

1 UNITED STATES NUCLEAR REGULATORY COMMISSION
2 OFFICE OF INVESTIGATION

ORIGINAL

3
4 In the Matter of:)
5 APPENDIX B CERTIFICATION BY)
6 T.V.A.)

7
8 Thursday,
9 August 27, 1987

10 Sixth Floor
11 Point Lookout Bldg.
1101 Market Street
12 Chattanooga, TN

13 The above-entitled matter came on for hearing,
14 pursuant to notice, at 9:55 a.m.

15
16 APPEARANCES:

17 For the Nuclear Regulatory Commission:

18 LARRY L. ROBINSON
19 LEN WILLIAMSON
20 DANIEL D. MURPHY
21 Investigators
22 Office of Investigation
23 U.S. Nuclear Regulatory Commission
24 101 Marietta Street
25 Atlanta, Georgia 30323

For the Interviewee:

23 DEDORAH B. BAUSER, ESQ.
24 GERALD G. CHARNOFF, ESQ.
25 Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, D.C. 20037

Heritage Reporting Corporation
(202) 628-4888

EXHIBIT 20

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS:

Steven A. White

EXAMINATION:

4

EXHIBITS:

None

PAGE

DESCRIPTION

P R O C E E D I N G S

1
2 MR. WILLIAMSON: For the record, it is about
3 9:50 a.m., August 27, 1987. This is an interview of Steven A.
4 White, who is employed as manager of nuclear power, Tennessee
5 Valley Authority. The location of this interview is
6 Chattanooga, Tennessee.

7 Present at this interview are Mr. White, Ms. Deborah
8 Bauser, Mr. Gerald Charnoff, Dan Murphy, Larry Robinson, Len
9 Williamson.

10 As agreed, this is being transcribed by a court
11 reporter.

12 The subject matter of this interview, Mr. White,
13 concerns your knowledge of or involvement in T.V.A.'s March 20,
14 1986 response to the NRC regarding T.V.A.'s compliance with
15 10 CFR 50 Appendix B at the Watts Bar Nuclear Facility.

16 Mr. White, would you please stand and raise your
17 right hand?

18 Whereupon,

19 STEVEN A. WHITE

20 having been first duly sworn, was called as a witness herein
21 and was examined and testified as follows:

22 MR. WILLIAMSON: Mr. White, as a result of interview
23 subsequent to your interview on July 14th and 15th, we have had
24 additional questions that we would like to ask you. One of
25 those questions concerns the concurrence that was signed on

1 the March 20, 1986 letter.

2 I want to ask Mr. Robinson, if he will, to begin the
3 questions.

4 EXAMINATION

5 BY MR. ROBINSON:

6 Q I have a couple general questions on the concurrence
7 process, and then some specific questions about the individual
8 concurrences.

9 Whose idea was it to originate the concurrence
10 process for this letter, Mr. White?

11 A It was my idea to have concurrences.

12 Q Was this the —

13 A But not just on this letter, but on important
14 correspondence.

15 Q On external correspondence going out over your
16 signature?

17 A Not all external correspondence, no.

18 Q Who made the decision as to who the gentlemen would
19 be that would concur to this letter?

20 A I don't know.

21 Q Did you have an idea in your mind as to just exactly
22 what these concurrences would mean?

23 A Yes.

24 Q And what was — with respect specifically to Mr.
25 Kelley's concurrence, what did you think Mr. Kelley's

1 concurrence would mean?

2 A That he was knowledgeable in the areas of his
3 expertise, in the areas contained in the letter, and that he
4 concurred in the enclosures and the basic letter.

5 Q Would that same general meaning of concurrence also
6 apply to Mr. Whitt's concurrence, or would that be a different
7 meaning?

8 A Let me answer it this way.

9 Each of the individuals who concurred, they aren't
10 all precisely the same because, for example, in Mr. Kirkebo's
11 case he's concurring based on the engineering aspects.

12 In Mr. Whitt's case, which you are asking
13 specifically, he had clearly been involved since prior to my
14 arrival in the entire Appendix B issue and is knowledgeable on
15 the issues, the people that raise the issues that work for him.
16 So his — that's what I believe. *Ex*

17 Q So when he concurred in the final letter that went
18 out, what did that mean to you?

19 A It meant that he, that Kermit Whitt agreed with the
20 findings, the conclusions of the letter.

21 Q Okay. Do you recall any difficulty in getting the
22 list of gentlemen on this concurrence list, and by that list of
23 gentlemen, I'll specifically identify them as Mr. Gridley, Mr.
24 Wegner, Mr. Kelley, Mr. Droflett and Mr. Whitt, with Mr.
25 Kirkebo signing for Mr. Droflett.

1 Do you remember having any difficulty in getting
2 these gentlemen to agree that what they meant by concurring on
3 this letter was the same as what you wanted them to mean by
4 concurring on this letter?

5 A I don't recall the specific discussion at that
6 meeting saying, you know, to one person, to Kelly, for *Ed*
7 example, you're concurrence means this. I don't recall
8 anything like that occurring.

9 Q And I'm not referring to just that specific final
10 concurrence meeting. I'm referring to from when you first
11 initiated the idea of having a concurrence sheet up until the
12 final concurrence.

13 During that period of time do you remember any
14 difficulty with the concurees --

15 A No. Well, let me -- there was a prior meeting. I
16 don't know if you are referring to that. The first -- there
17 was a prior meeting some time before the 20th of March, and I
18 don't recall when, in which I was told by one, perhaps Kelly, *E*
19 I don't remember who, that the March -- that the letter ^{that} turned
20 out to be the March 20 ~~letter, letter.~~ ^{letter, letter.} *They* said the Appendix B
21 answer is ready for you to review.

22 And then a number of people came into my office with
23 that letter. I had not yet read the letter. My first question
24 which was, I guess you might say standard for me with that
25 group of people was, I assume that everyone here concurs in

1 this letter. That was before I started to review it.

2 And I think first Mr. Wegner said, who was present,
3 said, I don't because I have not seen it, or something like
4 that. Mr. Brodsky was there and said something similar to
5 that. And I got quite angry. You know, pushed the paper in the ^{Edw}
6 middle of the table and said, well, something like, well, god
7 damn it, if you people aren't in agreement, then why are you
8 bringing it to ^{me} and told them to get out, basically. ^{Edw}

9 I asked in the process of that, where is the
10 concurrence sheet on this, and there wasn't one.

11 So I'm not sure if that's what you were referring to,
12 but that certainly occurred early on.

13 Q No, what I'm referring to is, and I guess I need to
14 clarify whether you are aware of this happening, Mr. Gridley,
15 prepared a typewritten definition of concurrence for each of
16 the concurees to sign and agree to.

17 Are you aware of anything like this?

18 A No, no, no, wait a minute.

19 I'm not aware of anything like that, but I am aware
20 that there was another piece of paper for an entirely -- not
21 for these people. Let me go back in time.

22 Early on I talked to my attorney, George Edgar, and I
23 think I related this to you last time. He gave me certain
24 advise that I asked him. I said, you know, in signing
25 something like this, what do I need to do. And he said, you

1 know, talked about what type of review, who I should, you know,
2 thoroughness with which I should review it.

3 He also then said to me, one of the things that is
4 done in another utility, and I think it was Illinois Power. I
5 know the person there, his name is Hall. He said Hall has a
6 system whereby he requires people to write a statement, kind of
7 a certification statement on facts they furnish, and that I
8 should do something like that on the letter, I guess.

9 I therefore called Hall on the phone and said, do you
10 have something like that. He said, yes. He sent it to me. I
11 got it, and I wasn't -- it wasn't as strict as what I ^{was looking} wanted
12 for, and I'm not talking the upper concurees, the Kirkebos, the
13 Wegners. I'm talking about individuals furnishing the facts,
14 the T.V.A. people and their supervisors.

15 Q Okay, I understand those certifications, and those
16 are not the ones --

17 A No.

18 Q -- I'm talking about.

19 A Oh. Well, those are the only ones I know of, and I
20 then, I then asked someone, I'm not sure, it may have been
21 Gridley, it may have been Wegner, but I said, you know, this
22 isn't enough. Go work up something that's a little more
23 strict. I want the people furnishing the facts to certify to
24 those facts.

25 That was done. They later brought back the paper. I

1 said this is acceptable, and they then went and had those
2 people sign that.

3 I know of no paper at that time prepared to say what
4 a concurrence means.

5 Q Do you know --

6 A And I don't know how Gridley, you know, I'm not sure
7 Gridley understood what I wanted at that time. So I don't know
8 how he would have prepared it, but if he did, he did. I don't
9 know.

10 Q Are you aware of any statements of concurrence that
11 were sent to the list of concurees that I referred to before?

12 A No.

13 Q The Wegners, the Kelleys, the Droffletts, the Whitts.

14 A No, I don't recall -- they may have, but I don't
15 recall, number one, anything that talked about concurrence,
16 what it meant. So I obviously don't know if anything like that
17 was sent to those individuals.

18 Q Well, Mr. Gridley told us that he did prepare
19 something like that, and sent it to the concurees, and he on
20 that documentation gave it his best shot as to what he thought
21 concurrence should mean.

22 And Mr. Gridley testified to us that Mr. Kelley
23 disagreed with what Gridley first went out, and Kelley typed up
24 his own definition of what concurrence was, signed it, mailed
25 it in.

1 A Mailed it to who?

2 Q Gridley doesn't remember receiving it.

3 Do you remember receiving it?

4 A No, no, but I think -- you know, in all due respect
5 to Gridley, who is a hell of a good manager, I think he may be
6 confused between the two papers. I think he is confused -- I
7 don't know, but I would -- the first paper, clearly he was
8 involved with the certification thing.

9 The concurrence thing, I just, you know.

10 Q Well, Mr. Gridley seemed to be fairly clear about it,
11 and so did Mr. Kelley --

12 A Okay.

13 Q -- when we talked to Mr. Kelley.

14 A Well, if that went on, it certainly went on without
15 my knowledge.

16 Q Okay.

17 A And I have never seen the paper, so again I don't
18 know what it even says.

19 Q All right. I'm going to, just for total
20 clarification, I'm going to show you a document that we have
21 showed you at the last interviews.

22 A Yes, okay.

23 Q It's dated February 20, 1986, with the heading S. A.
24 White, L.P. 6N 38 A-C, and I'll quote the typewritten statement
25 on this paper.

1 "I have read the basis for concluding that 10 CFR
2 Part 50, Appendix B requirements are being met at the Watt Bar
3 facility."

4 And it's signed K. W. Whitt.

5 I ask you again if you have ever seen that document
6 or recognize it in any way?

7 A I saw it when you showed it to me the last time that
8 we met, and that was the first time I had seen it.

9 MR. MURPHY: Was that the first time you had seen
10 a -- if I remember his testimony, it wasn't that he had seen
11 that that day; that it was shown to him by the attorney.

12 THE WITNESS: No, no, I hadn't --

13 MS. BAUSER: I don't believe that we had shown it to
14 him.

15 THE WITNESS: I had not --

16 MS. BAUSER: I may be mistaken.

17 THE WITNESS: I had not.

18 MS. BAUSER: But my recollection is --

19 THE WITNESS: I don't think so.

20 MR. MURPHY: I just wanted to make sure.

21 BY MR. ROBINSON:

22 Q Again, and we interviewed Mr. -- we reinterviewed Mr.
23 Whitt after we talked to you, and I want to ask you again,
24 prior to the final concurrence date on March 20, 1986, were you
25 aware that Mr. Whitt's concurrence was going to be limited to

1 the statement that he had just read the Appendix B letter as
2 opposed to agreeing with the contents of the Appendix B letter?

3 A I was not only not aware of it, I didn't become aware
4 of any such feeling until approximately two months after the
5 letter was signed. There is no question in my mind, it's very
6 clear to me what I asked Mr. Whitt in the presence of a number
7 of people before he signed that paper. Asked him not once, but
8 twice. There is no question in my mind.

9 MR. CHARNOFF: Excuse me. Why don't you finish that.
10 What did you ask him and what did he answer??

11 THE WITNESS: Well, I asked him whether -- he signed
12 the paper first, and I said, then you are in agreement and are
13 concurring with this. He said, yes. Then he added a phrase to
14 the affect of, but you understanding that several of my people
15 are not in agreement with it, which triggered me to ask him a ^{2nd}
16 second time, but you are in agreement with it. He said, yes.
17 That was the end of the problem.

18 BY MR. ROBINSON:

19 Q And later that day did Mr. Bridley come to you
20 indicating that Whitt had backtracked on his concurrence in any
21 way?

22 A No, I don't recall that.

23 Q Do you recall Mr. Bridley coming to you at anytime
24 within the next week after that concurrence?

25 A No.

1 I recall Mr. Whitt coming to me some time afterwards,
2 but not with that issue, but with the fact that his people were
3 threatening him, and I think I described that as a very
4 emotional meeting.

5 But even at that meeting he did not in any way tie
6 that to stepping away from the concurrence with those results.
7 And I have subsequently found out from — by the way — from
8 one of the T.V.A. lawyers — I don't know if this is proper,
9 but I have subsequently have found out from one of the T.V.A.
10 lawyers his own knowledge that Whitt had in fact agreed with,
11 and that was Nichols, I guess, has told me that his
12 knowledge —

13 MR. CHARNOFF: That Whitt was in agreement.

14 THE WITNESS: -- with the findings.

15 MR. CHARNOFF: That Whitt personally was in
16 agreement.

17 THE WITNESS: Yes, I am only talking about Whitt
18 personally.

19 BY MR. ROBINSON:

20 Q But, of course, Mr. Whitt's concurrence on that
21 concurrent sheet wasn't just intended to be a personal
22 concurrence. It was intended to be the concurrence of the
23 manager of NSR.

24 A Oh, yes. When I say his personal, I mean as a line
25 manager his concurrence.

1 Q All right.

2 You don't recall any conversations in the month let's
3 say between February 20 and March 20 of 1986 which Mr. Whitt in
4 which he indicated that he could not agree that Watts Bar was
5 in compliance with Appendix B?

6 A I can unequivocally say he never said anything of
7 that nature.

8 In fact, I say again, he never said it. The first
9 time I found out about that was in a meeting with the board of
10 directors when they were down here, and that would have been
11 mid-May. We had a meeting in the conference room here at which
12 we were discussing Appendix B in preparation for the hearing in
13 front of Mr. Dingell. The subject came up. Mr. Whitt was in
14 there. Mr. Whitt talked that day, and that day didn't say he
15 wasn't in agreement. And that was the day I found out, because
16 the concurrence sheet was brought forward, I looked, and I was
17 absolutely -- I was furious.

18 Number one, not only did Whitt, but nobody else --
19 apparently other people had known that was on there. No one
20 had come to me. I was mad at Gridley because he apparently
21 found out subsequently that he had written it in there. No one
22 had come to me and said anything about it.

23 So I was, you know, surprised and angry.

24 Q And you don't recall Gridley coming to you.

25 A No, no, Gridley never came to me on that, and that

1 was another reason I was quite angry with Gridley, with --
2 after that meeting, I was angry with Kelley over a different
3 issue, Gridley over this. I did some ass chewing at the end of
4 that meeting for not being properly informed on that issue, ^{at the} ~~and~~
5 I didn't with Whitt. I still felt sorry for him.

6 But I had no reason to believe or suspect as of that
7 date in mid-May he still wasn't in agreement with it because we
8 were discussing it. He was sitting there.

9 Q At any point in time between the first attempt at
10 concurrence when obviously some of the concurees had not even
11 read the letter until the final concurrence, did Mr. Kelley
12 indicate to you that his concurrence was qualified in any
13 way --

14 A No.

15 Q -- to that letter?

16 A No.

17 Q On external, important external correspondence now
18 are you continuing that concurrence process that you initiated?

19 A Yes. It still isn't perfect. I will tell you I
20 still have problems with -- with regard to people who either I
21 don't get the concurrence sheet on something that I think --
22 see, it isn't that definitive. Some letters might, some might
23 not, and so some come to me that should have a concurrence and
24 don't. I throw those back and yell at someone.

25 Sometimes they come to me and everyone has concurred,

1 and then I read the letter and I find errors in it, and then I
2 raise hell with the system for having concurred without
3 thoroughly having read the thing. So I have problems.

4 MR. ROBINSON: Mr. Murphy, Mr. Williamson, do you
5 have any questions on concurrence?

6 MR. MURPHY: Just one.

7 THE WITNESS: Yes.

8 BY MR. MURPHY:

9 Q You said that in Whitt's concurrence, you thought
10 that it was -- he had been involved throughout the process.
11 What was his involvement?

12 Let me be very specific. What was Whitt's
13 involvement with the preparation of the cover letter first?

14 A I don't know because I don't know the specific
15 involvement of any individual. It was a staff letter. I don't
16 know.

17 Q Do you know if he had any involvement at all?

18 A I have no idea who did and who didn't, or how much
19 anyone did.

20 Q Do you know if Whitt had any involvement in the
21 resolution of the line organization --

22 A Let me think about that last question --

23 Q Sure, sure.

24 A because, you know, to determine if -- what you are
25 really asking did I have any evidence that he was involved with

1 the writing of the letter. You are not asking now whether or
2 not he had involvement with the issue, but involvement with
3 writing the letter.

4 Q No, writing the letter.

5 A No, no.

6 Q Excuse me.

7 So the answer is no.

8 A Involved with the issue, but not with -- not with the
9 letter.

10 Q He had no involvement?

11 A I don't know.

12 Q Oh, okay.

13 A I don't know if he had involvement with the letter or
14 not.

15 Q Okay, fine.

16 And how about the line organization responses, did he
17 have any involvement in either -- there are two areas I would
18 like -- first, with the final preparation of the response
19 itself, the written response; do you know if he had any --

20 A I'm sorry. Repeat your question.

21 Q Did he have any involvement in the actual written
22 response? I mean the write up itself.

23 A Well, that's the one I think I just answered.

24 MS. BAUSER: You are talking about the attachments.

25 BY MR. MURPHY:

1 Q Attachments, yes, sir, the line organization responds

2 A I don't -- to my personal knowledge I don't know if
3 he did or didn't.

4 Q Okay. And do you know if he had any involvement in
5 the actual --

6 A Because when you say involvement in the actual
7 writing, I'm sure, to the best of my knowledge, he was
8 certainly involved with the issues.

9 Q Yes.

10 A And so whether or not he did any of the writing,
11 whether he was part of the author, I have no idea.

12 Q That's really what I'm asking here.

13 A I don't know if he was part of the authorship.

14 Q And the second part is did he have any part in
15 resolving or coming to the bottom line resolution of NSR's
16 perceptions that were presented to the line organization?
17 And if you need clarification, I'll sure give it to you.

18 Let me tell you what I --

19 A I'm not sure I understand the question.

20 Q Okay. At some point in time NSR would ask, to say
21 you have given us these letter perceptions. Back them up. I
22 mean give us some backup data that we can look at, you know, to
23 do something.

24 A Right.

25 Q They furnished a certain number of employee concerns.

1 whatever they thought was supporting evidence for their
2 perceptions, right?

3 A Well, initially they didn't have very much it was my
4 understanding.

5 Q No, I --

6 A And then they went out and --

7 Q That's correct .

8 A -- dug up some things which they presented. That's
9 my understanding, yes.

10 Q Dug them up or?

11 A Well, they found -- well, when I say dug up, I'm
12 using perhaps too generally. But they went out then having --
13 my understanding is that they were asked, support your
14 perceptions. They couldn't. So then they went out and found
15 other things which supported their perceptions they felt.

16 Q Okay. These other things that they thought supported
17 their perceptions, do you know if Mr. Whitt had any part in the
18 resolution of those other things?

19 A I don't know.

20 Q Mr. White what was the purpose of Mr. Wagner
21 conferring on that sheet?

22 A First, I'd have to say that Mr. Wagner, you know,
23 I've known him for over 30 years. He was Admiral Rickover's
24 principal deputy for 15 or 17 years. He has a very broad
25 experience base, but over and above that, he is extremely

1 honest individual who, if there was any problem, I could have
2 been assured that he would have brought it to my attention. In
3 other words, he wouldn't have let anything slip by, or that
4 kind of thing.

5 So it was his general knowledge and my dependence on
6 his honesty and integrity.

7 Q So he was signing as -

8 A As having looked at -- I don't know -- reviewed in
9 the general sense, I don't think he did word over word -- I
10 didn't expect that. He wasn't an expert in any specific area,
11 but just the broad base of experience that he had and his
12 standards, and his in-the-know, and his honesty and integrity.

13 Q So he doesn't have the cumulative experience to
14 verify whether those issues were federal?

15 A Well, his Q/A experience is probably similar to mine
16 in terms of the general sense. He's not an expert in Q/A, no.
17 I don't consider him an expert.

18 Q You might have answered this -- I'm not sure. And
19 Mr. Gridley, was he signing for licensing?

20 A Yes he was.

21 Q He was signing for licensing.

22 A Yes.

23 Q And Mr. Kelley was signing for the Q/A organization?

24 A Yes, which -- and of course, that was the
25 preponderance of the letter.

1 Q Mr. Kirkebo signing for Mr. Drotleff for the
2 engineering aspects?

3 A Engineering aspects, that's correct.

4 Q Mr. Witt was signing for the NSRS?

5 A That's correct. Yes?

6 BY MR. MURPHY:

7 Q Just to come in mind, we asked how this list has been
8 filed and he said —

9 A "How" what?

10 Q How the list of employees was compiled and he said,
11 "you had it."

12 A Yes?

13 Q In other words, you didn't have any real activity.

14 Did you specifically say that Mr. Witt would be on that?

15 A No, no. I didn't and I don't know who did. You
16 know, determine. I guess if there had been two more people in
17 there, you know, I wouldn't have objected. ~~Certainly~~, I ^{Edw}
18 ~~would~~ ^{would} have ~~those~~ ^{objected if} those were essential determin — I guess if ^{Edw}
19 there had been two ~~more~~ ^{less} people in there, you know, I wouldn't
20 have objected specifically. ~~Certainly I wouldn't have those~~
21 ~~were essential~~ ^{those present were essential.} ^{ed.}

22 Q But you didn't go out and — you didn't make a
23 particular issue out of Witt himself, did you?

24 A No, no. No.

25 BY MR. ROBINSON:

1 Q I noticed you indicated that at the first effort at
2 concurrence, Mr. Brodsky was there. Was there any reason he
3 was eliminated from the final list?

4 A No. Perhaps to follow up to what I just said: if
5 Brodsky had come up a second time, I wouldn't have been overly
6 surprised, or if Drotleff had come in in addition to Kirkebo, I
7 wouldn't — or ~~H~~iston? That was certainly the minimum critical
8 mass. I'd say, okay? Ed

9 Q On this final concurrence sheet, which I'll identify
10 as being headed "Concurrence Sheet Prepared by J.A. Domer,
11 Dated March 5, 1986," it does appear that in the column under
12 "name," the names were written in with different handwriting.
13 Was this concurrent sheet to your knowledge actually prepared
14 at the final date of concurrence, or —

15 A I don't know. I'd never notice^d that they are in fact Ed
16 in different handwritings. I don't remember whether it was.
17 Well, clearly it wasn't prepared there at the time because
18 Gridley signed it on March 6.

19 Q March 6.

20 A But I don't know, you know, if Domer prepared it, I
21 don't know, the date in fact appears the 5th, or you know,
22 whether he prepared it and put the names in, I don't know.

23 Q In practicality, was the final version of the
24 appendix B letter really ready to go around mid-February,
25 February 20, and then they — and the concrete, the trench B

1 problems came up?

2 A I have no way of knowing specifically when the lette
3 was ready. I just know when they brought it to me and said it
4 was ready.

5 Q Was it ready about a month before it went out?

6 A I have no way of knowing. Let me, you know, perhaps
7 can explain — let me explain this. Some time in February,
8 some version of the Appendix B letter came in that first
9 meeting. Some time, and that's the one that I threw them out.
10 I said I wouldn't play. Some time after that, in I would gues
11 the last of February, it would be my assumption, I started —
12 the enclosures were reported to be ready, and I started at tha
13 point in time with Kelley, with Huston, some with Kirkebo, som
14 with Drotleff, but mostly with Kelley, on the enclosures. You
15 know, the review of the enclosures.

16 That may have extended to the last — now you
17 understand that it was an hour here, an hour there, an hour
18 this day, an hour that day. It just wasn't a long session. I
19 couldn't do that. I didn't have the time. That was probably
20 the last week of February. That may have continued into the
21 first few days of March. At that point in time, the two thing
22 that I directed my attention to and therefore, my senior
23 managers and advisors did likewise, was preparing Volume I of
24 the Nuclear Performance Plan, which I felt I had to submit to
25 the NRC before I went up to testify on the 11th, so that

1 consumed much of our time. And preparations for the 11th of
2 March meeting. So that, I think, I guess that in the week
3 before that, probably I didn't deal with Kelley or anyone else
4 But after that meeting, the meeting being the Commission
5 meeting, I had been under pressure from Asselstine on that
6 answer, as I think you know, and so I came back and I said, ^{the}
7 got to get the Appendix B letter out."

8 It took then, well, I don't know what days of the
9 week, but certainly from the 12th when we got back here, to the
10 20th, before we could sit down and go through it really until
11 the 19th, because on the 19th, I was ready and familiar enough
12 with the letter, because this time I had reviewed the letter,
13 think on the 19th. But I called Commissioner Asselsteine to
14 discuss it with him. So I think that between the 12th and the
15 19th, essentially in one week, if the letter was ready, it
16 would have been brought to me, and we would have gotten on with
17 it because I was pressuring my assistant, "come on, let's get
18 this, I promised I'd have it I think within a couple of weeks,
19 is what I told him.

20 So what I -- I had no personal knowledge but I would
21 guess that the letter probably wasn't completely ready or it
22 would have been brought to me, so I don't know when it was
23 completed. I just know that probably by the 19th it was
24 completed. The 19th of March.

25 Q Okay, I'm going to show you a document -- a copy of .

1 document that was provided to us by Mr. Edgar. It has
2 information for Dick Gridley and Bill Wagner, and the first
3 series of issues are entitled, "Background," and just take a
4 minute to review that and tell me if you recall seeing that
5 document prior to March 20, 1986?

6 MR. CHARNOFF: Or if he saw it at all?

7 MR. ROBINSON: Pardon?

8 MR. CHARNOFF: Or if he saw it at all.

9 MS. BAUSER: What was the date you gave it? Did he
10 see it before?

11 MR. ROBINSON: March 20, 1986.

12 THE WITNESS: I have seen this but I am now not sure
13 whether I saw it or my attorney showed it to me or either you
14 showed it to me. To the best of my knowledge, I had not seen
15 this before the 20 March letter, although there is some --

16 BY MR. ROBINSON:

17 Q Take your time and review the whole document. It
18 also contains a suggested draft of the cover letter by Mr.
19 Edgar.

20 A This thing, you mean?

21 Q Yes.

22 A No, I'm confident that I did not. There is no
23 question in my mind that I never saw a draft -- this thing is
24 signed by George Edgar, which I don't understand. I don't even
25 understand the draft. But it wouldn't surprise me, someone

1 addressed^s it to Gridley and Wagner^e at that point in time that I
2 wouldn't ~~notice even~~ have seen it.

3 Q You don't recall any discussions either with Mr.
4 Gridley or Mr. Wagner about that?

5 A No.

6 Q About receiving that from Mr. Edgar?

7 A Nope. I recall conversations with Mr. Edgar on the
8 phone, and the reason I pause when I read this, is that I
9 remember questions with him as well as with Kelley^{el} at one point
10 in time on the Callaway case. But to the best of my
11 recollection it wasn't associated with this document.

12 Q Did you have any discussions with any of the
13 concurrees to the letter about the specific wording in the
14 letter? The final letter as it went out?

15 MS. BAUSER: Are you talking about time of day that
16 it went out or any time?

17 BY MR. ROBINSON:

18 Q At any time prior to its issuance?

19 A Yes.

20 Q Did you have any discussions -- I'm going to show you
21 the chronology of the drafts of the letter that were provided
22 to us from Mr. Burdette through your attorney's office and let
23 you familiarize yourself with those again. And I am
24 specifically speaking about detailed changes that were made
25 from the draft identified as R-4, through the final drafts.

1 A How will I be able to identify what those changes
2 are?

3 Q Okay, if you would, do you still have that letter
4 from Mr. Edgar?

5 A No, I gave it back to you.

6 Q If you would look at R-3, the last sentence in the
7 first paragraph of R-3, reads and I quote: "consequently TVA's
8 corporate position is that 10 C.F.R. Part 50, Appendix B,
9 Requirements, are being met at the Watts Bar facility." And R-
10 4, which has a written-in date of 2 - slash - 19, and the
11 initials, "R.L.N." and "T.E.B." standing, I believe, for Ray L.
12 Newby and Thomas E. Burdette, this R-4 appears to be very, very
13 similar, if not almost verbatim to the suggested draft that
14 was sent by Mr. Edgar.

15 MR. CHARNOFF: Should we just assume that, Mr.
16 Robinson? Or should we have it checked?

17 MR. ROBINSON: You may check it.

18 MR. CHARNOFF: Well, then, maybe we ought to take a
19 couple minutes break because it's NUREG's letter?

20 MS. BAUSER: Before we take a break, can you tell us
21 what your question is so we can begin a --

22 BY MR. ROBINSON:

23 Q Well, my question, again, is, if Mr. Wright is aware
24 of any specific additions of phrases and wording to the final
25 March 20 letter, from the point in time you received the

1 proposed Edgar draft until the final draft?

2 A Well, I didn't receive the proposed Edgar draft.

3 Q Then, until the time that Mr. Gridley and Mr. Wagner
4 saw --

5 A I think I can answer that by saying, "no." You can,
6 we can -- the lawyers can review these, but I just -- I wasn't
7 involved with prior drafts, and so unless there some hidden
8 meaning in the question, which I don't think there is, I --

9 Q Until the second change in mind that you are
10 hesitating upon?

11 A Yes, that might help if you're talking about some
12 specific change.

13 Q Well, the specific change is, pertains, to the issue
14 that we discussed when you were down in Atlanta before,
15 regarding the scope of the response, okay?

16 A Well, these two, R-3, is obviously on the surface is
17 considerably different than R-4 in that first paragraph.

18 Q Correct.

19 A But I had no knowledge at the time of that. And
20 certainly I had no knowledge -- you're saying that this R-4
21 paragraph is close to or precisely as Edgar's and I'm saying,
22 "it might be -- I don't know."

23 Q Yes, the entire --

24 A I wasn't involved with the process, so I wouldn't
25 know.

1 Q The entire R-4 letter is very similar to Mr. Edgar's
2 proposed draft letter, not just the first paragraph --

3 A Okay, that may be so, you know.

4 Q The second paragraph in Mr. Edgar's letter, and this
5 is the specific change I'm interested in -- Mr. Edgar says, and
6 I quote: "On the basis of our review of the NSRS perceptions .
7 . . .," that 's how he starts out the second paragraph. In
8 revision no. 4, [R-4] it states "on the basis of our review of
9 the issues identified in the NSRS perceptions, my specific
10 question to you is, "are you with -- or is there any discussion
11 by Mr. Gridley, or Mr. Wagner to you about adding of the issues
12 identified as opposed to the basis of the review of the NSRS
13 perceptions themselves?"

14 A No, there was not. And I think the final version has
15 this in it, and that's what I saw and I understood what it
16 meant, and it was correct. I don't know about any previous
17 versions.

18 Q Okay.

19 BY MR. MURPHY:

20 Q You said earlier that you had some conversations with
21 Mr. Edgar. Were they concerning the Appendix B response?

22 A No, not the response itself. The conversations dealt
23 with -- you know, I had never signed a letter like this. And
24 so I went to my personal lawyer and said, "what are the kinds
25 of things that ^{I should do with this.} ~~would do this?~~ I mean, it's a very complex,

1 technical thing; I'm not familiar with it; am I expected to
2 know everything in those enclosures, because if I am, the
3 letter's never going to go out for a long time," and the answer
4 he gave me is, "no," and he gave me certain, if you want to
5 call them, "rules," to follow, "to make sure you're diligent in
6 questioning your people, was one of them; "make sure that they
7 really know what they're talking about; make sure that the
8 facts support the conclusions, and that the facts and
9 conclusions support the basic letter." I actually went one
10 step further and I not only -- I think I mentioned before, I not
11 only used Kelly, Kirkebo and Huston, those people, but I also
12 spot-checked what they were telling me with other -- with my
13 ~~advisers~~ ^{supervisors}, so that I added that as an added level of ~~etc~~
14 thoroughness. But basically that's what --

15 Q You have stated, did you not, that you hadn't seen
16 this prior to March 20?

17 A I didn't recall seeing that before the March 20
18 letter. I recall seeing -- I think my lawyer showed me that.
19 I believe that's where I saw it first.

20 BY MR. MURPHY:

21 Q For the Record, what we're talking about is the
22 suggested draft of the March 20 letter by Mr. Edgar.

23 MS. BAUSER: And the cover memo, is what you were
24 specifically looking at.

25 MR. ROBINSON: Well, it was an entire packet, so I

1 would have seen that in --

2 THE WITNESS: I have no idea if it was or wasn't.

3 MR. ROBINSON: We've been told that and that's the
4 basis we're asking on now.

5 MR. CHARNOFF: May I ask a question?

6 BY MR. CHARNOFF:

7 Q In looking at Mr. Edgar's memo, a couple of the
8 supposed Edgar draft, did you notice that, on page 2, he says,
9 it's beginning on the second line, in other words, if only two
10 has been referred to, item 2, page 1, he says, "The
11 certification should be confined to [quote] 'based upon our
12 review of the issues raised by the NSRS presentation.'"

13 MR. ROBINSON: I noticed that.

14 BY MR. CHARNOFF:

15 Q In the memorandum it's different than in his letter,
16 if that's his letter.

17 A Okay, that would mean that -- I don't have to look at
18 it. That would mean that perhaps the reason it was put in by
19 someone?

20 Q Perhaps, I don't know.

21 BY MR. MURPHY:

22 Q Let me see if I remember where I was last? Oh --
23 did, did, did Mr. Wagner or Mr. Gridley or any member of your
24 staff see it -- tel you if we had contacted Mr. Edgar and asked
25 for some advice on how to prepare this letter?

1 A No, I don't recall that anyone did, but you know,
2 they may have. I just don't recall someone coming in as a
3 specific issue someone coming in saying, ^{I'm} ~~of~~ talking to Edgar ~~8x~~
4 and he's drafting something. I certainly was dealing with
5 Edgar and ^eWagner knew I was on the issues --

6 Q But on other issues, right? E

7 A On the ^{other} issue that ^{he} ~~he~~ handled ^{for me.} Right.

8 Q Certainly I understand. You, you, did you every
9 direct Mr. Wagner or Mr. Gridley to contact --

10 A Edgar? No.

11 BY MR. ROBINSON:

12 Q Did Mr. Edgar advise you in any of your conversations
13 with him to make sure that you contacted some of the high
14 officials at NRC, to make sure that the letter was responsive
15 prior to sending it?

16 A No, I don't think I can recall him ever recommending
17 that to me.

18 MR. ROBINSON: Mr. Williamson, do you have any
19 questions on the Edgar draft as compared to the final letter?

20 MR. WILLIAMSON: No, are we moving -- moving on.

21 BY MR. WILLIAMSON:

22 Q I have another one: in your previous testimony to us
23 in July, you said that Mr. Kelley had overall responsibility
24 for the response of this letter to the NRC. Was this
25 responsibility that you specifically assigned to him, or one

1 that he had assumed had directed by you to him to do?

2 A As I recall -- you remember I told you at the meeting
3 we had last about the number of things we had going on. I
4 didn't assign Kelley the responsibility. He arrived on the
5 scene. He moved into Q/A. The first time that I then, you
6 know, started getting involved in the respect of how we do it,
7 it was Kelley who clearly had, for whatever reasons, assumed
8 that -- and I think it was right, it was mostly Q/A -- he kind
9 of had taken charge of the effort. And that was proper.

10 Q Normally wouldn't Licensing be responsible for a
11 response such as this?

12 A Yes -- well, yes-and-no, because, you see, you have
13 the technical aspects, where you have the responsibility for it
14 technically, and then you have the licensing as a separate
15 issue. I'd have to go back and look. I had let our Licensing
16 manager go. I'm not sure Gridley, when he came aboard -- and
17 it wasn't, I think, until February, perhaps, the Licensing
18 organization was really without a what I would consider a top
19 ~~MANAGER~~ ^{MANAGER} down there. CW

EndT2

T3

20 So this to me is a ^{NOT} little abnormal for Kelley, as a
21 good manager to get in and take charge of the place.

22 Q Historically, however, the conversation discussing
23 the communication between Nuclear Power and NRC was handled by
24 Licensing.

25 A Historically, I don't know. When I arrived here the

1 Licensing was a mess. So if you say to me, "historically," at
 2 the corporate level, the answer, I think, is "no." I don't
 3 think Licensing at the corporate level when I arrived here had
 4 anything to do with what was going on. They had their
 5 individual fiefdoms, I think it was being run out there,
 6 somewhere, you know, out at the sites. There wasn't any
 7 coordination. So that I don't know. I can't speak first-hand
 8 about historically, I can only say that when I arrived, I was
 9 very displeased with the corporate Licensing leadership and ^{new} the
 10 whole Licensing thing was being run at the TVA.

11 Q I have to question this because it's awful that they
 12 put you responsible for the response.

13 A ~~of course~~ *ELW*

14 Q And I would have held the — I would have had some
 15 difficulty in determining exactly who under you was responsible
 16 for accumulating information and accumulating information and
 17 providing it to you. Because I'm sure they did.

18 A Well, that was primarily Dick Kelley. You know, let ^{ELW}
 19 me go over this again. I had a number of senior advisors, and
 20 by "senior," you're familiar with who they are, and they are
 21 senior ^{in my eyes.} ~~to me.~~ There's a gradation among those as to the ^{ELW}
 22 involvement of the people. Kelley was most involved. Next to ^{ELW}
 23 him was Huston, a little less involved. Then came Drotleff and
 24 Kirkebo, still a little less, and then I go all the way to the
 25 other end of the spectrum where I have people like Bass and

1 Brodsky, involved only to the extent of my bouncing questions
2 off of them. So it would be to involvement -- the primary
3 involvement was really Kelley, among those people. I said *Elu*
4 "among those people," didn't I? Okay, you got it.

5 BY MR. MURPHY:

6 Q Let me cover an area. I'm going to ask you to tell
7 us as much about the various -- when you talk about telephone
8 calls to NRC, okay, and so we can get a clear picture. I would
9 like you to tell us the number of contacts you had either like
10 just prior to March 20, March 21, concerning the Appendix B
11 letter, including any contacts and basically what was
12 discussed. It may seem like we're going over old ground, but
13 every time we leave here and go somewhere else, a new phone
14 call comes up. So maybe if we go through this and you could
15 tell us --

16 MR. CHARNOFF: Before you answer, we had given you a
17 copy of notes that Steve White had taken pertinent to some of
18 those phone calls. Do you have that with you?

19 THE WITNESS: Yes.

20 MR. WILLIAMSON: That would help.

21 MR. MURPHY: And you also provided additional notes,
22 so --

23 MR. CHARNOFF: For the Record today, we provided
24 here, and I apologize for the -- where they looked for them
25 yesterday -- I did give you this morning notes of two telephone

1 conversations that Admiral White had had with Jim Taylor and
2 Hugh Thompson of the NRC pertinent to the June letter, I think
3 the date was June 5, letter. We had talked about that letter
4 at the last interview and I thought we ought to look through
5 his notes to see if anything there was pertinent to the June
6 letter, and I did find notes of two conversations with Mr.
7 Taylor on May 16 as a one sheet of notes that I gave you this
8 morning, May 16, as you recall being the date that the NRC sent
9 the letter back to Mr. White replying to the March 20 letter,
10 And we think that that led up to the June letter, and then
11 secondly, May 29, a conversation with Hugh Thompson, where
12 there is another indication that a supplementary letter might
13 be written. Those were the only two references that I could
14 find and I gave them to the three of you this morning.

15 MR. MURPHY: I'm going to suggest that we take a
16 short break and Mr. White be given a chance to review those
17 letters. And when we come back on the Record, I would like Mr.
18 White to be as complete as possible about all the telephone
19 calls that you had with NRC officials.

20 THE WITNESS: Right.

21 MR. MURPHY: I want to say one more thing -- from the
22 period of time just prior to and like the 19th, 20th, 21st,
23 during that period of time.

24 THE WITNESS: Pertinent to the March 20 letter?

25 MR. MURPHY: Pertinent to the March 20 letter. We've

1 talked about most of these but I think we might have forgotten
2 one or two, and tell us what you can recall about that
3 conversation.

4 THE WITNESS: I think it's important. One of the
5 things you say that calls keep coming up. I think we furnished
6 you the phone record from here, or so I -- you're clearly
7 familiar with all the calls made from my phone. I don't know
8 which is the so-called "van telephone call." My notes help
9 recollect most of the calls but not all, as I have explained to
10 you. So that I can only tell you, try to figure out from the
11 full record what calls were made, and I think that would help
12 us piece this thing together, and then my notes in addition to
13 that.

14 But what I don't have, and therefore, I can't tell
15 you all the calls, is what calls originated from the other end
16 to me. And I think perhaps the Van call was one of them. And
17 so if you ask me what the total number of calls was, I can only
18 guess based on the phone records here as to what we initiated.
19 If my notes don't reflect it, I can't guess ^{which} ~~what~~ were initiated ^{at}
20 on the other end.

21 MR. MURPHY: Why don't we start by going over the
22 ones we've covered in the notes, and if there's anything that
23 rings a bell with us, right then that he doesn't know, then
24 we'll ask specific questions.

25 BY MR. CHARNOFF:

1 Q Okay, just to clarify the Record so that whoever
2 reads it over the next five years, when he looks at the "Van
3 phone call," was that the phone call allegedly made to you by
4 Mr. Stello from a van?

5 A That's one I've read about in testimony, I guess, by
6 Mr. Hayes, and I read about in the paper, the so-called "van
7 phone call."

8 MR. MURPHY: Okay, let's take a short break now.
9 (Off the Record.)

10 (Back on the Record.) Back on at 11:05 a.m.

11 BY MR. MURPHY:

12 Q Mr. White, you were going to describe to us as you
13 recollect your phone calls to the NRC regarding this particular
14 issue?

15 A I think -- yes, the best way to do it is, I have
16 reviewed two documents in the -- during the break, went over my
17 notes, and one is the log of telephone conversations, the one
18 furnished by the telephone company of calls made from my number
19 to the ^{NRC} ~~corporate~~ numbers. EJW

20 MR. CHARNOFF: Which log we provided to you gentleman
21 in the early stages in this investigation.

22 THE WITNESS: Now let me start out by saying, I'm not
23 a detective, and don't purport to be an investigator, and so
24 some of this, and I'm going to tell you which part is a
25 hypothesis -- is a guess on my part. I can tell you which

1 parts I'm fairly confident and I think it best that I also tell
2 which are in my notes and what my notes say and which are not
3 in the notes.

4 The telephone record indicates that on the 19th of
5 March, 1986, I called Mr. Asselstine, Commissioner Asselstine,
6 at 5:27 p.m. and spoke to him for fifteen, about fifteen
7 minutes. That call is not reflected in my personal notes. My
8 recollection of that call was that I started the discussion
9 with the Appendix B issue because I had been under pressure
10 from him from the 11th of March meeting with the Commissioners,
11 and I had committed to him at that time on the Record, that I
12 would have the answer in about two weeks, and so I, on the
13 19th, I was very confident I would sign out that day or the
14 following day, and I called him that "I'm doing what I told you
15 on the Record I was going to do."

16 My recollection is that I also in that conversation
17 gave him an outline, general outline, of the conclusion of what
18 they meant ^{was said} in terms of Appendix B in the letter, that there ~~was~~
19 wasn't anything, for example, I don't remember the exact words,
20 but the thrust, the thrust would have been the issue that "I
21 haven't found anything that shows that we are presently not in
22 compliance," and to reiterate what I told him on the Record a
23 week earlier, that I had not gone back ^{in history} and looked. ^{That} I have a ~~few~~
24 lot of other looking to do. And that was about a 15-minute
25 conversation. It may have included other things. I just don't

1 recall.

2 On the following morning, I attempted to call Mr.
3 Stello, the Record shows, at 11:55 - a 13-second - obviously I
4 didn't connect. A 1:00 -- my notes reflect connecting with him
5 -- no, I'm sorry, at 1:00 a second attempt to contact Mr.
6 Stello, not reflected in my notes, and obviously didn't
7 connect. Not reflected in the telephone log, is --

8 MS. BAUSER: Let me clarify something. The second
9 call is also before -- that's the 20-second?

10 THE WITNESS: The 20 or 30 seconds.

11 The third call is not reflected and now I am -- I say
12 I'm not a detective but I'm trying to be a detective -- I don't
13 find anything that makes sense to me in the record of phone
14 calls from me to the NRC to describe the phone call that is in
15 my spiral notebook, which I guess from the length of it, is
16 probably an 8 or 10 minute phone conversation. So that may
17 have been his return call. That conversation may be Mr. Stello
18 returning my prior two calls. I don't know.

19 In that call, my notes -- I now go to my notes,
20 reflected a discussion about the Appendix B letter --

21 BY MR. MURPHY:

22 Q Excuse me, would you give the date of that call?

23 A Well, in the notebook it says the 30th of March. It
24 is actually when you look at my notebook, it's the 20th of
25 March.

1 We discussed the Appendix B letter; I informed him
2 that I was sending Kelly and Kirkebo up with the letter and so
3 they would help the NRC in any way they could. In the
4 discussion my recollection is that I did not read the entire
5 letter to Mr. Stello. But I believe I read pertinent parts of
6 the second and third paragraphs -- the pertinent parts -- to
7 him and discussed it in general terms. I believe that that
8 occurred in that conversation.

9 He then told me at some point in that conversation,
10 that I should contact Mr. Denton. My notes reflect that I
11 checked that as an item that I had to do and subsequently my
12 notes reflect that I did that. The notes reflect the fact
13 that, in the discussion, I noted to Mr. Stello that there were
14 specific items of non-compliance with the requirements of
15 Appendix B, and so that he would understand that, overall, we
16 were in compliance. ^{But} There were areas of non-compliance. SA

17 The rest of my notes -- he apparently was worried
18 about -- and I now know reflecting back, number 9, I don't
19 understand, you know, recall or understand what that was, it's
20 clear that I closed out that part of the conversation by
21 telling him that it was useful for me to have had the
22 discussion with him.

23 The rest of that conversation then dealt with another
24 matter. Excuse me, which was the moving of certain NRC -- or
25 the movement of certain word processing equipment to Watts Bar.

1 The next phone call that I have is, and the logs
2 reflect as a 23 minute and 13 second phone call at 2:16 p.m. on
3 the same day, the 20th of March, to Mr. Denton. And that
4 conversation, my best recollection, and in part this is
5 amplified by my notes taken at the time, was that I read to him
6 the letter with the possible exception of the first paragraph -
7 - in a letter like that it would have been more common for me
8 that the first paragraph just says we're answering what you
9 asked us, which was this — so I may have given him that in
10 shorthand. But then that I read the remainder of the letter,
11 the basic letter, and read at least parts of a couple of the
12 enclosures as they pertained to what I was saying in the
13 letter. The discussion wasn't a one-way discussion, obviously.
14 We discussed the fact that, with regard to the perceptions,
15 there were two parts to this issue. One was, "today are you in
16 or not in compliance with Appendix B?" And the second part,
17 "how about in the past?" And the discussions reflected my
18 notes, I assured him that our look at the present showed that
19 there was nothing on-going that put us in violation of Appendix
20 B, although it obviously discusses ^{as} I had with Mr. Stello that ^Σ
21 there were certain areas where we might not be in compliance.
22 But overall, ^{WE WERE IN COMPLIANCE, AND THAT} ~~in the~~ in the past, clearly there were problems. ^Σ
23 That it was my intent to correct those. That I had lots of
24 investigations to look at in the past as Mr. Asselstine had
25 asked — that I had a lot of investigating that I had -- I

1 hadn't completed any of the investigations essentially at Watt
 2 Bar, and that I had all of that left to do before I could say
 3 anything about what the past -- in other words, I had a lot of
 4 investigations to do before I could say whether or not the
 5 plant had been built in compliance with Appendix B. He
 6 obviously was worried about part of the letter, although this
 7 conversation doesn't reflect what his worry is, the subsequent
 8 one does, and again I closed out the conversation telling him
 9 that his perception of the letter and our discussion was
 10 helpful to me, and again emphasizing that I had no information
 11 with regard to the present ~~compliance~~ ^{compliance --} No information to ^{Show} ~~the~~
 12 ~~that we weren't in overall compliance~~ ~~contrary that we weren't in compliance.~~ ^{EGW}

13 We then briefly went on to another issue, although
 14 not associated with this.

15 The record -- phone record reveals a conversation at
 16 4:06 p.m. the same day to Mr. Stello, which lasted 3 minutes
 17 and 49 seconds. My notes don't reflect that conversation. And
 18 I'm at a loss. I don't recall what that was about. I then, my
 19 notes reflect a conversation with Mr. Stello. I have not found
 20 this one in the phone record. I am sure that it's in there
 21 somewhere. I just -- in our review I didn't find it. It was a
 22 call to his home. I'm sure it's on the Record somewhere
 23 because I used my TVA credit card to make the call.

24 In that conversation, Mr. Stello, and I categorize ^d it
 25 last time as being different than it appeared to be -- ^{EGW}

1 Q Do you recall the time of that call?

2 A I don't. I know it was in the evening from my
3 apartment here in Chattanooga to Mr. Stello at home.

4 Q On what date?

5 A Twentieth of March. I categorized this before as it
6 seemed his attitude was different than the prior conversation.
7 And let me explain as I go through here that it was — I don't
8 want to put pressure — he didn't want to put pressure on me;
9 he felt it might end up in a disagreement in this thing — if he
10 was in my shoes he'd wait. And again, it wasn't a one-way
11 conversation, because in this thing I was saying that, "you
12 know that Asselstine was, was — you know, maybe he, Stello,
13 could wait, but Asselstine couldn't and I clearly was under
14 that pressure. The feeling that I still didn't have enough for
15 a QTC and of course I didn't. That's what the letter says. E
16 The letter says I haven't investigated that. The thought that
17 I don't make the decision until it's necessary, that I could do
18 it by doing Sequoyah, making that decision before I started
19 ^{up} ~~with~~ Sequoyah ^{and} ~~in~~ dealing with Watts Bar whenever it came up, E
20 that my answering it then might create controversy and that I
21 might have to withdraw the letter and what ^{would be} ~~was~~ gained by doing
22 it — allegation is against Watts Bar only, and again, no ELW
23 pressure from them to have me do it. And of course I was under
24 pressure from Commissioner Asselstine, and as I testified
25 before, I was — I felt up until this point that I was under

1 pressure from Mr. Denton and Mr. Stello based on our January
2 conversation to get on with this answer. So in that way I
3 categorized it as kind of a different reaction than I'd gotten
4 before.

5 Now, to clarify, let me go to one non-NRC
6 conversation, to clarify Mr. Denton's concern over what I did
7 about it — and that was a conversation on the — let's go off
8 the Record. Can we go off the Record a second? I need to look
9 up the time of that call.

10 Q What call was this?

11 A This was the Wagner. *Ed*

12 Q I think that it was early in the morning of the 21st.

13 Q Well, I don't know the link-up on it. I could look
14 it up.

15 BY MR. WILLIAMS:

16 Q Seven thirty-five — zero - seven thirty-five. It was
17 for 5 minutes and 42 seconds.

18 A Zero 7:35?

19 Q Yes.

20 A Well we can go back on if we can use that
21 information. Back on the Record. I called Mr. Wagner and my *Ed*
22 notes reflect on the 21st the phone records indicate it was a 5
23 minute 42 ^{second} ~~full minute~~ phone conversation at seven thirty-five. *Ed*
24 I explained to Mr. Wagner, and this is now from my notes, that *Ed*
25 Mr. Denton, in that prior conversation was worried that I was

1 trying to close the door on the — I say "10," it's actually
 2 eleven issues — I discuss with Mr. Wagner the fact that the ^{to}
 3 letter was very clear in my opinion that ~~it wouldn't work~~ ^{I wasn't going to} — ^{to}
 4 ~~gonna~~ close the door on those issues, but nevertheless, Mr.
 5 Denton was worried and felt somethin' else should be said. In
 6 the discussion then, and I told him in essence what would
 7 satisfy Mr. Denton to the effect that, "the technical review of
 8 those issues is continuing." And so that's what, referring
 9 back to the earlier conversation, that's what Mr. ~~Denton's~~ ^{Denton was}
 10 concerned about.

11 The next calls took place at — on the 21st at 7:59,
 12 and at that call I informed Mr. Stello that I had changed a
 13 sentence based — although the notes don't reflect it, I'm sure
 14 that it was based on Mr. Denton's comments. And then called
 15 Mr. Denton at 8:53 — I guess I tried to reach Mr. Denton
 16 earlier than that at 8 — I'll go back. I tried — I reached
 17 Mr. Stello at 7:59. I tried Mr. Denton at 8:03 and 8:37 and
 18 finally got him at 8:53 and talked to him for 7 minutes and 48
 19 seconds, and in that discussion told him the sentence I'd
 20 added, what it was, and I don't recall, but we probably had a
 21 conversation then around that issue, because we talked for over
 22 seven minutes.

23 The only other conversation that deals with this was
 24 one on the 21st with Mr. Kelly and the notes reflect Drotleff ^{EL}
 25 but it was really Kirkebo who had sent up — Mr. Kirkebo and

1 Mr. Kelley who I had sent with the Appendix B letter, and they
 2 were reporting back to me that they had talked to Mr. Denton,
 3 Mr. Thompson, Mr. Youngblood and Mr. — it looks like
 4 "Kingman." And Mr. — apparently Mr. Robertson, Mr. Robinson
 5 had something to do with it, my notes reflect. It was an
 6 amicable — they reported that it was an amicable, friendly
 7 meeting; they talked philosophy about Appendix B, and each of
 8 the issues; that factually that we were in agreement with the
 9 NSRS, but that there was a differing professional opinion
 10 involved. Some discussion apparently by the NRC, that the way
 11 to resolve it was that the DPO system, I'm not sure. I don't
 12 recall that specific part.

13 But that Kelley's reaction was that we probably *Ed*
 14 wouldn't have any — that the NRC, based on that meeting,
 15 probably would not have any technical issues to raise.

16 And that he also, my notes reflect, told ^{them} ~~them~~ that *Ed*
 17 the practices at NRC had gotten better over time, and that what
 18 was happening here was the same as industry in general with
 19 reference to Appendix B.

20 MR. CHARNOFF: Excuse me, Mr. White. You said the
 21 practices at the NRC has gotten better over time?

22 THE WITNESS: No, I'm sorry. The practices at
 23 T.V.A. had gotten better over time, in that T.V.A, the problems
 24 here were about the same as industry in general. That's the
 25 best I can do to piece those things together and I again

d3

r4

1 caution, I don't have perhaps all the records of the phone
2 conversation, so this might be in error.

3 BY MR. MURPHY:

4 Q Let me ask you one question real quick.

5 You said that your conversation with Mr. Stello on
6 the evening of March 20th which you made from you home, you got
7 a different impression of a previous call.

8 Do you believe the previous call was the one that's
9 not reflected in this record, but one which Mr. Stello might
10 have called you from the van?

11 A Yes.

12 Q And can you --

13 A It could be, but, you know, I hate to surmise or to
14 guess. I don't know because, you know, he never said to me,
15 I'm in the van talking to you. So --

16 Q No. Well, let's say a previous call that you
17 received from Mr. Stello, whether it was from a van, or from
18 his office, or what.

19 A Well, let me be more precise than that, and say it
20 was -- it was different certainly than my conversation in
21 January with him on the subject, certainly different than the
22 conversation the day before in that respect. It looked like he
23 very much had over the span of that January to March had
24 changed. It had even changed from the 20th in the morning, or
25 whenever the call was, to the evening. It just seemed there

1 was a different slant to his remarks.

2 Q A short time ago, and I don't have a date for this,
3 you indicated to Mr. Keppler that you had three conversations
4 with each, Mr. Denton and Mr. Stello. Do you recall telling --

5 A Three with Denton?

6 Q And three with Stello.

7 A I may have told him that.

8 Q I mean that doesn't ring a particular bell why you
9 were discussing this at all?

10 A No. If you could help me as to when it was, you
11 know, I --

12 MR. CHARNOFF: Are you saying that Mr. White recently
13 had a conversation with Mr. Keppler discussing the March 20th
14 time frame?

15 MR. MURPHY: Yes.

16 MR. CHARNOFF: I see.

17 THE WITNESS: Maybe I can shed some light on it.

18 Within the recent past there was some public ^{TESTIMONY} ~~test~~ --
19 records made public by the Glenn Committee in which they
20 revealed these phone conversations. Mr. Keppler and I had a
21 conversation recently about that specific article, what it
22 said, and to the best of my memory I told him that I had talked
23 to Commissioner Asselstine, and that that hadn't come out in
24 the report which I felt was an interesting thing, and that I
25 talked to Stello and Denton.

1 I don't recall saying how many times, but certainly
2 had such a conversation with him recently, yes.

3 BY MR. MURPHY:

4 Q Okay. Then there is no specific — I mean you
5 weren't saying that you had taken like an official tally in
6 that you had —

7 A Oh, no, no, no.

8 Q Just in general conversation.

9 A Yes. To be perfectly frank with you, until this
10 morning when I sat down with my lawyers and tried to piece this
11 together, this is probably the first time I have tried to —

12 MS. BAUSER: Tally.

13 THE WITNESS: — to try to tally and fit things
14 together. It's not been an issue, not come up before, and so
15 — and it may be wrong in regard to one of the conversations
16 with reference to where it was made from.

17 BY MR. MURPHY:

18 Q How far back did you go when you had to piece this
19 together this morning?

20 MR. CHARNOFF: Are you asking me how — what —

21 THE WITNESS: We looked at the 19th and 20th phone
22 log.

23 MR. WILLIAMSON: The only reason I say that —

24 THE WITNESS: And I don't recall. I would tell you I
25 don't recall any conversations before that.