UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of APPLICATION OF TEXAS UTILITIES GENERATING COMPANY, ET AL. FOR AN OPERATING LICENSE FOR COMANCHE PEAK STEAM ELECTRIC STATION UNITS #1 AND #2 (CPSES)	Docket Nos. 50-445 and 50-446

TESTIMONY OF STANLEY G. MILES
WITNESS FOR INTERVENOR CASE
(CITIZENS ASSOCIATION FOR SOUND ENERGY)

Q. Please state your name, residence and educational and work background.

A. Stanley Gene Miles, 3824 Eighth Avenue, Fort Worth, Texas. A statement of my educational and work background is attached hereto as Attachment 1.

Q. During your work career, did you have occasion to work for Brown & Root, Inc., at Comanche Peak nuclear power plant at Glen Rose, Texas?

A. Yes. I worked at Comanche Peak from March 1977 to May 5, 1982.

Q. What did you start off doing at Comanche Peak?

A. I was a rigger in the rigging and ironworking department.

Q. Explain what rigging means?

A. Rigging actually means to lift, a department that primarily services or supports other crafts, lifting heavy loads and so on.

Q. So it comes out under the ironworker heading?

A. Yes, most departments for Brown & Root rigging departments; they are ironworkers.

Q. Does that mean you operate heavy equipment to lift heavy loads?

A. I don't operate them. I do the rigging and placement of the chokers, which is the cable around the heavy object.

Q. Hooks it to the hook, and then the operator takes it and hooks it?

A. Correct, I give directions to the operator.

Q. For how long did you perform services as a rigger?

A. Probably two years. I say this because there was a time period there that my superintendent came by and asked me if I wanted to work in the office on the prints, documents, and so on and straighten them out in our field office. I was rigging at the time in the form yard, the Econo form yard. If you've ever had any dealings with that, you would understand why a guy would jump at any chance to go anywhere.

Q. So after two years as a rigger, you went into the office?

A. Yes. That was approximately March 1979.

Q. And what would you call your job description at that time?

A. Well, I performed several functions there. I maintained and revised prints, CMC's and so on. There was a general foreman in the office then named Johnny Williams, and if a craft came by for some rigging to be done like say on a heavy valve, I'd put aside the clerical duties and go into the field.

Q. So you still performed some rigging services?

A. Yes, and I worked as an iron worker on weekends if they were behind.

Q. So your main job was a document control type of job? And you did some rigging during the normal workday? And then you did some overtime as an iron worker?

A. Yes, that's right.

Q. When you say iron worker, what do you mean in that context?

A. At that time we were putting together several types of cranes, gantry cranes, polar crane, rotating platform. They have a little fuel servicing crane also in that list, bridge cranes.

Q. Did your work as an iron worker continue for very long past March of 1979, or when did it start? When did it stop?

A. I think probably it lasted for about a year. I'm not certain of that, but of course, I can find that out from the records.

Q. So let's say March of '80, where did you go from there?

A. At this time, Bob Turnage, my superintendent, had gone onto the night shift at Comanche Peak and eventually went to Arizona, I believe. Johnny Williams went to the South Texas Project, and I was asked by an iron working general foreman, Lonnie Tedford, if I wanted to work as an iron worker permanently in the field, and I said I would, so I left the office. So in March of '80 or so I became a permanent iron worker on the full shift. Really what it amounts to is that I was a rigger primarily, worked in the office a short time, and then was an iron worker primarily.

Q. So in March of '77, you were a rigger; in March of '79, you were an office worker primarily; in March of '80, you were an iron worker?

A. Right.

Q. And did you remain as an iron worker for long?

A. Until May 5, 1982.

Q. What did you do as an iron worker during that period?

A. It's a long period for the ~~life~~ duties of an iron worker because I was pulled out of that crew of several crews I was in. I was pulled out to do various duties, loaned out to other crews. There is practically no place in Comanche

Peak I haven't worked.

Q. I guess I'm asking more for the type of work rather than where you were?

A. All right, miscellaneous iron. I mentioned before various cranes that were assembled there. Let's see, I believe it was during this time that we put in the rotating platform in Reactor 2.

Q. And specifically, what were your duties as an iron worker? For example, the crane?

A. Well, my duties were, of course, to assemble the parts in the field itself. We put them on the rails, the millwrights and carpenters and so on, of course, set the rails and we put the crane up from that point.

Q. Does this mean you welded?

A. No, it's bolted together. Most cranes are fixed where you can disassemble them because of the breakdowns and damages and so forth.

Q. Were you a foreman?

A. No, I was a journeyman iron worker.

Q. So let's go through a scenario to understand exactly what you did. They would bring in a component that required bolting to another component and you would position it? You would stick your rod in and monkey it down on? Sitck the bolts in and tighten them?

A. Right.

Q. Would you do that under the supervision of a foreman?

A. Sometimes yes, sometimes no.

Q. How many iron workers worked in your team?

A. It varied considerably, depending on the job and upon how many people were left in the crew. We started out -- the iron workers started out probably no more than oh, I would say 19, 18 or 19 people. It dwindled. It would go

up and then dwindle down again.

Q. Did you work on Unit 1 or Unit 2?

A. Both.

Q. Did you work on both units from 1977 forward?

A. Yes.

Q. And while you were a document clerk from March 1979 to March 1980, you did some side duties out in the field on both units?

A. Yes.

Q. We're up to May 5, 1982. Where did you go then?

A. I was fired.

Q. And where did you go then? Are you employed now?

A. Yes, for Janco. It's a company in Grapevine. At the time of the deposition taken from me by the Applicants on July 2, 1982, I had been working for them two days. Janco is in construction and maintenance, industrial construction and maintenance. I was an iron worker.

Q. What kind of work do you do? Do you build buildings or what are we talking about?

A. I put in some filter frames.

Q. During the deposition on July 2, 1982, did you indicate that you had not had much sleep prior to the deposition?

A. Yes. I stated that the last 23 hours when I just came off the job, I had gotten three hours sleep.

Q. What kind of work were you doing?

A. We were subcontracting for a helicopter plant in Grand Prairie. I was working in the paint room for the filtering system.

Q. The building itself, not on the helicopters?

A. Right. I don't know anything about helicopters.

Q. Did that require welding?

A. Yes.

Q. So you did the welding?

A. Yes.

Q. Arc welding?

A. Yes.

Q. Did your performance duties as a rigger require that you were certified to any level of competence?

A. When I hired there, hired out under the rigging department there, Don Span was the superintendent. The foreman that actually hired me was Wayne Harris. If you weren't competent, you wouldn't stay working for Wayne Harris five minutes.

Q. He was a stickler?

A. He's a very experienced ~~rigger~~ rigging foreman.

Q. He had good people on his staff?

A. Yes, of which he was the best. My estimation is that he still is.

Q. So you didn't have a certification, but the point is if you hadn't been good, he wouldn't have kept you?

A. That's true.

Q. When you became an iron worker, were you certified to any level of competence?

A. Well, I had some experience, prior experience in Ingleside. Their prints, DuPont's prints are probably the most difficult prints to read, and I had some experience there. A couple of my friends were engineers there at DuPont.

Q. So again, you had experience that was recognized by the people there?

A. Yes.

Q. But you had no formal certification?

A. Not as such. No, I haven't gone through an apprenticeship and that sort of thing, no.

Q. And that is true up to today, so far as the certification goes?

A. Yes. I don't think that Brown & Root has a certification of iron workers, millwrights or whatever.

Q. Are you a professional engineer?

A. No.

Q. Before we go further, let me ask another question. Did you ever do any welding yourself at Comanche Peak?

A. No, you have to be certified, and I wasn't certified to weld.

Q. During your deposition on July 2, 1982, were you asked several questions regarding how you came to be a witness in these hearings?

A. Yes.

Q. Could you give us the basic information you gave them?

A. I told the attorney for the Applicants that originally what I discussed with CASE was about Chuck Atchison. The following is quoted from my deposition:

> "A. ...I know he inspected several of my fitups on pipe whip restraints and also the welding that my welders did.
>
> "Q. Did he find any defects with your work? ...
>
> "A. No. He gives a thorough inspection. We had a weld, a full penetration weld that was about 2½ inches which is a considerable weld at one time, and we had an unusual development in that weld so Chuck came in and he was supposed to inspect it anyhow, and we had to grind it out.
>
> "Q. I'm not sure you're answering my question. My question was are

you aware that you were going to be called by the intervenor in this case as a witness in July?

"A. Yes, but I wanted you to know that I was supposed to be called due to Chuck's inspections. ...

"Q. What was your first contact with the intervenor?

"A. I saw in the paper where Chuck was in a predicament concerning his job, you know, as being fired from his job.

"Q. He had been terminated and you saw an article about that?

"A. Yes. Well, I knew him. I had not talked to him. In fact, he was inspecting some of my work, and then I think he had checked the fitup and maybe the first pass, welding pass; and when we called for him the next day, they said he had been terminated. ...

"Q. Again, when did the intervenor contact you?

"A. They contacted me after I contacted Chuck. I told him that, you know, I said, I didn't -- I phoned him up to see what was going on, if he had a job, and I told him that I would voluntarily vouch for his work because he had inspected some of my work.

"Q. So your intent in testifying in the hearing later this month is to support the quality of his work?

"A. In original essence, yes.

"Q. Is that the total scope of what you intend?

"A. I don't know. I don't know what --

"Q. I guess it depends on what you know and if you have concerns or complaints about the way things were done at Comanche Peak?

"A. Right. ...

"Q. So you contacted Mr. Atchison and told him that you would be willing to go to bat so to speak?

"A. Yes.

"Q. For his ability as an inspector?

"A. Right."

Q. Returning again to your July 2, 1982, deposition, did the attorney for the Applicants inquire as to when you were contacted by CASE?

A. Yes. I told him initially that it must have been in late May, in the time zone of early June or sometime in May. I didn't remember exactly. But I did tell him that I knew that they were having hearings because of Lanny (Sinkin) being here and that I thought it was during the hearings.

Q. The hearings which were held from June 7 to 11?

A. Yes.

Q. Did the attorney for the Applicants also inquire during your deposition about an investigation by the NRC?

A. Yes. The following is quoted from the transcript of the deposition:

"Q. Have you been involved in an investigation by the NRC?

"A. Yes.

"Q. Recently?

"A. Yes.

"Q. And to what matter did that relate?

"A. The polar crane.

"Q. Did you talk to the intervenor about the polar crane?

"A. No. Well, I did. I asked them but they asked me what areas I worked, and I told them that I had worked in Reactors 1 and 2.

"Q. But you didn't talk about the subject matter of the investigation?

"A. No.

"Q. How was it that you were contacted as part of the NRC investigation?

"A. They contacted me yesterday.

"Q. Who did?

"A. Two investigators.

"Q. Well, they must have contacted you before yesterday to arrange to see you yesterday?

"A. Well, this is -- while I was at work, the 23 hours that I did work, they had phoned my residence. In fact, it was late one night and wanted to get in touch with me to, I suppose, let me know that they had investigated it.

"Q. This was earlier this week?

"A. Yesterday.

"Q. Yesterday?

"A. Yes.

"Q. And until you were called earlier this week by the NRC investigators--

"A. Day before yesterday.

"Q. The day before yesterday?

"A. I believe.

"Q. That would be Wednesday?

"A. When you stay up all night, you can't remember one day from the other.

"Q. I understand. Before you were called Wednesday of this week by the NRC, you had no idea that you were going to be involved in an investigation by the NRC?

"A. Well, I assume they would investigate it because they had a job site investigator.

"Q. I'm trying to get to your knowledge of your involvement in the investigation.

"A. Okay.

"Q. You were unaware that you were going to be involved in the investigation until Wednesday of this week?

"A. In reality, yes. I was told -- I acquainted them with a -- they asked me first where my area of work had been, and I told them throughout the plant.

"Q. The NRC investigators asked you that?

"A. No, Lanny (Sinkin).

"Q. The intervenor asked you that?

"A. Right, and I told them that I had worked Reactors 1 and 2, Turbines 1 and 2, Safeguard. I worked on pipe whip restraints, moment restraints and various caranes, and he asked, you know, what quality of work went into those.

"Q. What did you tell him?

"A. I told him that, you know, basically the people I was involved with, journeymen, you know, did a high quality of work and it was viewed usually by QC, and I knew of one instance where it was not, and I knew of one instance thatI acquainted with him with the fact that there were some shims put into the polar crane that was done as a cosmetic iron working instead of as it should have been done.

"Q. Let's get to the polar crane in a minute. What was the other matter to which you just alluded?

"A. Well, it was the polar crane.

"Q. There was one incident then you related?

"A. To him.

"Q. That you felt to your satisfaction was not handled properly?

"A. Yes.

"Q. Were there any other instances that you felt were not handled satisfactorily either by the craft or by quality assurance people?

"A. Yes, I'd have to say -- I was dissatisfied with some people that they sent.

"Q. Who sent?

"A. QC.

"Q. Dissatisfied in what respect?

"A. Well, let me tell you what happened. It's the easiest way. ... I was in the north valve room, 810 elevation ... This would be on number two side. The north would be number two and the south would be number one. As I said, Chuck had inspected, partially inspected, several fit-up restraints that we were putting in; and as I remember this -- as I said, Chuck didn't show up because he had been terminated, and two people were sent down to inspect. They looked at the prints and, of course,

both my welders were present there and one could read the prints and one couldn't, and we had quite a bit of difficulty in explaining the piece numbers in association with the prints and where we had made the fitups, and so on and they stayed there quite a while.

"Q. Until they got it right or until they understood?

"A. I'm sure they never did.

"Q. Did they understand what you were telling them?

"A. Finally they said they did; and after that, I believe two others came in.

"Q. Can you give us names?

"A. No, but they had to initial the traveler. They had to initial it.

"Q. But you don't recall names?

"A. No, most people don't put nametags on, you know. I know that they were new QC people.

"Q. Well, they were new to you. They could have been on say for five years and you might not have known it?

"A. No.

"Q. You knew all the QC inspectors?

"A. I knew him on sight. I didn't know his name.

"Q. He's not a QC inspector. Are you pointing to Mr. Tolson?

"A. Well, when he came through the door -- he's been on Comanche Peak. I've seen him before.

"Q. Yes, but the question is did you know all the QC inspectors?

"A. I don't know because I don't know the names of all the QC inspectors. I don't know. They may have a hundred out there. They may have eighteen.

"Q. How many did you know by sight?

"A. I don't know. That's impossible for me to say. These two I know, though, they were discussing the fact that they had come from the South Texas Project.

"Q. So what you're saying is they may have been new to the site?

"A. True, that's right.

"Q. Please proceed.

"A. I wasn't really impressed with their ability to read prints and piece numbers and associate the prints with the piece numbers and especially prints that have different views, you know; the top view, bottom view, and so on.

"Q. Is it unusual for a QC inspector to discuss with the craft what a print shows and how it relates to the physical plant?

"A. No, I think it's a good idea. I really do.

"Q. Why are you critical of the fact that these fellows asked you to explain the prints to them?

"A. Well, we discussed the stamping of the particular piece numbers on the iron.

"Q. Yes.

"A. See this iron was sent from Salt Lake City, CB&I iron and they use a different code than the print shows, but somewhere on the iron would be the same code as Brown & Root's prints or TUSI prints have.

"Q. Did you suspect that the welds these inspectors were to inspect were deficient?

"A. I didn't -- most of our welds at that time are fit-up welds and had already been checked. They were in just to watch preheat.

"Q. This was not a final welding inspection?

"A. No, it was not.

"Q. What is preheat?

"A. Iron has to be preheated to a certain temperature in order for correct penetration of the added material; the rod, the welding rod.

"Q. And that preheating has to be inspected by a QC inspector?

"A. Usually, yes. It may or may not call for it on the traveler.

"Q. Right.

"A. Then some pieces that are Class A, it's a standing rule that it has to be done.

"Q. In which case the QC inspector would come and watch?

"A. Yes, they have to. Yes.

"Q. How do they preheat?

"A. We use two methods. We use a cutting torch with a rosebud tip, a heating tip.

"Q. You just put a flame on it?

"A. Right, and we use propane bottles.

"Q. Both open flame heating?

"A. Correct.

"Q. So then as I take it your concern was that the QC inspectors who had been sent to inspect the preheating of this --

"A. Well, they inspected several other things, but they were not final. None of those were final inspections like the root pass, the fitup or preheat.

"Q. Which they inspected all at once?

"A. You can't. The first thing is preheat; the second thing is fitup which also concerns the fitup. The next pass will be a root pass which is -- in most cases they watch a root pass.

"Q. So they stayed the whole time from preheat to root pass?

"A. Generally no. They'll come in periodically. When I finish one, they'll come in to check it.

"Q. And you call them back when you fitup?

"A. Correct.

"Q. And your concern was that these inspectors didn't seem to be able to read the prints as well as you thought they should be able to?

"A. They didn't seem to have as much on the ball as I thought they would have.

"Q. Did they spend enough time with you to get to the point where they appeared to understand what you were talking about?

"A. I thought so, but then they came back. I don't know in what capacity they came back unless they brought, like I say, some more inspectors with them and maybe it was for instruction. I don't know.

"Q. But you say you thought so?

"A. I thought they had the general idea.

"Q. Well, do you think -- you stated earlier that you think it's a good idea for QC inspectors to talk to the craft about their work?

"A. I did.

"Q. So that's what these fellows did? You just felt that perhaps their basic knowledge was not what it should have been?

"A. No, I don't think their basic knowledge is what it should have been. That's right.

"Q. Is there anything further with regard to that aspect?

"A. No.

"Q. Let's talk about the polar crane, did you say?

"A. Yes.

"Q. Would you please tell us that story?

"A. We were -- of course, we put in the polar crane. We put in the rails and the clips.

"Q. Unit 1 or Unit 2?

"A. Both. In Unit 1, they had some trouble with the rails moving.

"Q. What are the rails? Let's define the rails.

"A. It's like a railroad rail.

"Q. 360 degrees around the top of the containment?

"A. Yes. Well, it's not the top but --

"Q. Up in the containment?

"A. Midways or past midways, and the rails had been moving and, of course, our prints called for several tolerances; 3/8 inch between the rails, 1/8 inch between the clips and the rails so it would allow them to move from side to side slightly to fit the wheels. These rails had continued to move so we were sent there to pull the rails and to weld new clips in, additional clips in, forged clips and also we were sent there to shim between the girder supports and the girders.

"A. Shim between the girder supports and the girders. Girders to what?... The polar crane...We have a girder support in the wall. That was put in by CB&I Welding on the containment wall itself. In fact, it is part of the wall. Okay. Coming out at a right angle to the wall, the support actually supports the girders.

"Q. Is this an I-beam?

"A. No, it's more of a buttress support.

"Q. Is it steel or reinforced concrete?

"A. Oh no, it's steel, solid steel. It's made of plate welded at right angles with gussets and so on. It supports the girder in a chair type support. It has a back and a seat to it. The girder, of course, sets primarily on the seat. Then this is backed into the back of the chair form and secured by the bolts. Seismic shims, I believe, is the term used for those shims.

"Q. And not being an iron worker, I'm not sure I'm correct but a shim to me is a spacer?

"A. That's true.

"Q. What is the purpose of putting the shim in?

"A. To restrain movements and also to maintain the radius that should be on the rail.

"Q. I see. And tell us about the placement of these shims.

"A. Well, we had an unusual development concerning this. I say unusual because -- well, let me tell you what happened then you can judge for yourself. We had a foremen, Steve Dunn, was our foreman. I had a helper also at this same time named Bill Varney, and occasionally we would trade out weekends like for overtime. He would work one weekend, and I would work the next weekend.

"Q. He being Varney?

"A. Varney, yes and Steve Dunn usually worked every weekend, the foreman...Well, Bill Varney started this work on the polar crane...It wasn't my weekend to work. He told me this when I came in Monday. He said, well, I worked on the polar crane and we shimmed some girders out; and he said, Steve Dunn was told that he wasn't a foreman on the weekends... A general foreman, Lonnie Tedford, had assembled this crew and had told them that Steve Dunn would not be the foreman on the weekends, that he would just be a worker.

"Q. While he was working overtime, he would not be a foreman?

"A. On this project, and that Connie Woodard would be his boss. Connie was a clerk in the office. He had had some previous iron work experience and Bill Varney, of course, told me what they did...And they had shimmed these polar crane girders and were putting shims in between the supports and the girders. Of course, he acquainted me with some of the problems they had because they had sandblasted the entire dome which is above the polar crane rail. Of course the sand, the excess sand got in the cracks in between some previously existing shims and the metal itself so you couldn't put a shim in, you see, for all the blasting sand in there. And the next weekend, I worked on it on the same --

"Q. Let's --

"A. It took several weekends to finish this shimming.

"Q. But when Varney told you this story on Monday morning, he was telling you what he had seen; you weren't there to see it?

"A. No, I was the next weekend, yes. It was repeated the next weekend.

"Q. Right. The first weekend you weren't there and Varney was?

"A. Right.

"Q. Please proceed?

"A. Well, the next weekend I worked on the polar crane and one of the practices they had of putting the shim in -- of course, I know that they had engineering approval for finger shims which is a shim that's made exactly as the name implies. Instead of drilling boltholes in a rectangular piece of plate steel, you make rectangular grooves. This allows the shim to be pushed down over the bolts, but it still is defined as a shim according to iron workers code which indicates that the shim should be a full bearing metal surface. In some cases or in most cases, these shims wouldn't fit either.

"Q. The crack between the support and the girder is wedged shape. Of course, you may put one shim in and the other one will only go down say six inches or so before it hits the opposing wall, and you're left with six inches of extra shim standing out.

"Q. What unit are we talking about?

"A. One. So we were told to cut out the central fingers which made a horseshoe shim. It's really cosmetic. If you were to walk up and inspect it, you would think that shim was there, but all you're seeing is the outside perimeter of the shim. You're not -- the other part of the shim has been removed. Do you understand?

"Q. Not really.

"A. If you have a full rectangular piece of iron and it's placed in a sandwich shape, and I can't get this shim in, if I cut the center of it out and slide the shim over the bolts, all you see is the outside perimeter. Think of it as a sandwich with luncheon meat in it.

"Q. We're talking about two pieces of plate metal that are placed as if they were two pieces of bread in a sandwich?

"A. True.

"Q. And there are bolts joining those two pieces of iron?

"A. Correct.

"Q. And shims go in between those two pieces?

"A. It should be solid in there. Do you see what I am saying?

"Q. These pieces are not torqued down to flush against each other?

"A. No, because the bolts and the polar crane girders and the polar crane supports are only supposed to be hand tight.

"Q. I see. So then shims were placed in between these two pieces of steel, and they're supposed to be covering the total area in between those pieces of steel?

"A. That's true. Yes, it is.

"Q. Now, what did they do instead?

"A. All they put was the outside of the shim. They cut all the inside out.

"Q. Before they put the shims in?

"A. Yes.

"Q. And what was between the two pieces of steel that prevented them from putting shims all the way through?

"A. Probably sand, grit.

"Q. Why couldn't it be airblasted out or vacuumed out?

"A. It probably could. Well, I can't say that.

"Q. Well, did you see it?

"A. Did I see it happen, yes.

"Q. In your opinion why wasn't it removed?

"A. I think two reasons: One, it slowed down production.

"Q. Taking a vacuum cleaner up there or an air hose?

"A. Well, it would take more to do that. I don't think you can blow it out because you see, the polar crane has been running for years. The sand has been in that shim for years, and once you grind that together and it actually gets down to the bottom of that iron, it's in there tight. It's compacted. You have several tons running over that, you see.

"Q. It's a vertical --

"A. This shimming occurred years after the polar crane had been put in. This is why you have the wedge-shaped ~~track~~ crack.

"Q. Okay. So they put shims in and --

"A. After the weight was -- yes.

"Q. And cut off the edges of the shims?

"A. The central part of the shim.

"Q. So they cut it off before they put the shim in? They were all right to the side and they cut it, and then they stuck it in?

"A. Right.

"Q. I see.

"A. If you were inspecting it, you would walk up and see a perfectly good shim.

"Q. Are shims welded?

"A. I have welded shims. You mean together?

"Q. Yes.

"A. Yes, that's one of the --

"Q. Were the ~~E shims~~ those welded together?

"A. No.

"Q. They were just wedged in by pressure and stayed there?

"A. Right. Well, the shim is horseshoe shaped. There is no -- it's

open at the bottom but then no inspector is going to crawl up under a polar crane girder and look to see if it's open or not.

"Q. Well, it's supposed to be open?

"A. Well, it's supposed to be a solid shim.

"Q. Well, I don't understand. If there are bolts through these two plates of steel?

"A. Right.

"Q. How could it be a solid shim?

"A. Well, there would be holes there for your bolts, but I'm saying all the other parts are close to the shim.

"Q. So in other words you take the bolts out, put the shim in, and put the bolts back in?

"A. Unless you can't get the bolts out, then you can have finger shims put in which a finger shim actually describes the slot instead of the round hole.

"Q. I see, so a finger shim is something you put in between the bolts that serves the same purpose?

"A. It serves the same purpose as a drilled shim except there is no iron between the bolt, between the two bolts, four bolts or whatever.

"Q. But that's an acceptable alternative?

"A. That is an alternative.

"Q. So it is a situation where sand fell between these two plates of steel?

"A. Yes.

"Q. Such that the solid shims could not be inserted?

"A. Yes.

"Q. So the solid shim was taken and cut?

"A. Cut in the shape of a horseshoe.

"Q. Right, and put back in?

"A. Right.

"Q. And then the bolts were finger tightened down?

"A. Yes. They were supposed to be finger tightened.

"Q. I see.

"A. They are not supposed to be hammered tight or torqued tight.

"Q. You may not be qualified to answer this question, but I'll ask you and you can tell me if you're not qualified if that's what you feel. Is there a difference from an engineering and structrual standpoint between the full plate shim, if that's a fair way to describe it, and the horseshoe shim that was put in later?

"A. Oh, yes.

"Q. Given the fact that the bolts are hand tightened?

"A. Yes.

"Q. What's the difference?

"A. You don't have a full metal bearing surface. What you have is a horseshoe shim that is subterfuge. You see, what it looks like is a complete shim. All you have is the outside edge.

"Q. Yeah, I understand. Is there a difference between the use of finger shims --

"A. Yes.

"Q. -- and the horseshoe shim?

"A. Like I said, it is an alternative. A finger shim still has a central bearing surface. See, the slots rub each side of the bolthole pattern.

"Q. How many shims were done this way?

"A. Several were cut into pieces.

"Q. How many is several? Three, ten, six?

"A. No, let's say -- I can't put a number--

"Q. Pick a number that would be approximate.

"A. Let's say six or seven.

"Q. Six or seven?

"A. Maybe more. I don't know what Bill (Varney) did. See, I worked one weekend. and he worked the other.

"Q. And how many shims are there around a 360° perimeter?

"A. I have no idea.

"Q. Guesstimate.

"A. About 70 I suppose. Now, I don't know how many were, you know, because I wasn't there. I would say six. I mean, I may as well say ten million because I don't know.

"Q. You just said there are only 70 out there?

"A. Well, I'm saying I could pick out any number between 70 and 0.

"Q. We're asking for you're knowledge. How many did you do or did you participate in doing?

"A. I'd say around six.

"Q. Did you think that to be the correct procedure when you did it?

"A. No, I knew it wasn't.

"Q. You knew it wasn't?

"A. Yes.

"Q. What did you do?

"A. Nothing.

"Q. Why?

"A. I wouldn't have a job. You can't blow the whistle on the fellow you're working with.

"Q. Did you say something to the fellow at the time?

"A. Yes.

"Q. What did you say?

"A. They're going to catch this.

"Q. To whom did you say that?

"A. Connie Woodward.

"Q. What did he say?

"A. He didn't say anything as I recall. We talked about it, you know, the crew working, but I think the reason my foreman didn't say anything is he had been advised before we started because he had been told that he wouldn't be a foreman on that crew during the weekend.

"Q. So you didn't say anything beyond talking to this foreman?

"A. My foreman. Yeah. he was my actual foreman. You know, sometimes like I say, people traded out from one crew to the next to weekend jobs.

"Q. That is a common occurence?

"A. Yes.

"Q. What time frame was that polar crane matter?

"A. Well, Bill (Varney) would have to havebeen working there at that time.... I couldn't specifically state what time. Varney may know exactly what time. I would say that it was within a year.

"Q. A year ago?

"A. Yes.

"Q. So sometime in 1981?

"A Yes, I would say so.

"Q. Maybe in the middle of 1981?

"A. I think it was quite warm in there because I remember --

"Q. The Summer months of 1981?

"A. I think so.

"Q. Okay. So that job was finished and you went on about your business to other jobs and so forth?

"A. During the week; and when it was over with, yes, I went on to other jobs.

"Q. And the matter of the polar crane did not arise in your consciousness again until you were contacted by the NCR?

"A. Yes. Last night?

"Q. Yes?

"A? They had inspected it, yes.

"Q. The NCR had inspected it?

"A. Yes, I talked to two investigators last night.

"Q. So they are aware of the fact that these horseshoe shims were used?

"A. Now they are, yes.

"Q. And prior to that time, prior to you being contacted last night or Wednesday of this week or whenever it was, you had not discussed this matter with the intervenor of the NCR staff?

"A. I had discussed the polar crane because they asked me specifically about it.

"Q. With whom?

"A. Lanny.

"Q. The intervenor?

"A. Yes.

"Q. What aspect or the polar crane, the shims?

"A. They asked me about the quality of work as I stated before, and I referred to this incident because that's one incident that explains some work I didn't think was up to par.

"Q. So you explained to Sinkin and the intervenor just what you explained to us about the polar crane?

"A. Yes, basically yes.

"Q. When did you do that?

"A. When you were discussing Chuck's situation.

"Q. Would that have been early June, sometime in May?

"A. In that time zone, yes.

"Q. Perhaps late --

"A. I know that they were having hearings because of Lanny being here.

"Q. I see. So this was just before the hearings that were---

"A. I think during the hearings.

"Q. During the hearings?

"A. Yes.

"Q. Do you know whether the intervenor contacted the NCR about this matter?

"A. I think they probably did so. I didn't contact them.

"Q. Do you know whether the intervenor gave the NCR your name with regard to this matter?

"A. I'm sure they did. They wouldn't have found me otherwise.

"Q. So that's how the NCR found you?

"A. I assume so.

"Q. Do you have anything further to tell us about the polar crane situation?

"A. In relationship to quality work?

"Q. Yeah, whatever you want to tell us.

"A. No, except the polar crane. No, well, I'm not threatened by Brown and Root. They can hardly fire me after they've already done it.

"Q. Well, I'm asking you. You're under oath here and you're to tell the truth, and I'm asking you if you have anything further to say?

"A. No

"Q. Are there any other matters with regard to you activities at Comanche Peak that you would care to discuss at this time relating to craft or quality assurance, performance, the quality of the product down there?

"A. Well, that's basically my concern.

"Q. That of the polar crane?

"A. No, I'm saying the quality of work down there because -- if you don't mind, if I can tell you what I think about it?

"Q. Well, let me try to state what you said earlier. I believe your statement was that you felt that the craft was very competent and they were doing a good job in your scope of activity; is that not correct?

"A. I said that the majority were. I didn't say that they all were.

"Q. What is it you want to say?

"A. Basically I'm concerned whether or whether not the TUSI fires up the electric station. Let's say if they do, and I'm concerned with

the quality of work that goes in there. They can hardly --

"Q. During the operation?

"A. Before the building and construction of this plant site. I'm concerned with that because if things are done as subterfuge to prevent them from finding them for whatever reason, it would be to their advantage to know every one of these before they fired up.

"Q. Is this concern that --

"A. I'm talking in a safety aspect.

"Q. Is this a concern that you have that everyone had that they want a plant built correctly?

"A. Oh, I think so.

"Q. Or is this a concern you have specifically with regard to events that occured that you know about? We've talked about the polar crane.

"A. I think in both.

"Q. What are some of the incidences that you're referring to that led you to feel this way?

"A. Well, I know, of course they (QC) are checking these as they go along, but I know of a lot of Hilti bolt violations, this sort of thing... As I understand it, they have an apparatus there that can determine the length of the bolt, whether it's sonar or whatever, and I suppose that they're going to check the majority of those bolts and critical points. I've seen a lot of things, you know, that weren't considered quality work, incidences that I can recall periodically. I can take you and show them to you personally.
For instance, I recall a piece of iron on a wall that's supposed to have Hilti bolts going through it, you know, supported there by Hilti bolts. You can see that it is welded with clips on each end. The holes were pre-drilled in the iron. Normally a normal procedure for this would be if you can't find a hole in the concrete and you can attach a weld plate, you know of course with the engineering approval, you can weld this piece of iron to the wall; or if it's around the inbed, you can weld it to the wall. This piece of iron is just like to an iron worker, not to someone who is just walking down, but if you were to see this iron, it's a joke.
I'm not saying it's a joke. I'm not saying that as a slight -- I'm saying that as an iron worker. It's like a sign. You can see four Hilti bolts sticking out of this iron that's supposed to be in the wall, but if you look closely enough, you'll see a bolt with a burned pattern around it going through the iron and supposedly into the concrete.

"Q. What does that tell you?

"A. What do you think this burn pattern is?

"Q. Well, you tell me.

"A. All right. That bolt has been sawed off even with the iron. The bolt was stuck in the hole and a bead was run around the base of that bolt, you see?

"Q. What elevation are we talking about here? In what unit and what building?

"A. In side two.

"Q. That's Containment Unit 2?

"A. It's in the safeguard area.

"Q. Safeguard area at what elevation; what wall; please be more specific.

"A. The eastern wall.

"Q. East wall?

"A. Yeah, it's on a stairway.

"Q. Stairway?

"A. Yeah.

"Q. Is that a safety related area?

"A. No, I'm not saying that. I'm saying why pull a deception like that?

"Q. Well, deception is your word. Couldn't it be --

"A. Well, whatever, but they plugged a hole with a bolt and welded it.

"Q. Is there any reason why they shouldn't do that from a safety standpoint?

"A. No, I can't imagine that.

"Q. Is it a safety related situation?

"A. No

"Q. Well then, how is it related to your concern about safety at Comanche Peak?

"A. All right. That type of practice, that practice of doing work that way. If man has that practice, what makes you think he is going to do good work further down the line or where he is doing work?

"Q. Was that stairwell -- did you say it was in a stairwell?

"A. Yes, in a stairwell.

"Q. Was that stairwell inspected by quality control inspectors?

"A. They walked up and down it everyday.

"Q. No, that isn't the question. Were they required to inspect there because it is a safety related area?

"A. They were required to inspect the torque.

"Q. The torque?

"A. Right.

"Q. What torque?

"A. The torque put on the Hilti bolt.

"Q. You mean the stairway attached to this Hilti bolt; is that what you're saying?

"A. It's supposed to be.

"Q. I see.

"A. If there is a Hilti bolt driven in there, it has a torque valuing 150 to 350 pounds. Once that torque is achieved, you're suppose to put a Loc-tite tight colored seal on that bolt thread. If that bolt thread has that particular color seal of Loc-tite, it hasn't been inspected and all Hilti bolts are required to be inspected.

"Q. All Hilti bolts or just Hilti bolts relating to --

"A. No, the torque. The torque is suppose to be inspected.

"Q. Even if it's not a safety related structure?

"A. Right.

"Q. You know that for a fact?

"A. Well, I've done it for several years.

"Q. You're a QC inspector?

"A. No, I said I have torqued those bolts for several years and written, you know, a log up for them to come down and view them. If they weren't going to inspect them, they wouldn't come down.

"Q. And you know for a fact that this was inspected?

"A. I don't know. Like I say, I know what the bolt is. You could put a nut on that and a washer on that, and you could walk in there with a torque wrenchand torgue it to anything you wanted to until you twist the iron into because it's welded to it. You see, it doesn't go into the wall. It's like --

"Q. Does that make it less strong or more strong than if it were in the wall?

"A. It serves no purpose other than one. That bolt sticking out just serves on purpose to make you think that that bolt goes in the wall or those six bolts to in the wall.

"Q. Well, if it's not safety related as you've said it isn't?

"A. That's not my gripe.

"Q. You're using this as an example of --

"A. I'm saying that the man that practices that, the man that practices that type of workmanship sets up a practice that you can't afford.

"Q. This is a non-Q matter though, isn't it?

"A. True.

"Q. Isn't it likely that the craft follows a different procedure for non Q work relative to the procedures it follows for Q work?

"A. Most craft journeyman do as good a job as they can. If you're building something for $55 or you're building something for $5 billion, it doesn't indicate what level of work you should work at.

"Q. Well, do you have any other examples besides these Hilti bolts which are welded into the plate to illustrate your concern?

"A. I'm not a metallurgist.

"Q. Nor an engineer?

"A. That's true. But I do know --

"Q. Nor a quality control inspector?

"A. Pardon?

"Q. Nor a QC inspector?

"A. That's true, but I know through them and through some procedure, QC procedures, what you're required to do and supposed to do.

"Q. On safety related items?

"A. On several items, some non-safety and some safety, yes. And I know what you're supposed to -- let's say like transferring of heat numbers, and I know that that isn't always done. If I have a piece of iron and no one sees me cut this iron, it could come from any lot of iron, and I could stamp any number on that I wanted to.

"Q. These are all hypotheticals and so forth, but I'm looking for specific examples of matters to your knowledge which illustrate your concern. You've given us the one about the polar crane; you've given us the one about the Hilti bolts welded to the plate on the wall. Do you have any other specifics? I want you to think carefully because when we leave today, I want the record to contain all of your concerns so the intervenor and applicants know what your concern are and can address them. Would you like to take a break for a couple of minutes and use the restroom and think about this?

"A. I worked there so long, there is a lot of things.

"Q. Well, we have time and we want to hear what you have to say.

"A. Your're concerned with the safety-related only?

"Q. Sure. Well, let me ask you this. Does work on non-safety related items reflect on the quality of safety related items?

"A. I think so.

"Q. How?

"A. The same men are doing the same work.

"Q. Yes, but isn't one inspected and the other one not inspected?

"A. That's true.

"Q. Does the craft know when they switch from non-Q to Q work?

"A. Oh, yes.

"Q. But you're saying they don't change their mind-set when they switch to Q work?

"A. I think so, yes.

"Q. Do you have a basis for what you say?

"A. I think every builder --

"Q. Is that the way you felt when you did your work?

"A. I did the best work I could do.

"Q. Did you distinguish between Q and non-Q?

"A. In calling in inspectors, yes.

"Q. Did you perform lower quality work for non-Q work?

"A. No.

"Q. What makes you think because you did your job, other people didn't do their job?

"A. Because I saw the bolts in the wall and I saw the shims, you know, in the polar crane.

"Q. Those are two examples. Now, I want whatever examples you have beyond that.

"A. Okay...

"Q. You stated earlier, I believe, that on the polar crane matter, you actually did some of the cutting of shims?

"A. Yes.

"Q. And then were you involved in the insertion of the shims?

"A. Yes.

"Q. Then you testified later that you always did the best job you could and you always --

"A. That's one occasion I didn't. I was told to do it. In most cases and I'm speaking in general terms, if I am the journeyman and you hand me my prints in the morning to go do some work, I may not see my foreman that day, but when I am directed with one standing right there over my shoulder to do it this way, you don't have any choice unless you want to go home because if you say yeah, I don't want to do it this way, on occasion I have -- I refused to work one time without prints. In fact that was about a week before I was fired.

"Q. Have you had an opportunity to think about other specific incidences you would like to relate to us?

"A. Well, that's one that I just brought up. I was instructed to work without a print to use -- that's without the correct print I should say. I was given a print for one side and told to use that print to build the other side of the valve platform over the turbine itself.

"Q. Where was this?

"A. Side two.

"Q. In the reactor containment itself or out in the field?

"A. No, outside on the deck, the turbine 2 area. You see, every piece of iron is lettered and is numbered, a piece number to correspond with the print. I was told from the first day that I went to work there -- I was acquainted with the procedures; and as those procedures were updated, of course, we were acquainted with some. It's sort of a haphazard way of acquainting you with procedures. We were brought into a lecture room for like three or four hours and someone read from a procedure book at top-rate speed, you know, and you could hardly absorb all of that. Do you know what I am saying?

"Q. I assume you're speaking personally?

"A. Yes, we were all there, all the iron workers, welders and so on. Most of my procedures I became acquainted with when I worked in the office because we had cataloged procedures.

"Q. Well, let's get back to this item where they asked you to build something.

"A. Well, one of the stipulations was that when you work, you work with a print because any -- as I understand this, I've never had it happen to me, but various inspectors at any time, they walk up and ask you what procedure you're using for this and request to look at your print and to validate the fact that you are using the correct print for that particular item.

"Q. And where were you working at the time that this incident happened?

"A. Turbine 2.

"Q. Turbine building for Unit 2?

"A. Right.

"A. And was it a structure that you were asked to build that related to and was to be used in the turbine building for Unit 2?

"Q. Yes, it was an access platform at the east end of the turbine itself. I had built one on the northeast corner. This was supposed to go on the south.

"Q. A mirror image in effect?

"A. Right.

"Q. Was it beyond your competence to do the job that way?

"A. No.

"Q. So you could have done it with that --

"A. Not legally.

"Q. -- mirror image? Well, your're not a lawyer, are you?

"A. Well, I'm saying according to par, I wasn't supposed to. I was instructed originally not to work without a print, a correct print.

"Q. Was that instruction related to quality matters or all matters?

"A. All matters. If you're on non-Q or Q, if you don't have the print or a print that you can work by the correct print with the correct iron and the correct location, then you don't have, you know, as such in order to do that.

"Q. And you are certain that the instruction you received in the indoctrination program related to all work and not quality-related work?

"A. Yes. I don't work without a print.

"Q. Well, that may be your practice, but I'm trying to get at --

"A. No, I'm saying --

"Q. Please let me finish the question. I'm trying to get at what the procedure is at Comanche Peak, not what you think should be done, but what the procedure is.

"A. Well, as I understand it, that is the procedure.

"Q. You said that one reason you would not work without a print is because an inspector would come by and he would see you working with the wrong print?

"A. I've been told this several times.

"Q. Would an inspector come by and see you with the wrong print if you were working on a non-Q matter?

"A. Yes, supposed on inspector came by while -- I don't know -- oh, yeah. Okay, let's say that I drilled a hole in the wall and was dry-packing that hole, filling the hole back up with concrete. That inspector could ask me what procedure I was using.

"Q. If you're in a non-Q area?

"A. Regardless.

"Q. What kind of inspector would this be, quality control inspector?

"A. I was trying to think of the term for that. I couldn't truthfully say because I don't know.

"Q. But it's not a quality control inspector; you would know if it were?

"A. Oh yeah, but it's come inspector that deals with the structure itself.

"Q. But it's not a quality related matter; therefore the inspector isn't out of quality control. It's an inspector over on the craft side; is that a fair statement?

"A. Well, I don't know. I don't know if he's in quality control or not. I know that the inspector --

"Q. Isn't it logical --

"A. -- that deals with procedures whether it's concrete, iron working or whatever you're doing, if he's concerned with procedures and prints and so on, if he asks you what procedure you're under by patching this concrete and are you follwing that procedure and what is that procedure, then if you're certified to do this work, then you should know this.

"Q. Sure, but isn't logical to you that if it is a non-quality assurance related matter that the inspector would not be a quality assurance inspector?

"A. Quality control was usually on site because you requested them to be there. In other words, you phone them or had a written request for them to inspect this work. It was Q work.

"Q. Q work?

"A. Right.

"Q. If it's non-Q work, you wouldn't call a QC inspector?

"A. No.

"Q. It's a different inspector?

"A. Right.

"Q. Okay. Are you aware whether the turbine building is a Q building or a non-Q building?

"A. I think it depends upon what particular item you're working on.

"Q. How about the item you were asked to work on?

"A. Well, platforms were safety related and non-safety related and some -- Dick Kissinger would know this -- but some the platforms that had been previously designated as safety were designated as non-safety later on so you have that particular problem.

"Q. But do you recall whether the material you were asked to work on in this incident was quality or non-quality?

"A. Let me tell you what instruction I was given by the general foreman. I was acquainted with the fact that he told me that these items are non-Q. They had been designated non-Q or non safety related, and at one time they were safety related so we're going in to do these; and then a year later, two years later, he came in and said all platforms it looks like are going

to be placed back into a safety category so we need to do top level work on all of this because if it does that, then they'll be reinspected, the iron will be cut out or whatever; the RPS or repair will be done. So in endeavoring to do the work that I was supposed to be doing at the level I I was supposeto be doing, I know that this platform was not Q, but that was not the instruction I was given. You know, I was supposed to keep up the same amount of work which normally you do anyhow.

"Q. I understand.

"A. And on top of that, that wasn't the print for that particular platform. It was a mirror image thing.

"Q. But I think I heard you say that you realized it was a non-Q platform?

"A. Right, due to the paint the red paint on it. I knew it was non-Q.

"Q. What did your foreman say when you said you wanted a different print?

"A. I told him I didn't have the print for that one, and my foreman then was Al Hutto, and he agreed with me. I informed my general foreman that I didn't have the print, and he said well, why don't you go ahead and drill the base supports which would have been fine except the base supports for the mirror image side weren't the same. They weren't even the same shapes of iron relatively speaking. The lettering was all different; the piece numbers were different of course. For instance, you had, let's see nine columns. Four or five of those columns were different that the mirror image side so I could indiscriminately start drilling holes to no avail. Do you see what I mean?

"Q. Yes.

"A. You couldn't put quite possibly -- even though you in your mind place all thosed columns in the right direction with the gusset plates sticking north or south or however they went, and you could get it done that way, but you would not have a print to do it by. It's kind of a trial by error way of doing it.

"Q. If you didn't have the correct print, how did you know the base plates were different?

"A. I looked at the iron. The iron was up there on the turbine deck.

"Q. Pre-cut?

"A. Pre-fab. I was told yeah well, the print will be here today at noon and then that afternoon, it will be there in the morning at nine and so on until I was pulled off that job and put on another job, and we left the iron there.

"Q. So you didn't complete the job one way or the other?

"A. No.

"Q. You were moved to another job?

"A. Right.

"Q. I see. But to your knowledge, the support was not built in accordance with the mirror image diagram? For all you know it was built in accordace with the correct diagram?

"A. That's true.

"Q. Can you give us another illustration?

"A. I know of some iron that was used -- like you have a print, that print has particular item numbers on it. Your iron, of course, has the same or should have the same numbers on it. Quite often iron was interchanged from side one to side two, that sort of thing. Of course that's a non-Q. There were several things I can think of.

"Q. You say that was non-Q?

"A. That iron as I recall was non-Q; but as I said, it was safety related, then declared non-safety related. It was the same thing back and forth. That kind of expedites the progress. I was trying to think of the areas that I worked.

"Q. Take your time.

"A. I can think of an area that I worked in that's not done -- the inspection was not done by QC so it would be non-safety related. It is called Switch Gear 1. I did a considerable amount of work there. Of course, that was sort of a fiasco. Most of the welds had to be cut out, plates turned and so on, plates renewed; but safety related, it's not. It supports the steam pipes coming out or Reactor 1. I remember an instance where a superintendent instructed some welders. Let me give you the incident. We were called in as every Monday morning for a safety meeting. We had --

"Q. By safety, do you mean occupational safety or safety related construction activity?

"A. No, occupational safety. That was the reason for the meeting and, of course, it can branch out into various other substances, and this is one occation where it did branch out into another substance. We had several welders there welding at the time on various supports in various positions, overhead, vertical and so on, and one of our welders happened to be welding a flat horizontal weld.

"Q. Not you?

"A. No, I'm not a welder. He used -- of course, this is the easiest position to weld in. He used something like, I'll say 235 rods which is quite a few rods for one day's draw on your rod ticket. This impressed the superintendent and he made the comment that he wanted all the welders to weld rods like that so he could be proud of them and so on. Of course, he wasn't a welder. He was not around a welder; he was not acquainted with

welding practices and so on which it's practically impossible to weld overhead 235 rods, the hardest position or vertical.

He wanted as many rods welded as he could, and of course, with the welding of several rods, one right after another on some iron, you overheat this iron. In fact, we shortly after that, we had some restraints that buckled, you know, of the potato chip effect; and the next week, in fact, these welders started really pouring the rods to the welds, you know, and of course, you have I guess you could say a deformity due to overheating, warping and bending and so on. This happened on, like I say, some pipe whip restraints that were in Safeguard 1 in the pop-off valve rooms. There are two levels of those. A one-inch plate can't take heat like that. There is welding on the gusset plates behind it.

"Q. Is this quality related work?

"A. Yes, it is.

"Q. Would it be inspected by QC inspectors?

"A. Yes, as far as I know it would be.

"Q. If it was warped, would it pass inspection?

"A. I think there is a percentage of deformity.

"Q. Do you know?

"A. I don't know myself.

"Q. So it may have been acceptable from a safety standpoint and you wouldn't know.

"A. That's true, it could be, but what I am saying is that the area where I was working, Switch Gear 1, I was working off and on both areas. They really poured the rods in out there and this is the reason for all the rework.

"Q. What rework?

"A. They had to fill out RPS's to have repairs done.

"Q. To get it right?

"A. To take the gusset plates out. You weld on a piece of metal, and let's say you run a bead around it and you keep preheating it up. Eventually when it gets so hot, it's going to start warping and pulling, and it can pull cracks in the welds and the welds loosen and this sort of thing. This same -- I am talking about two or three months later -- these same welders that were told this original instruction Monday morning were called up a special meeting to the office and chastised for burning too many rods indiscriminately by the same man; and of course, the blame was place on the welders and some fitters, but primarily welders.

"Q. Were you blamed?

"A. No, I wasn't one of them.

"Q. Were you involved?

"A. I did some of the fitting for them, yes.

"Q. Were you involved in the meeting , the first meeting?

"A. Yes.

"Q. And the second?

"A. No, just the welders were taken up on the second.

"Q. So you heard that secondhand from a welder?

"A. Oh, from several welders.

"Q. From several welders?

"A. Right."

Q. And were there other matters covered in your deposition?

A. Yes. We then discussed repair work being done. This was on page 86, line 18 of my deposition. We had planned to type it and try to consolidate it some for the benefit of the Board, but in the interest of time and to be sure we met our deadline to get the testimony in the mail, we have reproduced that portion of my deposition; it's attached hereto as Attachment 2. It covers pages 86 through 100 of my deposition.

Q. And do you incorporate it herein as part of your testimony?

A. Yes, I do.

Q. Mr. Miles, during your deposition, did you discuss most of the concerns you've mentioned in your testimony?

A. Most of them, yes.

Q. And since your deposition, have you continued to try to recall all of the concerns you have about Comanche Peak?

A. Yes. And there are a few things which I have added to my testimony which I didn't specifically recall. In addition, there are several things which I discussed in my deposition which needed clarifying. I hadn't realized how confusing some of them sounded until I saw them down in black and white.

Q. To what do you attribute that?

A. Well, I guess I was just more tired than I realized at the time, and I wasn't thinking as clearly as I might have been otherwise. I'd just worked for 23 straight hours and had only about three hours sleep or so just prior to the deposition.

Q. You didn't deliberately try to play games with the Applicants' attorney or deliberately withhold information?

A. No, I did not. I'm sorry if some of what I said was confusing. I tried to answer the questions I was asked to the best of my ability at the time.

Q. And in the preparation of your testimony, did we attempt to incorporate both the concerns specifically discussed in your deposition and the concerns you've remembered since that time into your testimony, as well as to clarify the confusing parts of your deposition?

A. Yes.

Q. Are the concerns now contained in your testimony the only concerns you have about the Comanche Peak plant?

A. The concerns which are being included in this testimony are all the concerns I can recall at this particular time. I'm sure there are other things I'll remember later -- I worked there over four years.

Q. Why don't we begin with clarifying what you found to be confusing in your deposition and then continue from there?

A. All right. I'm not sure the part of my deposition (beginning on page 27, line 21 of my deposition) was clear about how I came to be a witness in these hearings. Originally, what initially started this was that I read about Chuck in the newspaper. And when I saw he might be out on limb alone, I knew it was a raw deal. I'd heard everyone on site talking about why he got the ax -- it was common knowledge. I'd already seen the handwriting on the wall when I saw the red tags on the pipe whip restraints. It was common knowledge with anybody working on pipe whip restraints that if they were from Kansas City, Mo., nearly every one had some defect.

Q. So when you first called Chuck, it was because you were concerned about his being treated unfairly?

A. Yes. And I could sympathize with him because I'd had a taste of that myself. I phone Chuck to see what was going on, if he had a job, and I told him that I would voluntarily vouch for his work because he had inspected some of my work and I knew he was a good inspector who tried to do his job right.

Q. So originally, you just had in mind testifying in these hearings on Chuck's behalf?

A. That's right. Then I was contacted by CASE, by some people whose names I later was told were Lanny Sinkin and Juanita Ellis. They called me two or three days after I talked to Chuck. At the time of my deposition, I wasn't exactly sure whether it was in May or June; I knew it was after I had been fired at Comanche Peak and I knew it was during the hearings. I now know that the hearings were from June 7 to June 11, so it was sometime during that period. I said that in my deposition, but in places it wasn't too clear. I didn't really understand what difference that made anyway -- still don't. But I wanted to clarify it

just so the record would be straight on it.

Anyway, there's another area that needs to be clarified in my deposition (beginning on page 33, line 1 of my deposition). I was asked if I talked to the intervenor about the polar crane. And I said:

> "No. Well, I did. I asked them but they asked me what areas I worked, and I told them that I had worked in Reactors 1 and 2."

What I meant was that no, I didn't call them up and say, hey there's something going on down at the plant that you should know about. I did tell them about it when they asked me about what areas I had worked on, and I told them I had worked in Reactors 1 and 2 and throughout the plant, and that I had worked on pipe whip restraints, moment restraints and various cranes; and Lanny Sinkin asked what quality of work went into those. That's when I told him about the polar crane problem.

During the deposition, in addition to the fact that I'd never had a deposition taken before and hadn't had much sleep the night before, it was easy to get sidetracked. I mean, I'd start to answer a question, but before I'd finish getting all my answer in, the attorney would ask a related question but one that would get me sidetracked and I'd never get back to finish what I'd started to say. I don't mean to imply that he was deliberately trying to sidetrack me -- it was just the way things went. It was pretty hard to keep on track sometimes.

Q. I understand. Please continue.

A. Another related area in my deposition was about my being involved in an investigation by the NRC. I'm not sure what happened about that was clear in my deposition. I was asked if I talked to the NRC after I talked to the the intervenor. I answered the question as it was asked, but I don't think it all made sense the way it was worded in the deposition.

Q. Where was this in your deposition?

A. Beginning on page 32, line 17. What happened was that I talked to the intervenor and was told that it should be reported to the NRC to investigate. Lanny Sinkin said he would report it. This was about the polar crane problem. When I was called by the NRC, it was after they had investigated it. I didn't report it myself; since Lanny had said he was going to report it, I assumed that that's what he had done. I wasn't really sure how that sort of investigation worked, and I didn't really know I was going to be involved in the investigation until the two NRC investigators contacted me shortly before my deposition.

Q. Do you know their names?

A. Don Driscoll and a Mr. Taylor.

Q. Mr. Robert Taylor? The NRC Resident Inspector at Comanche Peak?

A. I think that was his name. I thought he was an investigator.

Q. Please continue.

A. O.K. There's another point in the deposition that needs to be cleared up. On page 33, beginning with line 6, I was asked if I talked about the subject matter of the investigation when I was talking to the intervenor. I said no -- because when I talked to them, I wasn't talking to them about an investigation. At that time there <u>was</u> no invesigation. I did talk to them at that time about what later <u>turned out</u> to be the subject of the investigation.

Q. Is there anything further about that matter?

A. I think that clarifies it pretty well. Like I said, I'm not sure how important it is, but I wanted to make it clear for the record.

Q. All right. Was there anything else as you went through the transcript that you'd like to clarify?

A. Yes. On page 38, along about line 13, we were talking about the QC inspectors who came by to check the work after Chuck Atchison was fired. I had said that I thought they were new to the site and that they were discussing the fact that they had come from the South Texas Project. I related how I wasn't really impressed with their ability to read prints and piece numbers and so forth. And then we had the following exchange of questions and answers (beginning on page 39, line 1 of my deposition):

> "Q. Is it unusual for a QC inspector to discuss with the craft what a print shows and how it relates to the physical plant?
>
> "A. No, I think it's a good idea. I really do.
>
> "Q. Why are you critical of the fact that these fellows asked you to explain the prints to them."

This was one of the times when we got sidetracked and went on talking about other related things and I didn't really make my point clear. The point I was trying to make was that, although I think it's a good idea for a QC inspector to discuss with the craft what a print shows and how it relates to the physical plant, I also think that the level of conversation should be more than "What is this? What are we supposed to inspect?" Those guys didn't know from beans about what they were supposed to be doing.

Q. I see your point. Is there anything else on that particular matter?

A. No. I guess that's it.

Q. Before you go further regarding your deposition, I'd like to be sure I understand about the polar crane problem. Could you explain briefly just what was involved in the installation of the polar crane rail system?

A. O.K. A girder support is attached to the liner. A girder is then bolted to the girder support. The contract as I understand it called for CB&I (Chicago Bridge & Iron) to put in the girders and to shim them to zero tilt.

CB&I didn't do that; Brown & Root did the work. Now, when I was talking to the NRC, Mr. Taylor said the contract was for a 1/4" shim and that it wasn't necessary to shim them out. But if that's true, why did Brown & Root come in on the week-end and add the fake shims? It doesn't make sense to me that they would go to the trouble to do that if it wasn't necessary to shim them.

Q. And what is the purpose of the shims?

A. These shims work to prevent tilt to the inside of the circle. You have this polar crane which rides on a rail around the inside of the liner, and the weight of it naturally has a tendency to tilt, more towards the center of the circle than the other way. The missing shims were discovered before the rail was clipped to the girder, but no action was taken to remove the girder and put in shims. After the polar crane was put on, false shims were cut and jammed down in around the girder so it would appear complete when it wasn't and that there were bottom shims even though there were none.

Q. Was that the full extent of the polar crane problem?

A. Also, after the polar crane was put on, sandblasting of nearby areas put sand in the slots between the girder and the girder support. The polar crane was used on temporarily bolted girder/rail system and the sand was packed so tightly it could not be removed.

Q. What size of an area are we talking about where the sand was packed?

A. I'd say 2' long minimum, height about 18", and about 3/8" to 1/2" at the top tapering down at the bottom. The shims were supposed to be placed on the side to prevent sideways tilt, but existing conditions prevented finger shims from being put in. Again a false shim was cut, this time horseshoe shaped to go over bolts to give the appearance the bolts were in, the these shims could be knocked out with a hammer.

Q. When was all this done?

A. Most of the false shim work was done on weekends when few inspectors were around to see.

Q. When you say weekend, you mean Saturday and Sunday?

A. No. The usual working days are four ten-hour days. When I say weekend, I mean really Friday, Saturday and Sunday. If you ever want to catch them doing something they shouldn't be doing, go out on a weekend.

Q. Please continue.

A. The rails tilt lengthwise and sideways -- primarily sideways. The lengthwise tilt creates a high spot. As the polar crane moves around, the rails migrate away from the high spot, causing up to a 5" gap between the rails and opening a large hole at the high spot.

Q. How large a hole?

A. That's what I meant when I said a 5" gap.

Q. What effect does that have when the polar crane is moving around the rail?

A. Well, the polar crane cannot get past the hole. I've seen the rails completely closed up and the hole fully opened.

Q. How do they get the polar crane past the hole?

A. Well, they have to get up momentum and run at it and thump it, sometimes several times. To fix the gap problem, a large steel clip would be attached to a rail and a choker run from the clip to the polar crane. The crane would then be lunged to jerk the rail forward. This lunging process would be carried out until the rails were back in position with a uniform 3/8" gap between all.

Q. Do you know for a fact that this was done.

A. Yes, it was done at least three or four times to my knowledge. Sometimes

the pressure on the clamp was so great, the clamp (which was about 14" long) flew apart, with smoke and sparks. There were a couple of near misses when part of it almost hit some workers underneath it. (The clamp was attached to pull the rail, rather than the clamp holding the rail in place.)

Q. When they did this thumping, how long did it take to do it?

A. Sometimes the thumping process can take two or three days. The clips holding the rail in place were designed to allow movement 1/8" sideways on the rails as the polar crane finds the center. When the lunging was done, the pull on the rails was not in a straight, forward, flat plane position but rather an upward, forward jerk. The rails are curved, so the greatest stress probably would be on the end clips from the upward jerk and curve clips from tension.

Q. Hasn't all this placed a lot of stress on the welds?

A. I'm sure it has. But there has been no testing of the welds on the rail clips since they were first installed. To try to hold the rails in place, my crew added more clips. The problem was the tighter the rails are held by the pressure of the clips, the less movement as per the design allowed.

Q. Was the addition of the clips approved?

A. It was O.K.'d by the engineer. I believe QC checked the welding on the new clips (4 for each rail, 14 rails), but they didn't check the already-existing clips, which total over 480. Kranco was responsible for the design of the polar crane system; I'm not sure if Kranco approved the additional clips. Mr. Taylor with the NRC said Kranco did approve them. I don't know of my own knowledge.

Q. Please continue. I don't want to get you sidetracked too.

A. O.K. The rails tilt inward. As the polar crane moves, the rails in front bind the wheels. The operator has to back up and come at it again.

Q. Was this done in Containment 1 or Containment 2?

A. It was done wrong in Unit 1, then it was done wrong again on Unit 2 polar crane. An on-to-job print was used to put on the extra clips, I believe.

Q. Was there anything written up by QC on an NCR (nonconformance report)?

A. To the best of my knowledge, there was a real QC breakdown on this. I never saw any red tag and we were not checked while we were doing it. I don't think there was ever an NCR written up on the missing shims or on the rails binding.

Q. Is there anything further you'd like to add regarding the polar crane problem?

A. No, not at this time. That's all I can think of right now.

Q. Are there any matters which were'nt in your deposition which you've thought of since that time that you'd like to discuss now?

A. Yes. One of the biggest problems at Comanche Peak was that many superintendents were just not superintendent material. For example, Dale Bullard was taken out of rebar and put into structural iron and rigging. He became superintendent of rigging without knowing what he was doing. Qualified riggers and ironworkers were replaced with kinfolk and friends and rebar people out of Dale Bullard's old department; they weren't riggers or ironworkers either.

This project was a gold hat graveyard. Many superintendents seemed to be on this project for rest and relaxation. This division of Brown & Root seemed loaded up with Superintendents, Assistant Superintendents, General Superintendents, General Foremen, and Foremen who did not know what they were doing.

A bunch of the engineers at Comanche Peak were also unqualified. Some of them didn't even speak English, at least not well enough to make themselves understood by the craft. There were young engineers without experience fouling up jobs. Many engineers were from the South Texas Project.

Q. What specifically did the engineers do that leads you to make that statement?

A. Engineers failed to check prints for interferences. The engineering groups (pipe, iron, concrete) were not coordinating. Interferences occurred on pipe where iron was supposed to go. Our crew had to butcher iron sometimes just to get it in.

One example of an incompetent engineer is the head engineer for the TUSI structural iron group by the name of Krem. Krem once had me put a top on half of an oval tank. The original plan called for 1/4" checkerplate to span a semi-circle (12' diameter, 6' radius). The span was bridged with 6" I-beam bolted onto sides at right angles to the outside perimeter. Then 4" I-beams ran out to the perimeter every 3'. The checkerplate went on top of these beams. Krem changed from 1/4" to 9/16" checkerplate because he was afraid someone would fall in, which was a physical impossibility. Krem also had me build a door out of the 9/16" checkerplate to one side, 2' square. You could hardly lift it. He had the door made of such heavy material, the door weighed about 85 pounds -- unnecessary and dangerous.

Q. What about the QC inspectors? How was the quality of their work?

A. At one time riggers were under the mechanical engineering department (structural ironworkers). Then the riggers were transferred over to the civil department. For the first two or three months there were no inspectors; there was nobody qualified at that time.

Q. You stated earlier that you thought Chuck Atchison was a good inspector.

A. Is there anything further you'd like to say about his work?

Q. Well, his job as far as my work went was to check fit-up -- backing strip and gap; he checked to be sure it was tacked properly so it wouldn't bow out;

he checked preheat; he looked at the root pass; he checked the finished weld with a dye penetrant test. Chuck was a good inspector who knew his business.

I heard several of the men, including a foreman and a general foreman, discussing what was common knowledge at the plant -- that Chuck had been fired because he was considered too picky by some who felt they had to get rid of him.

Q. What did all this do to the morale of the employees?

A. Morale was terrible -- really terrible. There was no incentive to do a good job. And the ones of us who wanted to do a good job were penalized for it.

There was also a morale problem because of some of the things that everyone knew were being done onsite that shouldn't have been going on. Iron was cut, welded up, cut down, and thrown in the scrap bin. There were trainloads of steel scrap created. It must have amounted to -- oh, sometimes 10's of thousands of dollars worth at a time in one instance I can think of. That was rebar. Brand new steel rebar was cut up in the scrap yard and hauled off site for a few cents a pound.

I once saw a number of Holley carburators which were brand new in the scrap yard. I asked what they were doing there. I was told that if I asked the wrong person that question I would lose my job.

It was common knowledge that wood was brought in and taken to the burn pit.

It was also common knowledge that someone was getting rich off this job.

Q. What would you say the main problem at Comanche Peak is?

A. The main problems are administration -- supervisors not versed in the craft -- and engineering. It all adds up to inexperienced people not knowing what they are doing.

Q. Do you think your firing was unfair?

A. Yes. And aside from being unfair, it just doesn't make any sense that someone who had been working at the plant for over four years as I had, and 7-1/2 years as one of my helpers had, and 7-1/2 years as the welder had, were all of a sudden found to be loafing and fired at the same time. We all had established long-standing work records.

Q. Are you inferring that you think there might have been another reason?

A. Well, I have my suspicions, but I can't prove them.

Q. So you'd rather not go into them?

A. Not at this time.

Q. Is the reason you're testifying in these hearings because you're a disgruntled employee or you have a grudge against Brown & Root or Texas Utilities?

A. No.

Q. Why are you testifying?

A. Because I don't think the plant's been built the way it should have been built. There needs to be a thorough investigation made into the plant's administration and its engineering. Someone needs to go back and look at how it's been built.

RESUME

Stanley Gene Miles
3824 Eight Avenue
Fort Worth, Texas

Place of Birth: Kermit, Winkler County, Texas

Education: Grandfalls Royalty High School, Grad. 1961; Odessa College, (1961-1963) Sul Ross State University, (1963-1965) B.S. Degree (Majors: Zoology, Zoology, Chemistry, History & Education)

Work History:

1951-1957 George Atkins Cattle Company
Fort Stockton, Pecos County, Texas
Ranch-hand, Predator Control
Afternoons, summers and holidays

1957-1959 Eudaly's
Grandfalls, Ward County, Texas
Butcher
Afternoons after school, summers and holidays

1959-1961 Warner Well Service
Royalty, Ward County, Texas
Floorhand
Summers and holidays

1961-1962 Pierce Well Service
Royalty, Ward County, Texas
Floorhand
Summers and holidays

1961-1962 Adobe Oil Co.
Injection Pump Maintenance,
Well Service
Grandfalls, Texas

1961-1962 Smith Construction
(Oilfield) Grandfalls, Texas
Maintenance

1963 Payne Construction Co.
Alvin, Texas
Pipeline, Truck Driver
Summer Job

1963-1965 Sul Ross State University
Taught Zoology Lab to Freshmen

1965-1967 Union School
Brownfield, Terry County, Texas
Taught Sciences & P.E.

1967-1973 Big Horn Well Service
Crane, Texas
Summers and holidays

1967-1973 Crane High School
Crane, Crane County, Texas
Taught Biology and Physical Science

1973-1974 W. W. Allman Drilling Co.
Crane, Texas
Tooldresser, Rig Maintenance
Cable-tool Drilling

1974-1975 Department of Interior
Marfa, Texas
Jodie Webb: Supervisor
Predator Control
Hunter-Trapper

1975-1976 Union School
Brownfield, Terry Co., Texas
Taught Sciences

1976-1977 Brown & Root, Inc.
I.E. DuPont Plant
Ingleside, Texas
Kenneth Reed: Supervisor
Ironworker/Rigger

My duties here began with a bullgang to remove structrual iron for vessels to be placed in their correct locations, replace structural iron, remove and replace grating, and correct structrual iron. I was then placed as a rigger on 4000 and 4100 to set equipment in Caustic and Chlorine areas. When the rigs were reduced I was placed as a rigger on several pickers to set pipe in racks, pipe yard, sandblast yard, operated forklift and picker in timber yard.

1977 Brown & Root, Inc.
Comanche Peak Steam Electric Station
Glen Rose, Texas
Robert Turnage: Supervisor
Rigger

In the year 1978 I was move to the Rigging office to update prints and porcedures, and keep records of iron arrising and errected iron. On the week-ends I work on iron in the field.

In 1979 I moved from the office to full time field in iron (structure and miscellaneous). I remained in this capacity until May, 1982.

While in the field my daily work and duties consisted of : Fabrication of miscellaneous steel, installation of miscellaneous steel, structural steel erection, bridge crane installation and maintenance, gantry crane installation and maintenance, rotating platform installation and maintenance, rework in structural and miscellaneous iron, fabrication and installation of ASME components, and fabrication and installation of pipe whip supports and restraints.

some fitters, but primarily welders.

Q. Were you blamed?

A. No, I wasn't one of them.

Q. Were you involved?

A. I did some of the fitting for them, yes.

Q. Were you involved in the meeting, the first meeting?

A. Yes.

Q. And the second?

A. No, just the welders were taken up on the second.

Q. So you heard that secondhand from a welder?

A. Oh, from several welders.

Q. From several welders?

A. Right."

Q. You said something about repair work being done?

A. Yes.

Q. Do you know who initiated that repair work?

A. Well, there is a certain form that's -- like let's say this is -- you have a certain amount of damage to a plate. All right.

Depending upon the thickness of that plate, you have a percentage of damage that can be done to that plate without an RPS being filled out.

Q. What is RPS?

A. That's a repair from QC or whatever that investigator looks at or inspector looks at; let's say 30 percent or 10 percent or whatever amount of damages.

Q. You don't know what it is?

A. No.

Q. But there is a tolerance?

A. There is a procedure for an RPS. You have to conform to that. For instance, someone pulls a lead across the pipe ~~clip~~ tubing restraint and blows a hole out on the pipe ~~clip~~ tubing restraint. If it's a certain depth, then an RPS has to be filled out for it to be passed. That is to be in accordance with QC.

Q. I think what I hear you saying is that these repairs which were later effected in the areas where all of the welding, the fast welding was gone on --

A. Right.

Q. -- were probably required by quality assurance when they came in to inspect?

A. Yes. Of course, some of the repairs were done before they were there, too, because they were -- but they weren't -- they felt deep enough or whatever.

Q. What you're saying is that the craft may have seen a weld that was inadequate, and they went back for quality assurance and made the repair themselves?

A. Cut it out and made it themselves.

Q. To your knowledge, was any of this material which may have been defective not repaired?

A. Yes, to my knowledge, it was not. I'm not talking about Q material. I'm talking about BOP on top of the switch gear.

Q. We're talking about the Q related material?

A. No.

Q. That was all repaired?

A. As far as I know, yes.

Q. So your complaint with regard to the Q material is simply that the craft was being pushed and as a result --

A. Caused the damage that they in turn had to repair.

Q. But it was repaired because quality assurance found it, the quality control inspectors?

A. As far as I know, yes.

Q. What is this other matter about non-Q that you said was not repaired?

A. The supports, the pipe supports that support the steam pipes coming out of Reactor 1.

Q. You talked about that earlier, didn't you?

A. It's in that category of the same time lapse there and the same thing happened. Of course, there was some repair done on them, too, extensive repair, but there is also warpage still there and a great amount of heat. Now, I say I'm not a metallurgist.

Q. Or an engineer, structural engineer?

A. True.

Q. So you don't know whether there is a structural impairment as a result of any work? You're not qualified to say?

A. I'm not a body man either, but if there is a dent in the fender I can see it.

Q. That's not ~~an~~ analogous, is it, in all fairness?

A. If you have a beam, a beam with a flange on each side and a web in the middle, the distance between this flange right here and this flange right here for that piece of iron to contain its original strength must be uniform from top to bottom. If we put a dent here in this iron, it's not as strong as it originally was.

Q. How do you know that?

A. Well, you can look at an iron worker's steel book. If you take a piece of channel iron and a piece of I-beam, a piece of channel iron is nothing more than I-beam that's been ripped down the center...right?

Q. Right.

A. Okay. You look at the strength of that iron and comparatively speaking, the same weights of iron, and you realize how many kinks each one can withstand with force; and you understand that if you have this I-beam and it's rated for a certain amount of strength, it's several times more than channel iron; but if you take this I-beam and you cut or deform one of the flanges, what you have is no longer I-beam, but in actuality, it's channel.

Q. Doesn't that depend on the magnitude of the deformity?

A. Well, I'm sure it would.

Q. But you've stated that you don't feel qualified to make a judgment that one I-beam deformed maybe structurally sound, but when that deformity gets too great, it may need to be replaced?

A. Okay.

Q. Is that a fair statement?

A. That's a fair statement.

Q. Do you have any other illustrations? And let me say that it's important that we learn now because this is the only opportunity we're going to have to talk to you before we cross examine you in the hearing, and we want to understand everything you have now. It's very important that you give it to us now in order and in all fairness, we can prepare adequately.

A. That's all I can think of right now. I've been up for awhile. I stayed there several years.

Q. Why were you terminated?

A. Well, I asked my foreman that. I had a roll of prints under my arm for the Isophase

duct system. I had gone to Warehouse C to get the iron. As I was walking out across the railroad tracks that morning with my helper and welder, we were going to piece number and get all the pieces required that are stamped to that print. This is electrical prints. I was working really for the electricians. We met on the way over there. We met our superintendent, and he turned around and went back so we went up and found the iron that we needed. We're on the way back with the iron and the rig was walking the iron down that we had bunched together. We had lifted the iron manually and stacked it up and were bringing it on back, and my foreman met me oh, about midway from Warehouse C to the turbine.

Q. And what is his name?

A. Al Hutto, and he said I have some bad news for you guys, ~~and~~ We said, what is it? He said, I've got to fire you. I said, how come. He said, I don't know. He said the general foreman told me to.

Q. That's all you know?

A. I didn't see the general -- I haven't seen him since; and of course, we were down turning in our tools that were ~~Tuci's~~ TUSI'S tools, you

know, that were in our boxes and so on at the tool room and also getting a tool clearance for our tools and tools boxes, and I told Al, I said, well Al do you really know why we were fired. He said, I wasn't given a reason; I was just told to fire you. I said well, you better find out because you've got to write down in the time office why we were fired so he phoned, or at least that's what he told me was that he phoned Dale Bullard ~~B-u-l-l-a-r-d (spelling)~~ and he said put down for the reason that we were loafing so that's it.

Q. To your knowledge, you weren't fired because your work was inadequate?

A. No.

Q. Had you ever had any indications from your supervisor or his supervisor that your productivity was inadequate?

A. No.

Q. Do you know any reason why they would say that you had been loafing?

A. No, other than the day before.

Q. What happened the day before?

A. About ten after five, I had a rig that was setting columns. Each column was set on a

base, then the columns were tied in together with iron. They weren't just singlely ~~(sic)~~ standing up like so, and we had tied in the last of the iron that we had down on the actual site where we were erecting this iron. And we had some more columns ready to stand and a storm was coming in, and Whiz, you know, the electrician that we were doing the work for, We were talking and said do you think we ought to stand the columns with the storm coming in and so on; and he said, well, let's don't because they might -- the wind might blow them over, and we only have two bolts holding them up and no iron across the top so we discussed this for several minutes there what we we were going to do.

Wayne Harris, the old rigger that I originally went to work for, told me that you're not supposed to cut a rig loose after 5:00 o'clock, let's say between 5:00 o'clock and 5:30, you know, keep the rig there at that area. That's kind of a disciplinary thing to keep them from going back to, you know, their side of work in the morning, and we discussed it and my general foreman and the rigging general foreman walked around the corner and asked us what we were doing, and I

said well, we're debating whether to stand the columns, the rest of the columns. We don't have any more iron unless we went to Warehouse C which we don't have time to do either. We'll run out of iron. I said with the storm coming in and everything, Whiz and I discussed it and he's not for it, but if you want us to put the columns up we will, and he said well, we won't stand the columns up. You can just go get these clips and put them on the rest of the iron, you know, which the clips are, of course, small pieces of iron put on by hand and so on. We didn't have any use for the rig.

Then the general foreman for the rigging told me that if you could not use the rig, go ahead and cut it loose which is a contradiction of what the foreman told me, but not that it caused any hassle, but the general foreman, my general foreman said well, the superintendent is up on the wall looking off at us, you know, and said he called us down here because you weren't doing anything which we were doing something. We were trying decide on what to do.

Q. And that's the only incident that you

can think of that might have led to your termination?

A. The day before. I don't know why I worked -- if that was the reason, I don't know why I wasn't fired then.

Q. Didn't you say it was the close of business?

A. Close to quitting time.

Q. Close of business?

A. Well, more or less, but I worked until 9:00 o'clock the next day, you see. They also have a practice there that you can be fired while you're not on the job site; and when you go to pick up your brass in the morning, your brass isn't there. It's in the time office with your pink slip or whatever.

Q. Was someone else terminated with you?

A. Two others.

Q. Were they working with you the day before?

A. Yes, but then so were three others.

A. At the same level?

A. Yes, but if a fellow doesn't want me to me work the place, all he has to tell me is he doesn't want me to, and I'm glad to oblige to him

regardless of the reason.

Q. It sounds like it was just a personnel matter, that it didn't relate to your --

A. I don't know.

Q. It didn't relate to your knowledge about the polar crane or anything else?

A. Well, I was, you know -- I know that Al Hutto doesn't know anymore than I know unless he's found out since because I phoned my general foreman, Lonnie Tedford, like a week ago, maybe two weeks ago, and I asked him -- I said, you know, I've wondered about this. I said, why was I fired. I mean I would like to know because Al had to phone, and then he wasn't sure, and he said I was told to fire you by Dale Bullard

Q. Why did you call him last week or two weeks ago?

A. Well, I wanted to know why I was fired.

Q. Relating to your personnel situation?

A. Right, I was -- I really wasn't mad at the time, but I was in a way. I mean, I wasn't, you know, mad. I was kind of glad to get the time off, but I got to thinking about it that I had known him a long time, worked for him a long time, and he did not show me the courtesy that I

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would have shown him, and I wanted to know why. He didn't say well, I'm going to have to take you to the gate. If someone worked for me like five years or whatever on a personal basis, I believe I would have to -- you know.

Q. Did the intervenor ask you to call?

A. No. This is entirely my personal idea.

Q. Did the intervenor ask you to contact anyone at the plant site with regard to allegations?

A. No.

Q. Did the intervenor ask you to ever try to obtain documents from the plant?

A. Oh no, I know better than this. That's also one of the original rules like I was saying before like working without a print. I've seen various reasons for people fired. I have a good friend of mine that's a welder that was handed a piece of paper as he went in the gate. I was handed one, and I didn't take it. I looked at one later. On the paper it said, for plant site use only. He took this into Reactor 1 where he was welding, and while he was reading it got fired for reading the paper that was supposed to be used on plant site only so I never took

anything unless I asked someone about it from then on, you know, because I figured that was the reason you know... You've never -- I don't know this -- I'm assuming that you've never worked under situations like this manual labor?

Q. You're incorrect.

A. You have?

Q. Yes.

A. That's good. Maybe that gave you a more understanding, but you can be fired for several reasons that don't show up on paper.

Q. I understand.

A. And they can set you up to be fired five seconds from now.

Q. Well, is the reason that you've come forward to discuss these matters here and to appear as a witness in the proceeding is because you felt that you weren't fairly treated in your termination?

A. [illegible], I know I was, but I mean I don't care.

Q. You're not grinding an ax in that regard?

A. No. Now Chuck's -- I came forth originally in Chuck's behalf because he was a

good inspector. He's a guy that you couldn't snow. I think Richard Ice is even more so but of all --

Q. A good inspector?

A. Right, I really think so. Besides I know Richard better. We've torqued no telling how many thousand bolts and you can't snow him. You might as well give up because he's going to watch you.

Q. A good QC inspector?

A. I think the best.

MR. REYNOLDS: Okay. I have no further questions, Mr. Miles. Thank you, sir."

(Whereupon, the deposition was concluded at this ~~time.~~)