

1 MS. BAUSER: You need to show Mr.
2 White and let him --

3 MR. REINHART: Okay. Let's do that.
4 (Brief pause.)

5 MR. CHARNOFF: Off the record.
6 (Whereupon, a discussion ensued off
7 the record.)

8 MR. REINHART: Okay. I stand corrected
9 I do not see the names here.

10 MR. CHARNOFF: Okay. Do you want to
11 restate your question?

12 MR. REINHART: I'll have to do a little
13 -- I'll have to dig some to get the document
14 I need, so I'll come back to that.

15 BY MR. REINHART:

16 Q Are you telling us that the group of
17 non-TVA experts is primarily Messrs. Kelly,
18 Huston, Drodleff and Kirkebo?

19 MS. BAUSER: I'm going to object
20 because I want to make a statement.

21 MR. REINHART: That's fine.

22 MS. BAUSER: He testified about this
23 subject yesterday and he gave all the names
24 and we've gone all through them. Now,
25 there's an objection in a court of law

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1 called asked and answered and I want to
2 be patient here, but to ask him the same
3 and twice, you know, you get two bites
4 at the same apple in effect, but if you
5 repeat the same question over and over
6 again -- this is a hard enough process
7 going over two days. I think you ought
8 to hone out those questions that have
9 already been asked. He's not going to
10 ~~ask~~ ^{ANSWER} them differently other than being *Edu*
11 too tired and making a mistake. He's
12 testified absolutely to th best of his
13 ability on several occasions and I
14 don't think it's appropriate for you
15 to be repeating the same question a
16 third time.

17 MR. REINHART: Okay. I have to
18 disagree with you. Yesterday we talked
19 about two groups --

20 MS. BAUSER: He pointed to this
21 letter yesterday.

22 MR. REINHART: We didn't specify --
23 I didn't in my mind get it specified
24 for me who they were, that they were
25 this group, point one.

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1 Point two, he did give us a list
 2 yesterday but now he's homing in a
 3 little bit more and I'm asking him based
 4 on that list he gave us I believe, and
 5 I want to verify, that he's saying this
 6 group of non-TVA experts was primarily
 7 Mr. Kelly, Huston, Drotleff and
 8 Kirkebo. I believe I heard that and I
 9 want to clarify that. If not, I need
 10 to be corrected.

11 THE WITNESS: No, I have stated
 12 yesterday and again today that -- in
 13 fact, I've even gone further to say that
 14 Mr. Kelly is a QA individual and if we
 15 want to -- we're trying to kind of
 16 divide this group into people that were
 17 -- that have a lot of association and
 18 less^{ee} association and less association *Edw*
 19 and ^{still} less^{ee} association, and I'm trying to *Edw*
 20 answer it as best I can. I said Mr.
 21 Kelly, Mr. Huston, Mr. Kirkebo, Mr.
 22 Drotleff, Mr. Wegner, and then I go
 23 down the list to the point where I
 24 get to Mr. Henry, Mr. Sullivan, Mr.
 25 Brodsky that I know I had discussions

1 with at various times on some points
2 of this.

3 BY MR. REINHART:

4 Q Okay. Let me tell you what I think you
5 told me. Kelly, Huston were primary QA.

6 A That's correct.

7 Q Heavy involvement.

8 A That's correct.

9 Q Drotleff and Kirkebo, primary
10 engineering, heavy involvement.

11 A Yes, in the engineering sense, but
12 obviously it's primarily QA effort and so less
13 involvement. For example, I spent more time with
14 Kelly and with Huston than I did with Kirkebo and
15 Drotleff.

16 Q Okay.

17 A And we can categorize it that way.

18 Q Okay. Now, how about the others.

19 Could you kind of characterize the extent of the
20 involvement of the others.

21 A Well, I tried to do that by saying that
22 at various times I would ask them various
23 questions. Involvement at one time was different
24 than it was at the other.

25 Q But I'm asking in the context of this

1 letter where we said the group of highly
2 experienced non-TVA experts reviewed this group's
3 findings. I think we said these people to some
4 extent reviewed Lunkin's findings. And what I'm
5 trying to get a feel for is who and to what
6 extent reviewed Lundin's findings.

7 A I'm not knowledgeable of the -- you'd
8 hav to ask those individuals.

9 Q Is that not --

10 A There certainly is no question of the
11 first two or four. Past that I'm not
12 knowledgeable of to what degree and how they did
13 it.

14 Q Am I correct --

15 A Because Mr. Lundin -- you know, this
16 group's findings -- Mr. Lundin's letter, and
17 again it depends -- you'd have to ask them, you
18 know, what they made out of his letter, if they
19 saw his letter. I -- to my own knowledge I can't
20 tell you that.

21 Q Okay.

22 MR. WILLIAMSON: Let me ask --

23 EXAMINATION

24 BY MR WILLIAMSON:

25 Q Have we established who wrote this

1 letter? You signed it but you obviously didn't
2 write it.

3 A No. I'm not sure what it says on here.
4 I think Mr. Wegner certainly -- whether he wrote
5 it or whether he worked on it, I certainly
6 discussed the letter with him.

7 It might be helpful to explain how the
8 letter came up, as a matter of fact. In
9 discussions with -- to the best of my
10 recollection with Mr. Hugh Thompson, he suggested
11 I write such a letter.

12 EXAMINATION

13 BY MR. REINHART:

14 Q Which letter are we talking about?

15 A The June 5 letter.

16 Q Hugh suggested you write the letter?

17 A Mr. Hugh Thompson at one point, I
18 believe, suggested I write the letter. I think
19 Mr. Jim Taylor at one point suggested it. I
20 believe Mr. Stello at one point suggested it.
21 And I wrote the letter in trying to explain this
22 issue, but -- so it's important to understand I'm
23 trying again to respond in this case to a verbal
24 request from more than one individual that, gee,
25 why don't you write us another letter and we'll

1 put this whole thing behind us. And we attempted
2 to do it in a common sense approach. I don't
3 know whether Mr. Kelly was the initial drafter,
4 Mr. Wegner, Mr. -- as I say I certainly discussed
5 it with several, including Mr. Wegner.

6 EXAMINATION

7 BY MR. WILLIAMSON:

8 Q Just a followup question. Do you
9 recall having any discussion with Mr. Kelly about
10 this letter?

11 A Not specifically but I'm sure that I
12 did. You know if you had said on what day --

13 Q And would he have supported this
14 response?

15 A I believe so. I believe so because it
16 sets forth, you know, the things that he
17 obviously told me were going on and being
18 responsible for it.

19 EXAMINATION

20 BY MR. REINHART:

21 Q Did anybody ever suggest to not write
22 that letter?

23 A Not to my knowledge.

24 Q Okay.

25 MR. REINHART: Did you have a question?

1 MR. MURPHY: That's the question I
2 was going to ask.

3 BY MR. REINHART:

4 Q Mr. White, in the fifth paragraph, the
5 last paragraph on the first page, you say you
6 restate the conclusion and you say there has been
7 no pervasive breakdown in the quality assurance
8 program and then you had -- if there had been one
9 period less, an elipsis there. You did not
10 include the rest of the statement that you were
11 overall in compliance with the QA program. What
12 was the reason for not including that last part?

13 A It wasn't -- you know, no specific
14 reason. You know, I --

15 Q Did this mean --

16 A It didn't mean it didn't change, of
17 course not.

18 Q Did your series of dots there mean in
19 essence that --

20 A The rest of it.

21 Q -- the rest of it?

22 A The common sense way, yes. The rest of
23 it.

24 Q Okay.

25 MR. MURPHY: Let me ask you a question.

EXAMINATION

1
2 BY MR. MURPHY:

3 Q Now, I'm reading out of the book that
4 you all presented to us, right? That does have
5 the certification and you can clarify as to
6 whether what in the world this means, but those
7 statements which are provided for enclosure in
8 Mr. White's submittal to the NRC TVA corporate
9 position dated 20 February, 1968 as revised below
10 concerning the NSRS conception of construction
11 processes in general they are accurate, true and
12 complete to the best of my knowledge. The input
13 should also be included in the executive summary.

14 A Am I led to believe that this letter
15 was -- there was a letter prepared on the 20th of
16 February and that didn't get until the 20th of
17 March? I mean what are we talking about?
18 There's about three or four of them in there, so
19 I'm very curious. Maybe you can explain that to
20 me.

21 A What are you referring to, what that
22 statement means?

23 Q That certification, what are we
24 certifying to?

25 A Number one, I have no way of knowing

1 why it's dated that date.

2 Q Well, it's not just that one. If you
3 go on there's quite a few of them. I mean go
4 ahead and look on the others, there's other
5 certificates.

6 MS. BAUSER: You mean why the dates
7 are in that time frame? That's what
8 you're asking?

9 MR. MURPHY: Yes.

10 THE WITNESS: Let me say that early
11 on in the procedures I think in a conver-
12 sation with Mr. Wegner, it may have been
13 with my attorney, Mr. Edgar, I'm not
14 sure, I was told in something as important
15 as this type of document it's wise to
16 ensure that the guy signing, providing
17 you that information, is willing to
18 attest formally --

19 BY MR. MURPHY:

20 Q Oh, I understand that. My question is
21 they're attesting to your letter of 20, February,
22 1985, unless I read that --

23 A No, no.

24 MS. BAUSER: They're attesting to your
25 letter of March 20, 1986.

1 MR. MURPHY: Well, what does that say?

2 MS. BAUSER: In February 20, '86.

3 BY MR. MURPHY:

4 Q What are they attesting to?

5 A They're attesting to the part in this
6 case that Mr. Maxwell --

7 Q I'm going to read that again. Maybe I
8 just misread it.

9 A Just what -- he's attesting to his
10 part.

11 Q The date is what I'm talking about.

12 MR. CHARNOPP: Are you asking why
13 would those --

14 MR. MURPHY: I'm not asking why --
15 let me read this to you, because maybe
16 I just --

17 The statements which are provided for
18 enclosure in Mr. White's submittal to the
19 NRC giving TVA's corporate position dated
20 20 February, 1986.

21 THE WITNESS: The question then is
22 does the date of February 20, '86 refer to
23 his letter or refer to the statements? Is
24 that your question?

25 BY MR. MURPHY:

1 Q No, I would hope -- I think they're
2 talking about a letter and the reason this even
3 caught my eye is because also there's a
4 concurrence from Mr. Whitt dated 20 February,
5 1986, and what I'm asking you is was there a
6 letter prepared by the 20th of February, 1986
7 giving your corporate position?

8 A I have no idea. If there was, I didn't
9 see it. I think what this refers to -- let me
10 say what I think this refers to is the
11 individual, in this case Mr. Maxwell, is saying
12 his part, his part of this thing, he and his
13 immediate supervisor, immediate manager, are
14 saying the information we're providing to this
15 letter that White is going to sign --

16 Q Dated 20 February, 1986.

17 A No. No, no. I don't read it that way.
18 I guess it could have been. Yeah, I understand
19 what you're saying. It may very well -- I don't
20 know.

21 Q Okay. That's fine.

22 A There may have been.

23 MR. CHARNOFF: For your information,
24 the document you gave us which you took
25 out of your file we gave you from Burdett

1 Revision 4, it was dated, what, at least
2 it had a handwritten date of February
3 19th.

4 MR. MURPHY: Sure, that's what I'm
5 saying. I mean it's --

6 MR. CHARNOFF: Maybe they were
7 thinking about putting out a letter on
8 about the 20th.

9 MR. MURPHY: Well, that's what I'm
10 trying to clarify, whether --

11 THE WITNESS: I know what you're
12 saying. It's very clear and I think --
13 but I didn't see that so I have no knowl-
14 edge, presumably in looking at something *Edw*
15 and -- but again, let me make sure you
16 understand what this guy's attesting to.

17 MR. MURPHY: Well, I understand that.
18 I don't have any problem at all with that,
19 no. I just -- when I was looking through
20 that, there's not only one -- if it was
21 one I would say they just messed the date
22 up, but there's a bunch of them.

23 THE WITNESS: Well, it's important
24 for you to understand that, and I testi-
25 fied to this as a matter of fact, because

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1 I was, you know, trying to get to the
2 bottom of this issue. What you have to
3 understand is that other things were
4 occurring, like I say, and I'm not sure of
5 this time frame, but certainly by the time
6 I started reviewing the enclosures with
7 the responsible people in terms of asking
8 questions, other things -- I'd get other
9 information, for example -- most of them
10 from the newspaper. Newspapers would come
11 out with a report saying that some company,
12 some contractor announced that the concrete
13 at Watts Bar is lousy and the building is
14 going to fall down, almost in those words.
15 And I would call Kelly and say wait a
16 minute, how -- is there any impact of what
17 this guy is saying, how does that fit in,
18 or I think the seismic trench was one of
19 the issues that came up, so they may have
20 at some time, and I think probably did,
21 based on that evidence, had something
22 that they were about ready to present. I
23 asked a lot of other questions, and then
24 there was a time frame in early March when
25 our efforts very much turned to two other

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1 issues to resolve that even had greater
2 importance than this. One was Volume 1
3 of the nuclear performance manual and one
4 was my testimony. And so there was a
5 period of time where I would believe that
6 this thing probably just ^{sat} ~~lay~~ somewhere. I *Edw*
7 don't know what those records of the
8 various revisions show but it wouldn't
9 surprise me at all if they sat there until
10 after those two major things were done and
11 then kind of recommenced.

12 BY MR. MURPHY:

13 Q Well, I mean, is it safe to assume or
14 can we assume that there was no changes in the
15 technical responses between February 20th and
16 March 26th?

17 A I'm not in a position to say.

18 Q I don't know either. I'm asking.

19 A No, I'm not in a position to say that
20 because I never reviewed those things. Mr. Kelly
21 may know.

22 Q Okay.

23 THE WITNESS: Can we take a break.

24 MR. WILLIAMSON: We'll take five.

25 The time is 18:20.

1 (Whereupon, a brief recess was
2 taken.)

3 MR. WILLIAMSON: The time is 3:35.

4 EXAMINATION

5 BY MR. WILLIAMSON:

6 Q Mr. White, during our interview of a
7 number of people at -- both TVA employees and I
8 guess loan managers or consultants a term
9 surfaced with regard to the response, the cover
10 letter, March 20 cover letter, and the
11 attachments. I'm going to put them all in there
12 together. And this was apparently an effort, an
13 active effort to provide what was termed a
14 strategic response to the NRC. Two questions.

15 The first one --

16 MR. CHARNOFF: Who expressed that
17 term?

18 MR. WILLIAMSON: Both TVA employees
19 and -- I don't know exactly who it was at
20 this time, and also some loan managers.
21 The word strategic response was mentioned
22 in responding to this January 3rd letter.

23 BY MR. WILLIAMSON:

24 Q Are you familiar with that term?

25 A No. Am I familiar with the term

1 strategic, yes. In the connotation of this
2 thing, no, I am not.

3 Q Are you familiar with any strategy that
4 was developed by you or your people with regard
5 to responding to this concern, a specific
6 strategy?

7 A The only strategy, I don't want to call
8 it that, that I can discuss and what I've already
9 told you in terms of what I wanted, I guess I
10 could classify it as a strategy, was to find out
11 the truth and those type of things. If somebody
12 labeled that a strategy, I don't know.

13 Q Well, particularly in regard to a
14 strategy or strategic response in regard to a,
15 either a fear, a real or perceived or imagined
16 perception that responding to the NRC could
17 possibly jeopardize the licensing of Watts Bar if
18 you didn't say you were in compliance with
19 Appendix "B".

20 A No. Well, let me make sure I
21 understand. What you're saying was am I familiar
22 with the term strategic response as it applies to
23 Watts Bar licensing or this Appendix "B" letter
24 and the answer is no. I've already said that in
25 certainly in the discussions I asked, as I said

1 earlier, asked questions about the possible
2 impacts of compliance or noncompliance and it
3 didn't make any difference to me, you know, in
4 terms of what I intended to do.

5 Q Was there any mention that responding
6 negatively by saying that you're not in
7 compliance with Appendix "B" that TVA or Watts
8 Bar in particular might be associated with Zimmer
9 or another project that had been closed down.

10 A Zimmer came up at one time in a
11 conversation, and I don't remember with whom it
12 was, and I don't frankly recall getting a hell of
13 a lot out of that conversation other than at
14 Plant Zimmer they had some problems, the problems
15 were fixable, and the backers decided they didn't
16 want to finance it and so it never was going to
17 be completed. And that's the thrust of my
18 recollection of Zimmer.

19 Q And additionally in response to the
20 term strategic, was any concerted effort on your
21 part or the managers' parts or the advisors'
22 parts to address -- and we touched on this
23 earlier -- to address only the programmatic
24 aspects of Appendix "B" and not the
25 implementation aspects?

1 A Not to me. Not to me in terms of a
2 discussion of whether or not anyone ever used the
3 word -- and I tried to describe that earlier.
4 Programatic is included and that may have
5 occurred, but I don't recall anyone saying to me,
6 look we only want to answer -- what you're saying
7 is give a part answer to this thing, and I don't
8 recall anyone ever broaching something like that
9 to me.

10 Q Was there ever a discussion about the
11 possibility of embarrassing the NRC, you know, as
12 a licensing entity because, you know, through
13 inspection efforts in the past they had possibly
14 failed to identify some of the problems with the
15 quality assurance program at TVA?

16 A With reference to the Appendix "B"
17 issue and response, no. With reference to TVA in
18 general, I'm not sure I would say that there was
19 a discussion but I've been asked questions by
20 congressmen and senators from the valley, I think
21 all of them private, I'm not sure any of them
22 were public, of NRC's part in TVA's problems, and
23 I have said and I've tried to carefully avoid,
24 and I may have said this publicly, where I tried
25 to keep TVA myself -- and by TVA, out of the

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1 fight between some individual and the NRC. I
 2 certainly have had discussions subsequent to the
 3 March letter where I probably have told people
 4 that I'm trying to make every effort to not get
 5 into that kind of situation, which, you know, I
 6 don't think I've ever used the word that it would
 7 be embarrassing for the NRC, but I'm not certainly
 8 going out of my way to cause NRC embarrassment
 9 because I'm not knowledgeable, frankly, ^{as to NRC's role in} I can ^{this}
 10 only go secondhand information, what people tell
 11 me and I have used the phrase that there's enough
 12 blame to go around.

13 MR. WILLIAMSON: Go ahead.

14 MR. REINHART: I don't have anything.

15 MR. MURPHY: I just have about three
16 quick ones.

17 EXAMINATION

18 BY MR. MURPHY:

19 Q You said in preparation of the June 5th
 20 letter that you were asked to do that or
 21 encouraged to do that by at least Mr. Taylor and
 22 Mr. Thompson.

23 A And Mr. Stello, I believe.

24 Q Did they indicate what that letter
 25 should contain?

1 A No. In other words they didn't say
2 A, B, and C, no. It was more -- it was a more
3 general thing. You know, if you -- maybe if you
4 write another letter and explain this then it
5 will help, provide other explanations. It was a
6 general thing.

7 Q You indicated also that --

8 A And let me say I don't think any of
9 those men did anything wrong in providing me
10 that, that suggestion.

11 Q I'm not suggesting that they have.

12 A Well, I know a lot of people might
13 think that and I don't.

14 Q I'm just trying to clarify the record.
15 You also said, and correct me if I'm wrong, but
16 at that meeting of March 11th, 1986, you were
17 pressured or at least felt pressure from
18 Commission Asselstine to respond to the Appendix
19 "B" issues. Is that --

20 A That's correct.

21 Q And how was that stated?

22 MS. BAUSER: You mean how did Mr.
23 Asselstine make his statement; is that
24 what you mean?

25 MR. MURPHY: Yes, basically.

1 THE WITNESS: I can't take the -- I
2 can't take the item in that isolation. I
3 have to refer back first to the meeting
4 in early January at which it was very
5 clear to me that he was sensitive and
6 wanted this thing answered. I'd have to
7 look at the ^{March 11} testimony precisely, but there ^{Edw}
8 was a series of questions in which he was
9 asking me about TVA's QA program and I
10 think specifically how it was in the past.
11 At what point in time would I say these
12 things. And to me it was clear that his
13 thrust was dealing with Appendix "B" issues
14 somewhere in there, either in the testimony
15 or a discussion with him ^{afterwards} ~~after~~, I believe, ^{Edw}
16 and let me review it. I think I said --

17 BY MR. MURPHY:

18 Q Page 100, look in that area.

19 A I think I said to him that I'd have it
20 in a couple of weeks, that I was trying to get my
21 arms around it and every time I did something
22 squirted out, or words to that effect.

23 Q There's some testimony, but I don't
24 know exactly what it was.

25 A Yes, okay. That's what I was just

1 referring to from my recollection, Page 99 of the
2 testimony of what he was saying.

3 MS. BAUSER: That's the testimony of
4 March 11, 1986, just for the record.

5 MR. MURPHY: That's what I asked the
6 question about.

7 THE WITNESS: What is the question?

8 BY MR. MURPHY:

9 Q In what regard did you feel pressure
10 from Mr. Asselstine to get that letter out?

11 A Let me tell you that reading a
12 transcript, of course, gives -- is a very bland
13 report of things. There wasn't any question in
14 my mind from the intensity of his questions and
15 the types of questions that I felt that pressure.
16 There was no question, you know. You know, the
17 fact that one of the Commissions, you know, in *Edin*
18 the tone of voice that I certainly recollect, was
19 saying, you know, do you have a plan when you
20 think you are going -- it depends, you know -- do
21 you have a plan for when you think you're going
22 to be able to respond to the letter on quality
23 assurance, particularly as it relates to Watts
24 Bar. And then I asked him are you referring to
25 the Appendix "B" letter in the subsequent

1 paragraph, and he says yes, and then it goes on
 2 to -- to me, clearly putting pressure on me by
 3 indicating, you know, I've gone back and looked
 4 at some of these things and there are things
 5 that it seems to show me certain things. Have
 6 you looked at that? I clearly felt pressure from
 7 him to get it and I think somewhere I told him
 8 that I would try to do it within a couple of
 9 weeks. Oh, within the next two weeks I think I
 10 will be in a position to answer the Appendix "B"
 11 letter. That in itself put pressure on me.

12 Q I just wanted to clarify that.

13 A Yes, okay.

14 Q Now, were you ever told by Mr. Edgar,
 15 who is your personal attorney, that you must
 16 respond positively to the NRC?

17 A No. When you say positively, I'm not
 18 sure -- I don't recall that phrase being used. I
 19 ~~don't even recall the phrase, you know, being~~ *do recall, you know his saying be* *Edw.*
 20 ~~honest, objectively,~~ *Edw.* that kind of thing. But *Edw.*
 21 in terms of determining something, ~~phrases,~~ *Edw.* for
 22 example, if the thing came up negative he would
 23 never have advised me to respond positively.

24 MS. BAUSER: When you say positively
 25 you mean to say that when you're in

1 compliance with Appendix "B"?

2 MR. MURPHY: With Appendix "B" yes.

3 THE WITNESS: I don't think Mr. Edgar
4 ever would say to me even though it's
5 negative, make it positive. That would be
6 an incredible thing and he just wouldn't
7 do that.

8 BY MR. MURPHY:

9 Q Did Mr. Edgar ever relate to you that
10 in fact the only thing you'd done up to date was
11 to make personnel changes prior to March 20th and
12 had not really changed anything at TVA?

13 A No. And I would say in his position as
14 my attorney, he wouldn't be in a position to know
15 what I'd done. And I don't, you know, I'd have
16 to see what whoever it was said he said, but
17 anyone familiar with it knew in that period of
18 time we'd made some remarkable -- embarked on
19 some remarkable things.

20 Q Okay. Has anyone in TVA suggested to
21 you in personal dealings with them that this
22 statement was made by Mr. Edgar?

23 A No, no.

24 MS. BAUSER: The preceding statement.

25 MR. MURPHY: Yes.

1 THE WITNESS: We understand each other.

2 MR. MURPHY: All right. I don't have
3 any other questions.

4 MR. WILLIAMSON: Do you have anything
5 else?

6 MR. ROBINSON: I just have one final
7 question.

8 EXAMINATION

9 BY MR. ROBINSON:

10 Q In the little diagram that you drew for
11 me before regarding your discussion with Mr.
12 Kelly, from one end of the spectrum, pervasive
13 breakdown to the other end of the spectrum,
14 perfect program to this point with your twelve
15 months effective, have you formed an independent
16 judgment in your mind as to when a QA program
17 crosses the line from compliance to noncompliance
18 with Appendix "B"?

19 A It's a judgmental thing. I haven't,
20 you know, again I rely on experts in the area,
21 but I think I haven't seen anything yet to cause
22 me to say we've crossed that boundary. Not to
23 say that I might not find it, but I haven't to
24 date.

25 Q So you would still basically rely on

1 experts to make that call --

2 A No, you know, I'm not trying to absolve
3 myself from the responsibility for making the
4 call because it is my responsibility, but for
5 example it didn't trouble me at all to say we'd
6 had significant breakdowns in parts of the
7 welding program, the issuance of the stop work
8 orders. That didn't cause me to believe nor my
9 experts to advise me, if I can say it that way,
10 that we had crossed over the line. And it will
11 be a judgmental thing if and when we do.

12 MR. ROBINSON: That's all I have. Is
13 there anything else that you wish to add
14 that we haven't covered?

15 MS. BAUSER: Can we take a break for a
16 minute and talk?

17 MR. ROBINSON: Do you have anything,
18 Len, before the break?

19 MR. WILLIAMSON: No, no. I'm going to
20 close it up.

21 We're off the record at 3:52.

22 (Whereupon, a brief recess was taken.)

23 MR. WILLIAMSON: Let's go back on the
24 record. The time is 4:20.

25 In closing, Mr. White, we appreciate

1 your time and cooperation in our effort to
2 conduct this investigation. You've provided
3 a lot of information which we'll be
4 reviewing and it probably will precipitate
5 additional interviews and/or additional
6 document reviews. Of course, there's a
7 chance that we would need to talk with you
8 again and we'll make arrangements at a later
9 date, and we trust that you will continue to
10 be cooperative with us in this effort.

11 In closing, I'd like to ask you, Mr.
12 White, have I or any other NRC
13 representative here threatened you in any
14 way or offered you any reward in return for
15 this testimony?

16 THE WITNESS: No.

17 MR. WILLIAMSON: Have you given this
18 testimony freely and voluntarily?

19 THE WITNESS: Yes.

20 MR. WILLIAMSON: Is there any
21 additional information you would like to add
22 to the record at this time?

23 THE WITNESS: Yes, I would.

24 If I may, I realize it's late in the
25 day but I would like to put in perspective

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1 in one place a brief and succinct, in a
2 brief and succinct manner, my views or
3 position. And it's not intended that these
4 views cover everything that we've discussed
5 in the last two days.

6 I learned in the Navy, perhaps the best
7 teacher in nuclear business of all time, the
8 importance of acknowledging and facing the
9 facts as they are and not as you wish them
10 to be. And this is what I call the
11 unvarnished truth and it's one of the things
12 that I'm trying to instill at TVA.

13 I recognize that the NRC, like me, has
14 a tremendous responsibility to assure the
15 public health and safety. To fulfill that
16 responsibility both the NRC and I must have
17 prompt accurate information. You must have
18 it from the licensees and I must have it
19 from my organization.

20 Everyone knew, I believe, by the time I
21 arrived at TVA, everyone being the TVA, the
22 NRC, Congress and the public, that there
23 were a lot of problems at TVA. I've
24 testified here as to what I believe ^{is} the EdW
25 enormous magnitude of the problem, the

1 overall problem at TVA which I'm trying to
2 resolve ^{and} ~~is~~ correct. Edw

3 Specifically on Appendix "B" I believe
4 that I set in motion a thorough process to
5 respond to the NRC question. I believe it
6 was a — what I would consider from my own
7 Navy background, I would call it a very
8 formal and disciplined approach.

9 You've heard me say that I brought in
10 outsiders who were experienced in these
11 matters, with recent experience, who would,
12 among other things talk to the NSRS people
13 who had these perceptions. Additionally,
14 for further assurance, you heard me say that
15 I had a second group in whom I relied, the
16 second group being of either greater
17 experience in many areas in nuclear power.
18 I required that there be documentary backup
19 to what we were doing so that the NRC could
20 come in and determine how and why we formed
21 the conclusions that were formed.

22 In addition to those things I required
23 certification by the individuals providing
24 the facts to attest to those facts as being
25 the true situation.

1 In addition to that, I required
2 concurrences on the letter from the
3 principal senior people involved.

4 In addition to that, I, through hours
5 of questioning of responsible senior
6 individuals involved, assured myself that *Edw.*
7 they were personally familiar with the facts
8 and the issues, particularly with regard to
9 the enclosures.

10 And finally, in addition to all those
11 things -- well, delete that.

12 Let's get on to what the letter says.

13 First of all, the question that I felt
14 I was asked was are these requirements being
15 met. It was in the present tense and so the
16 look was principally at current activities
17 only at Watts Bar to determine the basis for
18 the NSRS's perceptions to determine if they
19 would lead to a conclusion of overall
20 noncompliance with Appendix "B".

21 This was obviously written as a
22 preliminary response to the NRC. I was
23 answering whether we were in overall
24 compliance at that time based on the issues
25 or the bases provided by the NSRS for their

1 perceptions.

2 The past was looked at only with regard
3 to whether those bases from the NSRS,
4 provided by them, indicated there'd been a
5 pervasive QA breakdown. The letter made
6 clear that there was much left to
7 investigate, including those eleven NSRS
8 perceptions.

9 The letter anticipated that we would
10 find other things wrong and I would keep the
11 NRC informed.

12 And finally, I also explained the
13 letter to the addressee who would receive it
14 to ensure that the letter was responsive to
15 the question it asked on the 3rd of January.

16 Now, some people have interpreted the
17 letter entirely out of context. Some people
18 say that the letter says that Watts Bar was
19 built in accordance and compliance with
20 Appendix "B". The letter does not say that.
21 I have never said that.

22 Some interpret the letter to say that
23 the NSRS concerns are without merit. The
24 letter does not say that and I have never
25 said that. Some interpret the letter to say

1 that there are no problems at Watts Bar.
2 The letter does not say that, I have never
3 said that, and I believe that's even
4 acknowledged by the NRC letter of the 16th
5 of May.

6 In the time I've been in this position
7 at TVA I have testified to the commissioners
8 twice, three times to Congress, numerous
9 times to the NRC staff and submitted volumes
10 of the performance plan, the corporate and *etc*
11 two of the sites. In each of those
12 occasions and in those documents, I have
13 been blunt and open in any discussions of
14 TVA's problems. As I said today at Watts
15 Bar for example in 1986 alone we submitted
16 1300 nonconformance reports, available for
17 your resident inspector to review. And 70 *etc*
18 of those resulted in 5055E reports to the
19 NRC.

20 In view of those things, anyone who
21 would review those, I would ask the "question," *etc*
22 do those things sound either like an
23 executive or an organization that is trying
24 to hide or obfuscate a problem? And I say
25 clearly not, clearly not. No reasonable

1 person could review the transcripts of those
2 briefings to the commissioners, to the
3 Congress, to the staff or those plans that I
4 mentioned. Anyone with whom I have talked
5 in conversations with the NRC, anyone who
6 would review those things, and you could --
7 no reasonable person could come to any other
8 conclusion than the whole way that we have
9 conducted the business since my arrival has
10 been with complete candor. And I think the
11 NRC is entitled to that. I think you must
12 have that from any licensee and I hope that
13 you'll agree that I've conducted myself with
14 you for two days with that same candor.

15 I finally would say that I do
16 appreciate the overall manner in which
17 you've conducted this. It's hard for you
18 and it's hard for me but you're obviously
19 professionals in your business and I
20 appreciate it.

21 MR. WILLIAMSON: Any other comments?

22 Thank you again, Mr. White. This
23 interview is concluded at 4:35 on July 15th,
24 1987.

25 (Proceedings concluded.)

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:

The Investigative Interview under oath of: STEVAN A. WHITE

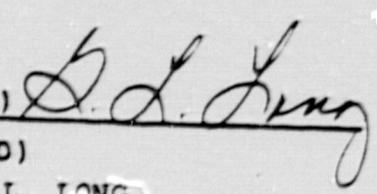
In The Matter Of: TENNESSEE VALLEY AUTHORITY

DOCKET NO.: 10CFR-50, APPENDIX B

PLACE: 101 Marietta Tower, Atlanta, Georgia

DATE: Wednesday, July 15, 1987 (Afternoon session)

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

(sig) 

(TYPED)

GARY L. LONG

Official Reporter

Reporter's Affiliation
AAA REPORTING COMPANY, INC.

Rechart #1
Exhibit #1

7-15-87

JRH



~~ga~~
~~GA~~ Program

Portion of ~~ga~~
program addressed
by NSIS Receipt



Basics

TRANSCRIPT CORRECTIONS TO OI
INVESTIGATIVE INTERVIEW OF
STEVEN A. WHITE
July 15, 1987

- ✓p. 6, 1. 3 Change "Mayson" to "Mason"
- ✓p. 9, 1. 22 Change "wouldn't it say" to "wouldn't say"
- ✓p. 17, 1. 23 Change "Is" to "It's"
- ✓p. 17, 1. 25 Change "highlighted" to "highlighting"
- ✓p. 18, 1. 1 Change "read" to "reading"
- ✓p. 24, 1. 22 Change "train and qualify" to "trained and qualified"
- ✓p. 25, 1. 15 Change "nomcompliances" to "noncompliances"
- ✓p. 25, 1. 16 Change "compliances" to "compliance"
- ✓p. 25, 1. 18 Change "noncompliance" to "noncompliances"
- ✓p. 31, 1. 19 Change "I know" to "I don't know"
- ✓p. 32, 1. 11 Change "addee" to "addressee"
- ✓p. 35, 1. 20 Change "Bauswer" to "Bauser"
- ✓p. 39, 1. 16 Change "perception" to "eleven"
- ✓p. 40, 1. 6 Change "it" to "in"
- ✓p. 40, 1. 24 Change "there to be" to "there to be a"
- ✓p. 41, 1. 10 Change "in addition" to "an addition"
- ✓p. 43, 1. 7 Change "and" to "as"
- ✓p. 43, 1. 8 Change "between the technical enclosure" to "from the technical enclosures"
- ✓p. 44, 1. 5 Change "answering that" to "answering -- that"
- ✓p. 46, 1. 11 Change "seeing" to "sending"
- ✓p. 50, 1. 9 Change "thes" to "these"
- ✓p. 50, 1. 13 Change "it" to "is"

- ✓p. 51, 1. 3 Change "council" to "counsel"
- ✓p. 51, 1. 7 Change "council" to "counsel"
- ✓p. 53, 1. 23 Change "depend more" to "depend on more"
- ✓p. 54, 1. 1 Change "and more" to "and I depend on more"
- ✓p. 55, 1. 25 Change "from Mr." to "from Mr. Willis."
- ✓p. 56, 1. 1 Insert a new paragraph before "Willis" that says "MR. MURPHY: Did Mr. Willis"
- ✓p. 56, 1. 29 Change "You" to "He"
- ✓p. 61, 1. 4 Change "I find..." -- you're saying nothing there." to "I find you're saying nothing there."
- ✓p. 66, 1. 1 Change "questions that" to "questions about the past that"
- ✓p. 70, 1. 24 Change "explanation" to "explanations"
- ✓p. 71, 1. 4 Change "to said" to "to have said"
- ✓p. 71, 1. 21 Change "wouldn't" to "would"
- ✓p. 73, 1. 8 Change "program so" to "program, so"
- ✓p. 73, 1. 13 Change "by what's going on" to "about what's going on,"
- ✓p. 73, 1. 16 Change "it out of isolation but in the next" to "this in isolation, but in the next sentence"
- ✓p. 74, 1. 17 Change "certainly" to "certainly it"
- ✓p. 74, 1. 18 Change "licensing" to "that uses licensing"
- ✓p. 74, 1. 25 Change "meant." to "meant and they seemed familiar with the verbage."
- ✓p. 80, 1. 19 Change "exagerating" to "exaggerating"
- ✓p. 81, 1. 19 Change "still not to be" to "still not be"
- ✓p. 83, 1. 12 Change "basis, anything" to "basis of anything"
- ✓p. 84, 1. 19 Change "to know with the" to "with the people and they are"

- ¶. 84, 1. 20 Change "people doing it" to "doing it --"
- ¶. 85, 1. 11 Change "NRS" to "NSRS"
- ¶. 85, 1. 14 Change "indicated" to "indicated --"
- ¶. 85, 1. 15 Change "gave" to "gave --"
- ¶. 85, 1. 16 Change "overvall" to "overall"
- ¶. 86, 1. 23 Change "basis for the basis for" to "basis of the basis for"
- ¶. 89, 1. 21 Change "of TVA," to "that TVA"
- ¶. 90, 1. 1 Change "exageration" to "exaggeration"
- ¶. 90, 1. 2 Change "of the NSRS." to "which the NSRS told us."
- ¶. 92, 1. 22 Change "report -- it's" to "report was its"
- ¶. 92, 1. 25 Change "things are" to "other things were"
- ¶. 94, 1. 12 Change "he told his" to "I told this"
- ¶. 94, 1. 15 Change "of our nuclear" to "part of our nuclear"
- ¶. 94, 1. 15 Change "go back" to "'go back"
- ¶. 94, 1. 16 Change "NSRS should" to "NSRS which should"
- ¶. 94, 1. 18 Change "appeard" to "appeared"
- ¶. 95, 1. 19 Change "September which" to "September letter which"
- ¶. 96, 1. 9 Change "This is" to "This September letter is"
- ¶. 98, 1. 8 Change "Steer" to "Stier"
- ¶. 98, 1. 24 Change "through us pretty" to "through was pretty"
- ¶. 99, 1. 7 Change "that he needed" to "that we needed"
- ¶. 99, 1. 8 Change "where he put people in the kinds of" to "where we put people in this kind of"
- ¶. 99, 1. 12 Change "Yes it" to "Yes. It"
- ¶. 99, 1. 18 Change "Steer" to "Stier"

- ✓p. 99, 1. 20 Change "Steer" to "Stier"
- ✓p. 99, 1. 25 Change "depart-" to "Depart-"
- ✓p. 100, 1. 1 Change "labor" to "Labor"
- ✓p. 100, 1. 25 Change "to do." to "to do it."
- ✓p. 101, 1. 6 Change "that it" to "that it didn't"
- ✓p. 101, 1. 7 Change "came up earlier or discussed" to "come up earlier or wasn't discussed"
- ✓p. 101, 1. 8 Change "after that" to "after that that it was prioritized."
- ✓p. 102, 1. 8 Change "we're" to "were"
- ✓p. 104, 1. 1 Change "are you going to do" to "do you recommend doing"
- ✓p. 104, 1. 22 Change "department of labor" to "Department of Labor"
- ✓p. 104, 1. 24 Change "Steer's" to "Stier's"
- ✓p. 105, 1. 12 Change "about in general" to "in general about"
- ✓p. 105, 1. 13 Change "publically" to "publicly"
- ✓p. 106, 1. 21 Change "NSRS than" to "NSRS -- by then it was called"
- ✓p. 106, 1. 22 Change "sure. But" to "sure, but"
- ✓p. 107, 1. 23 Change "license" to "prior TVA request for a license"
- ✓p. 108, 1. 17 Change "now did" to "now it did"
- ✓p. 108, 1. 22 Change "changing" to "changing,"
- ✓p. 108, 1. 23 Change "don't know but" to "didn't know. But"
- ✓p. 116, 1. 14 Change "talke" to "talked"
- ✓p. 117, 1. 5 Change "video" to "Then your"
- ✓p. 126, 1. 20 Change "me based on Mr." to "me or rather to Mr."

- wp. 129, 1. 1 Change "mention at" to "mention this to"
- wp. 129, 1. 6 Change "recall a" to "recall the"
- wp. 129, 1. 9 Change "that" to "by which"
- wp. 129, 1. 10 Change "we" to "'ve"
- wp. 129, 1. 13 Change "accurate." to "accurate."
- wp. 130, 1. 15 Change "reason for" to "reason from"
- wp. 132, 1. 20 Change "for Mr." to "from Mr."
- wp. 135, 1. 10 Change "him, to move a TVA" to "them, I wanted
to find a TVA person to move in under"
- wp. 135, 1. 11 Change "person" to "Kelly as an eventual
replacement."
- wp. 139, 1. 24 Change "back an" to "back and"
- wp. 140, 1. 16 Delete "No, no, no."
- wp. 140, 1. 17 Delete "No, no."
- wp. 142, 1. 6 Change "Divance" to "Kazanas"
- wp. 143, 1. 16 Change "topic of that." to "topic."
- wp. 144, 1. 22 Change "that system" to "that the centralized
system"
- wp. 145, 1. 17 Change "implementation, whether" to "program,
whether"
- wp. 146, 1. 5 Change "wells" to "welds"
- wp. 146, 1. 10 Change "the side, and there" to "that side.
There."
- wp. 149, 1. 8 Change "says the" to "says, "The"
- wp. 149, 1. 11 Change "appendix." to "appendix."
- wp. 151, 1. 10 Change "They reviewed" to "'They reviewed'"
- wp. 151, 1. 13 Change "They" to "'They"
- wp. 151, 1. 24 Change "concerns." to "concerns."

- ✓p. 151, l. 25 Change "interviewed" to "**interviewed"
- ✓p. 152, l. 2 Change "concerns," to "concerns,"
- ✓p. 154, l. 24 Change "assume what they said, which is the" to "assume, based on what they said, pertinent information is in the"
- ✓p. 155, l. 6 Change "were in the direct reports" to "reported directly"
- ✓p. 162, l. 7 Change "would be" to "would not be"
- ✓p. 162, l. 24 Change "Udahl" to "Udall"
- ✓p. 166, l. 24 Change "thing," to "case defining"
- ✓p. 170, l. 11 Change "perhaps" to "something about"
- ✓p. 181, l. 1 Change "feels still" to "still feels are"
- ✓p. 181, l. 9 Change "J. Elmer" to "J. A. Domer"
- ✓p. 184, l. 7 Change "site" to "Site"
- ✓p. 184, l. 8 Change "director" to "Director"
- ✓p. 184, l. 9 Change "site direction" to "Site Director"
- ✓p. 185, l. 17 Change "had I" to "and I"
- ✓p. 185, l. 22 Change "much" to "broad"
- ✓p. 188, l. 12 Change "with general" to "with the general"
- ✓p. 188, l. 15 Change "reviewing." to "reviewing it."
- ✓p. 193, l. 18 Change "compliments" to "components"
- ✓p. 199, l. 8 Change "Sisken" to "Siskin"
- ✓p. 201, l. 7 Change "an" to "and"
- ✓p. 201, l. 10 Change "loan" to "loaned"
- ✓p. 201, l. 12 Change "provide merely" to "provide independence merely"
- ✓p. 204, l. 10 Change "ask" to "answer"

- ✓p. 205, l. 18 Change "less" to "lesser"
- ✓p. 205, l. 19 Change "less" to "still lesser"
- ✓p. 215, l. ~~15~~¹⁴ Change "lookin" to "looking"
- ✓p. 217, l. 6 Change "say" to "sat"
- ✓p. 222, l. 9 Change "frankly." to "frankly, as to NRC's role in this."
- ✓p. 224, l. 7 Change "testimony" to "March 11 testimony"
- ✓p. 224, l. 15 Change "afters" to "afterwards"
- ✓p. 225, l. 17 Change "commissions" to "Commissioners"
- ✓p. 226, l. 19 Change "don't even recall the phrase, you know, being" to "do recall, you know, his saying be"
- ✓p. 226, l. 20 Change "honestly, objectively," to "honest, objective"
- ✓p. 226, l. 21 Delete the word "phrases,"
- ✓p. 231, l. 24 Change "believe the" to "believe is the"
- ✓p. 232, l. 2 Change "an" to "and"
- ✓p. 233, l. 6 Change "involved assured" to "involved, assured"
- ✓p. 235, l. 10 Change "an" to "and"
- ✓p. 235, l. 17 Change "reviewe" to "review"
- ✓p. 235, l. 21 Change "question" to "question,"