

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

3
4 INVESTIGATION OF
5 DIABLO CANYON UNITS 1 & 2
6 INTERVIEW OF
7 RICHARD V. BETTINGER
8

9 Pacific Gas & Electric
10 Headquarters Offices
11 Law Department Conference Room
12 77 Beale Street
13 San Francisco, California

14 Thursday,
15 December 17, 1981

16 The above-entitled matter came on for further
17 hearing, pursuant to adjournment, at 1:51 p.m.

18 APPEARANCES:

19 On behalf of the NRC Staff:

20 OWEN C. SHACKLETON, JR., Moderator
21 B. H. FAULKENBERRY
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ERRATA SHEET

Interview of R. V. Bettinger, December 17, 1981

The following correction should be made:

° Page 170, Line 20 - Change questionning to questioning.

The above corrections have been identified by Bobby H. Faulkenberry and R. V. Bettinger.

P R O C E E D I N G S

1:51 p.m.

MR. SHACKLETON: This is December 17, 1981
and the time is 1:51 p.m.

This is an interview of Mr. Richard V. Bettinger, Chief Civil Engineer for the Pacific Gas and Electric Company.

This interview is taking place in room 3101 of the corporate headquarters of Pacific Gas and Electric Company at 77 Beale Street, San Francisco, California.

This interview is part of the investigation currently being conducted by the United States Nuclear Regulatory Commission concerning the facts and happenings surrounding the present reverification program of the seismic design of the Diablo Canyon Nuclear Power Plant.

Present for this interview from Pacific Gas and Electric is Mr. Bettinger and from the United States Nuclear Regulatory Commission, Region 5, conducting this interview and investigation is Mr. Bobby H. Faulkenberry who is Chief of Reactor Construction Project Branch.

My name is Owen C. Shackleton, Jr. and I am the Senior Investigator assigned to Region 5.

Mr. Bettinger, prior to going on record, I had discussed with you that you have a right to have your personal legal counsel present.

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Do you so desire to have legal counsel present?

MR. BETTINGER: No.

MR. SHACKLETON: You waive that right then, sir?

MR. BETTINGER: Yes.

MR. SHACKLETON: Thank you.

And at this time, Mr. Bettinger, would you please stand while I administer the oath?

Whereupon,

RICHARD V. BETTINGER

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

MR. SHACKLETON: Please be seated.

Mr. Bettinger, I would also like to repeat the information I provided to you before we went on record and that is, the Commission would ask of you to please keep the testimony that you will be giving to us here confidential.

MR. BETTINGER: Yes.

MR. SHACKLETON: And now I'll turn the questioning over to Mr. Faulkenberry.

MR. FAULKENBERRY: Mr. Bettinger, can you give me your job title and a summary of your current job responsibilities?

MR. BETTINGER: My job title is Chief Civil Engineer and I am responsible for all Civil Engineering work

1 that's done in connection with our electric facilities.
2 This includes generation, transmission and distribution
3 and some limited amount of participation in Gas Department
4 projects where they may request our assistance.

5 MR. FAULKENBERRY: Mr. Bettinger, did you
6 receive a draft copy of reports from Dr. Cloud dated
7 October 21st, 1981 and November 5th, 1981 which contained
8 the results of his design reverification review of
9 Diablo Canyon?

10 MR. BETTINGER: Yes, I did.

11 MR. FAULKENBERRY: Do you recall when you
12 received copies of the draft reports?

13 MR. BETTINGER: My recollection is that we
14 had those on a transmittal from Mr. Rocca on the 21st
15 and on again, I think it was November 5th to my recollection.

16 MR. FAULKENBERRY: If I understood you correctly,
17 you stated that you received these draft copies from
18 Mr. Rocca, is that correct?

19 MR. BETTINGER: That's correct.

20 MR. FAULKENBERRY: Were you asked to review
21 and comment on each of these draft reports?

22 MR. BETTINGER: I don't remember the exact
23 wording in the letter but the intent was that I understood
24 that we were to look at them and review them for accuracy,
25 yes.

1 MR. FAULKENBERRY: Did you assume then -- you
2 stated that no one actually asked for the review but
3 since they were submitted to you from Mr. Rocca, did you
4 assume that Mr. Rocca wanted you to review them?

5 MR. BETTINGER: Yes, I don't have the transmittal
6 from Mr. Rocca before me.

7 It could be that that transmittal does say
8 for your review and comment. But that's certainly the
9 understanding I had, was that we were to look at them
10 and review them.

11 MR. FAULKENBERRY: Mr. Bettinger, how did you
12 submit your comments on each of these reports to Dr. Cloud?

13 MR. BETTINGER: They went -- we marked up
14 the copies that we had based on the comments from various
15 people in the department that were involved and those
16 are transmitted through Mr. Rocca's department specifically
17 to Mr. McCracken.

18 MR. FAULKENBERRY: Okay, to the best of your
19 knowledge, were all of your comments both by yourself and
20 members of your department submitted back through Mr.
21 Rocca as notations on the draft report or were any comments
22 communicated directly to Dr. Cloud or any of his people?

23 MR. BETTINGER: I did not communicate anything
24 directly to Dr. Cloud's people, Dr. Cloud or his people.
25 I know of no direct communications between my people and

1 Dr. Cloud. Our approach to this was that we were going
2 to feed everything back through Mr. McCracken.

3 MR. FAULKENBERRY: Would you identify for us
4 any other person within your department that commented
5 on either of these two drafts other than yourself?

6 MR. BETTINGER: There would be Mr. Wollak,
7 that's W-o-l-l-a-k, Mr. Ghio, G-h-i-o, I don't know
8 whether Mr. Lenfestey actually made comments. He would
9 have been asked to look at as far as it affected his work.
10 Mr. Hanusiak, that's H-a-n-u-s-i-a-k, Mr. C.M. Li, that's
11 L-i, and Mr. M.E. Lee, that's L-e-e, Mr. Sokoloff,
12 that's S-o-k-o-l-o-f-f. I don't know whether Mr. Rocha
13 made any comments or not. He is in that department and
14 there is a possibility that he did get to see it although
15 I doubt it because he has only been brought into that work
16 recently.

17 Mr. Steinhardt, that's S-t-e-i-n-h-a-r-d-t --
18 I may have the "e" and the "i" backwards, Mr. Mao,
19 M-a-o and I think -- that's all I can think of at the moment
20 and there may have been others but I don't think of others.

21 MR. FAULKENBERRY: Mr. Bettinger, with regard
22 to the October 21st, 1981 draft, I'm showing you a copy
23 of this draft that's identified as number 3.

24 Would this be the copy that was submitted to
25 you in which you and your people entered your comments on?

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MR. BETTINGER: Yes.

Our comments were in here in various colors as I recall.

MR. FAULKENBERRY: With regard to the November 5, draft report were you and your people's comments entered in the same fashion as notations on the draft report itself?

MR. BETTINGER: Yes, our comments whenever we made them were directly entered on the copy.

We did not, in otherwords, make a transmittal delineating each of the comments we had. Rather, they were made directly on the copy.

MR. FAULKENBERRY: Mr. Bettinger, at the time you reviewed and commented on the October 21st report, had you ever been made aware by people within PG&E, within the NRC or any other persons that the results of Dr. Cloud's work should be reviewed by PG&E or should not be reviewed by PG&E before being put in final form for submittal to the NRC?

MR. BETTINGER: No, nobody told me that we should not review them. We were told that our purpose in reviewing these was to make certain that an accurate transmittal of information had been obtained, and specifically, in your providing information to Dr. Cloud and his people, did they interpret what they got correctly and is it

1 properly shown and that was the extent and intent of our
2 review. Nobody ever told me no, I should not look at them.

3 MR. FAULKENBERRY: What about at the time that
4 you reviewed the November 5th, 1981 draft report, had anyone
5 explained to you by that time how -- that PG&E should
6 not review Dr. Cloud's work prior to submittal to the NRC?

7 MR. BETTINGER: No.

8 MR. FAULKENBERRY: Have you since that time
9 been made aware of this?

10 MR. BETTINGER: The fact that you're having
11 this investigation appears to imply that but nobody
12 has specifically told me no, I should not look at some
13 auditor's review of my work and not have an opportunity
14 to say whether or not he properly interpreted what he had
15 seen.

16 No, I have not.

17 MR. FAULKENBERRY: Mr. Bettinger, were any of
18 the comments that you provided to Dr. Cloud intended by
19 you to remove adverse information from Dr. Cloud's reports?

20 MR. BETTINGER: If it's incorrect information
21 that's adverse, yes, but not correct information.

22 There's-no intent was there to remove true
23 information, even though it be adverse.

24 MR. FAULKENBERRY: Were any of the comments
25 that you provided to Dr. Cloud intended by you to place PG&E

1 or it's contractors in a more favorable light?

2 MR. BETTINGER: Only with the condition I
3 mentioned in the previous question which is if the
4 auditor has misinterpreted how we do business and it casts
5 us in an unfavorable light, and I ask that he remove that,
6 would I be asked, would I suggest a correction.

7 What I really should say is we were looking
8 for accuracy. It was not to down play the truth.

9 MR. FAULKENBERRY: Mr. Bettinger, I think
10 you answered this question earlier but just for the
11 record so it comes out clear, would you restate what the
12 intent of your comments were as related to these draft
13 reports of Dr. Cloud's?

14 MR. BETTINGER: The intent I understood and
15 carried out with my people was that we had had an
16 exchange of information with the Cloud people. They
17 looked in our files, they had talked to our people.
18 It was our intent that we look at the report to make
19 certain that they had properly interpreted what they
20 found in the file or what they found in talking to our
21 people.

22 That's the total extent -- that was the
23 intent-for accuracy and correctness.

24 MR. FAULKENBERRY: Mr. Bettinger at the
25 November 3rd meeting back with the NRC in Bethesda, Maryland

1 in which you were present, Mr. Norton stated that as of
2 November 3rd, 1981, no report on Dr. Cloud's work had
3 been submitted to PG&E, yet you and other persons present
4 at the meeting knew of this transmittal of October the
5 21st draft report.

6 Now, first of all, did you hear Mr. Morton
7 make the statement at the meeting?

8 MR. BETTINGER: Mr. Norton.

9 MR. FAULKENBERRY: Mr. Norton, excuse me.

10 MR. BETTINGER: Yes, I heard him make the
11 statement.

12 MR. FAULKENBERRY: Could you explain to us
13 why you did not correct Mr. Norton at that time?

14 MR. BETTINGER: I was not clear of the
15 subject they were discussing. There were a number of
16 Cloud reports and the actual arrangements of these
17 reports were something between Mr. Norton and Mr. Maneatis
18 and Dr. Cloud and I really was not well enough informed
19 to know exactly which reports they might be talking about.

20 MR. FAULKENBERRY: Was there at that time
21 or any time thereafter any concern in your own mind that
22 Mr. Norton may have provided incorrect information to
23 the NRC?

24 MR. BETTINGER: Well, I didn't -- no. I
25 simply thought I didn't understand what their conversation

1 was about and I didn't concern myself with it further.

2 MR. FAULKENBERRY: You've already stated that
3 at that particular time you did not correct Mr. Norton.

4 Did you inform Mr. Norton or any of your
5 superiors from that time up until this time of the possi-
6 bility that Mr. Norton had made an incorrect statement
7 to the NRC?

8 MR. BETTINGER: No.

9 MR. FAULKENBERRY: Mr. Bettinger, have you
10 received any other results of Dr. Cloud's work other
11 than that which is contained in the two draft reports,
12 that we've identified as having been received by PG&E on
13 October the 21st and November 5th?

14 MR. BETTINGER: I think there was also
15 a communication on the 26th of October which was a re-
16 draft of what we'd seen on the 21st.

17 MR. FAULKENBERRY: Did you or any of your
18 people comment on the October 25th draft?

19 MR. BETTINGER: We made some comments on
20 it. I think we missed the deadline for getting them
21 into anybody but there were some comments made.

22 MR. FAULKENBERRY: Do I understand that these
23 comments that you made were never submitted back to
24 Dr. Cloud?

25 MR. BETTINGER: I couldn't say they weren't.

1 We provided them to Mr. McCracken, I believe,
2 but I don't know the timing of when we did it and in fact,
3 on a copy, it states these are to be back by 5 p.m. and
4 I don't know what date. I have a fear that, pardon me,
5 that in the press of other things we were doing, it may
6 not have made it back in that time frame.

7 MR. FAULKENBERRY: Mr. Bettinger, I want to
8 refer back to the November the 3rd, 1981 meeting again.

9 In the transcript, specifically on lines 23
10 through 25 on page 215, and lines 1 through 4 on page
11 216, in response to a question by Mr. Eisenhut and I'll
12 quote, "When will we be expected to see that short term
13 report? Bob Cloud said it is essentially complete."

14 To which Dr. Cloud was then asked by Mr.
15 Norton to answer and Dr. Cloud responded and again I
16 quote, "I believe it's -- we'll be turning it in either
17 this week or next, so you should have it shortly thereafter."

18 I assume that since you were at the meeting
19 you also heard this statement, is that correct, Mr. Bettinger?

20 MR. BETTINGER: I don't recall it but I must
21 have heard it.

22 MR. FAULKENBERRY: Could you explain to us why
23 you did not mention at that time a draft report Dr. Cloud
24 had submitted to PG&E on October the 21st that already
25 had been received by PG&E?

1 MR. BETTINGER: No, as I said, the arrangements
2 for providing this material were at a level different
3 than mine and I was not involved in that particular
4 communication string so it wasn't, I didn't feel
5 a part of that.

6 MR. FAULKENBERRY: Okay, Mr. Bettinger, if
7 I understand you correctly, are you saying that both
8 of these conversations, the one I just quoted with regard
9 to Dr. Cloud's statement at the November 3rd meeting and
10 the statement made by Mr. Norton at the November the 3rd
11 meeting, in no way triggered your thinking to the extent
12 that these were erroneous statements that should be
13 corrected?

14 MR. BETTINGER: That's right, that's correct.
15 I really wasn't in that particular communica-
16 tion and I felt the people who were communicating were
17 together and understood each other.

18 I had no thought of that, as you say.

19 MR. FAULKENBERRY: Mr. Bettinger, does PG&E
20 have a policy written or otherwise of not volunteering
21 information to the NRC unless it is specifically asked for?

22 MR. BETTINGER: I don't know. I know of
23 no such policy.

24 MR. FAULKENBERRY: Mr. Bettinger, what are
25 the ground rules within PG&E as you know and understand

1 them as of today with regard to the way the results of
2 Dr. Cloud's work or as a matter of fact of any other
3 consultant's work involving Diablo Canyon reverification
4 activities, should be handled prior to submitting to the
5 NRC?

6 MR. BETTINGER: Would you mind-the start of
7 that -- what's my understanding or what's the policy?

8 MR. FAULKENBERRY: What are ground rules
9 as you understand them as of today with regard to the way
10 PG&E should handle either Dr. Cloud's work or any other
11 contract work relating to the reverification work activities
12 concerning Diablo Canyon, prior to their submittal to the
13 NRC?

14 MR. BETTINGER: I have not been given any
15 specific ground rules other than what I've been acting
16 on up to this point, which is that if somebody reviews
17 our records, and makes a report on it and it's provided
18 to me to, with the question, does this properly represent
19 the facts, that I would respond to that request.

20 That's the ground rules as far as I know
21 them. I have seen no other written or instructions
22 about not looking at such reports.

23 MR. FAULKENBERRY: The ground rules that you
24 just explained to us -- would you consider these to be
25 both the standard procedure or standard ground rules within

1 PG&E regarding the review of the results of any contractor
2 work prior to submittal to or prior to being published
3 in the final form?

4 MR. BETTINGER: Well now, if you're talking
5 about a report I might get from a design consultant,
6 I certainly want to see a draft to make sure he has
7 properly interpreted the charge he has to do work for us
8 and he understands what his job is and is properly
9 carried out and we'd look at that and before ever
10 forwarding that on we would want to make sure that it
11 was properly done.

12 With respect to this, as I say, I don't
13 see anything different.

14 My situation in this is that it comes to
15 me from someone that I assume has had proper communication
16 about whether or not we should review and he writes me a
17 letter saying, please review or give me comments, or
18 whatever -- and, I don't remember the exact wording of
19 his transmittal but we complied with the request from
20 another organization. Please look this report over and
21 give your comments.

22 There were also instructions that we were not
23 to change the -- we weren't to edit the report. Let's
24 put it that way. We were to look at it to make sure that
25 it's accurate and that was the extent of what we were to look

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at it for.

MR. FAULKENBERRY: Could you tell us where these instructions came from with regard to not to edit the report?

MR. BETTINGER: Specifically, my recollection is that Don Brand, the vice president of engineering instructed us that way and I don't remember whether I heard it from any others but Mr. Brand would be the man I report to and he's the one that said, your function in looking at this is to make sure it's accurate, and you're not to edit it.

MR. FAULKENBERRY: Do you recall when Mr. Brand issued those instructions to you?

MR. BETTINGER: Off-hand I don't. I can't relate it to especially that November 3rd meeting. I don't know whether it was before that or after it.

MR. FAULKENBERRY: Do you recall whether those instructions were received by you prior to your review of the October the 26th draft report?

MR. BETTINGER: It must have been prior to our receiving any of them because that's always been the instruction in dealing with the Cloud report, that we're looking at it from the standpoint of accuracy. So as I say, I can't tell you the time, but it had to be prior to the time we got those because always in our

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1 review of those documents, it was always from that stand-
2 point -- make certain the Cloud people have gotten a
3 correct and accurate picture and are presenting it correctly
4 and accurately.

5 MR. FAULKENBERRY: Mr. Bettinger, going back
6 to the draft reports from Dr. Cloud that were submitted
7 to you by Mr. Rocca, if I understand correctly --

8 MR. BETTINGER: Yes.

9 MR. FAULKENBERRY: Did you when you received
10 these draft reports and were asked to review and comment
11 on them, did you consider this procedure for Dr. Cloud's
12 work to be different than any other work activities from
13 any other contractors with regard to the review of their
14 work?

15 My question is directed to whether or not
16 you considered this to be a standard routine review or
17 did you consider this to be a special review of the
18 contractor?

19 MR. BETTINGER: I would consider it somewhat
20 specialized in that with some contractors, we would take
21 greater pains to make editorial changes to make sure
22 that the content is more lucidly explained.

23 In this case, our only criteria was, is it
24 accurate? Is it correct? Somewhat different but just
25 a shade.

1 MR. SHACKLETON: Off the record.

2 MR. SHACKLETON: On the record.

3 MR. FAULKENBERRY: Mr. Bettinger, do you know
4 of any effort that has been made by any employee within
5 PG&E including yourself, to revise the results of Dr.
6 Cloud's work, such that it does not reflect a true,
7 complete and accurate record of his findings?

8 MR. BETTINGER: No, no I don't.

9 MR. FAULKENBERRY: Mr. Bettinger, that's the
10 extent of the questions I have.

11 Owen, do you have anything you'd like to add?

12 MR. SHACKLETON: Yes, please.

13 Mr. Bettinger, for the record, so that
14 people reviewing the transcript have a better understanding
15 of all that has transpired here, could you please tell
16 us how many years you have been employed by PG&E?

17 MR. BETTINGER: It will be 35 years next July.

18 MR. SHACKLETON: How many years, sir, have you
19 been in your present position as the Chief of Civil
20 Engineering?

21 MR. BETTINGER: Since April 1st, 1971.

22 MR. SHACKLETON: Thank you. I have no
23 further questions.

24 Mr. Faulkenberry?

25 MR. FAULKENBERRY: None other than if Mr. Bettinger

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has any further comments that he would like to make on his own?

MR. BETTINGER: I think not.

MR. SHACKLETON: All right, gentlemen. We'll close this interview and go off the record.

The time is now 2:27 p.m.

Off the record.

(Whereupon, a short recess was taken.)

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