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2
3 UNITED STATES OF AMERICA
4 NUCLEAR REGULATORY COMMISSION
5 OFFICE OF INVESTIGATIONS

6 Investigative Interview of
7 MILTON B. SHYMLOCK

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9
10 NUCLEAR REGULATORY COMMISSION
11 101 MARIETTA STREET
12 SUITE 2900
13 ATLANTA, GEORGIA 30323

14 Investigative Interview of Milton B. Shymlock

15 9:07 a.m., Wednesday, August 12, 1987

16
17 PRESENT:

18 Daniel D. Murphy, Investigator
19 Larry Robinson, Investigator
20 Mark Reinhart, Investigator

21 Office of Investigations
22 Nuclear Regulatory Commission

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24 PDR ADDCK 05000370
25 Q PDR

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EXHIBIT 84

P R O C E E D I N G S

MR. MURPHY: For the record, it's now 9:07, August 12, 1987. This is an interview of Milton B. Shymlock, who is employed by the U.S. Nuclear Regulatory Commission.

The location of this interview is the Office of Investigations, Region 2, Atlanta, Georgia. Present at this interview are Mark Reinhart, Larry Robinson, Dan Murphy.

As agreed, this is being transcribed by a court reporter. The subject matter of this interview concerns TVA's March 20, 1986 response to the NRC regarding their compliance with 10CFR50, Appendix "B."

Mr. Shymlock, would you please stand and raise your right hand?

Do you swear or affirm that the testimony you're about to give will be the truth, the whole truth and nothing but the truth, so help you God?

MR. SHYMLOCK: I do.

MR. MURPHY: Mr. Shymlock, would you give us a brief biographical sketch to include, you know, your educational background and employment with the Nuclear Regulatory Commission

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1 prior to your coming aboard?

2 MR. SHYMLOCK: Okay. I graduated from
3 high school in 1962, went in the Navy; I was in
4 the submarines. I got out of the Navy in 1968
5 and worked for a year with the Tennessee Valley
6 Authority at a fossil plant in Oakridge,
7 Tennessee. I terminated and went to school at
8 the University of Tennessee.

9 I got out of school in 1973 and went to
10 work for ML Industries in New Jersey and then
11 went to work for Savannah River, the Atomic
12 Energy Commission in 1964. I then went to
13 Hanford, Washington with the Atomic Energy
14 Commission -- with ERDA at that time and then
15 came to work with NRC early 1980.

16 I've been a senior resident inspector
17 at North Anna and a senior resident inspector at
18 Watts Bar and currently am an operations program
19 section chief in Atlanta.

20 MR. MURPHY: Would you tell us what
21 period of time you were the senior resident at
22 Watts Bar?

23 MR. SHYMLOCK: I was transferred from
24 North Anna to Watts Bar December the 13th, 1983
25 and left Watts Bar in November, 1987 --

1 MR. ROBINSON: '67

2 MR. SHYMLOCK: -- '6.

3 MR. MURPHY: Is it fair to say that
4 you're familiar with the construction processes
5 that were going on at Watts Bar during that
6 period?

7 MR. SHYMLOCK: My purpose to go to
8 Watts Bar was -- I am not a construction
9 resident; however, I ended up being more
10 construction than operations. I was sent to
11 Watts Bar to go through the pre-op program and
12 start-up. And when I went down there there were
13 construction residents there and basically I was
14 responsible for that inspection activity from the
15 time I got there.

16 MR. MURPHY: Okay.

17 MR. SHYMLOCK: And the answer to your
18 question is yes.

19 MR. ROBINSON: Who were the other
20 construction residents there at the time?

21 MR. SHYMLOCK: I relieved a gentleman
22 named Ted Heatherly, who was the senior resident
23 inspector. Also the senior construction resident
24 inspector there was Wally Swann.

25 MR. MURPHY: Mark?

1 MR. REINHART: Okay.

2 MR. MURPHY: Well, we can just -- let
3 me -- we can do it one of two ways. We can
4 either ask you specific questions or ask you
5 first maybe to give us your general impressions
6 of how well TVA was meeting the Appendix "B"
7 requirements during the period you were there.

8 MR. SHYMLUCK: Okay. I got there in
9 December and my objective was to go through the
10 pre-op and start-up phase at Watts Bar. When I
11 got there there was another resident inspector
12 there that had just reported on board maybe two
13 or three months earlier and his name was Bill
14 Holland.

15 And Bill and myself were tasked with
16 trying to figure out exactly where we were at
17 Watts Bar from a standpoint of start-up activity.
18 In other words, had they finished the
19 construction and were they ready to start the
20 pre-op stage.

21 We started evaluating and reviewing the
22 program, inspection program, NRC inspection
23 program and recognized there were some areas in
24 the construction area that hadn't been completed
25 from the standpoint of inspection.

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1 At that point in time I informed the
2 Region that -- who my section chief at that time
3 was Connell Julian. He and I discussed the
4 activities and were aware that, hey, I was not a
5 construction resident, I was an operations
6 resident. And Wally Swann and the engineering
7 group in Atlanta were tasked with the inspection
8 program.

9 At that point in time there were a few
10 problems from the standpoint of actually doing
11 the inspection and at that point in time Wally
12 was put -- was directed to report to me from the
13 standpoint of the inspection program.

14 Like I said, I got there in December of
15 '83. We reviewed and reevaluated the inspection
16 program during that time frame and basically kind
17 of readdressed our inspection activities in that
18 area.

19 Wally was killed in early summer of the
20 following year coming to work on Saturday morning
21 -- Sunday morning, and from that time on there
22 was no a construction resident assigned to Watts
23 Bar. The inspection area and the construction
24 area was performed by myself and Bill Holland and
25 another resident that was assigned there, Chris

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1 Caldwell.

2 We basically put the responsibility in
3 the technical areas back to Atlanta in the
4 engineering group. As everybody knows, at any
5 given time you can go to almost any plant in the
6 United States and find where there are examples
7 that they're not meeting the specific
8 requirements of Appendix "B."

9 It should be noted that we, NRC,
10 approve their QA program, and they had a program.
11 And I think in retrospect now, there were
12 numerous examples where they had not met the
13 particular implementation of Appendix "B."

14 I'm trying to remember the time frame.
15 Maybe it was that year in '84 or maybe '85 that
16 we had some problems. We had an allegation in
17 reference to the welding program. I had asked
18 Atlanta for support and they sent John York, who
19 is a metallurgist, who is the senior construction
20 resident at Bellefonte. He came over and we
21 looked into the welding area and found some
22 significant problems in that area.

23 At the point in time that -- let's see,
24 I guess it was nineteen -- let me get it straight
25 -- '84, '85 time frame, latter part of '84 is

1 when NRC was requested to grant a license to load
2 fuel for Watts Bar. There was a lot of
3 correspondence back and forth between
4 headquarters and the Region in reference to their
5 readiness for that license.

6 We had numerous open items from the
7 standpoint of things that had to be accomplished.
8 But from the construction aspect of it, there
9 were a lot of open areas, but I wasn't really
10 aware of, you know, those that were really
11 significant from the construction standpoint. We
12 knew he had a laundry list. Basically the
13 Atlanta technical group was the one that was
14 responsible for those particular areas.

15 So there were numerous times through
16 that period of time that I was there that there
17 were examples where TVA had failed to meet
18 particular requirements of Appendix "B."

19 MR. MURPHY: When York came down was
20 there a special report prepared?

21 MR. SHYMLUCK: John York and I wrote an
22 inspection report and I'm thinking it's 1984 -- I
23 can't remember the time. Let me think a minute.
24 It must have been the '85 time frame, late '84,
25 early '85, John York and myself wrote an

1 inspection report on the welding areas. At that
2 point in time we had left it -- we did not cite
3 but, I think, maybe one or two violations. We
4 had indicated to them that the areas were being
5 evaluated for escalated enforcement from the
6 standpoint of falsification of records and
7 inadequate training and qualification of the
8 welders.

9 Now, the delay, at that point in time
10 we had kind of an agreement that if there was an
11 ongoing investigation by OI from the standpoint
12 of falsification of records, we did not get
13 involved in the escalated enforcement until after
14 that report was written. And I'm thinking it
15 took -- I can't remember, maybe it was six to
16 eight months before we got that report out from
17 OI.

18 And then after that report was written
19 and it came out, I think -- let me back up just a
20 second. I'm trying to think of the time frame.
21 Sometime about '85 it was recognized that we
22 needed a construction resident at Watts Bar and
23 that particular position was advertised and Glen
24 Walton, who was currently the senior resident
25 inspector, construction at Beaver Valley, was

1 selected for that position and he reported on
2 board, I think, in April '85 -- let's see. I
3 can't remember the time frame. This is '87.
4 '86, must have been '85, late '85 sometime, I
5 guess, when Glen reported to Watts Bar.

6 At that point in time we basically
7 asked Glen to kind of reassess the overall
8 construction program and pick up those areas that
9 he felt, you know, we needed to do additional
10 inspections in. We had met with the Atlanta
11 management and everything to let them know, hey,
12 this was our plans, and they were well aware of
13 what we were trying to accomplish.

14 So that's about -- I'm trying to
15 remember exactly when -- I can't remember. I
16 think that's late '85. maybe early '86.

17 MR. MURPHY: I guess back to my
18 question, was a report ever issued finally?

19 MR. SHYMLOCK: There was a report that
20 was issued that had maybe two violations in it
21 with a statement that the other areas of
22 falsification of records and everything was being
23 evaluated for escalated enforcement.

24 After the report from OI came out Glen
25 Walton and myself wrote a notice of violation and

1 he said something about it was a Severity Level
2 4, and why it was that, I don't know.

3 MR. MURPHY: Let me ask you a question.
4 If yourself and Mr. Walton wrote this report,
5 would you not have signed someone on the
6 inspection report?

7 MR. SHYMLOCK: Normally what we do on
8 an inspection report or a notice of violation,
9 we'll draft it up and send it to Atlanta and then
10 it will go into the 5520, which is a computer
11 system, and the administrative staff will type it
12 all up and everything. And after it's finalized,
13 if it's finalized, we may or may not sign the
14 report. In fact, if you look at inspection
15 reports for residents, if they're in the office
16 or something they may sign them. Normally it's
17 the project engineer that will sign for them and
18 then the section chief will sign the report
19 itself.

20 MR. MURPHY: What insurances do you
21 have that your findings are incorporated into
22 that report and how do you know that the report
23 and you and Mr. Walton wrote is, in fact, the
24 type of report that was issued?

25 MR. SHYMLOCK: I can't say that -- I

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1 never saw that report before it was sent out.

2 MR. MURPHY: You never saw that?

3 MR. SHYMLOCK: I never saw that report.
4 I'm assuming that Glen Walton -- now, one other
5 thing I need to add is that John York, because
6 John and I were the ones that did the first part
7 of the inspection report, we had John come up to
8 Watts Bar and work with us. So there were three
9 of us that worked on that notice of violation,
10 and that was John York, myself and Glen Walton.

11 MR. REINHART: Was the information in
12 that report from this '85 time period all the way
13 through the end of '86? Was it a compilation?

14 MR. SHYMLOCK: The purchase of this
15 violation and the folder together was based on
16 our initial inspection report in the welding area
17 that we had made a statement in the beginning
18 that this violation was being considered as S-4
19 escalated enforcement and the time delay was due
20 to waiting for the OI report to come out on the
21 falsification.

22 MR. REINHART: That was late '85 when
23 you and John York started your part?

24 MR. SHYMLOCK: I think it was summer.
25 I'm trying to get the time frame. I think it's

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1 summer of '85 that John and I had the problems at
2 Watts Barr in the welding area. We wrote that
3 report probably late summer of '85. Then it was
4 like '86 time frame when the OI report finally
5 came out in final. Glen and John York and myself
6 wrote the violation up for that welding previous
7 report in '85 and then probably spring, summer
8 time frame of '86.

9 MR. REINHART: Did you have an earlier
10 exit with TVA that let them know this was coming?

11 MR. SHYMLOCK: No. Normally what we do
12 on escalated enforcement, we will put together
13 the inspection report and the notice of violation
14 and we'll have a panel and at that point in time
15 the panel will determine the severity level. In
16 other words, that's normally how we do it. We
17 will go together with the facts, with the
18 enforcement panel, present our findings and try
19 to convince them, hey, this is what we think and
20 then they'll ask questions and everything and the
21 decision will be made at that point in time
22 whether to go ahead with escalated enforcement
23 and possible severity level. And also, they'll
24 determine the fine and everything at that point
25 in time.

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1 MR. REINHART: Was TVA aware of this at
2 all?

3 MR. SHYMLOCK: TVA was aware of that
4 since 1985 because we told them at the exit that
5 we were evaluating that for possible escalated
6 enforcement. They knew all along that the whole
7 area in welding -- now, the other thing that we
8 really had a lot of problems with in that area is
9 that we had written that violation. We had asked
10 them to respond to some areas in that. We had a
11 welding inspector that came from the Region that
12 went up -- we were out of the office, we were out
13 on some kind of inspection at that time. I think
14 it was a resident meeting. And we had sent
15 another welding engineer out of Atlanta to Watts
16 Bar to evaluate that program.

17 We had issued a confirmation of action
18 letter when we wrote that inspection report. We
19 had them stop all welding activities after we had
20 written that report. I'm sorry. Before we wrote
21 that report, based on our findings, we issued a
22 confirmation of action letter and then after that
23 confirmation of action letter was written, TVA at
24 the same time when we talked to them, issued a
25 stop work order.

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1 MR. REINHART: Do you know the date,
2 approximately?

3 MR. SHYMLOCK: I'm thinking July of
4 1985.

5 MR. REINHART: Okay. So really that's
6 what stimulated them to write their stop work
7 order?

8 MR. SHYMLOCK: Yes. Based on our
9 findings in that particular area we came to
10 Atlanta and said, hey, we've got some real
11 problems in that area. Management agreed with us
12 and we called them in July -- I can't remember,
13 maybe it was July the 11th. We called TVA and
14 told them that we were issuing a confirmation of
15 action letter and in lieu of that we had like
16 three or four things that they had to accomplish
17 prior to restarting the welding activities at
18 Watts Bar.

19 Based on that conversation, and I think
20 Dave Verelly had talked with Chuck Mason -- I'm
21 sorry, it wasn't Chuck Mason, it was Gunter
22 Wadowitz, who was the construction superinten-
23 dent. And based on that conversation between
24 Dave and Gunter, TVA issued a stop work, and that
25 was in the July of 1985 time frame, if I'm not

1 mistaken.

2 MR. REINHART: Okay. And what were the
3 -- you mentioned welding certification?

4 MR. SHYMLOCK: It was falsification of
5 welding records, welding certification based on
6 ASME, ASME welding codes and AWS, American
7 Welding Society.

8 MR. REINHART: Okay. So falsification
9 of welding records and certification of welders?

10 MR. SHYMLOCK: Yes.

11 Now, based on that confirmation of
12 action letter I think there were three items that
13 they had to accomplish prior to restart of
14 welding activity at Watts Bar. They had to go
15 back and recertify all their welders, and I can't
16 remember all the particulars about it.

17 Prior to us basically saying they could
18 go back and start welding activities there was a
19 gentleman, Kleinsorge, who is a welding engineer
20 upstairs, went up and looked at that program.
21 Based on his review we allowed them to go ahead
22 and start work back.

23 Now, as we progressed from that time
24 forward there was a lot of correspondence between
25 us, NRC and TVA to try to get some questions

1 answered. There were numerous letters back and
2 forth trying to get some questions answers. I
3 know that we had headquarters involved in that.
4 We never could get the answers we needed. And
5 basically we were holding off on the significance
6 of this violation for the escalated enforcement
7 area to try to get some answers.

8 But Glen and I felt, hey, and so did
9 John, that it didn't make -- it made no
10 difference on some of those answers and TVA drug
11 their feet for more than a year trying to get the
12 questions answered. And I think when I left in
13 December they still hadn't answered the
14 questions.

15 We had sent several letters signed by
16 Gary Zech and I think one even came out of
17 headquarters, dadgummit, you've got to -- we need
18 the answers, you know, what's the story. And we
19 had a very difficult time trying to get the story
20 out of them.

21 MR. REINHART: Now, how did that tie
22 into Criterion 2?

23 MR. SHYMLUCK: We basically looked at
24 the program and said that -- if you look at
25 Criterion 2 -- Criterion 1 says that you have to

1 have a program, QA program. Criterion 2 says you
2 have to implement the program, okay?

3 Basically the way we had written that
4 violation up is that we felt like that all the
5 problems that were identified in the area of
6 welding and recertification, their implementation
7 of the QA program, by either QC inspectors or
8 quality assurance audits should have evaluated
9 that area and identified it themselves. And that
10 was the reason for it being a Criterion 2.

11 MR. REINHART: And the QC inspection
12 and the QA audits did not identify it?

13 MR. SHYMLOCK: Absolutely not. In
14 fact, we had -- if you'll look back at it, if you
15 look at the Q -- basically the welding inspection
16 group was falsifying records also. This was the
17 area of the welding, their own internal welding
18 people that were actually certifying the welders
19 in that weld group were basically falsifying the
20 records.

21 Now, the thing about it, TVA -- I've
22 heard people say well, they didn't falsify
23 records but yet if you look at the response from
24 the office of general counsel in TVA, they took
25 disciplinary action against a lot of those people

1 and basically relieved them or -- and everything.

2 So I mean we can't sit here and say
3 that they didn't falsify when TVA turned right
4 around and disciplined them and got rid of a lot
5 of them.

6 MR. ROBINSON: After the UI report was
7 published and you and York and Walton got
8 together to write up the NLV and the later
9 inspection report draft, did you three do any
10 more inspection and obtain any more data or was
11 your report written based on your earlier data
12 plus the UI report?

13 MR. SHYMLOCK: Our notice of violation
14 and a follow-up -- basically, what we were going
15 to do is put that notice of violation in our
16 monthly report. We had basically done all the
17 ground work. The only -- we had done some
18 additional inspection activity in the area of
19 follow-up in the recertification program. Glen
20 Walton had looked at their program independently
21 in Atlanta. He had looked at some coupons that
22 were being actually used and welded on by
23 welders, to independently assess, hey, is the
24 program adequate.

25 John York had looked at that area and

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1 the answer to the question is yes, there were
2 additional inspection activities that were
3 performed prior -- after we had issued that
4 report in '85 and prior to us writing that draft
5 notice of violation.

6 MR. ROBINSON: And were there
7 additional violations as a result of the
8 additional inspection efforts?

9 MR. SHYMLOCK: No. Basically the
10 additional areas, all they did was to further
11 support the initial findings.

12 MR. REINHART: For how long did this
13 situation continue? Was it quickly corrected or
14 go on?

15 MR. SHYMLOCK: Which problem?

16 MR. REINHART: The whole thing you
17 described, the welding certification, the --

18 MR. SHYMLOCK: Well, if I'm not
19 mistaken, there was a stop work order issued in
20 July of 1985. At that same time we issued a
21 confirmation of action letter that came out of
22 Atlanta. I'm thinking there were three items on
23 that that they had to perform and implement prior
24 to restart of the welding activities at Watts
25 Bar.

1 Bill Kleinsorge, one of the welding
2 inspectors out of the Region went up and
3 evaluated that program and wrote an inspection
4 report that basically said that it was adequate
5 for them to start welding activities. Welding
6 activities were begun.

7 John York, Glen Walton and myself
8 looked at pieces of that program, had additional
9 questions in that area. We had people from
10 headquarters, and at that time I think we had the
11 -- I think the B.D. Liau's group, the welding
12 area, had some people that came down. I think
13 George Eff came down.

14 About that same time is when Glen came
15 across the issue on the AWS welding to where they
16 weren't meeting some of the welding requirements
17 of the AWS code.

18 MR. REINHART: What time period are we
19 talking about?

20 MR. SHYMLUCK: It was -- it had to have
21 been after the July '85 time frame and I'm trying
22 to remember when Glen got there. John York and I
23 came up with the welding problems in the July --
24 let's see, June, July -- I think in July of 1985
25 time frame. That was just John and myself. Glen

1 Walton was not present at that time. I don't
2 remember when Glen got there. Maybe it was in
3 the fall of '85 or maybe early '86.

4 Then he started looking at the same
5 types of problems and came up with the area where
6 they were not meeting Section 11 code of the AW
7 -- ASME, plus some of the AWS code requirements.

8 At that point in time headquarters got
9 involved and that was B.D. Liau got involved in
10 it, George Eff got involved in it and also Lee
11 Specer.

12 MR. REINHART: Okay. So essentially
13 this July '85 welding issue is what -- it was the
14 same issue that finally NRC wrote the letter
15 declaring that was the breakdown. Is that all
16 the same issue?

17 MR. SHYMLUCK: No. The notice of
18 violation was based on the initial report that
19 John York and I wrote in July of 1985. And those
20 issues were dealing with the falsification of
21 records, weld certification records, and welders
22 certification to ASME code requirements. That
23 notice of violation dealt only with those issues.

24 MR. REINHART: Okay.

25 MR. SHYMLUCK: Okay. What we were

1 trying to do was close the loop on that
2 inspection report. In other words, when you
3 write an inspection report and you have a
4 violation and you say, hey, we're evaluating this
5 for possible escalated enforcement, we need to
6 close the loop. We need to go back and say we've
7 evaluated and it's not escalated enforcement or
8 it is escalated enforcement and here it is. And
9 that was the purpose.

10 And the reason for some of the time
11 delay was because we were waiting for the OI
12 report and then trying to deal with some of the
13 other welding issues. We tried to keep those
14 separate because they were separate.

15 And then once you got the welding,
16 you've got everybody involved in welding, you've
17 got headquarters involved, you've got B.D. Liau's
18 special task force on welding. We try to stay
19 totally out of that. You know, they were going
20 to determine the contract that they had with EG&G
21 that TVA had contracted with EG&G to go back and
22 independently assess were they or were they not
23 meeting the code requirements in the welding
24 area.

25 That was not the issue that we were

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1 dealing with. We were dealing with the issue of
2 falsification of records and welder certifica-
3 tion. A total separate issue.

4 MR. REINHART: Okay. All of those
5 together, could you characterize for us, if
6 possible, what that demonstrated about TVA's
7 implementation of their 10CFR50 Appendix "B"
8 requirements at that time?

9 MR. SHYMLOCK: I'm not familiar with --
10 I know when I left TVA up there in November of
11 '86, there were a lot of problems that had been
12 identified in the welding area, especially AWS
13 structural welds. But the thing about it is
14 they're not as stringent as ASME code require-
15 ments on welding. I know that there's been a lot
16 of radiographs that were identified as being
17 performed by one individual that appears that he
18 may not have been qualified or certified to do
19 those inspections. I think what that does is
20 just supports more by saying, hey, these are
21 additional examples.

22 I guess you have to come up with --
23 well, you know, I know we've been flopping around
24 with this pervasive breakdown. I don't know what
25 pervasive breakdown is. You know, if you do

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1 10,000 things and 100 are wrong, is that
2 pervasive? Or if you do 10,000 things and 1,000
3 of them are wrong, is that pervasive? I don't
4 know. I mean qualitatively, I can't identify
5 what's pervasive.

6 Basically, what we have done is we
7 looked at it and evaluated it independently of
8 all this other stuff just in the areas that we
9 were looking at. And we felt like based on the
10 number of problems that were found and where they
11 had to go back and totally recertify everybody,
12 you know, that led us to believe, hey, that was a
13 major breakdown in Appendix "B," Criterion 2.

14 You know, if a licensee says yes, they
15 agree there's a problem and they maybe have to
16 retrain or fix ten percent or maybe twenty
17 percent, then, you know, that may be acceptable.
18 But when you have to go back and retrain
19 everybody, then I -- you know.

20 MR. REINHART: Okay. I understand what
21 you're saying.

22 What about another area, corrective
23 action? Did you have occasion to look at the
24 corrective action system and form any opinions on
25 that?

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1 MR. SHYMLOCK: Well, I think if you
2 look at the records Region 2 have -- we've
3 basically said their corrective action program
4 has been weak since the inception of Watts Bar.
5 I think John McDonald and Ted Heatherly were
6 there before me even had similar problems with
7 their corrective action.

8 They've had problems all along. QA, I
9 know before I went -- before I was assigned to
10 Watts Bar in December of '83, I went on a team
11 inspection on quality assurance to look at the
12 overall program and that inspection report came
13 up and identified weaknesses in their corrective
14 action program.

15 MR. REINHART: You know, when we say
16 weaknesses, are we talking just a little few
17 things or major weaknesses or --

18 MR. SHYMLOCK: I think if you look over
19 the records, as we've identified weakness in
20 their corrective action all along, how big they
21 are, you know. Fixing problems, if you don't
22 ever screw up bad you don't really have a leg to
23 stand on from the standpoint of really bad
24 corrective action. You know, it's one of those
25 things you've got to mess up.

1 And if you look at TVA, they have fixed
2 the same thing four or five times and still
3 haven't really fixed it.

4 MR. REINHART: Okay.

5 MR. SHYMLOCK: So I think NRC
6 recognized all along that there were weaknesses
7 in their corrective action programs.

8 MR. REINHART: In the action to prevent
9 recurrence in route cause identification?

10 MR. SHYMLOCK: Well, I think there were
11 problems in route cause identification. I think
12 there were problems in the area of prompt
13 corrective action. You know, what's prompt to me
14 may be different than what Morph thinks prompt
15 is.

16 I think if you look back at the QA
17 audit reports and everything, even several years
18 back there were weaknesses in their corrective
19 action from the standpoint of promptness. And
20 the other thing is the escalation. In other
21 words, if you have a problem do you get it up
22 high enough to really get it fixed. And we know
23 long back that Jim Green, the manager of nuclear
24 power up there, was basically against QA and they
25 had a very poor escalating enforcement -- I mean

1 escalation process on corrective action.

2 In other words, if you'd go to the
3 plant manager and say I'm not going to do it, you
4 were kind of stuck. You couldn't get around him.
5 You couldn't get it to corporate. Once you got
6 it to corporate a lot of areas they addressed
7 inadequately. But I think the records show that
8 there was problems and concerns in their
9 escalation of corrective action.

10 MR. REINHART: How long was this Jim
11 Green there or is he still there?

12 MR. SHYMLOCK: No, he's not there. He
13 was not there when I was there in '83. I know he
14 -- '82 time frame? I don't remember when he
15 left.

16 MR. REINHART: Was management -- say in
17 the '85, '86 time frame that we're really trying
18 to focus in on, how did management respond during
19 that time frame?

20 MR. SHYMLOCK: If you could get it up
21 high enough to the right person you could get it
22 corrected. There was a certain amount of
23 reluctance to get it up, though. There was a
24 tendency to keep it in their own territory. And
25 each site was different. Browns Ferry did it

1 different than Sequoyah and Sequoyah did it
2 different than Watts Bar and Bellefonte did it
3 different.

4 And that's the thing that's amazing.
5 You look -- it's just like on the welding area.
6 John York got up there and was appalled at how
7 screwed up it was.

8 MR. REINHART: You're talking about at
9 Watts Bar?

10 MR. SHYMLOCK: At Watts Bar, because
11 the program in Bellefonte was entirely different,
12 and it couldn't possibly happen the way it did at
13 Watts Bar. Now, you've got the same utility,
14 same program being implemented differently. So,
15 you know, it depended on who was the plant
16 manager and site manager at that time.

17 MR. REINHART: Well, how about can you
18 characterize Watts Bar specifically?

19 MR. SHYMLOCK: In reference to what?

20 MR. REINHART: Corrective action and
21 how easy it was to --

22 MR. SHYMLOCK: I think they were
23 getting better.

24 MR. REINHART: They were getting
25 better?

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1 MR. SHYMLOCK: They weren't there.

2 MR. REINHART: Okay.

3 MR. SHYMLOCK: If you look -- I guess
4 there's two ways to look at it. If you look at
5 it from the standpoint of CDR's, construction
6 deficiency reports, TVA Watts Bar generated a lot
7 of them. If you look at other utilities, they
8 don't really turn out that many construction
9 deficiency reports.

10 So from that standpoint, they tended to
11 put a lot of things out in the public. You know,
12 hey, we've got these problems.

13 Now, to get them fixed, that was a
14 different story. You'd find Rev 6 and 7 to a
15 CDR, you know, over several years and still
16 hadn't gotten it fixed. The more they looked,
17 the more they found problems.

18 I think they were getting better, but
19 they weren't there.

20 MR. REINHART: Okay. Did you have an
21 occasion to review their audit program at all?

22 MR. SHYMLOCK: Which audit program?

23 MR. REINHART: At Watts Bar, QA audit
24 of activities at Watts Bar?

25 MR. SHYMLOCK: Uh, yeah, we reviewed

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1 those all the time. What we would do in that
2 area is, let's say we were going to do an
3 inspection, pre-op or something, some area. In
4 preparation for that inspection activity we would
5 review our own program and identify what we
6 wanted to look at. And then in the process of
7 doing the inspection we would review audit
8 reports that TVA had done in that particular area
9 to see what they were finding and to see the
10 things that they'd found, had they corrected
11 them.

12 Most of the areas that we looked at
13 were pretty good. You know, they were fixing
14 things. They were slow, but they were getting
15 fixed.

16 MR. REINHART: So the audit program was
17 working pretty well, except for that one area you
18 mentioned in --

19 MR. SHYMLOCK: Welding.

20 MR. REINHART: -- in the welding?

21 MR. SHYMLOCK: Yeah.

22 MR. ROBINSON: Didn't I hear you say
23 that some of their own QA audit reports showed
24 that their corrective action system was lacking?

25 MR. SHYMLOCK: Yeah. When I say

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1 corrective action, I'm looking at the program,
2 the big picture. We looked at specific areas.
3 Let's say we looked at pre-op and pre-op had
4 identified certain deficiencies on functionally
5 test or preoperational test of a specific system
6 and they'd identified deficiencies. Their
7 program for correcting those deficiencies is what
8 we would look at in that area and they were
9 pretty good.

10 Now, the big overall program, you know,
11 when you look at the QA, you look at the welding,
12 you look at the instrumentation, you know, you've
13 got to look at it all. But the big program, the
14 overall program, you know, I had difficulty.

15 MR. ROBINSON: I think I lost you.

16 You saw that from reviewing their QA
17 audit reports, looking at the overall --

18 MR. SHYMLOCK: Even our own reports.
19 Even our own NRC reports identify weaknesses in
20 the corrective action program, okay? But when
21 you get down to the field area, okay, the
22 corrective action program, where they have
23 problems is -- let's say you had ten CAQ's,
24 conditions adverse to quality, let's say you had
25 ten out of a section. They could probably

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1 resolve eight of them with no problem.

2 Two of them would go to their
3 management and their management would say no,
4 we're not going to do that. And this guy would
5 say yeah, maybe we should do it. Well, he'd go
6 to his manager or his supervisor. And then
7 they'd flap around a while.

8 So to try to get it up to the level of
9 individual that would make the decision to either
10 fix it or don't fix it, that's where they had the
11 problem. That's part of the escalation of it.
12 In other words, getting it up high enough to get
13 somebody to make a decision to get it either
14 fixed or we're not going to do anything about it.
15 And if you're not going to do anything about,
16 make sure everybody knows why we're not going to
17 do anything about it.

18 Now, I think if you look at the program
19 that's where we've had a lot of problems. But
20 that's not to say that they don't fix things.
21 Then again, that's not to say they don't fix
22 things two or three times before they get it
23 right, but that's not the point. The point is
24 that there are items that they had problems
25 trying to escalate.

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1 MR. REINHART: Did you have an occasion
2 to look at their design control system? I mean
3 could you characterize that for us?

4 MR. SHYMLUCK: Well, we wrote several
5 inspection reports in that area. There were a
6 lot of weaknesses. One of the major weaknesses
7 we found in it is we -- you can't design a plant
8 from Knoxville when the plant is in Spring City.
9 We tried to get them to get more of their
10 engineering people on site. I think it became
11 very obvious in the instrumentation tubing
12 problems, where you had people that hadn't even
13 looked at the system and they were designing it
14 from Knoxville. You know, they really hadn't
15 gotten out there.

16 You look in the hanger areas. They
17 want to put a hanger up and there was already a
18 hanger there. Well, they'd move the hanger and
19 put the other one up. Well, what happened to the
20 one they took out, you know? We identified that
21 to them on several occasions.

22 They took -- they started putting a lot
23 more people on site. Coming from Knoxville, I
24 know the dadgum roads would be full of cars from
25 Knoxville. Now, what they'd do, I don't know,

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1 but there were a lot of people. And then finally
2 they moved an engineering section to Watts Bar.

3 They didn't interface very good. The
4 site didn't have a lot of confidence in
5 engineering, either. I think what was happening
6 was that the engineering staff from Knoxville was
7 trying to develop some credibility. You know,
8 they had kind of lost that credibility. And
9 during the time I was there and maybe a year or
10 so after that they were trying to do more in this
11 area because they were going to this owner-
12 operator concept.

13 MR. REINHART: Uh-huh.

14 MR. SHYMLOCK: And for them to get the
15 business, they basically had to start performing
16 and trying to develop more credibility with the
17 plant so they could actually get the work. And I
18 know a lot of times plant people said, hey, we're
19 going to go outside because Knoxville is too
20 expensive. And I think if you look at their
21 track record they were contracting a lot of the
22 engineering work out even at that point in time.

23 MR. REINHART: Were the results
24 successful?

25 MR. SHYMLOCK: Uh-huh.

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1 MR. REINHART: You mentioned the
2 interface problems. What -- could you go a
3 little deeper on that?

4 MR. SHYMLOCK: Well, I think we
5 identified several cases where engineering people
6 in Knoxville didn't really talk to the plant
7 people. You know, we had a problem with the ERCW
8 pumps. We had engineering going off in the
9 direction to fix something and the plant didn't
10 know about it. I guess we wrestled with the ERCW
11 pump problem for probably two years, and it was
12 trying to get the plant people to tell the people
13 in engineering what the problems were and people
14 in engineering trying to understand what the
15 problems were. They would engineer it from
16 Knoxville, never really looking at the pumps and
17 never really knowing what the problems were.
18 They'd go off on a tangent to fix something which
19 -- look at the route cause, which it really
20 wasn't the route cause. They didn't have the
21 right information.

22 And I know we had them supplement CDR's
23 numerous times just on the ERCW pumps. You mean
24 you go back to our inspection reports and you can
25 see time after time after time where there are

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1 examples identifying where engineering in
2 Knoxville didn't really interface good with the
3 plant people.

4 MR. REINHART: Okay. Were you aware of
5 the December 19th, 1986 presentation by NSRS to
6 Commissioner Asselstine?

7 MR. SHYMLOCK: I was aware it was going
8 to happen. I wasn't there. In fact, I had met
9 with Commissioner Asselstine and his staff the
10 day before, I think we had eaten dinner or
11 breakfast or something, and went on a tour of the
12 site and everything. And I think the next day is
13 when he went to -- I don't remember whether he
14 went to the meeting before he came to the site or
15 after. But I was aware of it because he was at
16 the site either before or after that meeting.

17 MR. REINHART: Do you have a feel for
18 the perceptions that were presented, the validity
19 of those at all?

20 MR. SHYMLOCK: The only thing I know
21 about that is I know that Bob Sauer was tasked by
22 -- let me think -- let me get the guy's name.
23 Who was the NSRS guy --

24 MR. ROBINSON: Kermit Witt.

25 MR. SHYMLOCK: Kermit Witt had tasked

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1 Bob Sauer with making a presentation and I think
2 Bob and some of the staff on NSRS. And the
3 reason I know that is because at the time that
4 this was going on they also had on site this QTC,
5 quality, technology whatever it was, out of
6 Kansas doing this employee concern review.

7 And in that light they had tasked NSRS
8 to manage that program. So there was a group of
9 NSRS people on site to oversee and manage that
10 program. And we had occasion to talk with them
11 and they were in our place and we were over there
12 and this, that and the other. And that's about
13 all I know, is that he was tasked with making
14 that presentation to Commissioner Asselstine.

15 MR. REINHART: Do you have a feel from
16 your position as resident whether those -- are
17 you aware of the perceptions he had?

18 MR. SHYMLUCK: I never saw, that I can
19 remember, I never saw anything that documented
20 what he presented to Asselstine. I'm not
21 familiar with anything that even came out of
22 Commissioner Asselstine's -- or was even shown to
23 him. Hey, this is -- I thought it was just
24 slides or something. I don't know. I never saw
25 -- I don't remember seeing anything on it.

1 MR. REINHART: I think Larry's gone to
2 get a copy.

3 MR. MURPHY: Let's take a little break.

4 (Whereupon, a brief recess was taken.)

5 MR. REINHART: You were saying just at
6 one point during the break that July was actually
7 August '85 for that confirmation letter and --

8 MR. SHYMLOCK: Yeah, Murph and I were
9 looking at this list. And we issued the
10 confirmation of action letter on August the 23rd,
11 and TVA issued a stop work on August the 23rd.

12 Now, like I said, there were a lot of
13 problems with that and we issued another
14 clarification confirmation of action letter on
15 welder recertification inaccuracies again. We
16 reiterated that on September the 17th.

17 MR. REINHART: '85?

18 MR. SHYMLOCK: Yes. And then on
19 September the 25th at a Region 2 meeting with TVA
20 regarding the lifting of the stop work order on
21 welding. That's when we had a meeting here in
22 Atlanta where we had QTC -- see, at that point in
23 time QTC had gone up to Congress and they were
24 having some congressional hearings and QTC --
25 I've forgot his name, the guy --

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1 MR. REINHART: Thero?

2 MR. SHYMLOCK: Yeah. Owen Thero had
3 made a statement to Congress or Udahl or somebody
4 that he was appalled that NRC had lifting the
5 stop work order on welding. Okay?

6 Based on that statement, it came down
7 through the system and based on that statement we
8 had a meeting and brought Owen Thero in with TVA
9 and everything on September the 25th and had a
10 Region 2 meeting with TVA regarding the lifting
11 of the stop work order on welding. And that's
12 when we had Owen Thero in here and everything
13 else.

14 MR. REINHART: What were the results of
15 that?

16 MR. SHYMLOCK: We were trying to find
17 out exactly what information Owen Thero had to
18 say that he was appalled at basically NRC lifting
19 the stop work order and after that whole meeting
20 we couldn't come up with anything additional that
21 said maybe we should not have lift the stop work.

22 MR. REINHART: Okay.

23 MR. SHYMLOCK: You know, what we were
24 -- my belief in the purpose of having that
25 meeting was to find out if he knew something we

1 didn't. And we tried to make them understand
2 that, hey, if he knew something you had the
3 opportunity to come and tell us. I mean you
4 either could have gone to the site people or
5 called headquarters. And Owen's not bashful, I
6 mean, you know, he's shown us in the past he can
7 call anybody and that's fine, you know.

8 But we were basically trying to find
9 out if there was anything that he knew that we
10 didn't in reference to lifting the stop work.

11 MR. REINHART: Okay. You have the copy
12 of the slide that has the perceptions presented
13 to Mr. Asselstine?

14 MR. SHYMLOCK: Uh-huh.

15 MR. REINHART: Can you just give us
16 your viewpoint of --

17 MR. SHYMLOCK: You want to go through
18 line by line or what?

19 MR. REINHART: Sure, if you would,
20 please.

21 MR. SHYMLOCK: Okay. I think I
22 understand now, remember back, that NSRS was
23 going to make the presentation to Asselstine on
24 the QTC program, employ concern program, and this
25 was a piece of it. And my thoughts, after

1 hearing this, because NSRS was imminently
2 involved with the QTC effort, maybe they had a
3 different perspective because when I looked at --
4 we basically tried to stay out of that QTC
5 effort, but even though you tried to, you ended
6 up getting involved in it. There were a lot of
7 perceptions and statements made that really
8 weren't factual.

9 And you have to be cautious on -- I
10 mean like some of them were, there are too many
11 stumps on a site. You know, when you put those
12 in perspective with nobody out there certified
13 the welds, you know, and it's a lot of hearsay,
14 you know, we tried to fall into some of them.
15 But to make a rash statement based on those -- I
16 think this time frame -- do you remember when
17 this was done?

18 MR. ROBINSON: December of 1985.

19 MR. SHYMLOCK: Okay. We had come up
20 with the findings in the welding issue in August
21 of '85. And I'm thinking that the QTC effort was
22 implemented June, early-late spring of 1985 is
23 when QTC came on site. And I don't think they
24 had interviewed everybody until like the end of
25 '85. Wasn't it maybe the end or the first part

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1 of '86 that they had actually interviewed --
2 completed their interviews?

3 So based on the interview input they
4 got, maybe NSRS was using that to come up with
5 the conclusions, which I don't think -- I don't
6 think that's good, because some of those you need
7 to go in and look at and everything. And they
8 said the as-constructed welding program is
9 indeterminate.

10 I'm not sure that at that point in
11 time, based on what I understood about the
12 welding program problems, that I could make a
13 determination that the as-constructed welding was
14 indeterminate. I think there were some problems
15 in it, okay, especially in the welding certifica-
16 tion area.

17 And electrical cable present
18 qualification condition is indeterminate. The
19 electrical cable, the bend radius and pulling of
20 cables and everything, you know, that's above me.
21 I'm not an electrical person. And we were
22 flapping with that thing for months.

23 MR. MURPHY: Before you go beyond that,
24 though, according to the records I have on 18
25 July, '85 TVA issued a stop work order, Class 1E,

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1 pulling activities at Watts Bar. Are you
2 familiar with that?

3 MR. SHYMLOCK: Yes. That was based on
4 -- let me see. That was based on the issue of if
5 you knew the type of cable, if you could go out
6 there and look very specifically at the type of
7 cable by number and manufacturer, then go back to
8 the vendor, the particular manufacturer's
9 recommended pull tension, okay, and then equate
10 back to that, that was fine.

11 The problem they found is that they
12 could go out and identify the piece of cable, in
13 some cases; in some cases they couldn't, but they
14 didn't have the vendor recommendations on how
15 much they should pull on that.

16 So based on that, TVA Watts Bar stopped
17 work of pulling all new cable. Now that was kind
18 of a generic issue within TVA. At the same time
19 they had stopped pulling all safety-related cable
20 at Bellefonte. They were still pulling some non-
21 safety-related. We had talked to Sequoyah and
22 they had not pulled any additional safety-related
23 cable.

24 Design engineering in Knoxville had
25 come up with a computer code that allowed the

1 craft people, engineering on site to, based on
2 their circular mills and the type of insulation
3 and everything, they were trying to train their
4 people on a computer code that allowed them to
5 determine the amount of pull tension they could
6 put on the cables. But that's what originally, I
7 think, stopped the -- the initially issued that
8 stop work order on electrical cable.

9 So in this time frame, which is
10 December, electrical cable present qualification
11 condition is indeterminate, I don't know what
12 qualification they're talking about. I know
13 there was a question about bend radius, if you
14 bend the cable too much, and the other was pull
15 tension or how much could you pull it with. You
16 know, we had heard that they were taking Jeeps
17 and putting on it and pulling the cable with
18 Jeeps. You know, I can't substantiate that nor
19 can I refute it. I don't know. But I'm saying
20 that's the type of things that QTC was
21 identifying that we had to deal with.

22 So I don't know what kind of
23 qualifications. Now, from the standpoint of
24 environmental qualifications, I think there were
25 some questions there. I don't know what

1 qualifications he's talking about. He says
2 electrical cable present qualification condition
3 is indeterminate. I'm not sure what that means.
4 I don't know whether he's talking about
5 installation of the cable, internal
6 qualifications or what.

7 See, even there was a question about --
8 when TVA put those cables in, they had not met
9 IEEE383 which is a fire-type protection covering
10 on those cables. Rather than meeting IEEE383
11 they went back and put a Vermasko coating on it
12 and there was a question that came out after they
13 put that Vermasko coating on it that from an
14 electrical standpoint there's a certain amount of
15 heat because of the resistance of the cable. It
16 may be that that cable because it's covered now,
17 can't handle the 40 amps or the 100 amps it's
18 rated for. It may have to be derated.

19 So there were a lot of electrical
20 issues. So I don't really know which issues
21 they're talking about, you know. And I know even
22 know I'm not sure where we stand on electrical
23 issues. So I don't know about that one.

24 Instrumentation line --

25 MR. ROBINSON: Excuse me. Let me just

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1 interrupt one minute. For the record, and the
2 purposes of this discussion, when the specific
3 dates of events such as confirmation of action or
4 stop work orders, et cetera, are being expressed
5 in this meeting it's being obtained from a
6 booklet entitled NRC Regulation of TVA, Hearing
7 Before the Subcommittee on Oversight and
8 Investigations of the Committee on Energy and
9 Commerce, House of Representatives. And it's
10 identified as Serial No. 99-171. And in this
11 book there are a number of pages at the beginning
12 which indicate a chronology of events at TVA and
13 that's where the dates are primarily coming from
14 that we are quoting in this discussion.

15 Okay. Go ahead.

16 MR. SHYMLOCK: Instrument line
17 inadequacies. They talk about slope, fitting,
18 bending and due stresses on conduit and
19 hydrostatic testing.

20 I'm trying to remember when the
21 instrument line slope -- Bob Howchman and a group
22 of individuals from headquarters came down to
23 Watts Bar and looked at some areas. And I'm
24 thinking those -- he had several people with him.
25 There was no inspection report ever issued on

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1 that inspection. I'm trying to get the time
2 frame. I'm thinking that it was early '85, maybe
3 late '84 time frame.

4 Now, the purpose of that inspection was
5 evidently there was people calling headquarters
6 or calling Harold Benton saying, hey, there's a
7 lot of problems in these areas. The areas I
8 remember were like instrument line slope, Q list,
9 weld rod control, bolt material and ERCW pump
10 station water. There was a stream or something.
11 There was a question about there was a stream at
12 the ERCW pump house.

13 Bob Hoschman came down with several
14 people. I'm trying to remember all their names.
15 There was a civil engineer from Region, Joe
16 Lanahan. He looked at the ERCW pumping station.
17 Bob Hoschman, Ken Hooks. Ken Hooks looked at Q
18 list and I think he also looked at instrument
19 line slope.

20 So they came down and looked at those
21 areas. There were some questions raised about
22 instrument line slope. We asked to see that
23 inspection report. There was never an inspection
24 report written on that inspection activity. I
25 don't know what ever happened. I don't even

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1 think there were any notes or anything taken on
2 it. They were at the site, I think, for two
3 weeks. They exited with the site people and
4 that's all we ever heard on it.

5 Now, sometime later when Glen Walton
6 was there he went out and started looking at the
7 instrument lines. He came across problems with
8 supporting of instrument lines, how they were
9 mounted, instrument line slope.

10 Now, what had happened on the
11 instrument line slope is that engineering said
12 that you go out and you slope the line so that if
13 there's any air in it it goes to the high point.
14 And they had directed craft people to slope the
15 line at plus zero minus a half inch per foot.

16 Well, rather than -- you go to an
17 instrument tap point that may be 60 feet up in
18 the air. Rather than going from 60 feet straight
19 down, they went down, over, back and forth, and
20 switched back and forth. It was just
21 unbelievable. And it was another example where
22 the engineers never went out and looked to see
23 what they're doing, okay?

24 We had raised the question about -- I
25 used to be in instrumentation, and normally if

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1 you get a line like that, you normally just flush
2 the line. Two or three volumes of the line, you
3 know. If you think it's got maybe a gallon in
4 it, you flush it two or three gallons and
5 therefore you have some assurance that the air's
6 out of the lines.

7 It got totally out of hand. TVA
8 implemented a major program on instrument lines
9 and -- I'm trying to remember the guy's name -- I
10 can't remember. But anyway, they developed an
11 instrument line slope that had to do with
12 fittings, the tools that actually bent the tubing
13 not being calibrated and all that. I think I
14 remember seeing a draft final report on that.
15 They were going to go back and just basically
16 change out all the lines. I'm not sure I agree
17 with some of the fixes but, you know, that's what
18 they were going to do.

19 At this point in time, December time
20 frame, I could have then told you that I agreed
21 with that. Okay? At that time, I think there
22 was a lot of information that still wasn't in
23 place. Hydrostatic testing, I don't remember
24 that as being a big issue because most of their
25 lines were all higher strength than were required

1 anyway.

2 The disposition of it right now, I
3 can't tell you. I don't know where we stand on
4 that. But based on this information at this time
5 I'm not sure I would have agreed with that
6 statement.

7 MR. ROBINSON: How do those problems,
8 if they relate at all, relate to quality
9 assurance breakdowns in your mind? I don't even
10 know whether they do or not.

11 MR. SHYMLOCK: I don't think they are.

12 MR. ROBINSON: Yeah. And when you go
13 through that list, kind of keep in mind that
14 we're interested in relating those problems to
15 not meeting the requirements of Appendix "B" or
16 quality assurance breakdowns.

17 MR. SHYMLOCK: Well, I know that in
18 this particular area on instrumentation, Glen and
19 myself had a lot of problems with what TVA was
20 telling their inspectors to inspect. In other
21 words, you want the specific inspection
22 requirements to be very specific. I mean if you
23 want the thing to be green, it should be painted
24 green, not just say well, paint it.

25 And we looked at their inspection

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1 requirements for doing these and they were very
2 vague. So even the inspectors going out would
3 not have identified a lot of these problems
4 because the inspection or acceptance criteria
5 wasn't specific enough to pick this up. And most
6 all this stuff was bought off on.

7 Now, the other thing we found in a lot
8 of cases, they would, like on the supports for
9 instrument lines. You maybe had four or five
10 lines coming to one support. And you'd have a
11 group go out to fix one line coming from one
12 instrument. Well, if it wasn't right, they'd fix
13 it.

14 Then you have another group that came
15 back and fixed the next line down. Well, if that
16 clamp for the previous pipe was in the way,
17 they'd remove it and leave it, but fix theirs.
18 Well, they fixed it, then they fixed the one
19 below it but they'd unfix the one above it. So
20 it was a cascading effect. And that's what we
21 found when we got into it. They'd go out and fix
22 one but they'd screw up the one right beside it
23 that had been fixed before.

24 Now, that, even in the quality
25 assurance inspection side of it, it didn't say

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1 anything about check instruments on both sides.
2 Okay? So there were some problems and even the
3 QC people wouldn't have picked it up, you know,
4 because the acceptance criteria and the direction
5 of the big picture, how you inspect it, were
6 unclear, they weren't correct.

7 We tried to tell them about that and we
8 told them numerous times. I don't know where
9 they stand now on it.

10 MR. ROBINSON: Who did you tell?

11 MR. SHYMLOCK: Construction.

12 MR. ROBINSON: Construction
13 supervision?

14 MR. SHYMLOCK: Basically who we dealt
15 with at that time was the QA manager on site. At
16 that time it was Dick Parker. We relayed our
17 comments and talked with him probably weekly. We
18 talked with the crafts -- I mean the supervisors
19 of QC but then we also went directly to the head
20 of the craft.

21 MR. ROBINSON: Okay. Go ahead and go
22 on down.

23 MR. SHYMLOCK: Construction processes
24 in general --

25 MR. MURPHY: Wait a minute. Wait a

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1 minute.

2 MR. ROBINSON: Oh, I'm sorry.

3 MR. MURPHY: First off, your last
4 statement that, you know, they fixed one thing,
5 screwed another one up. Doesn't this kind of
6 overall address the effectiveness of the correct
7 action program?

8 MR. SHYMLOCK: Yes.

9 MR. MURPHY: I mean, when we talk about
10 whether it's good or bad, why don't we just say
11 was it effective? Did it do the job that it was
12 designed --

13 MR. SHYMLOCK: It was not effective.

14 MR. MURPHY: Okay. And on instrument
15 line slopes, do you remember the case involving
16 Doka, I think his first name is Steve Doka, who
17 brought this to the attention and was ultimately
18 fired and then was -- you know, through the
19 process of OGC was determined to be correct. Do
20 you remember that whole ordeal?

21 MR. SHYMLOCK: Uh-huh.

22 MR. MURPHY: Didn't that address the
23 instrumentation line slope?

24 MR. SHYMLOCK: Yes. He had several
25 things. I'm trying to remember what he had in

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1 there. If I'm not mistaken, Murph, the question
2 he came up with is that it was on primary system
3 coolant flow instrumentation, and the issue was
4 instrument line slope. That's what kind of
5 started it, and I'm thinking the instrument that
6 he had a concern with was on the primary system
7 reactor flow instrumentation.

8 At that point in time, there was a
9 question about instrument line slope. We went
10 back and looked at that. Basically what they had
11 done is they had taken all the instrument lines
12 and run them 180 degrees on the other side of the
13 containment and put the pressure transmitters
14 opposite that side. So in other words, instead
15 of having the pressure transmitters at the
16 location where the sensing points were, they ran
17 them several hundred feet on the other side of
18 containment and rerouted them.

19 We talked to engineering about why they
20 did that. And the question was if they --
21 because I was there for two hot functionals, I
22 think. We did not have any indications of
23 primary system flow instruments being inaccurate,
24 okay? They were a little bit low on the high
25 end, but there was no fuel in the core. So that

1 would tend to cause some perturbations in the
2 system. There wasn't anything that would have
3 indicated to us that there were problems in the
4 system during two hot functionals.

5 We asked engineering why they made this
6 major change. They went in and changed all the
7 tubing and everything. We got two answers. One
8 was because of radiation protection or ALARP, as
9 low as reasonably practical, in reference to
10 maintenance. And the other one was because of
11 instrument line slope.

12 I asked them very specifically, if you
13 had not done this would the instruments be
14 inaccurate. They said they could not tell me
15 that. So engineering made those modifications on
16 reactor coolant system pressure transmitters.
17 For why, I don't know. They would not tell me,
18 they would not say yes, if we hadn't changed them
19 they would have been inaccurate. And through two
20 hot functionals we had no indication that those
21 instruments were inaccurate because of
22 installation.

23 And that's kind of the proof. I mean,
24 you know, if the thing wasn't put in right you
25 would expect the instrumentation to read

1 inaccurate. And it did read a little bit low --
2 let's see, was it low or high. I can't remember,
3 but basically when we looked at it we felt it was
4 probably tied into the reactor core -- I mean no
5 fuel. So I couldn't answer the question. I mean
6 there I was -- I mean the question is did you
7 change because it was done wrong. The answer is
8 they wouldn't tell me. They couldn't -- they
9 wouldn't guarantee that it would not have
10 performed correctly if not changed out.

11 MR. MURPHY: But certainly before your
12 departure from there they were aware that there
13 was a problem with the slope in the
14 instrumentation lines you're talking about, at
15 least? However the system was set up, they were
16 aware of it?

17 MR. SHYMLUCK: But when I asked them if
18 you changed it out because of instrument line
19 slope, that it wouldn't work, they said they
20 couldn't guarantee it. So what they did was they
21 fixed something that they weren't sure needed to
22 be fixed. And these were the engineers, the
23 design engineers that made the change, because if
24 I'm not mistaken, Glen and I went to them very
25 specifically because we were trying to get the

1 question answered. Did you change because there
2 was a problem? Why did you change it?

3 I'll tell you what I found. It seemed
4 like when you asked engineers with TVA a
5 particular question -- you take you and I, if we
6 did something five years ago, we did it a
7 particular way; you ask us now how we would do
8 it, we would probably do it different because in
9 that time period we've learned more, standards
10 and codes have changed and we may do it
11 different. But that didn't necessarily mean that
12 when we did it five years ago or the way we did
13 it five years ago was necessarily wrong.

14 I've found with TVA engineers that
15 every time you ask them a question, they say
16 well, maybe we better look at that. And they
17 would go back and reevaluate it seems like
18 everything you ask them rather -- see, I don't
19 know how you stop that.

20 Does that mean that when they did it in
21 the past, that the way the system was fixed or
22 installed, was it wrong? That's where we were
23 out on a limb. It's just like in this area. Why
24 did you fix it? Was it wrong? Don't know.

25 Construction processes in general are

1 loosely controlled.

2 I'm not sure that I agree with that
3 generally. You know, I think there were some
4 loosely controlled areas but I can't say that
5 everything. So from a QA -- from an Appendix "B"
6 standpoint, yes, there were probably areas that
7 they violated in Appendix "B" but that -- I can't
8 say it's a pervasive breakdown in that area.

9 Records are of poor quality. My
10 opinion of poor is in the eye of the beholder.
11 What I look at as being poor you may look at and
12 say well, that's okay. It may be hard to read
13 but, you know, you can read it.

14 And then, again, what kind of criteria
15 do we have on quality? You know, we basically
16 say that they need to be retrievable, you know in
17 some timely -- does that mean six months or, you
18 know.

19 MR. MURPHY: Well, let me ask
20 something. But in your perspective, using your
21 criteria for what is good and poor -- good or
22 poor, were the records good or were they poor?

23 MR. SHYMLUCK: They weren't what I
24 would have liked to have seen. But the other
25 problem we ran into here is that when you look at

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1 the time frame that this plant started, I think
2 it originally, construction CT was like '79 time
3 frame. Here we are talking 1976, '77 time frame.
4 The records and things that I would have expected
5 to see were not necessarily available. And the
6 way they actually performed the records is that
7 when construction did the work, once the system
8 was turned over to operations, then the system
9 was turned over plus all the records.

10 So the requirements to maybe have
11 certain records even in 1984 may not have been
12 the same requirement that they had on them or we
13 had on them in 1975. So to try to put it in
14 perspective, if I look at the requirements for
15 records based on now or three years ago, the
16 records are in pretty good shape.

17 We had talked to them in early '84
18 about records, you know, keeping things current
19 and from the standpoint of maintenance. You
20 know, once it's turned over to the maintenance
21 staff you have to maintain it. You need those
22 records of how you installed it and everything.
23 And they recognized that and they were working on
24 it.

25 But here again, one of those three-

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1 fingered processes. You had engineering that
2 identified what manuals and records were required
3 when they went out for purchase. That particular
4 system or pump or something went to construction
5 for installation and they kept the records. Then
6 once it was finished and everything and turned
7 over to operations, then whatever construction
8 had they gave to operations.

9 But the problem arose when operations
10 needed to maintain it. Engineering may not have
11 asked for the right thing. So here they are
12 trying to maintain it without having the proper
13 information, but engineering never requested it.

14 So I mean it's a Catch-22 there. In
15 other words, you've got systems that were
16 probably ordered in early seventies with manuals
17 and everything and installed in 1975, turned over
18 to operations in 1984 and a lot of the stuff they
19 really needed, they didn't have.

20 So that time frame was -- caused a lot
21 of problems in the records area. So the bottom
22 line is they weren't as good as I'd like to see.
23 Some of them were good. There were areas that I
24 felt that they needed to improve on. But then I
25 also recognize how are you going to come up with

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1 the documentation when maybe the manufacturer is
2 out of business.

3 Lack of independence of QA-QC
4 personnel, construction. I don't know what he
5 meant by that, lack of independence.

6 MR. REINHART: Did the individuals feel
7 that they could inspect and report what they
8 found freely without being curtailed?

9 MR. SHYMLOCK: We didn't have any
10 indications that they couldn't freely identify
11 anything. In fact, they would write an IRN,
12 inspection rejection notice, on the construction
13 site. Some of the problems we found, and we
14 tried to deal with them early on, is that you
15 take an electrical inspector that's inspecting
16 conduit. He's be crawling through the pipe
17 chasers or something tracing a conduit and there
18 would be an instrument line that had -- somebody
19 stepped in it and it had a big bow in it or
20 they'd pulled them out of the support. He
21 wouldn't write an IRN on that tubing connection.
22 He was tasked with looking at electrical conduit
23 so he was narrow, very narrow focused. But that
24 was a process that had been in place all along,
25 you know, and how do you change that, you know,

1 the plant's just about built?

2 But I didn't see where they had, they
3 were restricted from identifying any problems.
4 We've had people come in and say, hey, many, I've
5 put this MRN in and my boss said it wasn't a
6 problem. And I know in a couple of cases we went
7 out and looked and we agreed with the boss in a
8 couple of cases and I remember times when we
9 agreed with the craftsman that yeah, there was a
10 problem.

11 MR. MURPHY: Okay. Was there any
12 indication that there was harassment or
13 intimidation of QC inspectors at Watts Bar while
14 you were there?

15 MR. SHYMLOCK: Yeah, there were a
16 couple of examples.

17 MR. MURPHY: More than you'd seen at
18 other stations you'd worked at?

19 MR. SHYMLOCK: No, not really. I guess
20 one of the things I felt is that you had so
21 dadgum many people there. You'd go out in the
22 plant and you'd five 15 or 20 people standing
23 around Coke-ing and smoking and, you know, I know
24 a lot of times that there would be people trying
25 to push their workers and then they'd turn around

1 and say, he's harassing me and everything. So I
2 mean -- I don't know. I didn't see any excessive
3 amount.

4 MR. MURPHY: Let me ask you a couple of
5 quick questions.

6 Were you familiar with a survey that
7 TVA conducted in early 1985 to determine whether
8 folks were willing to report?

9 MR. SHYMLOCK: I had talked with Gunter
10 Wadowitz at the end of nineteen -- when I first
11 got there. I think it was -- maybe it was
12 January or February of 1984. And I had asked him
13 about, you know, how your program for identifying
14 problems within their employee ranks and
15 everything.

16 They had -- and they implemented a
17 construction survey. It was performed by the
18 construction organization. And Gunter Wadowitz
19 had identified how they were going to do it. And
20 I had made two suggestions to him. I had
21 suggested that whatever you do, however you do
22 it, is to make sure that the people that identify
23 problems, that they're protected somehow so that
24 not everybody knows who the individual is. And
25 secondly, that you get back to a person. Once he

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1 said there's a problem, at least go back and say
2 yeah, we're working on it or this is where we
3 are, or we appreciate it and we'll get back with
4 you. It may take six months, but we'll get back
5 with you.

6 Well, they implemented this program and
7 what they did is they handed out little blue
8 cards and they gave it to everybody. And then
9 when they left they had the foreman pick them up
10 from each person. They gave them out with their
11 checks and then they picked them all up. And I
12 said -- you know, they did this survey at
13 Bellefonte and also at Watts Bar.

14 Then they generated a kind of a
15 statistical information based on this thing. And
16 I got a copy of it and it wasn't -- it didn't
17 appear to be too bad. And I asked Gunter what
18 they had done from a corrective action
19 standpoint.

20 And then about the time that they had
21 finished this and were trying to get this thing
22 kind of resolved is when the whole big thing
23 blew up and they had QTC get involved in it. And
24 I had asked QTC and the employee concern task
25 group, were they going to fold back in this other

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1 stuff, you know, were they aware.

2 And I remember in a meeting one time I
3 asked the question and they weren't aware that
4 that survey had ever been performed. And I'm
5 thinking that Eleanor -- there were several of us
6 at this meeting, you know, trying to interface
7 with them. I can't tell you that they went back
8 and looked at that survey, too. And I know that
9 I had given a copy of that survey to -- Eleanor
10 had it and the Region had it. So it was
11 information that, yes, I was aware of. And this
12 was early '84 time frame.

13 MR. MURPHY: Do you recall that in a
14 couple of them questions there was a significant
15 number of people who would not report it to their
16 management.

17 MR. SHYMLOCK: Uh-huh.

18 MR. MURPHY: In one of the areas, one
19 of the five questions, would you report this to
20 your supervisor, and a significant number, I
21 don't remember, but somewhere between 15 and 25
22 percent -- I can get the exact figures -- said
23 they would not report to their supervisor, number
24 one.

25 MR. SHYMLOCK: Right.

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1 MR. MURPHY: And then the fifth
2 question was do you know how to report --

3 MR. SHYMLOCK: And they didn't know.

4 MR. MURPHY: -- and they didn't know.
5 I mean, did you not view that as a possible
6 potential trouble area, the fact that, one,
7 people were reluctant, would be reluctant to
8 report to supervisor, and there's also a large
9 percentage -- it might of course have been the
10 same group of people -- that said they didn't
11 know how to do it?

12 MR. SHYMLOCK: Yes, I agree with you.
13 And I had told Gunter at that point in time, what
14 was your corrective action on it. And, in fact,
15 I had gone with him to a meeting with some craft
16 people in hangers because the hanger group, the
17 hanger QC inspection group was the group that had
18 a lot of problems in it. And I had told them
19 that, you know, what you need to do is you need
20 to get out in the field and find out what's going
21 on. You know, deal with the specific people.

22 And he stopped by one day and picked me
23 up and he and he and I went to a meeting that he
24 had with a group of hanger QC inspectors and he
25 got up and told them -- and this was right after

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1 the survey, prior to QTC being involved -- and he
2 told them again the importance of making sure
3 that if you have a problem -- and he told them
4 right there in that meeting if they had any
5 problems or were afraid of anybody, to come to
6 him.

7 So what I had seen was some action on
8 their part to to try to fix that problem, and the
9 only way you do it is you get your senior
10 management out in the field and you tell those
11 people. And I went with Gunter -- I don't
12 remember the dates -- but I went with him to a
13 meeting with hanger QC so I saw, yes, they were
14 trying to deal with it. And then I don't know
15 the time frame, Murph, when QTC came in, I don't
16 remember exactly. I'm thinking it's -- I think
17 QTC came in like spring of '84.

18 MR. MURPHY: I think the survey was
19 conducted November, December.

20 MR. SHYMLOCK: Uh-huh.

21 MR. MURPHY: It was evaluated in
22 January and then in April QTC came aboard.

23 MR. SHYMLOCK: Okay.

24 Q list is not in good shape and is
25 inconsistent with CSSC list. If you'll go back

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1 to several of our inspection reports we had
2 identified this as a problem. TVA had issued a
3 CDR in this area.

4 From a standpoint of Appendix "B," that
5 may have been a problem but it may not have been
6 as bad as it may be conceived as being because
7 once -- if it's functionally tested and it's
8 built, the Q list and everything were identified
9 from a maintenance standpoint, you know, once
10 you've got it installed, how do you maintain it.

11 And that's our concern, is that the
12 people in the plant knew what was safety related
13 and was on the Q list and were they able to
14 maintain it.

15 From an Appendix "B" standpoint, I'm
16 not too sure about that area as being a problem.

17 Material traceability very poor,
18 especially seismic category one piping, HVAC
19 conduit trace instrumentation, et cetera.

20 I was not aware of any piping seismic
21 concerns. Material traceability, that must be
22 hangers, but hangers aren't, they're not required
23 to be traceable, the hanger material. I don't
24 know what traceability piping problems there
25 were. I'm not -- I don't remember any of that.

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1 HVAC, heating, ventilation and air
2 conditioning, there were some HVAC problems.
3 There was a civil penalty issued to -- I'm trying
4 to remember if that -- I know there was a
5 Severity Level 3 violation given to Watts Bar in
6 HVAC. I don't remember if there was a civil
7 penalty, but it had to do with quality assurance,
8 seismic supporting and everything. And that was
9 issued '81, '2 time frame. But my understanding
10 is that was fixed. You know, the violation was
11 issued, they went in and did a major modification
12 to heating and ventilation, HVAC, and it's my
13 understanding that at that point in time that
14 item was closed out.

15 John McDonald is the one that addressed
16 it and he closed that issue. So I'm not aware of
17 any HVAC problems.

18 Conduit, yes, we had some problems with
19 conduit supports. Trays, we had problems with
20 loading of the trays because they added the
21 Vermasko to instrumentation, basically the same
22 thing with slope and fittings and everything.

23 So material traceability, I'd be vague
24 on that. I'm not exactly sure what traceability
25 of material they're talking about. Trays,

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1 there's not that much traceability.

2 I don't know what he meant by that.
3 Traceability of material to me means it's
4 supposed to be a particular melt or heat and
5 everything on steel and stuff, but I don't know.

6 Field configuration of cable supports
7 have lost accumulated load control on imbedded
8 plates.

9 That was an issue that came out of
10 Bulletin 79-14. TVA had contracted with NUS --
11 no, wait a minute. Yeah, NUS here in Atlanta to
12 do all their calculations. They had performed
13 the calculations and the contractor had asked TVA
14 if they wanted their calcs and TVA said no, we
15 don't need them, so they threw them away. So
16 those calculations were not available and when we
17 went in and looked at it, they had a meeting in
18 early '84 time frame with headquarters on 79-14
19 and the licensee was required to, prior to the
20 first refueling, to go back and redo those
21 calculations.

22 The loading control on imbedded plates,
23 that was the problem. In other words, if you
24 exceeded loads on the concrete anchors you may
25 pull them out of the wall.

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1 There was another issue in there that
2 the plates on a concrete surface, if it wasn't
3 real good and smooth, it didn't touch the
4 concrete and therefore you had maybe a bending
5 moment on it. Their acceptance criteria was that
6 you could actually go to the bolt, there was a
7 certain feeler gauge size that you could run all
8 around that base plate and if you didn't exceed
9 that feeler gauge size it was acceptable. The
10 engineering group looked at that and felt that
11 that was adequate. Also included in this was
12 some safety factors on the bed plate, on the
13 imbedded plates.

14 Another issue that came out of this is
15 that there were some allegations that they were
16 just welding the nuts on the plates, that there
17 really wasn't anything behind there. I don't
18 know what we've done on -- I don't know where we
19 stand on that one.

20 I felt that at that time we had a good
21 understanding of load control on the imbedded
22 plates. Yeah, that may have been a problem with
23 Appendix "B" but I think we understood where we
24 were going and what the problems were. So, yeah,
25 it's a true statement it was an Appendix "B"

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1 problem but I don't think that from a safety
2 standpoint that we were totally in the dark on
3 it.

4 MR. REINHART: When you say we --

5 MR. SHYMLOCK: NRC.

6 MR. REINHART: Okay. How about TVA?

7 MR. SHYMLOCK: Yeah, I'd say TVA was
8 aware of our concerns. I mean there was numerous
9 inspection reports. Like I said, there were
10 several meetings in headquarters on this
11 particular issue. I know that Steve Vihas wrote
12 an inspection report. I'm thinking it's early
13 '84 time frame based on that meeting where we
14 said that we would allow them to have like to the
15 first refueling outage to redo the calculations.

16 It seemed like every time you would go
17 back with a support problem to engineering they'd
18 basically have to redesign the whole thing. And,
19 you know, I think a lot of that was because they
20 got better at it. They got to the point where
21 they had compute s that actually drew a three-
22 dimensional drawing of the support and very
23 vigorous calculations on it. And I think what
24 happened is they just got better at it.

25 But I can't tell you -- I can't sit

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1 here and tell you that the ones that were out
2 there, that they may have gone back and changed,
3 weren't adequate in the beginning. I mean, you
4 know, you have to look at those case by case.
5 They tend to be very prone to update, you know,
6 but when you get down and ask them a question
7 well, was it wrong to start off with, I don't
8 know.

9 And I know there were some CDR's in
10 this area. I know that in reference to -- well,
11 I know another thing. There was an issue that
12 came out of -- once you go out and look at these
13 supports on the base plates to the concrete, they
14 would put a little seal on it, and it was just a
15 lock-type -- it was a lock indicator. In other
16 words what that meant -- it was an orange-type
17 glue -- that meant that they had gone out and
18 torqued that base plate bolts to the required
19 specifications and if they had done it they put
20 that little glue type on it which indicated that
21 yes, that had been accepted.

22 What we found in a couple of cases,
23 like on, you've got QTC in there. They have an
24 issue where the guy said that these bolts weren't
25 adequately torqued or that these nuts were welded

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1 address corrective action aspects appropriately.

2 Well, there were a lot of -- see, an
3 NCR, a nonconforming condition report be issued,
4 corrective action, if it were written by the
5 site, let's say a craft foreman or something
6 identified a nonconforming, an NCR. He'd write
7 an NCR on a piece of equipment or a piece of
8 work. He would probably not be the one involved
9 in the corrective action. It may go back to the
10 site engineering. They may not be able to
11 address the corrective action, it may have to go
12 back to Knoxville. Knoxville may not be able to
13 address it. They may have had it done by a
14 contractor and they had to go back to the
15 contractor.

16 So there was a lot of times that you
17 had to wait until you got back far enough to
18 really get the root cause to identify it for the
19 corrective action. And I think that was
20 frustrating from the site standpoint. Yes, we
21 had problems with it. But in the long run, it
22 may take a long time, but eventually they would
23 get the right corrective action. They might have
24 to do it two or three times.

25 Now, whether that -- Appendix "B"

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1 doesn't say you can't do it two or three times
2 until you get it fixed, it just says fix it. So
3 if they want to take four or five times to fix
4 it, I don't think there's any regulation that
5 says they can't do it that way. Yeah, we had
6 problems with it.

7 MR. ROBINSON: Do you remember Bill
8 Cottle doing any kind of research into that
9 particular question? Did he ever talk about you
10 about that kind of a perception?

11 MR. SHYMLOCK: I know Bill and I talked
12 several times about corrective action program.
13 They set up some groups where they tried to
14 evaluate NCR's. See, here again, you had two
15 programs. You had nuke power which was the
16 operating side writing NCR's and then you had the
17 construction side also writing NRC's. So the
18 nuke power side would write an NCR, they'd send
19 it to construction or disposition and then they
20 may send it to engineering and they may decide to
21 correct it on site or identify the corrective
22 action.

23 So it wasn't a very organized approach
24 and that's what we were trying to get to them.

25 MR. ROBINSON: What I mean was do you

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1 ever remember him discussing with you having to
2 respond to an NSRS perception that there was a
3 problem as far as NCR's addressing corrective
4 action?

5 MR. SHYMLOCK: I'm familiar with an
6 NSRS report that was an open item. Because what
7 we would do is like we would ask them where do
8 you stand on closing and fixing these problems
9 that were identified by the NSRS report. And in
10 a lot of cases there were a lot of NSRS report
11 open items that were still open. So they hadn't
12 completed the corrective action where NSRS would
13 buy off on it. And I remember on several
14 occasions there where corrective action was one
15 of the items. In fact, you can almost find that
16 in almost every one of them.

17 But yet we had inspection reports that
18 identified corrective action as being a problem.
19 So I think you can find that particular concern
20 on both sides, NRC and NSRS.

21 Bottom line, design control is not
22 initially specified up front nor is final
23 configuration feedback given back to design,
24 margin of safety are indeterminate. Margin of
25 safety.

1 My own, you know when I go out in a
2 plant and I look at those supports that are just
3 unbelievable in size when you compare to other
4 plants, it's tough for me to say safety factors
5 aren't there, design margins aren't there. But
6 like I said, I'm not a structure. And as of the
7 time I left, I'm not aware of any structural
8 welds that, due to the fact that they were
9 improperly performed, that either the piece of
10 equipment or structure would fail. Now, they may
11 have identified some now, I don't know, but I'm
12 saying as of the point in time when I left I
13 wasn't aware of any. Yes, they found some welds
14 that weren't proper, but right now I'm not aware
15 of anything that would have said, hey, because
16 that went missed, because that went as not being
17 identified as being corrected, there was a
18 structural problem and it would have failed.

19 10CFR50 Appendix "B" requirements are
20 not being met. That's a true statement. I think
21 you can go anywhere in the United States at a
22 power plant and make that statement at any given
23 time. In fact, you can look at inspection
24 reports right now at operating plants that will
25 have violations in them against Appendix "B",

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1 which is tech spec 681, failure to implement
2 procedures, and that's an indication of not
3 meeting Appendix "B." So I mean I think you can
4 say that any time.

5 MR. MURPHY: Let me ask you one
6 question here. Is not meeting the requirements
7 of Appendix "B" and being in compliance with
8 Appendix "B" two different issues?

9 MR. SHYMLOCK: What I'd like to say is
10 say it a little bit different.

11 MR. MURPHY: Let me rephrase the
12 question.

13 MR. SHYMLOCK: Okay.

14 MR. MURPHY: If I asked you are you
15 meeting the requirements of Appendix "B," right,
16 are you meeting the requirements, that's the
17 question I asked you, and you say that we're
18 overall in compliance with Appendix "B," have I
19 answered the question -- have you answered the
20 question that I asked?

21 MR. SHYMLOCK: Yes.

22 MR. MURPHY: When you say we're overall
23 in compliance with Appendix "B" that's saying
24 we're meeting the requirements in these areas?

25 MR. SHYMLOCK: Well, I don't think you

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1 can say -- I don't think anybody can say they're
2 in full compliance with Appendix "B" at any given
3 time. I think that at any given time you're
4 going to find areas where you're not meeting the
5 specific requirements. But I think as a whole
6 we're allowing these plants to operate, plants
7 are out there operating right now, and you can
8 see monthly reports that will have violations
9 that basically if you go back probably to the
10 system it's failure to meet Appendix "B"
11 requirements, yet they're still operating.

12 Now, if we say that that's an
13 indication of a breakdown of meeting Appendix "B"
14 then maybe we should shut them down, I don't
15 agree with that. I think that there are times
16 where we have approved their program to implement
17 Appendix "B" and their program, like I said,
18 we've approved it. And at any given time you're
19 going to find where they're not meeting certain
20 pieces of it. But that, I don't think, is
21 indicative of a total breakdown in the whole
22 program.

23 MR. REINHART: When you were there was
24 -- TVA wrote a letter to the NRC saying that
25 Watts Bar was very low fuel. How do you feel

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1 about that? Was that correct, incorrect?

2 MR. SHYMLOCK: Well, I try to look back
3 at that now. Based on what we knew at the
4 resident site, our open items list, and not
5 knowing what NRR was following, you know, from a
6 licensing standpoint, I look at that as two basic
7 entities that are kind of separate. We don't
8 cover their stuff and they don't cover our stuff.

9 Based on what I knew, I didn't see any
10 major problems. Now, I need to narrow that
11 because from a construction standpoint, I wasn't
12 aware of all the construction activity problems.
13 You know, there were pieces of it, you know, that
14 I was aware of but the technical bottom line
15 issues on it, like I said, I'm not a construction
16 person. And yet you look at the open items,
17 outstanding items list in the construction area
18 and yeah, there were a lot of open items. There
19 were a lot of construction deficiency reports. I
20 think you'll find probably plants today that have
21 been operating with construction deficiency
22 reports that are still open.

23 You know, I think that those -- we have
24 to make a decision that those are safety related,
25 that are very important, have to be completed and

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1 corrective action accomplished prior to start-up
2 or prior to loading fuel are addressed, and we
3 did that. We went through those construction
4 deficiency reports identified at that point in
5 time and we made an assessment of those that had
6 to be completed prior to either loading fuel or
7 prior to criticality or prior to 100 percent
8 power.

9 MR. MURPHY: Let me just -- I think the
10 initial one is the welding at Watts Bar is
11 indeterminate. After the stop work order issued
12 at TVA for recertification of welders, they tried
13 to recertify -- they had 570 welders at the time
14 and they tried to recertify 534. Apparently the
15 difference between them two figures had been
16 recertified in the past several months so they
17 didn't, you know, they didn't go through this
18 drill, right? Of the 534 welders 120 failed the
19 test, the initial test, right?

20 These welders were given five to ten
21 days to practice and 37 of the individuals after
22 five to ten days still couldn't pass the test.
23 What can you say about, first, the fact that
24 after they were given -- and I'm told this is not
25 one of the more difficult tests. I mean it's a

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1 very basic recertification test and there are
2 some very difficult tests, you know, that can be
3 performed.

4 When 120 of 540 failed, do you consider
5 that a significant number?

6 MR. SHYMLOCK: Oh, yeah. And that was
7 one of the problems that Glen and I -- Glen
8 Walton and John York and myself were trying to
9 deal with. A lot of the things that came out,
10 and again, I'm not the metallurgical welding
11 expert, but one of the things that came out is
12 that there were some questions about the coupon
13 that they were using, that it had a backing
14 plate. And most of the welders said that it's
15 really hard to do a weld on that particular type
16 of coupon with that backing plate, that normally
17 you don't have a backing plate.

18 Now, like I said, I don't know whether
19 a backing plate -- it was two pieces of metal
20 with a backing plate on it and you had to have
21 enough heat to get the backing plate and
22 everything. Now, whether that was standard code
23 coupon, I don't know. I know that Glen and John
24 were trying to deal with that.

25 The other thing is that in that

1 confirmation of action letter we were saying
2 okay, of those 120 welders that didn't pass the
3 first time, and then that other population that
4 never could, what does that say about their
5 welds, all right? What are you, TVA, going to do
6 about that?

7 And the line coming out of this, they
8 were going to go back and reinspect all the welds
9 that those people had actually performed and make
10 a determination independent of the qualification
11 of the welders. You know, first off you've got
12 that caveat that the welder is not qualified.
13 Then you have to go back and look at the work, of
14 the work that he did, is it acceptable from a
15 code standpoint?

16 Now, as of right now I don't know where
17 they stand on that, but basically that was the
18 commitment to go back and re-review that.

19 MR. MURPHY: You don't know if they had
20 done 100 percent --

21 MR. SHYMLOCK: That's what we were
22 basically saying, and that's what I'm saying, we
23 had so much correspondence we never could get any
24 answers on. You know, we kept saying what about
25 those 32 or so that never could fail -- I mean

1 never could pass. And then there were some that
2 terminated, I mean before this, that were long
3 gone. What were you doing about that?

4 So I don't know what ever happened. I
5 mean we raised those questions and I can't tell
6 you right now what --

7 MR. MURPHY: If the welds by these 37
8 who couldn't, who absolutely couldn't pass the
9 test at all, even after the second try, many of
10 which were terminated, okay, short of going back
11 and inspecting their welds, could you say that
12 their welds are determinate?

13 MR. SHYMLOCK: No.

14 MR. MURPHY: I mean is it safe to say
15 at least in respect to the 37 people who bungled
16 it the second time that the condition of the
17 welds that they performed at Watts Bar are
18 indeterminate?

19 MR. SHYMLOCK: Correct, absolutely. I
20 totally agree, and we raised that question. What
21 are we going to -- how are we going to deal with
22 that? You know, we were trying to figure out how
23 we were going to deal with it. Not only how was
24 the licensee, but how we were going to deal with
25 it. And that was part of that correspondence

1 that come back and forth, you know.

2 The same thing with the radiographs. I
3 mean you've got a guy that he inspected these and
4 missed them. What do you do about all the other
5 radiographs that he reviewed? I understand now
6 that they're going back and doing a 100 percent
7 re-review of all the radiographs.

8 MR. ROBINSON: I've got another
9 question.

10 MR. MURPHY: I'm going to stay in this
11 area.

12 MR. ROBINSON: Okay. I thought you
13 were getting ready to close it.

14 MR. MURPHY: No.

15 This issue is also identified in the
16 report that you wrote?

17 MR. SHYMLOCK: Which issue?

18 MR. MURPHY: The recertification issue.

19 MR. SHYMLOCK: In the confirmation of
20 action letter we addressed what we wanted them to
21 do with the certification. What are you going to
22 do about those that don't pass, okay? Then there
23 was more correspondence and meetings with them
24 on, all right, what are you going to do with
25 those that don't pass? What are you going to do

1 with these 32. Glen dealt with them, we had
2 charts up there, we followed exactly how many did
3 this and how many did this and who didn't pass
4 and who failed, and we followed that all the way
5 through to make sure exactly that we understood
6 what they were going to do.

7 Now, where we are on that, I don't
8 know, because when I left we were still trying to
9 deal with it.

10 MR. MURPHY: This draft report that you
11 submitted through channels you said was recently
12 issued in the form of an inspection report?

13 MR. SHYMLOCK: I understand from Elrod
14 that it was just recently issued.

15 MR. MURPHY: How recently?

16 MR. SHYMLOCK: I don't know. It had to
17 have been after December of last year because I
18 gave him a heads-up on it. I said Steve, you've
19 got this draft notice of violation, you need to
20 do something with it. I mean, you know, Glen and
21 I put that thing together and we were tasked with
22 it from Gary Zech and everything.

23 MR. MURPHY: But recently is not
24 anywhere -- I mean recently is not in March of
25 this year?

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1 MR. SHYMLOCK: I don't know. All I'm
2 saying it had to have been sometime after
3 December of '86.

4 MR. MURPHY: Do you have a copy of
5 that?

6 MR. SHYMLOCK: I've never seen it.

7 MR. MURPHY: No, a copy of your draft.

8 MR. SHYMLOCK: I know Glen does. I
9 may. I kind of doubt it.

10 MR. MURPHY: Let me, for the record,
11 request that you furnish us a copy of your draft.
12 And if you would, obtain for us a copy of
13 whatever was issued.

14 MR. SHYMLOCK: Okay.

15 MR. REINHART: Along with that, is it
16 possible to get a package of, like that initial
17 '85 report, any exit meeting minutes,
18 confirmation of action letter in that report?

19 MR. SHYMLOCK: It's all listed right
20 there in that thing. We can get it. The dates
21 and everything are there.

22 MR. REINHART: Could we request that?

23 MR. SHYMLOCK: You want me to do it?

24 MR. MURPHY: We'd appreciate it.

25 MR. SHYMLOCK: Okay.

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1 MR. REINHART: Of course, anything you
2 could get that would help us put that piece
3 together, any correspondence.

4 MR. ROBINSON: I have just sort of a
5 bottom line question, see if you can answer it.
6 Take you back to January, March time frame of
7 1986 when Admiral White first took over the
8 nuclear program at TVA, okay?

9 You were still at Watts Bar at that
10 time, right?

11 MR. SHYMLOCK: Yes.

12 MR. ROBINSON: In your opinion at that
13 time, in that time frame, was the overall QA
14 program in compliance with Appendix "B"?

15 MR. SHYMLOCK: Yes.

16 MR. ROBINSON: In the year 1985, we'll
17 say from when the confirmation of action letter
18 regarding the welding went out and they stopped
19 work in the welding, from that point until
20 December of 1985 was the overall QA program in
21 compliance with Appendix "B"?

22 MR. SHYMLOCK: In the welding area or
23 overall?

24 MR. ROBINSON: Overall.

25 MR. SHYMLOCK: I would say based on

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1 what I knew, yes, with the exception of the
2 welding areas. And the reason I have to say that
3 is we didn't have any answers to the questions in
4 the welding area. We allowed them to go back and
5 start rewelding, but we're still stuck with this
6 bag over here that's got all these welds that
7 were performed by noncertified welders, welds
8 that were performed by people that possibly
9 falsified records, we had an OI report that was
10 ongoing trying to answer some questions. We had
11 OGC that was trying to do some review. So saying
12 emphatically yes or no in that area, because
13 there was too many unknowns.

14 MR. ROBINSON: Not speaking
15 specifically of TVA right now, but of any nuclear
16 power plant, can you give me an example of a
17 situation that would have to exist before their
18 overall QA program was not in compliance with
19 Appendix "B"?

20 MR. SHYMLOCK: Let me think about that
21 a minute.

22 MR. ROBINSON: Well, let me ask it this
23 way: Is it next to impossible in your mind for
24 an overall QA program to not be in compliance
25 with Appendix "B"?

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1 MR. SHYMLOCK: Overall, you know,
2 that's real encompassing. That's the whole
3 thing. And I'd say it would be awful hard. I
4 had written violations against Criterion 2 in
5 specific areas but that doesn't necessarily mean
6 that there aren't other areas out there that are
7 adequately being accomplished by Appendix "B."
8 You'd have to have -- wow, that would be a tough
9 one.

10 MR. ROBINSON: If there was a major
11 breakdown in Criterion 2 would the overall
12 program be in compliance with Appendix "B"?

13 MR. SHYMLOCK: That's another hard
14 question because if Criterion 1 says -- see,
15 we're involved in Criterion 1. We approved the
16 program. And there's differing degrees of
17 implementation, you know. Even you two gentlemen
18 would probably implement a same requirement in
19 different ways. That doesn't necessarily mean
20 that Murph's way is totally wrong. You know,
21 it's kind of like the intent of it, meeting the
22 intent, and we use that, meeting the intent. And
23 the intent in a lot of cases is hard to really
24 determine.

25 MR. ROBINSON: Well, let's say in your

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1 -- let's just say that we have a situation that
2 in your judgment there is a major breakdown with
3 respect to Criterion 2, okay? Would the overall
4 program be in compliance with Appendix "B"?

5 MR. SHYMLOCK: In the welding area, we
6 said it was a Criterion 2, which we basically
7 felt the overall program was deficient in the
8 welding area. Okay? I'm trying to be specific.
9 I have to be specific. In other words, when Glen
10 and John and myself worked on that report, based
11 on the information we had in the welding area, we
12 felt that there was a major QA breakdown in the
13 welding area. So you go back and yes, Appendix
14 "B," okay? But I can't say that the maintenance
15 area at Watts Bar was not meeting Appendix "B."
16 I can't say that design was not meeting Appendix
17 "B."

18 I'd have to say that based on our
19 review and concerns and issues in that welding
20 area, yes, we had a major breakdown.

21 MR. ROBINSON: And even if you had that
22 major breakdown in the welding area, could the
23 overall QA program still be in compliance with
24 Appendix "B"?

25 MR. SHYMLOCK: The way I look at it,

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1 yes. Now, maybe management may redirect me but,
2 you know, it's awful hard to say an overall total
3 Appendix "B" program. Zimmer, you know, what did
4 we do there?

5 MR. REINHART: Let me ask a similar
6 question. If you were aware that you had this
7 major breakdown in the welding area and if I
8 could characterize what we've said, a fairly weak
9 corrective action program, ineffective corrective
10 action program, and you were asked are you
11 meeting the requirements of Appendix "B" and you
12 came back and said overall we're meeting -- we're
13 in compliance with Appendix "B" and not
14 specifically addressing those two; is that being
15 responsive?

16 MR. SHYMLOCK: I think so.

17 MR. REINHART: You do?

18 MR. SHYMLOCK: I think so.

19 MR. REINHART: Okay.

20 MR. SHYMLOCK: I guess personally I was
21 surprised that he made that he even made that
22 statement because I didn't think he would know
23 what Appendix "B" is because --

24 MR. REINHART: Who?

25 MR. SHYMLOCK: White. He was only

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1 there a short period of time. That would be
2 really tough to get up and say emphatically I'm
3 meeting Appendix "B" across the board. That's a
4 big thing. You know, I think from my experience
5 I could never say emphatically I'm meeting it
6 across the board. I can say that in general yes,
7 I'm meeting it, but there are areas that I'm
8 deficient in. I think that if you go to any
9 president of any utility, I don't think any of
10 them are going to say emphatically I'm meeting
11 every line, dot and everything else of Appendix
12 "B," because it comes to light that you have
13 violations in those areas. So that right there
14 shows you that there are areas that may be weak.

15 MR. MURPHY: Let me ask you that
16 question that Mark just asked in another area.
17 If I write a letter to you saying are you meeting
18 the requirements of Appendix "B," in them eleven
19 areas, right, okay, that are listed in NSRS'
20 perception and you know that in the welding
21 you're not doing very good in welding and your
22 corrective action program is ineffective, right,
23 but you're asked to respond to them eleven
24 issues, right?

25 MR. SHYMLOCK: Uh-huh.

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1 MR. MURPHY: Can we use that same
2 response and say overall we're meeting the
3 requirements, we're complying with Appendix "B"
4 and ignore the fact that at least in a couple of
5 areas we're not doing real well?

6 MR. SHYMLOCK: I think so.

7 MR. MURPHY: You could still do that,
8 you could still say that?

9 MR. SHYMLOCK: I think so. I don't
10 remember the time frame. Was he aware of this
11 before that letter went out? I don't remember.

12 MR. ROBINSON: That happened in
13 December -- was he aware of what?

14 MR. SHYMLOCK: I'm asking the question
15 was White aware of this presentation to
16 Asselstine and the letter that he sent to the
17 commission saying that he met it, was this after
18 this?

19 MR. ROBINSON: Oh, yeah, he was
20 responding to that.

21 MR. MURPHY: That's an attachment --
22 them were attachments to our January 3 letter to
23 him.

24 MR. SHYMLOCK: Oh, okay. NSRS gave
25 Asselstine this information and he went back and
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1 then we sent White a letter saying tell us that
2 you are or are not meeting Appendix "B." Okay,
3 that's right.

4 MR. ROBINSON: And those specific
5 perceptions were given as the basis that NSRS
6 made the conclusion that they were not meeting
7 the requirements of Appendix "B." So those
8 perceptions were the things that were being
9 addressed as a basis for saying that you are or
10 are not in overall compliance with Appendix "B."

11 Let me ask you one question. You used
12 the terminology meeting the requirements across
13 the board and you said that you couldn't see how
14 any said that they were meeting Appendix "B"
15 across the board.

16 MR. SHYMLOCK: At any given time, you
17 know, there's going to be some area that --

18 MR. ROBINSON: How is meeting Appendix
19 "B" across the board different from overall
20 compliance with Appendix "B," because it seems to
21 me that you're indicating that it's fairly easy
22 to say you're in overall compliance with Appendix
23 "B" because it's difficult to be out of overall
24 compliance with Appendix "B"?

25 MR. SHYMLOCK: I think that you can be

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1 in compliance with Appendix "B" and still have
2 areas that you're weak in. Because if I didn't
3 say that then I'd have to say -- the logic I'm
4 using to make that statement is that we've got
5 plants out here that are operating today that I
6 can show you inspection reports that say they are
7 not meeting requirements of Appendix "B" and yet
8 they're still operating. Now, based on that
9 logic I'd have to say well, we allow them to
10 operate, even though they're not meeting Appendix
11 "B," and therefore, they're still in compliance
12 with Appendix "B."

13 If we had a violation issued by any
14 resident that was against Section 6, say, 681,
15 which is failure to follow procedures which is
16 Criterion 5 of Appendix "B," and we shut them
17 down, I'd have to tell you if they don't meet any
18 part of Appendix "B" they're out of compliance
19 and we'd shut them down.

20 So that's the logic I'm trying to tell
21 you. Based on that, I'd have to say that you can
22 be in compliance with Appendix B and still have
23 areas that you're not in compliance with,
24 specific areas.

25 MR. REINHART: Is there a difference

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1 between significance in a licensee not meeting a
2 procedure under the tech specs, you know,
3 procedures, versus one of these issues like this
4 welding breakdown? Is there a difference in
5 weight?

6 MR. SHYMLOCK: Oh, yeah. I can show
7 you where you'll have violations in the design
8 control area of operating plants. Okay. That
9 would be Criterion 3. All right, that would be
10 significant and yet they're still operating.

11 Now, I think there's a difference at
12 Watts Bar because it's not operating. You know,
13 when it comes down -- would I agree to let them
14 start up with the welding problems like this,
15 absolutely not. But they don't have fuel in the
16 reactor so I'm going to -- well, we'll accept
17 this but we'll continue to evaluate and we'll
18 still come to some bottom line. It may not be
19 today, it may be next year. And that's the
20 position I think we're in right now. We've got
21 to answer some of these questions. We've got to
22 put the significance on it.

23 And there's an entirely different
24 difference when they've got fuel in it and
25 they're operating than one that's --

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1 MR. REINHART: If Watts Bar had been
2 operating, licensed and operating, and this
3 information came to light about falsification of
4 records, improperly certified welders, the
5 welders went out and they did the welds, we had
6 problems where radiographs were accepted but, in
7 fact, were unacceptable, would that affect the
8 position to allow the plant --

9 MR. SHYMLOCK: Of course. I think that
10 management at NRC would be very responsive to
11 shut it down. And I think if you look at our
12 track record, I mean, there are plants out there
13 that, yes, they're not meeting it and there have
14 been plants that have had problems and we shut
15 them down. I think it's obvious at Sequoyah, you
16 know, we're looking at it more and more. We
17 haven't allowed them to start back up. They shut
18 themselves down, we didn't shut them down.

19 MR. ROBINSON: So we're not saying here
20 that a QA program that is in overall compliance
21 with Appendix "B" is dependent on whether or not
22 the plant is operating or not, are we?

23 MR. SHYMLOCK: No, he was talking about
24 significance.

25 MR. REINHART: We're talking about

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1 significance of a problem.

2 MR. SHYMLOCK: He was asking about if
3 this particular welding issue had come up at a
4 plant that was operating. Well, I think
5 emphatically, yes, we'd have to -- that is
6 definitely more significant.

7 MR. ROBINSON: But we wouldn't accept
8 someone saying that they're in overall compliance
9 with significant problems in a non-operating
10 plant any more than we would accept them saying
11 they're in overall compliance --

12 MR. SHYMLOCK: Absolutely. Absolutely.

13 MR. ROBINSON: You would accept it?

14 MR. SHYMLOCK: No, no. I agree with
15 what you're saying.

16 MR. ROBINSON: Okay.

17 MR. SHYMLOCK: The significance of the
18 issue at a plant that's shut down with no fuel in
19 it, it's still significant, okay? We haven't
20 bought off on it that I'm aware of, okay? And I
21 think when we buy off on it and we allow them to
22 load fuel, these issues will be resolved, they'll
23 be fixed. I don't know what it's going to take
24 to fix them, but they'll be fixed or that plant
25 won't operate. I mean we don't have a choice,

1 because you get in a point and you compromise,
2 and you can't do that.

3 MR. MURPHY: Let me ask you a
4 hypothetical question and you may not be able to
5 respond, give us a response because of data, but
6 if all eleven of them perceptions are true, would
7 they still be in overall compliance with Appendix
8 "B"?

9 MR. SHYMLOCK: Some of those things in
10 there are Chevrolet, apple pie and motherhood. I
11 mean there's some in here that are really big.
12 Using words of indeterminate -- as-constructed
13 welding program is indeterminate? That's saying
14 the whole program, okay? My own thoughts on this
15 is that based on the timing of this and based on
16 the input, because it came out of QTC, I think
17 these are slanted -- at that time. Now, right
18 now, I don't know. I'd have to go -- I haven't
19 been involved in it, but I'm saying at this time
20 frame which was in December of '85, QTC was there
21 in the spring of that year and everything was
22 coming out of the woodwork. And then you're
23 coming up, you have to balance are these factual,
24 you know. And then it wasn't until sometime
25 during the latter part of '85 -- when did EG&G

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1 come in '86?

2 MR. MURPHY: '85, late '85.

3 MR. SHYMLOCK: Late '85, okay. And
4 they're tasked with trying to answer some of
5 these questions, as-constructed welding program
6 is indeterminate. Well, you know, that's one of
7 the things that they're trying to answer. Is the
8 program adequate. Well, they don't have an
9 answer yet.

10 MR. MURPHY: If you don't have the
11 answer, then how can you say we're in overall
12 compliance?

13 MR. SHYMLOCK: Well, what I'm saying is
14 at this point in time --

15 MR. MURPHY: Yeah, I'm saying March
16 20th when Mr. White sits down and writes this
17 letter when we know you haven't resolve your
18 issue with recertification, when EG&G hasn't
19 resolved the issues that they're --

20 MR. SHYMLOCK: But I can't -- the only
21 thing I'm saying, Murph, I'm not sure when EG&G
22 came in. In other words, I don't remember time-
23 wise if EG&G was tasked with doing this when this
24 was coming out. I don't know.

25 MR. MURPHY: Let me guarantee that EG&G

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1 had not determined a final finding on March 20th.
2 they had not given a response on March 20th of
3 1986, by that time they were still working on
4 this issue, right?

5 If that's the case, you've got all
6 these problems that you've identified, right?
7 EG&G is looking at the overall program and has
8 not come up with a resolution as to whether the
9 program is good or bad and welding, I think, is a
10 fairly significant issue on the construction
11 side -- I would hope so -- how at that point then
12 can I say I'm in overall compliance? I mean, I
13 guess I can put some caveat, you know, saying
14 with some exceptions.

15 MR. SHYMLOCK: I don't know how he did
16 it. All I'm -- you know, I mean if I were to
17 make it I would make it with some caveats in it.
18 That's just me, you know.

19 MR. MURPHY: Okay. I've got some tough
20 questions.

21 Mr. Shymlock, have I or any other NRC
22 representative threatened you in any manner or
23 offered you any rewards in return for this
24 statement?

25 MR. SHYMLOCK: No.

1 MR. MURPHY: Have you given the
2 statement freely and voluntarily?

3 MR. SHYMLOCK: Yes.

4 MR. MURPHY: Is there anything that
5 you would further like to add to the record?

6 MR. SHYMLOCK: No.

7 MR. MURPHY: Okay. This interview is
8 concluded at 11:19 on August 12, 1987.

9 (Proceedings concluded.)
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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING:

INVESTIGATIVE INTERVIEW OF
MILTON B. SHYMLOCK

DOCKET NO.:

PLACE: Atlanta, Georgia

DATE: Wednesday, August 12, 1987

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

(sig) Gary L. Long
(TYPED) GARY L. LONG

Official Reporter

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