work being performed for Watts Bar and at Watts
9 Bar.

10 Q. Okay. Did you have an occasion after August of '87
11 to work with Mrs. Charnoff on a project she was involved in?

12 A. Yes, I did. One of the tasks that was requested of
13 this group that I was involved with was to provide assistance
14 to TVA's legal counsel in the matter of the March 20th letter.

15 Q. And do you recall what that assistance consisted of?

16 A. It consisted of screening and reviewing various
17 responses that had been prepared around the elements or the
18 statements made in a Congressional staff criticism of that
19 response, and another document which I will refer to as the
20 QTC letter. Those were the two principal documents that I
21 believe were taken as critical of Mr. White's March 20th
22 letter.

23 Q. With regard to those documents, primarily the one
24 dated December 17th, 1986, to Congressman Dingell, Chairman of
25 the Committee on Energy and Commerce, subject, staff review of

1 NRC response to quality assurance breakdown within TVA's
2 nuclear program, did you have an opportunity to review that
3 document?

4 A. Could I look at the document?

5 Q. Certainly.

6 (The witness reviewed the document.)

7 THE WITNESS: I believe this is one of the
8 documents. I think this is what I typically talk about as
9 being the Congressional staff letter. I guess that's the way
10 I would describe it, yes.

11 BY MR. WILLIAMSON:

12 Q. What, with regard to your review of that, what was
13 yours as well as other--were there other members of this
14 review group that looked at this with you? Do you know who
15 they were?

16 A. In the task--

17 Q. In the--

18 A. That the Task Force, Watts Bar Task Force?

19 Q. We have a Watts Bar Task Force and then I understand
20 we have I guess what I will call as the Charnoff group that
21 reviewed primarily the QTC documentation and also the
22 Congressional documentation.

23 Is that correct? There were two separate groups
24 that you worked with?

25 A. I worked--let me try to clarify that if I may. When

1 I came to Watts Bar in August of 1987, my understanding was,
2 and what I found was that a substantial amount of work had
3 already been done by, I assumed the lawyers, in subdividing or
4 classifying the issues that are identified in the
5 Congressional staff report. In other words, I would call them
6 contentions or statements extracted from that letter had been
7 classified as, identified as issues to be dealt with.

8 The job in the Task Force was to evaluate the
9 references provided in responding to those to see that they
10 were valid references and did address the subject matter of
11 the contentions.

12 Q. Did you work with other people on this, on this
13 review?

14 A. In the Watts Bar Task Force, or you mean on the
15 Watts Bar site? I guess I don't understand that question.

16 Q. With regard to--part of your job you said as a
17 member of the Watts Bar task group was to review the QTC ^{and} ~~on~~
18 the Congressional documentation?

19 A. I wouldn't say that that was the job. I would
20 clarify that my understanding of the job was to screen the
21 references that had been determined up for, up to that point
22 in date, and use our judgment as it were to screen out those
23 references which were not appropriate or probably not
24 appropriate in terms of addressing the concerns cited in the
25 Congressional staff report.

1 Q. I guess--you say we. Then who, who assisted you in
2 this effort that you can recall?

3 A. The Task Force itself was directed by Dave Kulisek,
4 who is here with us today. Mike Matthews was a member of the
5 group at the same time timeframe when I was there. John
6 Crnich, some other individuals came and went, and maybe came
7 in for a day or two, or a week or two as much of the time.
8 There was a fellow named Fred Pope was part of that group for
9 a short period of time and he left rather soon after I came.
10 I guess I really replaced Fred Pope on that group basically.
11 There were really just four of us on a full-time basis in the
12 timeframe until I completed that assignment.

13 Q. And how long did that assignment take?

14 A. Until the end of calendar year 1987.

15 Q. And you worked with, from August until, until
16 December '87, with Mr. Matthews, Mr. Crnich, and for a short
17 period of time I guess Mr. Pope? You said you replaced Mr.
18 Pope?

19 A. Yes.

20 Q. And were you working specifically on this group or
21 was that in conjunction with your work as a member of the
22 Watts Bar Task Force?

23 A. As a member of the Watts Bar Task Force, this was
24 one of many different types of issues or problems that George
25 Toto needed some support for, so this was--I don't know, I

1 don't know that I could tell you how many other--a large
2 number, various other types of concerns and issues existed on
3 the site. This was just one of the tasks that George had
4 thrown over to the task group to give him some special
5 assistance.

6 Q. Was, this wasn't an effort that was directed by Mr.
7 Toto, though? It was an effort that was directed by Mrs.
8 Charnoff?

9 A. I can only give you my understanding. My
10 understanding was that TVA's counsel faced with this
11 multiplicity of references, potential sources of information,
12 asked for some additional resource to help filter that and
13 sort that out, and that's my understanding of what our job was
14 on this Task Force was to help make those, make those
15 selections in judgment that the references cited were valid
16 and appropriate to the concerns expressed in the Congressional
17 staff letter.

18 Q. And you spent the better part of five months working
19 on that, that effort?

20 A. Well, this was certainly not a full-time effort.
21 This was one of, one of the various assignments we had.

22 Q. Okay. Could you--

23 A. This was one of the, this was probably the largest
24 and longest continuing because it remained as a, it remained
25 as a part of the Task Group's work.

1 Q. Can you give me an estimate in percentage of what
2 amount of time you spent on this effort?

3 A. I would say it was something more than half of the
4 effort in this, the total effort of that group, in that order
5 in the order of, of around half of the group's work I would
6 say.

7 Q. Let me ask you when you came to ~~two~~ Watts Bar,
8 either when you got there or prior to that time, did you have
9 an occasion to read the March 20th letter that, that TVA had
10 submitted to the NRC regarding their compliance with Appendix
11 B of Watts Bar? Had you read their response?

12 A. Prior to coming to Watts Bar? Prior to, no, I had
13 not.

14 Q. When you got to Watts Bar, did you have?

15 A. When I came to Watts Bar, I would say within a few
16 weeks of coming to Watts Bar, I probably had read the letter.

17 Q. And the supporting documentation, the enclosures
18 that was--there was an enclosure?

19 A. I did not review, I did not, I don't have any
20 recollection of having reviewed any of the enclosures or the
21 supporting material.

22 Q. With with regard to reviewing the Congressional
23 report, you were worked on that from August until you left in
24 December of '87.

25 Did you return back to Bechtel Gaithersburg or were

1 you assigned somewhere else in the TVA organization?

2 A. I took a brief vacation and was then reassigned to a
3 role that I now have at Sequoyah.

4 Q. Okay. So you physically left Watts Bar?

5 A. Physically left Watts Bar.

6 Q. Did you have any more involvement in this, this
7 product regarding the review of the Congressional concerns?

8 A. No. I have had no involvement with it since the
9 time I left Watts Bar which as I said, my recollection is not
10 exact, but I think it was precisely on the end of the calendar
11 year. I think it was the 31st of December.

12 Q. At the time you left, what was the status of this
13 particular product?

14 A. I considered it to still be in a draft or
15 preliminary form. Certainly I would not consider it complete,
16 so I would characterize it as being incomplete.

17 Q. Had you--

18 A. Apparently.

19 Q. Had you reached any conclusions or made any findings
20 or recommendations?

21 A. I think that would not be a correct characterization
22 to use those words because my sense was this was a compendium
23 of references. When I say incomplete, I felt that all of the
24 references were not provided, that there was an additional
25 searching could be done to obtain more appropriate or more

1 timely references.

2 One of the issues on a job that's continually
3 evolving such as Watts Bar is that information that may have
4 been the best available in 1986 would get superseded by new
5 developing information, so that a product such as we are
6 describing, the draft, I will call that the draft report work
7 product, continually was falling out of date with the passage
8 of time.

9 Q. I guess it is not clear in my mind if you gentlemen
10 were working on this thing full time, eight, ten hours a day
11 or what. I still haven't understood that.

12 You said you were spending more than 50 percent of
13 your time. Was there ever a point in time that you were
14 working on this for lack of a better term full time, eight or
15 ten hours a day?

16 A. There were.

17 Q. November, December timeframe or anything?

18 A. In mid-November, my recollection is that this was
19 almost completely the major part of our work for the whole
20 day, but there were other times when we didn't do anything on
21 it at all.

22 Q. Were you being encouraged by Mr. Toto or Mrs.
23 Charnoff or anyone else to get this completed?

24 A. No. I don't recall any particular sense of urgency
25 other than our own desire to get it out of the way and get to

1 a sense of adequacy.

2 Q. Did you ever understand that, the need for doing
3 what you were doing with regard to referencing these concerns?

4 A. I had my understanding of the objective, but, but I
5 don't recall any sense of time being of the essence around
6 this particular product. My understanding was that this was a
7 reference desired, but the end use wasn't clear to me.

8 Q. As an engineer, I guess a nuts and bolts guy, would
9 you derive much satisfaction from being in an effort like
10 that? It is certainly a personal opinion.

11 A. Well, I want to say yes, because the way we motivate
12 ourselves is to do the best we can with whatever is being
13 expected.

14 BY MR. MURPHY:

15 Q. Let me ask you, this Congressional document that you
16 know, that your team worked on, the group worked on, is very,
17 I would think very critical of the Watts Bar project as far as
18 Appendix B is concerned.

19 Did you evaluate any portion of this thing to
20 determine whether these, these, this list of kind of
21 allegations I guess you might call them were either valid or
22 not valid?

23 A. No. That was not, that was not any part of the task
24 that we were given. The legal people in TVA, and Debbie
25 Charnoff, and people she may have had working with her had

1 taken that report and identified issues or contentions in that
2 report, and our role was to provide references as to the
3 status of those items or those issues as documented by TVA's
4 work in progress.

5 Q. I'm not sure I understand that. What you have taken
6 is references from the Congressional document?

7 A. No.

8 Q. No?

9 A. No. The legal team identified issues or concerns in
10 that Congressional letter.

11 Q. Okay.

12 A. Each one of them was cited. The Task Group's role
13 was to, to identify and provide some verification of the
14 references provided from TVA's documentation which would
15 address those contentions in the Congressional staff report.

16 Q. Then you in fact were not making, were not making
17 any conclusions as to whether these contentions were valid or
18 not valid?

19 A. No, we were not.

20 Q. You only were extracting data from, from TVA's own
21 records, right?

22 A. That's right.

23 Q. Pertaining to these particular contentions, is that
24 a correct--

25 A. That's I would say is a correct characterization.

1 Q. Then in fact the end of all this was not to arrive
2 at any conclusion at all as to whether they were valid or not
3 valid contentions?

4 A. That was not part of the role of the Watts Bar Task
5 Force.

6 BY MR. WILLIAMSON:

7 Q. Just one question--so your responsibility was not to
8 prove or disprove the concerns that were addressed in here in
9 the document that were ferreted out or whatever by Mrs.
10 Charnoff?

11 A. I would say it was not to do, it was not to make any
12 evaluation or interpretation. It was to, I want to use, to
13 say--I have to use the word judgment. It was to use our
14 industry background and experience to identify the proper
15 reference in various TVA documents so that legal counsel could
16 know the status of each one of these issues in TVA's
17 documentation.

18 MS. CHARNOFF: Can I ask a question to clarify
19 something?

20 BY MS. CHARNOFF:

21 Q. When you say reference, Mr. Gordon, are you talking
22 about a document which--what, what did that, what did the
23 reference provide? What was the value of the reference?

24 A. The reference would tell legal counsel the status or
25 the condition of the work being performed by TVA in addressing

1 each one of these concerns.

2 Q. So is it correct that from that reference counsel
3 would be able to determine where in the TVA system that
4 particular allegation was being addressed?

5 A. That's right. I think that's a correct way to
6 describe that.

7 BY MR. WILLIAMSON:

8 Q. Were you able to reference all of these concerns to
9 your satisfaction?

10 A. No.

11 Q. Why not?

12 A. Because I felt that--and I would say again this is
13 my opinion, My opinion was that some of the statements made
14 in the Congressional staff report were so vague or so tenuous
15 that they had no direct address. Some of the others may not
16 have been yet addressed, so as a matter of time ^(PAUSE) there were a
17 number of reasons why I felt this work product was incomplete,
18 or should be, should be seen as incomplete.

19 Q. Was there anything in that document that caused you
20 any concern? Do you have a tremendous amount of experience,
21 and--

22 A. I guess I don't understand when you say concern.

23 Q. Well, from a safety standpoint or a quality
24 standpoint, was there anything in this that you in your
25 reference to make the appropriate or applicable reference to,

1 was there anything in there that you felt that was not being
2 adequately addressed by TVA?

3 A. No. No.

4 Q. So as an engineer, there was nothing there that
5 disturbed you?

6 A. Nothing disturbing, no.

7 BY MR. MURPHY:

8 Q. As a group, who did you report whatever information
9 developed to? I mean you said you identified TVA
10 documentation that related to these particular contentions.
11 Who did you give that information to?

12 A. The information was put together in a form which I
13 have referred to as our work product for the lawyers, and our
14 contact directly was to a fellow named Rick Levi who was TVA's
15 counsel in this matter.

16 Q. Did you ever report any of this information to
17 anybody other than Rick Levi? Did you have briefings or such
18 with folks other than the legal people?

19 A. The nature of this task was, as I recall, there were
20 several hundreds, 250 some cited statements that needed some
21 reference or some address.

22 I should probably describe the work process. The
23 work process required coordinating with many other individuals
24 who were working on specific portions of the plant's design
25 work or construction work or start-up work or any of the

1 various activities ongoing on the site, so the result was that
2 I would say this work was very broadly distributed and very
3 broadly known to any number of individuals on the site and
4 perhaps even off the site.

5 I doubt that anyone really recognized the, from
6 looking at any one issue, I don't think anyone would have had
7 any sense of this total product, however.

8 MS. CHARNOFF: Let me ask a question here.

9 BY MS. CHARNOFF:

10 Q. If I understand what you are saying, Mr. Gordon, for
11 any particular item, in order to establish what the references
12 were or if references you had were correct or not, you would
13 have to touch base with various people working in various
14 disciplines?

15 A. Hundreds of people, yes.

16 Q. In order to, to determine whether that was correct
17 or not, information or not?

18 A. Because we were in the process that I would say was
19 a searching process to try to build that, that list of
20 references and then review the references to see that they
21 were appropriate.

22 Q. If I can go to Mr. Murphy's question, I think what
23 he is asking is whether as a group, those of you working on
24 this project ever sat and briefed any members of TVA
25 management on any judgments or anything of that sort?

1 A. No.

2 BY MR. MURPHY:

3 Q. Or individuals individually, not as a group, as an
4 individual, that you know of?

5 A. No.

6 BY MR. WILLIAMSON:

7 Q. Did you brief Toto or did you brief Ms. Charnoff?

8 A. No. Draft copies in various, at each stage of
9 evolution, draft copies were sent to those people for their
10 comment if they so desired for their information, as to the
11 status of this product.

12 BY MR. MURPHY:

13 Q. Sent to whom?

14 A. I would say to all, all of the line managers on the
15 Watts Bar site whose organizations were producing reference
16 information as well as plant management staff. That would be
17 George Toto and some of his people.

18 Q. All these folks were well aware of what you guys
19 were doing?

20 A. I would say so. When you say well aware, I can't, I
21 can't make any comment on how aware because a great volume of
22 documentation flows about.

23 Q. Let me take the word "well." They were aware you
24 would assume of what you were doing?

25 A. Well, I hesitate to, I think that calls for an

1 assessment that I don't feel I should try to make any
2 assessment.

3 Q. Let me--you furnished these people with--

4 A. Copies were broadly distributed to people for their
5 review.

6 Q. And did you ever get any comment from anybody saying
7 what in the world is this? I mean what did you give me this
8 for?

9 A. No. We got comments, but I think everyone
10 understood that this is not an unusual, this was not, not an
11 unusual type of task to make a list of or an index to, to
12 files and various documents. It is quite a usual task to be
13 involved with.

14 Q. So let me understand this. At certain stages, you
15 obviously, you know you had 250 you said assessments or
16 allegations or assertions, whatever you want to call them, to
17 look into, right?

18 You had, must have had, do I understand you had
19 various stages like a schedule to say at this, we are at this
20 point in time and this is what we are--this kind of document
21 you are talking about, what are you talking about, these
22 documents that you would give the various line organization
23 managers and--

24 A. I think you should know that I came to TVA rather
25 late in the overall process of the development.

1 Q. Okay.

2 A. Okay. Some large number of references had been
3 brought forward. Some of them were clearly appropriate. Some
4 of them were only very peripherally appropriate, and a great
5 many didn't in any way have any relevance to the statements
6 made in the Congressional staff report, so I would
7 characterize the work that this group did was to screen those
8 for validity or aptness. I think is a good word here, and if
9 none were found apt, to start a search in an appropriate area
10 to see whether an appropriate resource could be identified.
11 Sometimes we found nothing.

12 Q. Do you know of any reason why this project was not
13 completed?

14 A. I think the nature of, this type of product to me
15 could be pursued ad infinitum without end because that's an
16 open-ended task as to how many references can you find, and you
17 can keep perfecting them. You can beat the hell out of it, in
18 other words.

19 Q. Were you restricting your references to a point in
20 time of March 20th when this letter was, was sent, or were you
21 looking at references that, subsequent to that? After that I
22 mean--

23 A. The references that we wanted, that we wanted to use
24 were around the present state of knowledge of these issues at
25 Watts Bar. It would be, it would be--I think the direct

1 answer is none of the references, none of the references that
2 we would use should have been old references. They should
3 have been the most current, and I have used that word
4 timeliness. Timeliness was one of the dimensions of the
5 validity because I have used the words timeliness and status.
6 Status should be understood to be present status, and that's
7 why I have used the phrase "was incomplete for timeliness", and
8 also the mere passage of time would make whatever had been
9 used obsolete, and if one didn't maintain an ongoing testing
10 and searching process, the document would quickly become
11 stale. That, that would be my observation.

12 BY MS. CHARNOFF:

13 Q. When you say present, you mean as of the time you
14 were working on the effort?

15 A. Yes. That's also why I say one could pursue this
16 almost without end, as long as work is going on at Watts Bar.

17 BY MR. MURPHY:

18 Q. Could this also be pursued in the direction of time
19 immemorial going back in time to, to determine the references?

20 A. That would have opened a whole new dimension to the
21 task which we did not have that task.

22 Q. Okay. In other words, you were assessing this
23 from--

24 A. Present status, so as soon as anything evolved or
25 changed, some of the old references became inappropriate or

1 not suitable. They were, they had to be taken out if there
2 were more current information.

3 BY MR. WILLIAMSON:

4 Q. The document addressed things at least up until I
5 guess the issuance of it, which was December 17th, 1986.

6 MS. CHARNOFF: '87--'86?

7 MR. WILLIAMSON: '86.

8 THE WITNESS: When I say the document, I have been
9 referring to our work product. I was not referring to the
10 Congressional staff letter.

11 BY MR. WILLIAMSON:

12 Q. But that work product is a result of concerns that
13 you drew from this document, is that correct?

14 A. Yes.

15 MS. CHARNOFF: Let me get something straight on the
16 record just to be sure. As I understand Mr. Gordon's
17 testimony, his work involved taking allegations in the, what
18 we call the Congressional staff report, which is a December
19 '86 document, and determining what the current, that is 1987,
20 status was of TVA's work related to those particular
21 allegations, and where in the TVA system those matters were
22 being addressed.

23 MR. WILLIAMSON: At that time; from, you say from
24 April '87 forward.

25 MS. CHARNOFF: As of when they looked at it.

1 MR. WILLIAMSON: You came in August. The witness
2 started in April, May, sometime '87?

3 MS. CHARNOFF: RIGHT.

4 BY MR. WILLIAMSON:

5 Q. There was no effort to go back?

6 A. The effort I would say again was very much one of
7 dimensions of the adequacy or the completeness of the
8 references.

9 Q. Let me just--

10 ^{MS}
~~MR.~~ CHARNOFF: Current time? You say time was one
11 of the, one of the elements. You mean current time?

12 THE WITNESS: Present time looking forward always.

13 BY MR. WILLIAMSON:

14 Q. You said this effort could go on ad infinitum and it
15 was constantly changing, and there wasn't any conclusions
16 reached and there wasn't ever product and it wasn't done.

17 Was this a worthwhile effort both while you were
18 involved and at the time you left? It calls for a personal
19 opinion. I understand that.

20 A. I could see a value if someone were asked to, if
21 someone were asked to respond to the December 17th letter, and
22 say where are you with respect to these allegations, then this
23 work product would have been very useful. That's the value
24 that I saw for them.

25 One could not have responded well to the December .

1 17th letter without some aid such as I've described. That
2 should be understood in the context that a substantial amount
3 of engineering work, reviews, calculations, surveys, were
4 ongoing as part of the construction, completion and start-up
5 activities for those two units.

6 BY MR. MURPHY:

7 Q. But from your review, it did not address the
8 condition of the plant on March 20th, 1986? In other
9 words--let me try to explain this a little better.

10 From what, the work you have done, you could not,
11 you could not draw any conclusions as to the condition of the
12 plant on March 20th, 1986?

13 A. No. We, we looked--I can only speak for myself. My
14 research into the issues identified and their references were
15 to go into those cited references in enough depth to satisfy
16 myself that that was the correct reference, not to, not to
17 make any assessment of the condition described in that
18 reference. It was rather to, rather to say I have come to the
19 correct address. This is the correct subject. You may find,
20 you may find additional information in this file or in this
21 document or this folder, in report, but it was not in any way
22 to try to make an assessment. That would be a, that would be
23 another task in itself.

24 MR. CHARNOFF: I think there were two parts to Mr.
25 Murphy's question. One had to do with, with the nature of

1 your work and whether it was an assessment, and the other had
2 to do with the time element he was talking about, and he was
3 asking whether the references you were looking at would have
4 given you, if they would have given you information about the
5 status of the plant as of 1986, March 20, 1986. You addressed
6 the point that you weren't looking at the substance of it,
7 but--

8 THE WITNESS: The references in many cases would
9 have provided that information about the condition of the
10 plant, but the nature, again, as I have described, the nature
11 of the site condition was such that it was continually
12 changing as a result of these work in progress.

13 BY MS. CHARNOFF:

14 Q. Were you looking for the most current references?

15 A. We were always looking for the most current
16 references. That was one of the problems. As any particular
17 calculation or report was revised or updated, this cited
18 reference would become inappropriate if it were not the most
19 current reference.

20 BY MR. MURPHY:

21 Q. Could I ask a question? It is going to call for an
22 opinion, but if this condition, it is a continuous ongoing
23 process, the work product that was provided at the end, which
24 Ms. Charnoff has, would in fact probably not be current today?
25 Is that a fair assumption?

1 A. I have characterized it as, in my mind as being
2 incomplete principally for that reason.

3 Q. Okay. Let me ask some specific, very specific
4 questions. We asked you either if you briefed any line
5 management or any other folks in TVA specifically. Let me
6 ask, I am going to go--did you ever have any opportunity to
7 discuss this work product with Mr. White?

8 A. No.

9 Q. The Board of Directors?

10 A. No.

11 Q. Mr. Willis?

12 A. No.

13 BY MR. WILLIAMSON:

14 Q. Do you know if anyone else discussed this work
15 product with Mr. White?

16 A. I don't have any knowledge that anyone did. I have
17 no reason to.

18 Q. Or the Board?

19 A. No reason to, no reason to believe that this would
20 have in any way been appropriate or of interest to anyone
21 other than the lawyers.

22 Q. Let me drop back just for a second. With regard to
23 your review of the March 20th, TVA's March 20th response to
24 NRC, March 20th, 1986, did you ever have any discussions with
25 Mr. White about that letter?

1 A. No.

2 Q. Did you ever tell anyone that the statements made by
3 Mr. White in that letter that, that the requirements of
4 Appendix B were being met, that Watts Bar could not be
5 supported or defended--

6 MS. CHARNOFF: I want to make one clarification. I
7 would not agree with your characterize of what the March 20
8 letter said, but I have no objection to the question of
9 whether he ever stated an opinion different from what the
10 March 20 letter said. Maybe you should quote the letter.
11 That might simplify.

12 BY MR. WILLIAMSON:

13 Q. Let me ask again, did you have, did you ever have an
14 occasion or did you ever tell anyone that the statements made
15 by Mr. White in his March 20th letter to the NRC, did you ever
16 find that any of these statements or the conclusions or the
17 enclosures could not be supported or defended by the
18 documentation that TVA had used to prepare that letter?

19 A. I didn't have any knowledge. I had no knowledge of
20 the material TVA used, so I don't think I had any basis to, to
21 say anything like that.

22 BY MS. CHARNOFF:

23 Q. Do you ever recall saying anything like that?

24 A. No.

25 BY MR. WILLIAMSON:

1 Q. You don't know of anyone that might have told Mr.
2 White that the conclusions reached in this letter could not be
3 supported, a position taken by TVA could not be supported or
4 defended as a result of, as a result of the information that
5 you had been reading from August through November of '87?

6 A. I would like ^{you} to restate that. I think that was a
7 rather, to me that was a rather convoluted question. I don't
8 understand it.

9 Q. Did you ever have an occasion, did you or do you
10 know of anyone that might have told Mr. White that his
11 position with regard to ~~being~~ ^{meeting} Appendix B could not be
12 supported or defended just by the reference material that you
13 had been seeing?

14 A. No.

15 BY MR. MURPHY:

16 Q. In all the work you have done at Watts Bar--you were
17 there for at least five or six months--did you ever have the
18 opportunity to form your own opinion as to the condition of
19 the quality assurance program at Watts Bar?

20 A. I didn't feel that was any part of the task or the
21 work that I was involved with, so I would say no.

22 MR. WILLIAMSON: Do you have anything else, Mr.
23 Murphy?

24 MR. MURPHY: Let me look over my notes.

25 MR. WILLIAMSON: Let's take a short break, a couple

1 of minutes, and let me look over some things here.

2 (A brief recess was taken.)

3 MR. WILLIAMSON: We are back on the record. Mr.
4 Murphy, do you have any more questions of Mr. Gordon?

5 MR. MURPHY: No, I don't.

6 MR. WILLIAMSON: Mrs. Charnoff, do you have any more
7 questions?

8 MS. CHARNOFF: No.

9 BY MR. WILLIAMSON:

10 Q. Mr. Gordon, is there anything else that you would
11 like to add to this discussion, any additional information you
12 would like to provide?

13 A. No.

14 Q. Okay. In closing, I have a statement I would like
15 to make, and the question I would like to ask you, Mr. Gordon,
16 have we or any other representative here, representative of
17 the NRC here, threatened you in any manner or offered you any
18 rewards in return for this testimony?

19 A. No.

20 Q. Have you given this testimony freely and
21 voluntarily?

22 A. Yes.

23 MR. WILLIAMSON: If there are no additional
24 information or comments to be made by anyone present, this
25 interview is concluded at 11:33 on July 29th, 1988.

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Thank you for your presence, and for your
cooperation.

(Whereupon, at 11:33 a.m. the interview was
concluded.)

W. J. [unclear]
9-19-55

CERTIFICATE

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This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of:

Name: Investigative Interview--William G. Gordon

Docket Number:

Place: Washington, D.C.

Date: July 29, 1988

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken stenographically by me and, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing proceedings.

151 Catherine S. Boyd

(Signature typed): Catherine S. Boyd

Official Reporter

Heritage Reporting Corporation