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Agency: Nuclear Regulatory Commission

Title: Investigative Interview of  
Kenneth Simeroth (CLOSED)

Docket No.

LOCATION: Gore, Oklahoma

DATE: Thursday, February 28, 1991 PAGES: 1 - 69

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EXHIBIT 81  
PAGE 1 OF 71 PAGE(S)

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1       BEFORE THE  
 2       U. S. NUCLEAR REGULATORY COMMISSION  
 3       In the Matter of:                                 )  
 4       INVESTIGATIVE INTERVIEW OF:                     )  
 5       KENNETH SIMEROTH                                    )  
 6       (CLOSED)    )

7

8   Conference Room  
 9   Sequoyah Fuels  
 10   Gore, Oklahoma

11

12   Thursday, February 28, 1991

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14                                 The above-entitled matter convened for  
 15       INVESTIGATIVE INTERVIEW pursuant to notice at 11:33 a.m.

16       APPEARANCES:

17

18                                 On behalf of the U.S. Nuclear Regulatory Commission:

19

20                                 LARRY CHAPMAN, Senior Investigator  
 21                                 ROBERT KIRSPEL, Investigator  
 22                                 Office of Investigations  
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-and-

PETE GARCIA  
Region IV  
U.S. Nuclear Regulatory Commission

On behalf of Sequoyah Fuels:

IRA S. SHAPIRO, Attorney  
Winthrop, Stimson, Putnam & Roberts  
1133 Connecticut Avenue, N.W.  
Washington, D.C. 20036

## P R O C E E D I N G S

1  
2 MR. CHAPMAN: For the record, this is an interview  
3 of Kenneth Simeroth, who is employed by Sequoyah Fuels  
4 Corporation, Gore, Oklahoma. The location of this interview  
5 is Sequoyah Fuels Facility, Gore, Oklahoma. The date is  
6 February 28, 1991, and the time is 11:37 -- I'm sorry, 11:33.

7 Present at this interview in addition to Mr.  
8 Simeroth is Ira Shapiro, who is an attorney from the law firm  
9 of Winthrop, Stimson, Putnam & Roberts, Washington, D.C. and  
10 is representing Sequoyah Fuels Corporation. Also present at  
11 this meeting, representing the U.S. Nuclear Regulatory  
12 Commission Office of Investigations is Larry Chapman and in  
13 addition, representing the U.S. Nuclear Regulatory Commission  
14 Region IV staff is Pete Garcia.

15 Mr. Simeroth, will you please stand and raise your  
16 right hand?

17 Whereupon,

18 KENNETH SIMEROTH

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

## EXAMINATION

21  
22 BY MR. CHAPMAN:

23 Q Mr. Simeroth, prior to getting into some questions,  
24 I'd like to reaffirm that before this interview began, you  
25 were advised that you could have a personal attorney present



1 of your choice. Even though Mr. Shapiro is here representing  
2 Sequoyah Fuels, you would be afforded that opportunity.

3 Secondly, should you decide during the discussions that you  
4 want to stop and get one, you will be afforded a reasonable  
5 time to secure a personal attorney. Do you understand this?

6 A Yes.

7 Q All right, sir.

8 Mr. Simeroth, as of recent, a question has arisen  
9 regarding some testing results of water from pipes that were  
10 placed in the ground, as I understand approximately six feet  
11 into the ground around the fire protection system, which  
12 encircles the solvent extraction building. Am I correct in  
13 my general understanding of the location?

14 A Yes.

15 Q Am I correct that these pipes that are sticking in  
16 the ground are about six feet?

17 A I'm not sure of the depth of it, I have no way of  
18 knowing.

19 Q Did you do the primary sampling of these pipes?

20 A I did at one time several years ago.

21 Q Okay. Do you have any kind of a guesstimate of the  
22 depth of these pipes -- are they fairly deep?

23 A My recollection, and I haven't sampled any of them  
24 in five or six years, is that they were probably four to six  
25 foot down for sample tubes, so that would be approximate.

1 Q When you stopped sampling, did another individual  
2 pick up the duties?

3 A Yes, our technicians shared it.

4 Q Randomly shared it?

5 A Yes.

6 Q Could you basically outline what the station  
7 numbers -- fire station numbers are that encircle the SX,  
8 solvent extraction, building and to the best of your  
9 recollection that they also encircle the area that was  
10 excavated, and give me the numbers?

11 A Sandwell number 2 was northeast of the SX building  
12 at fire station number 2. Sandwell number 3 was at the  
13 number 3 fire hydrant which was northwest of the building.  
14 SX sandwell number 4 was at the southwest side of the  
15 building and fire station number 5 was at the southeast side  
16 of the SX area.

17 Q All right, sir. Mr. Simeroth, at each one of these  
18 points you've mentioned, there was one of these test pipes  
19 available for someone to obtain water samples should there be  
20 any in there?

21 A Yes.

22 Q I believe that before we got into the interview,  
23 for the sake of the record, we have ascertained that number  
24 4, which is the southwest corner of the SX building, has  
25 basically been dry, has very, very limited water and very.

1 very low numbers of values.

2 A That's just what our records show, so yes.

3 Q So for the purpose of this discussion, let's  
4 concentrate on fire stations number 2, 3 and 5, which have  
5 been identified previously.

6 Looking at the laboratory information that you have  
7 available, particularly in relation to fire station number 2  
8 -- and I use the term fire station as opposed to fire  
9 hydrant, whatever it may be -- it appears to be the closest  
10 one adjacent to where the excavation took place. Is that  
11 correct?

12 A Number 2 or number 3, and I'm not sure which one  
13 would be closer.

14 Q But they're both at the northeast and northwest  
15 corners of the SX building, most adjacent to where the  
16 excavation took place.

17 A Yes.

18 Q Number 5 is at the other side of the SX building at  
19 the northeast corner.

20 A Southeast corner.

21 Q Southeast corner, yes, sir.

22 A Right.

23 Q Let's talk about number 2 at the northeast corner.  
24 Based on the laboratory information results that you now have  
25 in front of you, would you please tell me the highest reading

1 recorded from the monitoring of these stations, particularly  
2 number 2?

3 A The highest reading that I can determine from the  
4 summary sheet is 220,000 micrograms per liter.

5 Q That occurred on?

6 A 5/6/1981.

7 Q All right, sir, and I believe that I asked you for  
8 the last reading in this station and that occurred on what  
9 date?

10 A 4/3/1987.

11 Q And the reading at that time was?

12 A 5390 micrograms per liter.

13 Q So we have a clarification of what we're discussing  
14 here, when we talk about micrograms per liter, we are talking  
15 about uranium present in the water being sampled.

16 A Yes.

17 Q Were there any other chemicals tested?

18 A Yes, nitrates and pH was tested also.

19 Q I understand that that's pretty much a natural,  
20 standard test when you make a test of water, that you test  
21 for nitrates, pH and uranium?

22 A It's frequently done.

23 Q Now one other one of interest is fire station  
24 number 3 or hydrant number 3, which is identified on the  
25 northwest side of the SX building. Would you please tell us

1 what the laboratory information you have available indicates  
2 is the highest reading sampled from that area?

3 A The highest reading I see here from my summary is  
4 230,000 micrograms per liter.

5 Q And sir, that occurred on?

6 A 6/4/1981.

7 Q All right, sir, and the most -- the latest reading  
8 that you occurred when and to what degree?

9 A The latest reading was on 5/4/1989 and it was 3077  
10 micrograms per liter.

11 Q All right, sir, one other one of interest I'd like  
12 to mention with you to get some numbers established would be  
13 station number 5. Station number 5, as we've identified, is  
14 in the southeast corner of the SX building and the highest  
15 reading you have recorded there is?

16 A From my summary 416,000 micrograms per liter.

17 Q Occurring on when, sir?

18 A 1/6, 1980.

19 Q And the latest reading you have on that area, sir?

20 A 5/4/1989 and the reading was 5429 micrograms per  
21 liter.

22 Q Mr. Simeroth, I understand that you were the  
23 principal individual who started these surveys, am I correct  
24 or incorrect?

25 A I was the principal individual who took the

1 samples.

2 Q Do you recall how the sampling process was  
3 originated at what instigated taking the samples?

4 A No, I don't.

5 Q Who or why were you taking these samples, under  
6 what instructions or procedures?

7 A I was taking them under the instructions of Mr.  
8 Chuck Grosclaude, who was our Health Physics Manager at that /  
9 time.

10 Q Was there a procedure which instructed that he  
11 obtain these samples, that precipitated his request?

12 A Not to my knowledge.

13 Q Why would you be taking these samples then?

14 A I took the samples because Chuck said we need these  
15 samples, and they put the pipes in the ground, so I sampled  
16 them.

17 Q All right, sir. What I was trying to establish was  
18 if you yourself had any personal knowledge of regulations or  
19 requirements that you be sampling these?

20 A No.

21 Q And your indication to me is it was simply because  
22 you were requested to do so by your supervisor.

23 A Right.

24 Q All right, sir. And I understand that you ceased  
25 taking these samples personally sometime after -- in the



1 middle of the '80s, is this correct?

2 A I may have done some more sampling later on, it  
3 went on a rotating basis. I had been doing it because I was  
4 the day shift person, for several years, and then it went on  
5 a rotating basis. So any of the sample results may have any  
6 of the technicians here that took the samples. I didn't take  
7 all the samples, I did do probably a major portion for  
8 several years.

9 MR. SHAPIRO: If I could just inject, were you the  
10 person doing the sampling from the start in 1980?

11 THE WITNESS: I was one of the people doing it,  
12 yes.

13 BY MR. CHAPMAN:

14 Q All right, Mr. Simeroth, by your comments there  
15 you're telling me that the majority of the health technicians  
16 in the Health and Safety Department rotated in taking these  
17 samples.

18 A Yes.

19 Q Not being familiar with Health and Safety, was it  
20 assigned exclusively to a sub-department?

21 A It was just one of the routine samples the  
22 department did, and usually it was on days and a certain day  
23 of the week and whoever happened to be the available man at  
24 that time, took the sample.

25 A How would you know when, or who would instruct you

1 to take these samples, since it was on a rotating basis?

2 A Mr. Grosclaude said to schedule -- and I don't  
3 remember what day of the week it was, but there was a certain  
4 day of the week or day of the month -- I guess it was a  
5 monthly basis -- and said on the 3rd Tuesday or something,  
6 this is when you take the sample -- take the sample then.

7 Q When did the current supervisor, Mr. Nichols, come  
8 to work for Sequoyah Fuels, as you recall?

9 A February 1988, I believe -- sometime early in 1988.

10 Q We'll take that date at face value and not dispute  
11 it. What I'm trying to establish here is once Mr. Nichols  
12 came, did these samples continue and did they continue with  
13 his instructions or knowledge?

14 A By the time that Mr. Nichols came here, we did have  
15 them in a procedure on a -- as a routine -- as one of our  
16 work routines, and it was proceduralized and said you take  
17 the samples.

18 Q All right, sir, is it a Health and Safety Manual  
19 procedure?

20 A Yes, it was.

21 Q A written procedure?

22 A It was a written procedure, yes.

23 Q Do you know, without having the manual in front of  
24 you, the chapter or identifying procedure?

25 A I believe it was HS-005, but I am not sure.

1 Q All right, sir.

2 A And that procedure has since been rescinded and  
3 changed to a departmental instruction. All of our routines  
4 have been moved to a departmental instruction.

5 Q So are you -- am I correct in understanding that  
6 even though the procedure was rescinded, there is still a  
7 requirement that this be done?

8 A No.

9 Q What moving it from a procedure to a departmental  
10 instruction authorizes rescinding the procedure -- directive?  
11 In other words, what I'm trying to say is why did you stop?

12 A Why did we stop sampling?

13 Q Yes, sir.

14 A Okay, at some period there in late 1988, early  
15 1989, our work load had increased. We were strapped for  
16 manpower, so Mr. Nichols and I reviewed all of our routine  
17 work and said is this necessary, what are we doing with this.  
18 And one of the things that came up there was the SX  
19 sandwells. To the best of my knowledge, the discussion was  
20 are we doing anything with these numbers, do they mean  
21 anything to me. And my answer to that was no, they meant  
22 nothing to me, they were numbers we were taking, we were  
23 filing in a file.

24 Q Mr. Simeroth, why would they not mean anything to  
25 you? That's an indication that there's uranium outside of

1 controlled environments such as piping and otherwise. And  
2 the second part of this question is, aren't these numbers  
3 higher than natural background numbers?

4 A They are higher than other numbers we see and you  
5 see a variation here in the numbers, but I had no knowledge  
6 of any limit levels, et cetera pertaining to these. To me,  
7 they were numbers.

8 Q One of my questions that I was kind of curious  
9 about when you say they don't have any meaning to you, were  
10 you Assistant Radiation Safety Officer at that time?

11 A Health Physics Supervisor, Assistant Radiati  
12 Officer.

13 Q Well let's establish a little bit first and then  
14 we'll come back to this -- what were your primary duties as  
15 Assistant Radiation Safety Officer?

16 A Primary duties as Assistant Radiation Safety  
17 Officer --

18 Q I know what the title says, what's your job duties.

19 A My primary duties was supervision of the Health  
20 Physics technicians. The Assistant Radiation Officer had  
21 very limited duties attached to it. I did some reports, I  
22 did look at some results, and that was essentially it.

23 Q Well I guess what I'm having a little difficulty  
24 understanding, Mr. Simeroth, is if you're Assistant Radiation  
25 Officer, should you not be schooled on limits, should you not

1 be schooled on radiation protection of employees, as to what  
2 is harmful to the individual employees?

3 A Yes.

4 Q Are you schooled on that?

5 A Most of my training on that is practical  
6 experience gained here. I'm not -- have no technical, formal  
7 training in this at all.

8 Q Sequoyah Fuels has not provided you formal training  
9 to be an Assistant Radiation Safety Officer?

10 A I've been to a five-day training course at Oak  
11 Ridge on internal dosimetry and a -- I believe it was a five-  
12 day training course at OSU on instrumentation, plus we have a  
13 training program, a computerized health physics, general  
14 health physics training program, and a duPont sponsored  
15 correspondence training course.

16 Q Have you had all of these?

17 A Yes.

18 Q Do you feel qualified to be in the position you're  
19 in if you have not had all the formal training you feel you  
20 should have?

21 A As an Assistant Radiation Safety Officer?

22 Q Yes, sir.

23 A No.

24 Q Why?

25 A To me, an Assistant Radiation Safety Officer should

1 have formal, technical education.

2 Q Did you ever make that request to Mike Nichols or  
3 any other Sequoyah Fuels employee?

4 A No, I can't remember ever making a request other  
5 than normally every year or so I tried to pick a training  
6 course and go to it.

7 Q Were you usually successful in making these  
8 training classes? Did the company make them available to  
9 you?

10 A Yes, in 1989 I guess is when I became Assistant and  
11 Supervisor.

12 Q I'm sorry?

13 A 1989 was the year that I became Assistant Radiation  
14 Safety Officer and Health Physics Supervisor, so I've only  
15 had the one course since then and that was at Oak Ridge.

16 Q And it was the --

17 A Internal dosimetry course.

18 Q All right, sir. I probably am a little remiss in  
19 not doing this earlier, but let's just take a small moment  
20 and get a little of your background and history since you've  
21 been at Sequoyah Fuels.

22 Start off with your employment history here and  
23 your various job titles.

24 A Okay, I was employed here in -- started employment  
25 March 30, 1970, training in the Operations Department, worked



1 in the sampling plant. Sometime that summer, May or June I  
2 believe, an opening presented itself in the Health Physics  
3 Department, I applied for that opening and was accepted.

4 MR. SHAPIRO: Sorry, are we still talking about  
5 1970?

6 THE WITNESS: Yes.

7 And from 1970 --

8 BY MR. CHAPMAN:

9 Q Excuse me, what position did you apply for?

10 A Health Physics Technician.

11 Q I'm sorry. Okay.

12 A And I was accepted into that position. I worked as  
13 a Health Physics Technician until I believe 1978 and I was  
14 promoted to a Senior Health Physics Technician. I maintained  
15 that position until early in 1989 when I was promoted to  
16 Supervisor, Assistant RSO.

17 Q All right, sir. As a Health Physicist Technician -  
18 - is that the proper --

19 A Health Physics.

20 Q All right, sir. As that position, what are your  
21 duties and what are you required to know in that job?

22 A A basic understanding of surveys, of air sampling,  
23 job monitoring, and that's essentially the basics. You need  
24 a general background in health physics, a training session  
25 type thing as we use on the computer, so you have a feel for

1 the terminology and this sort of thing, to work in the Health  
2 Physics Department.

3 Q In that position, are you sort of the on-the-ground  
4 eyes and ears for the facility?

5 A Yes, sir.

6 Q As the person that is a front line eyes and ears,  
7 would you not consider it necessary that you know harmful  
8 limits or recognize harmful environments to individuals?

9 A That was never -- it would be nice. That was never  
10 a part of our training here, up until -- as long as Mr.  
11 Grosclaude was there, he took care of all of the technical  
12 details.

13 Q Let me ask what you did as a Senior Health Physics  
14 Technician.

15 A Senior Health Physics Technician, when I moved to  
16 that position, two things. One, I moved to straight days  
17 from rotating shift and two, from the straight day position  
18 was to assist the technicians and kind of overseeing them.  
19 Not as a supervisor, but trying to oversee and see that they  
20 were getting the work done and a few job assignment type  
21 things, coordination.

22 Q All right, sir. I'm not personally trying to take  
23 on your training, I'm trying to understand the positions as  
24 they apply in Sequoyah Fuels.

25 A Right.

1 Q And with that in mind, being a Senior Health  
2 Physics Technician, shouldn't you be even more aware of  
3 potential harmful environment to workers and/or outside  
4 personnel in order to assist people you're supervising, the  
5 lower grade Health Physics Technicians?

6 A It would be beneficial, yes, definitely.

7 Q Not to put words in your mouth, but would I be  
8 correct as we've gone through this discussion, to make a  
9 summation that basically you were not provided with  
10 applicable limits as they apply to the NRC and to the safety  
11 of individuals?

12 A Not as far as groundwater numbers go, no.

13 Q Your limitation was to --

14 A I knew air sample MPC values, I knew environmental  
15 air sample values, I knew contamination survey values, I knew  
16 you couldn't exceed the five rem per year exposure, this sort  
17 of thing. I had no dealings with surface water or  
18 groundwater numbers to mean anything, no.

19 Q All right. In light of that, being as you didn't  
20 have that, did you rely on other individuals to ensure the  
21 groundwater and surface water contamination levels were  
22 correct or what the numbers meant that you were sampling.

23 A Mr. Grosclaude took care of that.

24 Q Okay, let's move past him and go to the current  
25 staff.

1 MR. SHAPIRO: I'm sorry, just to get straight, he  
2 was the head of Health Physics prior to Mr. Nichols?

3 THE WITNESS: There was Mr. Sakelosky in between.

4 BY MR. CHAPMAN:

5 Q All right. Let's kind of move forward and go to  
6 the period of time when Mr. Nichols came to work, which we  
7 said was in February of '88 I believe?

8 A I think that's right.

9 Q I don't have the exact date, we'll take that.  
10 Since the time he has been here and Ms. Couch has been here -  
11 - Ms. Carolyn Couch being the Manager of Environment, and her  
12 primary duties are environmental issues, of particular  
13 groundwater and anything to do with the outside environmental  
14 aspects of the plant as opposed to supposedly Mr. Nichols  
15 concentrating on the restricted area of the plant, duties and  
16 operations. Is that a fair, somewhat rambling assessment of  
17 what their duties are?

18 A I guess you could say that's fair. I'm really not  
19 that familiar with where each one of them's boundaries lay.

20 Q All right, let me ask you this -- I'll put it to  
21 you in something that perhaps you know and maybe you can  
22 expand on it. As you took these type samples and took this  
23 type of information, who did you report it to, did you report  
24 it to anyone, or what were your reasons for taking these  
25 other than being told did you know of any significance in

1       them?

2           A       When I was taking the samples, I took the samples  
3       and turned them in to the lab and never seen anything after  
4       that.

5           Q       You turned them in to the Sequoyah Fuels  
6       laboratory?

7           A       Right.

8           Q       And these laboratory reports probably came back to  
9       the requestor then as they do now, whoever requests them?

10          A       Right.

11          Q       Did you usually file them back if you were the  
12       requestor?

13          A       I was not the requestor on these, Mr. Grosclaude  
14       was the requestor.

15          Q       No, I'm talking since that period.

16          A       Since that period --

17          Q       Since you've been rotating the assignment.

18          A       I'm losing something here.

19          Q       All right, sir. I understood that you said  
20       originally you used to take them all and then procedures  
21       changed over a period of time to where it was kind of a  
22       rotating basis of who was available and you made a comment  
23       that since the time Mr. Nichols has got here, on occasions  
24       you have taken samples of these pipes on somewhat of a  
25       rotational basis.

1           A     Since Mr. Nichols got here, I'm not sure I've ever  
2 taken any of these samples.

3           Q     All right.

4           A     Because I was -- essentially just before he came, I  
5 moved into office type work and I've been there ever since,  
6 so I have done very little field work.

7           Q     All right, sir. Who would have been in charge of  
8 ensuring that these samples had continued up through the  
9 period of 1989?

10          A     I would have been the one to assure that the  
11 samples were taken, that someone had taken the samples.

12          Q     So you had knowledge that they were still being  
13 taken.

14          A     Yes.

15          Q     What you're trying to tell me is that you may not  
16 have known the exact values.

17          A     Right.

18          Q     Because even though you were ensuring that they  
19 were taken by procedures, not necessarily reviewing the  
20 results.

21          A     Right. I might look at the sheet because that's  
22 usually how I ensured they was there. Okay? A sheet came  
23 through, okay, we've got our SX sandwells.

24          Q     But they had no value to you.

25               MR. SHAPIRO: Well I guess one of the things Mr.



1 Chapman is trying to figure out is whether the sheet with the  
2 results actually came back to you.

3 MR. CHAPMAN: The laboratory analysis.

4 THE WITNESS: Yes, I think they did, I think these  
5 sheets all came back to me, through me or went directly to  
6 file, I'm not sure. Some of them I know I seen, yes.

7 BY MR. CHAPMAN:

8 Q What I gather you're telling me is that this became  
9 more of a procedure to accomplish than a measure to determine  
10 the values of water contamination.

11 A To me, yes.

12 Q Would I be correct if I made a statement, Mr.  
13 Simeroth, that during this period of time from 1981 or 1980s,  
14 the earliest we have is January 8, 1980, up until the latest  
15 sample we record, May 4, 1989, that you were aware that there  
16 was uranium contamination in the water around these fire  
17 stations?

18 A I think that's a fair statement. At some point in  
19 time in here, I became aware that yes, there is some uranium.

20 Q So there is some uranium contamination, the values  
21 recorded here, that may not have been sticking in your mind,  
22 but a general knowledge that at these points there had been  
23 some contamination leaked out into the surrounding area of  
24 the SX building.

25 A Yes.

1 Q Would it be a fair assessment that at the time you  
2 and Mr. Nichols reviewed all of these documentation and the  
3 lists in this file to determine its disposition, that he and  
4 you were aware that there was some uranium contamination in  
5 the soil, particularly in liquids around these fire stations?

6 A I don't know how aware he was of what -- I was  
7 aware that there was numbers here.

8 Q Well your comment to me earlier was "he and I  
9 reviewed these numbers and we decided we're just taking  
10 numbers for the purpose of recording them, we don't need --  
11 we need to discontinue this practice". That's what you said  
12 earlier, that you and he --

13 A No. I said we reviewed the routines to see, and  
14 the question was asked "do we use these and do they have any  
15 value".

16 Q So you're saying that you don't recall you and Mike  
17 Nichols ever looking at these sheets or values themselves?

18 A No, I do not recall that.

19 Q Okay. He was aware that these numbers did exist  
20 and this file did exist because you and he discussed it for  
21 procedural purposes?

22 A Right, he was aware that the files -- they were  
23 routinely taken and we did get results, yes.

24 Q Who made the decision to discontinue the practice?

25 A Mr. Nichols.

1 Q Mr. Nichols. Since these are limits and values  
2 that have something to do with water, do you recall ever  
3 bringing these to the attention of Carolyn Couch?

4 A I don't remember ever purposely saying, you know,  
5 "Carolyn, here are these -- we've got these kind of numbers."  
6 No, I cannot remember doing that.

7 Q Do you know if, by procedure, that Carolyn Couch's  
8 department or herself were to receive these results or be  
9 made aware of these results?

10 A No, I do not know that.

11 Q Do you know if, by procedure, or by knowledge, that  
12 any of the Operations personnel were aware of these results?  
13 I realize that's a broad spectrum, but shift supervisors --

14 A I'm not aware whether they were or not, I really am  
15 not.

16 Q Did any of these personnel in the Operations  
17 Department assist you in ever taking any of these samples or  
18 delegating the duties to take them?

19 A Not to my knowledge, no.

20 Q To your recollection and knowledge, do you ever  
21 recall this issue of water samples being taken around these  
22 fire stations ever discussed in any meetings other than  
23 health and safety meetings, particularly any senior staff  
24 level meetings or operational meetings that you might be  
25 present at or know of.

1           A     No.

2           MR. SHAPIRO: But to your knowledge, Mr. Simeroth,  
3 these wells, the samples were started by Health and Safety  
4 and basically discontinued by Health and Safety?

5           THE WITNESS: To the best of my knowledge.

6           MR. SHAPIRO: It may be that the person who started  
7 them consulted with somebody else in the company, but you're  
8 not aware of it?

9           THE WITNESS: Yes, it's possible I'm just not aware  
10 of it.

11 BY MR. CHAPMAN:

12          Q     Okay. Do you know -- let me strike that and ask,  
13 would you once again for the record tell me who the Health  
14 and Safety Manager was when you first started these and the  
15 subsequent Health and Safety Manager is, and the resulting  
16 Health and Safety Manager is?

17          A     The Health and Safety Manager when these were  
18 started was Mr. Chuck Grosclaude.

19          Q     Would you spell that for me?

20          A     G-r-o-s-c-l-a-u-d-e.

21          Q     Yes, sir.

22          A     And following him, in 1987, was Mr. George  
23 Sakelosky, S-a-k-e-l-o-s-k-y, I believe.

24          Q     And following him was?

25          A     Mr. Mike Nichols.

1 Q Do you recall either of the two previous gentlemen  
2 ever discussing these results with anyone on the operational  
3 staff, to your knowledge?

4 A No, not to my knowledge.

5 Q One last question on this issue, has anyone from  
6 the operational staff expressed knowledge of these limits to  
7 you or information regarding these? Let me clarify it by  
8 saying, expressed knowledge to you that there has been  
9 samples taken at these stations of water which contains  
10 uranium contamination.

11 A The only people I'm aware of that had any knowledge  
12 would have been the laboratory and ourselves.

13 Q One last procedural question. The laboratory has a  
14 printout. I have not had an opportunity to review these.  
15 Some of these appear to be on chain-of-custody, others appear  
16 to be on special analysis requests. Are you aware if any of  
17 this information was printed out in the control room for  
18 operations personnel to be reviewing?

19 A I'm not aware of it, no.

20 Q Is there any other information that you'd like to  
21 add about this particular area that I may have overlooked and  
22 is germane to the subject?

23 A I think we've pretty well covered it. It was  
24 samples put out there, we sampled, turned the samples to the  
25 lab, the results went to the Health Physics office and once I

1 got up to where I was seeing them, nothing was done with them  
2 but filed away.

3 Q All right, does anyone else have any comments they  
4 wish to make on this subject?

5 MR. GARCIA: I just had one quick question. I was  
6 just wondering what was the breakdown in terms of the  
7 groundwater sampling that would have been the responsibility  
8 or concern of the Environmental Department?

9 THE WITNESS: I really don't know. We -- up until  
10 -- I was trying to think what year it was, Health Physics did  
11 all of the groundwater sampling up until -- and I can't  
12 remember what year this was.

13 MR. GARCIA: Even outside the restricted area?

14 THE WITNESS: Even outside the restricted area.

15 MR. GARCIA: Who would evaluate those results?

16 THE WITNESS: Mr. Grosclaude, when he was there,  
17 and I'm trying to remember -- as long as we were doing it, I  
18 believe that was all during the period of Mr. Grosclaude's  
19 term here. I can't remember -- seems like the Environmental  
20 Department took it over in '87, '88, '86, somewhere in there,  
21 I'm not sure when.

22 MR. GARCIA: And until that point, the Health  
23 Physics Department took the samples and I guess was  
24 responsible for any -- for evaluation of the data, for  
25 reviewing the data, it was a Health Physics function?



1 THE WITNESS: As far as I know, there was no  
2 Environmental Department back then.

3 MR. SHAPIRO: Mr. Simeroth, you've probably  
4 answered this already, but I just want to be sure. Were you  
5 -- do you recall ever being in a conversation about sort of  
6 the substance of these results? Anything about the levels  
7 that were coming in, or you were simply in the process of you  
8 either took the samples or someone at your level took the  
9 samples and they just went in and that was it?

10 THE WITNESS: That was essentially it. Once I got  
11 up to the level of seeing the sample sheets, seeing the  
12 sample results, no direction anywhere or procedure anywhere  
13 as to what to do with them. The only direction I could see  
14 was we had a routine that we did this every month.

15 BY MR. CHAPMAN:

16 Q One last question -- I keep saying one last  
17 question, but this is one that occurred to me.

18 Do you recall when you were taking these samples  
19 the method that you used to take them?

20 A Yes.

21 Q What was the method that you employed to take the  
22 samples?

23 A I had a small eighth-inch stainless steel rod about  
24 six or eight foot long and a little vial taped to the end of  
25 it. I stuck it down in that pipe until it went under water,

1 and pulled it up and dumped it in a sample bottle.

2 Q The sample bottle you put it in, was the sample  
3 bottle, as you recall, restricted to each station or was it a  
4 mixture of these stations?

5 A No, each one was independent.

6 Q Do you recall the color of the water of the samples  
7 you took?

8 A The best I can recall it varied. The pipes were  
9 carbon steel pipes, so you have a lot of rust in them  
10 frequently. If you hadn't had any fresh rain or anything,  
11 the samples would be brown and maybe with some rust scale in  
12 them, rusty looking most of the time.

13 Q It wasn't just clear water?

14 A No.

15 Q All right, sir.

16 A Sometimes it was, but most of the time it had rust  
17 and things in it.

18 Q Unless anyone else has a question on this issue,  
19 let's jump forward her to the excavation that took place out  
20 around these two buried tanks.

21 Now we've established pretty conclusively that the  
22 excavation began on August 1, 1990, the actual digging.

23 A That's probably correct.

24 Q And the time frame of concern to the NRC to some  
25 degree begins sometime around the first of August, up until

1 it was reported to the NRC on the 22nd of August. So we'll  
2 try to limit our discussion in between this time frame.

3 As I understand from our previous discussion we  
4 held on September 7, 1990, you informed me and Mr. Driscoll  
5 that you were present at the excavation site during the  
6 unearthing of these two tanks. Is that correct?

7 A Is that what my transcript says? Yes, it is  
8 correct.

9 Q Let me first tell you that this is not a transcript  
10 I'm coming from, it's some interview notes that I have.

11 A Oh, okay.

12 Q Please take -- if you have anything you want to  
13 correct here, feel free to do so. But my question to you, my  
14 understanding from our previous discussions to you was that  
15 you were present at the site when the excavation was taking  
16 place. Maybe not 100 percent of the time, but very, very  
17 frequently.

18 A I came by it particularly on the initial  
19 excavations until they got the tanks uncovered and most of  
20 the dirt out, I was there frequently, yes.

21 Q All right. Rather than me ask a lot of questions,  
22 why don't you just give me a quick synopsis of when you first  
23 showed up at the excavation, your duties while you were  
24 there, your responsibilities as either told or instructed by  
25 the Health and Safety Manager.

1           A     As best I can recall, we -- initially when we went  
2     out, was to check the area to be sure that safety precautions  
3     -- the primary concern being you were next to the solvent  
4     extraction building, there is hexane present very near to  
5     where we're going to be operating. We were concerned about  
6     the hexane levels, we were concerned about the industrial  
7     safety of the workers working there, it was in a crowded  
8     area, the pipes were -- they were working around the pipes  
9     and the tanks, very much concerned about how -- damage that  
10    might be done there and to see that it wasn't done. That was  
11    the primary instructions, as best I recall, for us there.

12           Q     Who gave you those instructions?

13           A     Mr. Nichols.

14           Q     When is your first recollection of being at the  
15    excavation site? And I use the term excavation, when they  
16    started unearthing it.

17           A     I was probably there when the first mechanical  
18    backhoe bit of dirt was moved.

19           Q     Were you aware that prior to that backhoe being --  
20    removing dirt, there had been some solid chunks of uranium  
21    located, when they removed the concrete pads from around the  
22    top of the tanks?

23           A     No, I wasn't.

24           Q     No one bothered to advise you that there had been  
25    solid contaminant located?

1 A No.

2 Q All right, sir. When was the last time you were  
3 called -- during the time frame I've identified here, to the  
4 22nd, that you were around there -- and perhaps you can  
5 remember the construction level on the vault, it would --

6 A The exact day I couldn't tell you. It very well  
7 may have been the 22nd.

8 Q All right, sir. Since you were there probably  
9 during this time frame, did you ever notice the presence of  
10 water in that excavation as it was being done?

11 A Yes.

12 Q Did you happen to notice there was yellow water  
13 present?

14 A Yellow water as such, no.

15 Q An off-color of water.

16 A Yes, there was some off-color.

17 Q Did it occur to you, since you had experience in  
18 sampling these fire stations over the years and it had been  
19 known that there was uranium contamination in the ground to  
20 at least a level of six feet, that this water could contain  
21 contaminants, particularly uranium contaminants?

22 A I think in the back of my mind I was probably aware  
23 that it very likely could have some uranium in it, yes.

24 Q Did you express your concern to anyone that this  
25 water could contain contaminants?

1           A     I don't believe I did.

2           Q     Why not?

3           A     I guess my best answer there is I was under the  
4     impression that the people planning the job and overseeing  
5     the job were looking at this.

6           Q     I guess the reason I ask that question, Mr.  
7     Simeroth, is earlier you indicated you had no information  
8     that the Operations personnel were aware of these water  
9     contaminants. How would you derive that they were aware of  
10    it, if nobody had bothered to notify them?

11          A     Well speaking from the planning meetings and things  
12    that went on, Mr. Nichols, Ms. Couch, Mr. Kiehn, the staff  
13    level people had had, I assumed that that was being discussed  
14    or being maintained in some way.

15          Q     How would you make that determination, you make a  
16    general statement of the planning meetings, was the fact of  
17    uranium contamination discussed at the planning meetings?

18          A     I don't know, I wasn't there.

19          Q     Well then how would you make that assumption or  
20    draw that deduction?

21          A     It was strictly an assumption, you know. I just  
22    assumed that someone was looking at this area of it in the  
23    planning stages of the job.

24          Q     Would it be a correct assessment that even though  
25    you had a general concern or belief in the back of your mind



1 that this water could contain uranium, from your past  
2 experience, that you were given no specific instructions to  
3 be observant for that fact?

4 A No, I was given no specific instructions to be  
5 observant, no.

6 Q During the time you were at this excavation, did  
7 you observe any drumming of this water?

8 A Later in the excavation, I did observe some  
9 drumming of the water, yes.

10 Q Did you inquire why the water was being drummed?

11 A I may have asked Mr. Kiehn, I'm not sure.

12 Q Do you recall his answer?

13 A I think his answer -- if I did inquire of him --  
14 was that it was contaminated water, they had to get it out of  
15 the pit so that they could work, and so they couldn't pump it  
16 on the ground.

17 Q Do you know the limits between -- now that you've  
18 mentioned that I was going to get around to it -- between  
19 what can be pumped on the ground and what must be reprocessed  
20 in the plant?

21 A No, I don't.

22 Q Would you take the prudent approach that any liquid  
23 should be contained and tested?

24 A I would think so, yes.

25 Q Once you observed this water being barreled and --

1 pumped into drums or being barreled, as it's commonly called  
2 -- were you aware of the final disposition of these barrels?

3 A The only disposition that I know of is many of them  
4 were taken to the miscellaneous digest area and pumped back  
5 into the system.

6 Q Was this sometime after the excavation was  
7 completed?

8 A I believe it was.

9 Q So your knowledge of the fact they must have been  
10 of concern would be after the excavation was completed and it  
11 was being pumped into the miscellaneous digest to reprocess.

12 A Right.

13 Q When we talked a little earlier on September 7, you  
14 indicated to me that your first indications of uranium  
15 contamination was on August 22, 1990. And I pose my question  
16 to you now, that statement is not totally accurate, in fact  
17 you had in the back of your mind there was possibly some  
18 contamination. But were you referencing the fact that you  
19 were made aware of specific laboratory --

20 A Yeah, specific laboratory was only the 22nd. In  
21 the back of my mind, some small quantities of contamination  
22 in the water, yes, was probably there.

23 Q And you indicated earlier that you did not bring  
24 this concern up to Mr. Nichols or Ms. Couch or anyone in  
25 Health and Safety -- she was a part of the Health and Safety

1 unit at that time.

2 A To my knowledge, no, I didn't.

3 Q Were you present at the site, the excavation area,  
4 during the time when the contractors, particularly the  
5 contractors from S&S Construction and Taylor Concrete  
6 Construction Company were working in that excavation?

7 A Yes, I was by there off and on, yes.

8 Q Did you ever observe these individuals down in the  
9 hole in the water working?

10 A Down in the hole in small amounts of water, yes.

11 Q Did it ever occur to you to inquire of anyone if  
12 someone was ensuring that these individuals were aware of  
13 what was in that water?

14 A No, it didn't.

15 Q To your recollection and knowledge, do you know if  
16 anyone ever brought up that issue to these individuals that  
17 were working down in the pit?

18 A Not to my knowledge, no.

19 Q To your knowledge, Mr. Simeroth, were you ever  
20 present in any meetings or any informal or formal discussions  
21 concerning these workers down in that pit and their  
22 relationship to the possibility of contamination in the  
23 water, uranium contamination?

24 A No.

25 Q Okay, now I want to make a correction on the record

1 here, because I feel fairly certain these notes are correct.  
2 I have a statement in these notes that "Mr. Simeroth stated  
3 he recalled that when solid chunks of yellow cake were found  
4 on the ground around the excavation, Mr. Nichols was present.  
5 Mr. Nichols and Mr. Simeroth decided to drum this material to  
6 prevent scattering."

7 A This was not at the time they had pulled the  
8 concrete off, this was several days later in the excavation  
9 mode, some had been uncovered. And yes, we -- yes, I was  
10 there at that time and we did have those drummed, yes.

11 Q All right, sir, give me the specifics that you're  
12 talking about here because I understood that when they  
13 started digging the hole out, they went down at depths, when  
14 was this discovery made of solid chunks -- not the date, but  
15 the period of time in the excavation.

16 A When I see the solid chunks was not the first week  
17 of excavation, it would have been the second week of  
18 excavation, is when I noticed them, and they were laying out  
19 on the ground, they weren't part of the hole, they were out  
20 on the surface, outside the excavation.

21 Q Just visibly out there on the ground.

22 A Yes.

23 Q I guess the first question I'd ask, do you know how  
24 long they had been laying around out there or --

25 A I hadn't seen them prior to that and I was usually

1 by there one or two or three times a day, and that day was  
2 the first time I had seen them.

3 Q Do you think they were as a result of the digging?

4 A I think they probably were, or a resulting of some  
5 uncovering where they had taken the backhoe and scraped the  
6 gravel off to get to the dirt itself to dig. That's my  
7 recollection of it, because everything is graveled up to  
8 there and they take the bucket, front bucket on the backhoe,  
9 and they's scrape the loose gravel back out of the way so --  
10 because that was intended to go back on. And that's my  
11 recollection, it was laying below the gravel and right on the  
12 hard dirt surface.

13 Q You say the gravel was intended to go back on?

14 A Yes, the area was intended to be regraveled and  
15 they had just pushed the gravel, so they had intended to  
16 spread the gravel back over after everything was completed.

17 Q That's probably a pretty good indication the gravel  
18 was contaminated then, wasn't it?

19 A Probably, yes.

20 Q Were you around or involved in the replacing of  
21 that gravel later, were you a party to any attempts to use  
22 that gravel, contaminated gravel, back in the pit?

23 A Now this would not have been in the pit, this would  
24 have been up on the surface layer, up on top.

25 Q Do you recall what happened to that gravel once it

1 was discovered there were solid chunks in it?

2 A I thought -- and I'm really not exactly certain --  
3 I'm reasonably sure that they drummed it.

4 Q All right, sir. I want to state here, anything  
5 you're not positive on and you want to go check on, feel free  
6 to do so and let me know and we will certainly get the record  
7 straight.

8 A I don't know. I would have to get with someone in  
9 the drumming operation because I don't know what the disposal  
10 of that was.

11 Q When Mr. Nichols, you commented, was present, did  
12 you and he discuss the possibility of any additional  
13 contamination being in the area after you observed these  
14 solid chunks of yellow cake?

15 A We done a visual check of the area and there was  
16 only a few chunks around. My conclusion there, and I think  
17 with Mr. Nichols, was this possibly had come from a spill  
18 some years before and was just laying on top of the ground  
19 there, had congealed together.

20 Q Are you familiar with Sequoyah Fuels Operating  
21 Procedure HS-010, which the subject is radiation and  
22 radioactive materials, incident investigation and reporting,  
23 specifically paragraph 4.7, visual detection of uranium?  
24 I'll show you a copy of it.

25 (A document was proffered to the witness.)



1           A     Oh, okay, yes.

2           Q     As I understand, that procedure has a form to fill  
3     out which is identified as -- the top of the form is  
4     identified as "Subject: Radiation/Radioactive Material and  
5     Incident Investigation Reporting". And it shows a revised  
6     date of 6/12/90. Do you recall ever completing such an  
7     instrument upon y'all discovery of visual contamination?

8           A     No, this is two different forms.

9           Q     It is?

10          A     This form is for exceedances of three MPC in an air  
11     sample.

12          Q     All right. How about this one?

13          A     Routine contamination survey form. This is filled  
14     out routinely once a shift by our HP techs as they go through  
15     their plant early in the shift, they go through and look for  
16     visible spills and leaks and they fill one of these out and  
17     turn it in to the supervisor at that time.

18          Q     Would this incident qualify as a visual observation  
19     that requires some sort of a report being prepared?

20          A     I don't feel like it would have fell under that  
21     category or this category, because this is, to me, the normal  
22     routine visual survey that our people do once a shift.

23          Q     Okay, so you don't feel this incident qualified for  
24     this?

25          A     No.

1 Q This reporting requirement.

2 A No, I don't.

3 Q Mr. Simeroth, another bit of information that you  
4 relayed to me during our September 7, 1990 discussion was  
5 that you do recall the presence of NRC inspector Blair  
6 Spitzberg on this facility, and I submit for the record here,  
7 for your information, his visit occurred between the period  
8 of August 6 and August 10, 1990.

9 With that date in mind, you also indicated to me  
10 that you do recall Blair Spitzberg asking if anyone present  
11 with him at the edge of the pit knew what was in the yellow  
12 water that he had visually observed in the bottom of the pit.  
13 And let me first ask do you recall who was present in  
14 addition to you or were you present at that specific  
15 question?

16 A I believe -- I think the phrasing may have been a  
17 little different than that but it was essentially something  
18 to that nature. I was present, I believe Ms. Couch was  
19 present and I'm not sure who all else was present.

20 Q When Blair asked that question, do you recall if  
21 any answer was given by any individual?

22 A I don't believe any answer was given.

23 Q Now in light of the fact that you've had some past  
24 working knowledge that there was some uranium contamination  
25 in the water in the general area of the SX building via the

1 fire watch, fire station sampling, do you think that you had  
2 a pretty good indication at that time that there could be  
3 some uranium contamination in that water?

4 A Oh, I think so.

5 Q Do you know why you didn't answer Mr. Blair if you  
6 were there?

7 A The reason I didn't answer Mr. Blair was because  
8 Ms. Couch was there and I'm not sure if anyone -- at least  
9 she was there. I did not know what had transpired in  
10 planning meetings or discussions of what they had run into in  
11 the excavation and I deferred to her.

12 Q Upon either your leaving or their leaving -- did  
13 you proceed with them or did you hold any discussions with  
14 Ms. Couch or anyone later about that question or that  
15 discussion at the edge of the pit?

16 A The only discussion is later I think she and I were  
17 talking and kind of saying, you know, we didn't answer that  
18 question and she agreed we didn't answer that question and  
19 she said she was waiting to see if Blair -- Mr. Spitzberg  
20 would pursue it, and he didn't pursue it and we left it at  
21 that.

22 Q To your knowledge, do you know if anyone else was -  
23 - to your knowledge or that you've heard any other person  
24 indicate -- that they had raised that same general discussion  
25 of we were kind of waiting to see if Mr. Spitzberg pursued

1 the issue further, if it was mentioned to any other personnel  
2 at Sequoyah Fuels?

3 A I don't remember it being mentioned to anyone else.

4 Q Did anyone -- any other employees of Sequoyah  
5 Fuels, either operational workers or management, come by and  
6 discuss this little episode with you?

7 A I'm sure it was discussed later when the issues  
8 were raised after the 22nd. I don't know of anyone -- I  
9 can't remember anyone discussing it prior to that.

10 Q All right, sir. Were you privy or were you  
11 involved in an August 7, 1990 senior staff meeting the next  
12 morning after Blair was -- I may be incorrect here, Blair may  
13 have appeared on the 7th, I'm not sure. I feel it was the  
14 6th, early on. Were you involved in any staff meetings or  
15 planning meetings where a discussion was held about Blair's  
16 question?

17 A I don't believe I was, I'd have to go look it up.

18 Q Do you have any notes of that or --

19 A No.

20 Q Okay. You don't recall?

21 A No, I don't recall.

22 Q I also have a statement in my previous interview  
23 with you, Mr. Simeroth, that may require some corrections.  
24 My recollection -- my notes indicate you originally stated  
25 you didn't recall seeing any of the yellow water being pumped

1 into barrels. Is that true?

2 A Yellow water I guess is the thing -- yes, I  
3 remember seeing them pump water into barrels.

4 Q From the --

5 A From the excavation, yes, I did.

6 Q All right. And then I also have that you knew that  
7 it was being drummed into barrels. So you did have knowledge  
8 of it even if you didn't see all of it being drummed.

9 A Yeah, I had knowledge that they were drumming.

10 Q That knowledge was derived principally from who --  
11 other than your observation, did Mr. Kiehn or did Mr. Fryer,  
12 did anyone overseeing the excavation, including Mr. Mestepey  
13 since those folks work for him -- did any of these people  
14 indicate to you the volume or the level of barreling that was  
15 taking place?

16 A No, not to my knowledge.

17 Q I may have asked you this question already, but I  
18 want to make sure I have. During the period of time between  
19 August 1, the excavation beginning, and August 22, the  
20 reporting to the NRC of specific values, do you recall ever  
21 seeing any laboratory analysis giving you direct values in  
22 grams per liter of the uranium contaminants in the water  
23 being extracted from that excavation?

24 A No, I don't.

25 Q One last question on that issue. Do you recall

1 ever taking any water samples or seeing anyone take any water  
2 samples or seeing anyone taking any water samples of that  
3 water?

4 A I didn't take any samples of it. I do remember  
5 some samples being taken once, Mr. Barrett had some samples  
6 taken of some black material and I believe I was out there  
7 when the -- whoever the state agency was that was having the  
8 dirt samples taken, and I don't remember whether any water  
9 samples were taken at that time or not. That's the only  
10 samples I can remember in that time frame being taken, that I  
11 was aware of.

12 Q All right, sir, my next area here was soil samples.  
13 Do you know of any results of soil samples,  
14 specifically values in uranium contamination in the soil  
15 being made available to you or to your knowledge?

16 A Only later when we were getting ready to drum all  
17 of the dirt.

18 Q Which was after the 22nd?

19 A Yes, which was after the 22nd. Prior to that, no,  
20 I don't remember anything.

21 Q How familiar are you with the hazardous work  
22 permit, procedures for issuing it? Do you become involved in  
23 them routinely?

24 A I become involved with them somewhat, yes.

25 Q I have some copies of hazardous work permits and



1 they're very, very poor copies, so we'll try to get through  
2 these. Do you recall ever issuing -- and you're certainly  
3 welcome to look through these -- ever issuing a hazardous  
4 work permit for the excavation out there?

5 A We don't issue them, we do sign off on them  
6 approving them.

7 Q All right. The reason I asked this question, Mr.  
8 Fryer indicated yesterday in some testimony given to me that  
9 prior to -- or I should say at the time hazardous work  
10 permits were being secured, he says he discussed with Health  
11 and Safety Department, the person he cannot recall  
12 specifically, the fact that there could be some uranium  
13 contamination in the soil and that Mr. Barrett in particular  
14 helped him draft up the work permit before it was submitted  
15 to the Health and Safety Department.

16 My question to you is were you privy to any of that  
17 drafting of the HWP or did you have any input into that?

18 A I don't remember being a part of the drafting. I  
19 knew Mr. Barrett and Mr. Fryer and Mr. Kiehn were working on  
20 drafting this permit and I don't remember being involved in  
21 that, which is not to say that Mr. Barrett may not have asked  
22 me a question concerning it, but I don't remember any of it  
23 concerning contaminated dirt or contaminated soil, no.

24 Q Okay, let me specify. Do you recall being  
25 questioned about the possibility of any water being found out

1 there during the excavation, when they were framing this  
2 thing?

3 A No, I don't.

4 Q Once they discovered water out there, do you recall  
5 any one of these two individuals, particularly Mr. Kiehn or  
6 Mr. Fryer, coming to you or were you solicited for any  
7 information about the possibility of uranium contamination in  
8 the water once discovered by either of these two individuals?

9 A I don't remember anything relating to uranium  
10 contamination.

11 Q Were you ever personally asked by any of the  
12 contractors down in the excavation if you had knowledge of  
13 what was in that water that they encountered in the pit?

14 A I may have been asked. I don't have anything that  
15 stick out in my mind, but they may have asked.

16 Q If they possibly asked you, did you possibly answer  
17 them with an affirmative answer?

18 A Probably.

19 Q You probably told them there was contamination?

20 A No, I probably was more concerned with the hexane  
21 and the industrial hygiene safety type items. I probably did  
22 not discuss contamination with them.

23 Q Okay. So we have a little bit of a clear record,  
24 you're not exactly sure if you were ever questioned or asked  
25 by any of these workers about the possibility of -- general

1 questions of what's in the water or is there uranium in the  
2 water?

3 A I probably was asked what's in the water. I mean -  
4 - and I probably took the concerns, I know there was a little  
5 concern with some skin stinging and things and they were  
6 asking -- I was telling them that's the hexane.

7 Q Do you think at that time, Mr. Simeroth, that you  
8 just didn't want to bring up the issue of it could be  
9 something else in the water, of particular interest to me,  
10 and naturally that would be uranium contamination?

11 A No, that wasn't my intention.

12 Q Okay. It wasn't something like let sleeping dogs  
13 lie?

14 A No, no, that was not it. Because my own feelings  
15 was the quantities of uranium in the water, that I felt would  
16 be in the water, were so low that it really was not a -- I  
17 didn't feel like it would have been an issue, I didn't feel  
18 like the levels would be that high.

19 Q That was your personal assumption?

20 A That was my own personal assumption based on  
21 nothing more than I didn't feel like there would be enough  
22 uranium in the water to create any kind of problem.

23 Q All right, sir. During the construction of this  
24 excavation, were you instructed or did you ever feel any  
25 pressure that there had -- there was a 21-day period to build

1 this vault and this vault needed to be built within this 21-  
2 day period of time? And I phrase that question to  
3 specifically ask you if you feel that health and safety  
4 issues to some extent suffered over construction schedules?

5 A Oh, I think they did, yes.

6 Q Why do you believe that -- why do you feel that  
7 way?

8 A Because there was a constant pressure -- several  
9 situations where lines had to be moved, checks had to be made  
10 to be sure that there was no hexane, there was no leaks, and  
11 if leaks were found, the leaks had to be alleviated and I  
12 felt like there was constant pressure on us to get this as  
13 fast as we can, we've got to get this done, we want to get it  
14 done in this 21-day time period. Are you sure that's  
15 something we need to be checking on. I remember we were  
16 doing some hexane checks on some flanges and we were taping  
17 the flanges and then poking a small hole in them so that any  
18 hexane in there would be trapped and then we would sample  
19 that small hole. And we found some indications of hexane and  
20 asked that, you know, apparently we need to pull this off,  
21 tighten bolts, regasket, something -- we do have hexane leak,  
22 and essentially I felt the pressure was put on, is this  
23 really necessary, is that enough hexane to create a problem.  
24 Yes, I felt there was considerable pressure put on our  
25 department to --

1 Q From who?

2 A From the contractor, from Mr. Kiehn -- I'm trying  
3 to think of other people, maybe Mr. Mestepey. The management  
4 type people that -- you know, they wanted to get the plant  
5 back in operation again, so there's -- be sure we hurry, be  
6 sure we get this done. Whether it was undue pressure or not,  
7 I don't know. Sometimes I felt like they were trying to get  
8 us to cut corners to speed up the operation, and hopefully we  
9 didn't do that.

10 Q The only area I can see a little fall down is  
11 personal safety of some of the contractors. Do you think  
12 that that entered into possibly -- that pressure possibly  
13 entered into a little bit of diminishing the personal safety  
14 of those people down in -- those contractors down in the  
15 hole?

16 A All the awareness I was of that, we tried to  
17 prevent that. Now we did have to caution the contractors  
18 several times about shortcuts, and not wearing safety  
19 equipment and not tying their safety belts off. This was a  
20 constant running thing through the whole excavation project.

21 Q But these were safety issues primarily.

22 A These were safety issues primarily, yes.

23 Q Have you had an opportunity to look at those?

24 A I just glanced at them.

25 Q Is there anything of particular interest -- a

1 concern to me, Mr. Simeroth, is the original health -- I'm  
2 sorry, the original hazardous work permit was issued sometime  
3 around July 31, if I can read these things. And of course the  
4 major concern on this is hexane, chemicals, et cetera, et  
5 cetera. There is an absence of the mention of the  
6 possibility of uranium contamination to the soil and no  
7 mention of water, which of course everyone says they were  
8 surprised they ran into water, particularly the volume of  
9 water. But the absence that I notice is there doesn't seem  
10 to be a change in those permits once water was encountered.

11 Do you have any knowledge why the permit wasn't  
12 changed once water showed up? And I'll give you what I  
13 consider a specific example, and that is, should not these  
14 individuals have been given rubber boots, rubber gloves,  
15 something to keep the liquids off of their hands and feet --  
16 direct contact.

17 A They were. It was not on the permits, but they  
18 were given rubber boots, to my recollection, as soon as they  
19 went down in the excavation with water, they were given  
20 rubber boots to use.

21 Q Well not to dispute your word, but every one of the  
22 contractors I talked to said yes, we got rubber boots, but  
23 nobody from Health and Safety told us to get them, we helped  
24 ourselves to them because of our own -- and it wasn't a  
25 safety concern for them, it was just that you don't wear



1 shoes in water.

2 A Well they weren't issued from the Health and Safety  
3 Department, but it was through, I think, Mr. Kiehn seeing  
4 that they wore rubber boots or that they had boots available  
5 to them. We didn't issue them, no.

6 Q Okay, my question to you is why didn't you? That's  
7 y'all's job. It's Health and Safety's job to ensure the  
8 health and safety of the workers. Granted Operations should  
9 bring it to your attention or should alert you, but you, Mr.  
10 Nichols, several health and safety technicians, were present  
11 at that excavation, all during the excavation. Why wasn't it  
12 an issue of Health and Safety? If you can't answer question  
13 in particular, why wasn't it an issue with you as the  
14 Assistant Radiation Safety Officer?

15 A I guess I'm missing something here because they  
16 were wearing boots, they were wearing water protection.

17 Q Yes, sir, but not at your request and not at Health  
18 and Safety's insistence.

19 A Well I guess from my outlook of it, they're wearing  
20 them, why should I make an issue out of it, they are being  
21 protected.

22 Q All right, sir.

23 A That's where I would come from. They had the  
24 boots, they were wearing the boots. To me, it's a non-issue.

25 MR. SHAPIRO: Do you remember -- to pick up on what

1 he's saying, Mr. Simeroth, do you have any recollection of  
2 when they started wearing the boots or was it the same time  
3 the water first appeared?

4 THE WITNESS: To the best of my recollection, when  
5 they went down in the excavation working around the water,  
6 they had boots at that time.

7 BY MR. CHAPMAN:

8 Q All right, sir. I'm not -- I agree with you, they  
9 did have rubber boots, and of course my concern from my  
10 perspective on the NRC's viewpoint, that is a function of  
11 you, not the Operations Department, to ensure that. And my  
12 question kind of was centered around why wasn't it made a  
13 permanent condition of the working area via a hazardous  
14 permit, that these people would have had written knowledge  
15 that rubber boots and rubber gloves were definitely required?

16 A That is probably a fault on our part. It was, as I  
17 say, they had them, to me it was a non-issue, and it should  
18 have been an issue and a permanent record. Yes, I agree with  
19 that.

20 Q All right, sir. All right, I'm not trying to make  
21 a technical issue. But what precipitates this kind of  
22 questioning is were you aware that several of the pairs of  
23 rubber boots being worn by these people -- I shouldn't say  
24 several, at least one instance -- belonged to the contractor  
25 himself and were being taken on and off site continuously to

1 his home, in the back of his pickup truck?

2 A No, I wasn't.

3 Q Have you been made aware that this has been  
4 established and they were confiscated by Sequoyah Fuels on  
5 one of the latter days of him leaving the site because -- and  
6 let me add that the reason they were confiscated was because  
7 they were finally surveyed and declared, for lack of a better  
8 term, too hot to leave the site.

9 A I can remember a pair of boots being surveyed and  
10 found too hot to leave the site, yes, I can.

11 Q This brings up why I'm a little bit mystified over  
12 the fact that Health and Safety -- not necessarily you, but  
13 Health and Safety Department would not -- the appearance of  
14 rubber boots being worn, why there was not more control over  
15 their I guess leaving the site, there being specifically --  
16 there being some written, concrete procedure that everyone  
17 realizes they have to be worn and they should not be removed  
18 from the site. There's a public notice, for lack of a better  
19 word. And the reason I say this, and it's not a procedural  
20 question, I'm back to my original issue, once water was  
21 discovered, should there not have been some sort of -- from  
22 the Health and Safety Department, some sort of general  
23 understanding or awareness or directives that there is now a  
24 different set of circumstances via water being discovered?

25 A I think you're probably right, we should have.

1 Q Okay. And you feel it was just an oversight?

2 A Yes. As I say, to me, they were wearing boots, it  
3 was a non-issue after that, we got them covered. Now maybe  
4 we don't have them on paper, but we do have the people  
5 protected and I was not aware that they were wearing their  
6 own boots.

7 Q Were you aware, while you were out there at the  
8 site, since you were there on occasion, or was it ever  
9 brought to your attention that some of these personnel,  
10 contract personnel -- of particular note, the concrete  
11 personnel -- were using their own brooms, personal equipment  
12 which was being contaminated by this water and removed on and  
13 off site on occasion?

14 A If it was being removed on and off the site, I  
15 assume it was being surveyed.

16 Q Would there be a record of these items being  
17 surveyed?

18 A Probably not because they would survey the vehicle  
19 and contents and it would just be noted "Taylor Concrete  
20 pickup" or "white pickup" and released.

21 Q One of the issues that has come to light to some  
22 degree is yes, you're right, there were some surveys being  
23 done as equipment left the site, but the surveys were being  
24 restricted to, as I understand, principally the tires of the  
25 vehicles and the underneath of the vehicles. I have no

1 knowledge of anyone from Sequoyah Fuels personnel,  
2 particularly the Health and Safety Department, surveying the  
3 insides of the pickup trucks, the personal hammers and/or  
4 brooms in the bed of the truck. Do you have knowledge of  
5 that or anything that would give us an indication of that?

6 A I would have -- again, personal knowledge, no. I  
7 would have assumed it was being done because it's standard  
8 practice for us. If they used it out there, it is surveyed.

9 Q Would it be a practice to open up, like cabs of the  
10 truck, toolboxes where equipment is stored in?

11 A It would be a practice to survey inside the cab of  
12 the trucks, yes, and probably to ask the contractor do you  
13 have anything in there that was used out on the job.

14 MR. CHAPMAN: Okay. Mr. Garcia, anything you want  
15 to add about that?

16 MR. GARCIA: No, just a little bit on that last  
17 question. Did -- the health physics technician out there who  
18 does the survey would ask the contractor was any of the  
19 equipment used in that hole -- is that how he determines what  
20 might have been contaminated?

21 THE WITNESS: That was used, yes, we used that.  
22 It's lax, but we did use it.

23 MR. GARCIA: The HWP, who is required to sign this?

24 THE WITNESS: All contractor HWPs must be signed by  
25 the Manager of Health and Safety or the safety engineer.

1 MR. GARCIA: Or the safety engineer.

2 THE WITNESS: Or their designee.

3 MR. GARCIA: Does the safety engineer report to the  
4 Manager of Health and Safety?

5 THE WITNESS: Yes.

6 MR. GARCIA: Reports directly to him?

7 THE WITNESS: Yes.

8 MR. GARCIA: And there's no differentiation made as  
9 to which ones might involve radiation safety concerns or  
10 which ones don't -- really you shouldn't have any radiation  
11 safety concerns -- either one can sign the permit?

12 THE WITNESS: Either one can sign a contractor  
13 permit. Now I'd have to read the procedure to be sure, but I  
14 think that's exactly how it's stated. Those two are the only  
15 two people that can sign a contractor HWP.

16 MR. GARCIA: Thank you.

17 (Brief pause.)

18 BY MR. CHAPMAN:

19 Q Mr. Simeroth, there's one other area I'd like to  
20 cover with you before we go. There's been some concern about  
21 the training that these contractors received from Sequoyah.  
22 There's been some concern over the level of training  
23 identified with each contractor personnel. As I understand,  
24 and I have to back it up here, that basically on July 23  
25 several of the contractors that were scheduled to work in the



1 excavation, they were working for Jimmy Smith, known as Smith  
2 General Contractors, and Calvin Taylor known as Taylor  
3 Concrete Construction, attended some training -- a training  
4 orientation.

5 A Right.

6 Q And they did this -- I'm sorry, they obtained this  
7 training over in the training building over there under the  
8 supervision of the Training Department, Mr. Derrell Martin.  
9 And I have a list of the individuals that attended it, and of  
10 course we've established that not all of the individuals who  
11 worked in the excavation attended this training session -- I  
12 don't mean to get into numbers of people. I have a general  
13 question for you that you may or may not be able to answer to  
14 me.

15 What assurances do you, as the Health and Safety  
16 Department, have that these individuals have been trained?  
17 What are the notifications of which ones and who have been  
18 trained by the one-day training session put on by the  
19 Training Department?

20 A The notifications that we have is on the employee  
21 badges, people that have been through the training and have  
22 the training normally have a picture badge, a permanently  
23 issued badge to them.

24 Q All right, sir. Does the Training Department, for  
25 example of specific interest, when they conducted a one-day

1 session on July 23, 1990, do they send you a formal  
2 notification of attendees?

3 A No.

4 Q Do you have any type of a formal notification  
5 through any route, circuitous or otherwise, of who has had  
6 this one day training, other than the picture badge?

7 A No, I don't.

8 Q Or does the Health and Safety Department?

9 A To my knowledge, no, we don't have any way of  
10 knowing.

11 Q This may be out of your arena and I don't know, how  
12 does the picture badge become an identifier? Who makes up  
13 the picture badge?

14 A Training Department.

15 Q Okay. So it would be your assumption, as the  
16 person in charge of the -- or the person working in the  
17 Health and Safety Department -- that if he has a picture  
18 badge, he must have had at least one day's training. If he  
19 has a visitor's badge, you make an assumption he has not had  
20 the one-day's training.

21 A He may or may not have had it, probably didn't have  
22 it.

23 Q All right. Well with that in mind, would the  
24 person without a picture badge -- and we'll identify him as  
25 someone who has less than a day's training -- are they given

1 the same freedom of movement as the other individuals are?

2 A No, they must be around someone that does have a  
3 picture badge. Essentially in an escort situation.

4 Q Is that monitored by Health and Safety or monitored  
5 by anyone? The reason I ask that, how do you know if an  
6 individual without a picture badge goes wandering off to the  
7 washroom?

8 A You really don't. I mean they're supposedly  
9 informed when they get their badges, you've got to stay with  
10 somebody that has training and you've got to stay with them.

11 Q Whose responsibility is it to ensure that that's  
12 met?

13 A I really don't know. It probably would fall under  
14 our department but I really don't know.

15 Q I guess what I'm trying to determine here is if you  
16 have someone out here who is totally unfamiliar with the  
17 facility, has received a 20-minute orientation tape -- and I  
18 have viewed that tape and to my recollection it never  
19 mentions the word "uranium" in that tape. It talks about a  
20 lot of chemicals and talks about a lot of general hazards,  
21 but it does not give you values, it does not give you NRC  
22 regulations, it doesn't tell you that you have the benefit of  
23 complaining to an NRC representative or any of the standard  
24 training that you get at the one-day seminar.

25 A Right.

1 Q How does one assure that these individuals without  
2 the picture badge are following the regulations; and if not,  
3 where does the responsibility lie in your view?

4 A If I seen someone out there without a picture badge  
5 and he didn't have anyone with him, I would essentially stop  
6 him and say who are you working for, shouldn't you have an  
7 escort.

8 Q Would you escort him back?

9 A I would escort him to where his escort was.

10 Q Okay. In light of this training and the fact that  
11 you received no formal notification from the Training  
12 Department -- not you personally, just Health and Safety --  
13 do you feel that these individuals, in your personal opinion,  
14 that have received less than that, are cognizant of all the  
15 uranium contamination potential around here?

16 A Probably not.

17 Q Has there ever been a discussion amongst you or any  
18 of the health physicist people of a need to shore up this  
19 area, before all the NRC's attention?

20 A Not to my knowledge.

21 Q Is the practice still prevalent in the facility  
22 that they get a tape and if they don't make the one-day  
23 orientation -- is the same procedure still being followed  
24 that was then?

25 A No, there's been some changes in that procedure and

1 the way that's handled now. Anyone getting a film badge must  
2 be approved by the Health Physics Department I believe.

3 Q Well I'm not trying to pin you down --

4 A And what we're saying is we want to know who is on  
5 site, who's got a film badge, who's in the restricted area,  
6 whether or not they have had the training. And this is the  
7 steps we're trying to get to, whether we've gotten all the  
8 way there or not, I'm not sure, but that's the steps we're  
9 trying to get to.

10 Q All right, sir. Now I'm going to touch on one  
11 other small area and then I'll try to tie this together for  
12 you in my mind. Is not Health and Safety also responsible  
13 for assuring bioassays of individuals that are on site? And  
14 I use the word bioassays of urine.

15 A Yes.

16 Q Being as you have not received any formal  
17 notification from Training, as I understand there was no  
18 formal notification from the gate as to who was on site --  
19 how did Health and Safety determine which individuals were  
20 required to have bioassay results?

21 A If I remember correctly on this, the feeling was  
22 that the chances of contamination, internal contamination,  
23 were small enough that it didn't warrant routine bioassay.

24 Q What was the basis for that belief?

25 A Really wasn't a whole lot, just a -- and I'm trying

1 to play with my mind a little bit here and see if I can  
2 remember any specific areas. For my own personal standpoint,  
3 I just did not feel like we were going to run into what we  
4 did run into later on, and I wasn't aware we'd run into it  
5 until later -- of a quantity that would determine that yes,  
6 they needed to do bioassay, except maybe at the end of the  
7 job.

8 Q I understand that. A lot of people have told to me  
9 the quantity of water, and I submit the quantity of water is  
10 not as critical as the volume of contamination in the water.  
11 A small sample could hurt you as large as bathing in -- you  
12 know, if it's --

13 A Right.

14 Q -- if it's either ingested or whatever. I  
15 understand the quantity, that everyone was saying they were  
16 concerned about the quantity. My concern is the volume of  
17 contamination.

18 MR. SHAPIRO: I think he was referring more to the  
19 level.

20 THE WITNESS: I didn't feel the concentrations in  
21 the area would ever warrant the need for a routine bioassay.

22 BY MR. CHAPMAN:

23 Q And you base that on the fact that you just didn't  
24 have a solid grasp of all the --

25 A Based on, you know, -- I didn't feel like there was



1 going to be enough material there to warrant it, from my own  
2 personal --

3 MR. SHAPIRO: Well just to interject for one  
4 second, because for a minute you were connecting the previous  
5 studies that had been done or samples that had been done -- I  
6 mean it's my impression that the levels of contamination that  
7 were encountered in the pit were considerably, you know,  
8 magnitudes higher, than the levels that those samples showed  
9 anyway.

10 MR. CHAPMAN: You're talking about the fire watch  
11 samples?

12 MR. SHAPIRO: Yeah.

13 MR. CHAPMAN: Yeah, I agree. Of course, my mindset  
14 is that there was some knowledge of possible contamination  
15 and we should have taken some steps.

16 BY MR. CHAPMAN:

17 Q And what I'm driving at, Mr. Simeroth, is that  
18 taking bioassays would have been another step, and having  
19 previous knowledge that there could be some contamination and  
20 particularly with discovery of yellow chunks and people  
21 having preplanning meetings and such -- and I'm trying to  
22 establish also that there is no uniform procedure or there  
23 was no mechanism at that time where you knew who all required  
24 a bioassay.

25 A That's right, I'll agree with that.

1 Q And I think subsequently it's even been sort of  
2 shown that there's no way to know which ones you've missed,  
3 as well as which ones you should have had.

4 A That's -- yeah, I think that's probably a fair  
5 statement.

6 Q And trying to tie something else in that I'm not  
7 totally cognizant of how it operates, is airborne sampling,  
8 and I'm not an expert in any of these please keep in mind.  
9 But my understanding also is that airborne sampling took  
10 place, which if I understand airborne sampling, is you take  
11 basically a volume of air that's around an area and somehow  
12 contain it and get some tests run and it tells you the levels  
13 of uranium present in the air floating around.

14 A Right.

15 Q And I have had it expressed to me on numerous  
16 occasions that airborne sampling did not indicate any uranium  
17 contaminants floating in the air. I have further understood  
18 that the airborne sampling was originally done around the  
19 first and second of August and ceased to be done until the  
20 NRC became involved the 22nd.

21 A Yeah, there were some samples run the 3rd, 4th,  
22 1st, 2nd, somewhere in that time, there was some samples run.

23 Q Early in the excavation.

24 A Early in the excavation, yes.

25 Q And I understand there's been no airborne sampling

1 run between early in the excavation and the NRC's concern.

2 A Right.

3 Q And what I'm trying to understand is how anyone  
4 could assume that the discovery of water, that these airborne  
5 samples would have a direct relationship on what could be in  
6 water, since it was discovered after the airborne sampling  
7 was taken. Do you know how a correlation -- that's the  
8 correlation that has been explained to me by more than one  
9 person, is we had no indications of uranium. And I'm trying  
10 to breach how does an airborne sample tell you that there  
11 isn't uranium in water.

12 A I don't think it can tell you anything about --  
13 airborne in the water. Now airborne would tell you if there  
14 was contamination in the dirt as it was being dug, but it  
15 would not give you an indication, except unless you had some  
16 vaporization off the water or something that carried some  
17 fumes up, then yes, you could see it in that. I wouldn't  
18 feel that airborne was a really good indicator of what's in  
19 water, no, I wouldn't.

20 MR. GARCIA: A couple of real quick questions, one  
21 on the visitor escorting. When visitors come on site, are  
22 they assigned to a specific Sequoyah Fuels individual who is  
23 responsible for their whereabouts or their accompaniment?

24 THE WITNESS: Are you talking about now or prior?

25 MR. GARCIA: Well yeah, let's do them both --

1 prior.

2 THE WITNESS: At the excavation time, no, they were  
3 not specifically -- had to be assigned to any Sequoyah Fuels  
4 employee, they could be assigned to a contractor that had had  
5 training, the visitor could be assigned to him.

6 There is some changes that we have tried to make to  
7 that now and I'm not sure whether they're all in place or  
8 not. I know that we've started a process of it if we haven't  
9 completed it yet, of having a Sequoyah Fuels employee with  
10 any contractor group now in the restricted area, they belong  
11 to them and they should stay with them.

12 MR. GARCIA: One other question about the air  
13 sampling. Who made the decision to take the original air  
14 samples that were taken early on and then how was the  
15 decision made that they were no longer necessary?

16 THE WITNESS: I'm really not aware, if my mind  
17 serves me right when the air samples were taken, I was off.  
18 I had taken the day off, and the next day was a Saturday.  
19 And I hope I've got this in my mind right. I was never a  
20 party to any consultation on let's take air samples and then  
21 let's not take any more air samples. In my own personal  
22 mind, I didn't feel like they were necessary.

23 BY MR. CHAPMAN:

24 Q Mr. Simeroth, I'm going to make a summation here  
25 and then I'm going to end this. Just over the course of our

1 conversation here today, I've gleaned from what you tell me  
2 that your principal duties were physical safety of the  
3 workers, and that even now and particularly back during that  
4 period of time, you were not immersed or you were not totally  
5 responsible or had cognizance of NRC uranium level  
6 contamination reporting requirements, specific values  
7 assigned by tables of the NRC and such. Is that a fairly  
8 representative assessment of what your duties mainly consist  
9 of out there?

10 A Yeah, I feel that's fairly -- and the other thing  
11 was the -- in my mind, the potential for hazard was so much  
12 greater with the hexane problem than any uranium problem I  
13 could foresee, it overshadowed everything in my mind.

14 Q All right, sir. Is there anything else that you  
15 care to add for the record or any information you want to  
16 share for benefit of the record?

17 A I can't think of anything.

18 MR. CHAPMAN: I want to re-emphasize to you that  
19 should you discover anything in the files that you feel is  
20 relevant to this discussion today and you feel you want to  
21 make any corrections or refinement of any dates or anything,  
22 you're welcome to do so and I will afford you the opportunity  
23 to make it back on the record for us.

24 With that in mind, does anyone have any other  
25 questions they wish to ask or comments?

1 (No response.)

2 BY MR. CHAPMAN:

3 Q Mr. Simeroth, have I or any other NRC  
4 representative here threatened you in any manner, or offered  
5 you any reward in return for this statement?

6 A No, sir.

7 Q Have you given this statement freely and  
8 voluntarily?

9 A Yes, sir.

10 Q Is there anything further you care to add to the  
11 record?

12 A No, sir.

13 MR. CHAPMAN: The time is now 1:15 p.m., and this  
14 interview is closed. Thank you, Mr. Simeroth.

15 (Whereupon, the interview was concluded at  
16 1:15 p.m.)

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## C E R T I F I C A T E

This is to certify that the attached proceedings before the  
U. S. Nuclear Regulatory Commission in the matter of:

Name: Interview of Kenneth Simeroth

Docket Number:

Place: Sequoyah Fuels Corporation, Gore, Oklahoma

Date: February 28, 1991

were held as herein appears, and that this is the original  
transcript thereof for the file of the United States Nuclear  
Regulatory Commission taken stenographically by me and,  
thereafter reduced to typewriting by me or under my  
direction, and that the transcript is a true and accurate  
record of the foregoing proceedings.



WILLIAM L. WARREN

Official Reporter

Ann Riley & Associates