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Agency: U.S. Nuclear Regulatory Commission
Office Of Investigations

Title: Sequoyah Fuels Corporation
Interview of: R. B. Cook
(Closed)

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EXHIBIT 114
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BEFORE THE

U. S. NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:	X	
	X	Office of Investigations
SEQUOYAH FUELS CORPORATION	X	
	X	No. 4-90-012
INTERVIEW OF: R. B. COOK	X	

Carlile Training Center
Sequoyah Fuels Facility
Sequoyah Fuels Corporation
Gore, Oklahoma

Thursday,
October 11, 1990

The above-entitled matter was convened at 2:26 p.m.

PRESENT:

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

DONALD D. DRISKILL
Director, Field Office
-and-
LARRY D. CHAPMAN
Senior Investigator
Office of Investigations
Region IV Field Office
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

On behalf of General Atomics and Sequoyah Fuels Corporation:

WILLIAM L. THOMAS, 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

MR. DRISKILL: For the record, this is an interview of Reginald B. Cook, spelled C-o-o-k, who is employed as the controller for Sequoyah Fuels Corporation.

The date is October 11th, 1990, and the time is 2:26 p.m.

Present at this interview representing the Nuclear Regulatory Commission are myself, Donald D. Driskill, and Larry D. Chapman.

Also present is Mr. William L. Thomas, of Winthrop, Stimson, Putnam & Roberts, Washington, D. C., who represents or whose firm represents General Atomics and Sequoyah Fuels Corporation.

Whereupon,

REGINALD B. COOK

testified as follows:

EXAMINATION

BY MR. DRISKILL:

Q. Mr. Cook, Mr. Thomas is present representing various employees, including management employees, at the request of General Atomics and Sequoyah Fuels Corporation.

I don't assume you have any problem with his being present for this interview?

A. No.

MR. DRISKILL: Let's hold up a second.

[Discussion off the record.]

BY MR. DRISKILL:

Q. The information I think that we want to discuss with you, Mr. Cook, relates to information that you gathered subsequent to the Sequoyah Fuels Corporation reporting to or advising the NRC relative to contamination identified in the excavated area adjacent the solvent exchange building during the August 1990 time frame.

I think that subsequent to that time the NRC came in, had some inspectors looking at the problem, and Sequoyah Fuels Corporation committed to the NRC to investigate the chronology of what had occurred relative to that; and you did, in fact, put together a report of your investigation for Mr. Graves, I believe.

You've been kind enough to provide us with a copy of your notes and that investigative report.

I believe Mr. Chapman wanted to ask you some questions concerning that.

BY MR. CHAPMAN:

Q. Mr. Cook, I think Don touched upon it, but you were requested by Mr. Graves to review the issues surrounding the excavation pit out there; is that correct? What was your charge?

A. At the front of the folder there, you'll find a list of action items that as a group we split up

responsibilities of those action items that were left from an NRC exit interview. I believe it was an exit interview where they left those.

And I think I had number four, I believe.

Q. Uh-huh.

A. The primary thrust was the chronology, and also there was a question about sample reporting, the length of time that one had not been reported. I was asked to look into those two items.

Q. Just as a general question before I get into any specifics, did you find in talking to anyone that their answers to your questions varied from any documentation that you were provided?

A. No.

Q. Okay. The first charge that you were given on this augmented inspection team action item list was -- it makes a comment, "Someone knew about the high levels of uranium in the excavation water around August 7th, but did not take any follow-up action."

Looking at your -- what I would assume to be your report dated September 10th, 1990, entitled "SX Review," in reading your answers here -- or your conclusions, I'm not sure that I see where you answered that question.

Do you feel like -- The question being someone knew. Do you feel like someone did know and failed to

notify?

You're welcome to look at this. I'm not --

A. I can't remember exactly how the answer was worded. What I discovered was that on August 7th, that Carol Couch and Jim Mestepey had had a discussion about uranium contamination in the hole and that there was a sump and a french drain system that was engineered into the excavation, and that their conclusion at the end of that meeting was that that was significant to take care of what they called uranium pockets that they had encountered.

Q. Did you get the distinct impression during your investigation that both Carolyn Couch and Jim Mestepey knew that there was contaminated water in that pit on the 7th of August?

A From the interview notes, you'll find that they both knew there was contamination. I don't think they knew the extent of it.

Q. As far as the severity level of it you mean?

A. Right. I think that's why they had the meeting -- Well, I can't say why they had the meeting, but I know they had the meeting on August 7th to discuss that contamination problem.

Q. See, the question that you were asked to look into, the reason I made this comment was, someone knew about the high levels of uranium in the excavation water.

A. I never found anyone that knew the high levels. I did find someone that knew there was contamination, had a meeting, discussed that.

I think if you look at my second letter there --

Q. This one here?

A. Uh-huh.

This "Documentation of critical decision should be written," that directly reflects or refers to that meeting that Carol and Jim had on August 7th to discuss that contamination issue, that that whole discussion -- if that was what -- the determination that we came to was that we would use the french drain and a sump -- should have been documented.

Q. In looking at the section -- Your investigation is broken into about four or five different subheadings here.

A. Uh-huh.

Q. And under one of them called "Chronology," you have various handwritten notes here. I have one here of interest, and I want you to give me an explanation of it.

It's dated Monday, August 6th, 1990, I assume. It just says August 6th.

And the first heading on here is "Friday sample reported to Carolyn Couch."

Friday would have been the 4th of August.

A. Okay.

Q. And for information purposes, the sample on the 4th of August would have been this one, which is identified down here by the laboratory with an ID of 900803.

It shows some various numbers. But the one of interest is uranium.

A. Right.

Q. It says 2.06. And it says "SX excavation, 8-4-90, 10:00." I assume that's in the morning --

A. Right.

Q. -- unless they use military time.

And you make this comment. What did you base this comment on here, that it was reported to Carolyn Couch?

A. Based on what the laboratory -- the laboratory documentation that I had said that that was reported to Carol Couch.

If you'll notice in my recommendations, that a whole series of lab reports here either didn't get reported, got lost in the mail, didn't get transferred. I don't know what happened to them.

But what I did discover is that our laboratory reporting procedure, which is basically take a xerox copy of a form like this and stick it in the mail, is rather inadequate.

I made a whole series of recommendations about

reporting that have been implemented now to try to correct that situation in the future.

Basically, with the reporting as it was, there was no way to document whether anyone did or did not receive the samples on the day the lab said they reported them.

Q. Okay. That's my next question to you then. When you make the comment, "Friday sample reported," you're not saying that it was given to her? You do not know that she got this specific one?

A. I don't know that she got it. I just know that the lab says they reported it.

Q. Reported it out of the lab?

A. Yes.

Q. And we've already been over this a couple of times with other folks, but due to the procedures in the lab, the normal procedure is they are mailed to the requester.

A. Uh-huh.

Q. In this case Carolyn Couch. And there's no methodology of determining if that requester receives it under the procedures now?

A. No.

Q. Okay. And I'm looking at your section called "Interviews" in here in which you talk to Carol. I think that's what this is indicating. This is your interview --

A. Right.

Q. -- of Carol. And you told me your questions are not listed, only the answers are listed.

A. Right.

Q. And I don't see where -- in your answers where she says she -- I don't see where you asked that specific question on the lab results on the 4th, and that she answers it.

So you basically and wholeheartedly are going strictly on what the lab reports say.

A. Correct.

BY MR. DRISKILL:

Q. Did you, in fact, ask whether she had received that or not?

A. That's not a comprehensive list of all the answers that I got. And.... Boy.

I know I asked her about the ones that were submitted on the 7th. I don't know if I asked her about this one in particular.

Q. So you don't know what her response would have been.

While Larry looks at that, let me ask you a couple of quick questions here about the lab, their mailing procedure and so on.

Did you talk to Mr. Knoke --

A Yes.

Q. -- about the lab procedure and so on?

A. Uh-huh.

Q. And I assume that he gave you every assurance that those things were mailed out in a very timely fashion and that their methodology there reflects that they sign off on them and they're immediately mailed out.

In questioning people -- and I don't know how much questioning you did -- you indicated that you had made recommendations to improve that whole system in order to document receipt of these things.

But did you find any evidence of where other things hadn't been received that had come out of the lab?

A. There had been discussion previous to this incident of people not receiving sample results in a timely manner.

Since that, there have also been a couple of incidents where they still didn't receive them in a timely manner.

The breakdown that I saw was that a lab tech completes the sample and signs off on it, and then has to go to the xerox machine, copy it and send it out.

Should he miss making that copy, should he lay it on this pile instead of that pile, it doesn't get reported.

I didn't really find anyplace in the mail system that it could break down.

The other side of the problem that I determined was in this project no one really was keeping track of what samples they had submitted. No one anticipated what results they should get back to know they hadn't gotten them back.

That's why in the procedure we've created, we use prenumbered forms assigned to a department so that that department keeps a chronological log of samples submitted, and they know, "Whoops, we skipped one. We need to check with the lab and see where this went."

There was just -- There was no way with the reporting procedure as it is to determine whether those samples were or were not timely sent, when the original is still filed in the lab and there was supposedly a xerox copy mailed. It's....

Q. Let me just ask you another question. This is going to ask you to make, I guess in the end, a supposition. But -- And I realize that when I ask you the question.

But I know we've talked to a number of people about the adequacy of the system, and there were a number of them who said they had never had a problem with receiving results back from the lab.

And I assume that you probably heard that from some people. I don't know how extensively you pursued that particular area.

But I've spoken with other people who said that

once in a while they didn't get them back, and they had to call up and see what the results were or whatever else.

The one particular thing that was most curious about this whole situation was that there were a series of samples which were never returned to the requester, and it just turns out they all related to one particular event, which became pertinent, I guess, to a number of people later on.

It just seems curious that the lab samples showing high grams per liter contamination in this pit seem to be the things that disappear, most especially during a period when there shouldn't have been a lot of -- a great deal of lab work being done since there was an outage going on at the time.

The overall amount of lab work that was being required to be performed was less.

I just thought that that was really kind of curious, that there was --

MR. THOMAS: Is there a question, Don?

MR. DRISKILL: Yeah. I was just going to ask him what he thought about that, and if -- And I'm not pointing a finger at anybody.

I'm just asking if this was not something that was kind of curious about the whole system, in that people said that for the most part it was a fairly reliable system.

Occasionally it broke down.

But with respect to this one particular area, there were two, three or four lab samples which never got back to the requester.

THE WITNESS: The curiosity is there. That's why the recommendations were made.

Even with the curiosity, there was still no way to determine who was right, who was wrong.

That was the gist of my recommendations on the lab, that if this ever happened again or if there was ever an issue like this again, I didn't want to get caught in a situation where there was no way to determine "Yes, you got it; no, you didn't get it."

MR. DRISKILL: Well, I can appreciate the fact that you made the recommendations that you did, and that apparently corrective actions have been implemented to hopefully preclude that sort of thing from ever happening, again or at least being able to assign some responsibility for a breakdown in the future.

I was just looking at your investigation and just wondering whether you found it somewhat curious, as I did, and Mr. Chapman did and various other people did, that this series of samples never got back to the original requester.

Larry, do you have any --

BY MR. CHAPMAN:

Q. Yeah. I was going to get around to talking about the 7th. You mentioned you specifically asked about the 7th's analysis, which again was identified as 900814 and shows C. Couch and R. Kiehn as the -- Well, scratch that. That's the wrong number.

It's actually identified as 900819, and it's a special analysis from Carolyn Couch.

A. Right.

Q. And it shows particularly high readings --

A. Of uranium.

Q. -- of uranium. 8.2 and a 4.1.

You say you asked her about this one particularly. What was her response to that?

A. That she had not received the sample results.

Q. Just had not received it, period?

A. Uh-huh.

Q. Did she recall taking the sample? You may look at your notes here any time. I can't make a whole lot of -- If I had the questions --

A. We talked about -- I believe when we discussed that -- and I don't remember if I wrote anything about it in the notes -- she had missed staff meeting that morning because she was out taking those samples.

Wasn't the 7th a Tuesday?

MR. DRISKILL: Yes, that's correct, it was.

THE WITNESS: Yeah.

She had missed staff meeting that morning because she was out taking those samples, along with the soil samples.

Now, that same staff meeting is the one where these first two -- the 2.06 and the 3.06, Don discussed in general terms that the readings had come back in the 2 to 3 range. He didn't know the specifics.

He told me that he reported that back to the staff people that were left after staff meeting broke up.

BY MR. CHAPMAN:

Q. Don Knoke?

A. Don Knoke.

And that he didn't remember exactly who those people were that were still in the room. And that's why I made the recommendation, not only for that, but there were some other things that we do under staff that -- what's discussed in staff meetings should probably be documented also. And if there's any action items, they need to be followed up on.

We do that with every other meeting we have. I don't know why we don't do it with that one.

Q. Did -- In light of talking with Carolyn on the issue of the lab results, between the period of August 4th, which is a Saturday, up until August the 7th, which is

Tuesday, she took a series of -- I guess you'd have to say, one, two, three ... six separate samples.

One was on the 4th, which was a Saturday, which was, as she explained to me, was the day of the picnic. And yet she didn't -- According to her, she didn't get around to realizing she didn't have these lab results until the 17th of August. I believe my date is correct.

Did you ask her why she waited from the 7th to the 17th, when she specifically came in on a day off to take some lab results, that she wasn't curious where these results were?

A. No, I didn't ask her that.

But the 17th is the correct date.

The other question I did ask her was, when was the first time you saw your sample results. And she said Mike Chilton brought them to her on the 17th.

Q. Did she comment, or did you ask her why she tarried so long in following up on her curiosity, to be out there on a Saturday and on a Monday taking these results? Do you recall asking her?

A. I don't -- I didn't ask her that question. I don't want to speculate.

Q. That's fine.

A. I don't know that the Saturday was out of her curiosity. It may have been because they reached a certain

depth in the hole and had to take a sample at that point, but I'm not positive about that.

Q. Well, at this point, if I understand correctly, there was still no one concerned about water. In fact, no one was ever concerned about the yellow water being contaminated, but yet she was taking water samples on the day of the picnic.

She made a comment to us that she came out there because -- she remembers it vividly because it was the day of the picnic, and she was out there that Saturday morning because she was concerned about the water.

And yet her concern didn't seem to translate into --

A. Follow-up.

Q. -- to any -- If I was out on a Saturday looking for water, when I came in Monday I'd probably be asking where my lab results were.

But they seem to be -- Just an absence. And I was just curious if you happened to ask her that question and had received an answer to it, which you say no.

A. No. But something generated the meeting that she had with Mestepey and what they called uranium pockets, that they thought the french drain and sump were adequate to handle.

BY MR. DRISKILL:

Q. Did she address whether she agreed with that engineering conclusion?

A. I don't remember if we discussed that, to tell you the truth. I just remember I asked her if she met with Mestepey on the 7th and what they discussed and what their decision was.

And I guess basically at that point, she was out of the project or felt that she was.

BY MR. CHAPMAN:

Q. Felt she was out of the project?

A. Oh, you had better ask her that. I don't know.

Q. Okay.

BY MR. DRISKILL:

Q. Your understanding of her job responsibilities -- I'm talking about real job responsibilities and not responsibilities she assumed as a good citizen or a good employee or something else -- as far as you know, did they include taking those samples?

A. Any release or potential release or environmental issue, the sample results needed to be reported to her, even in --

Q. No. I think the way I understood this whole thing now -- if you'll allow me to interject my own opinion on this thing -- is that Nichols is the radiation safety officer, and he has got an assistant, and there's some

health physicists.

Her position is director of environment, and I think it relates more to EPA-related matters and not the NRC-regulated activity.

A. The initial catch, if you would, would come from the health physics people because they would be monitoring for any licensed material anywhere on the ground.

Once it's determined that there's any environmental impact to it, then she becomes involved.

Q. But the problem I had with this whole thing was that the radiation safety people and the health physics people totally ignored this whole thing. She was the only one taking samples, and she was steadily taking samples there from early on, around the 4th when this water was becoming a problem, through the next week.

And here we've got her going to see Jim Mestepey and not the radiation safety officer or somebody who, really, that would have been more in their bailiwick.

Did you ask her why she went to see him?

A. No.

Q. Did you ask her if she had discussed it with Nichols?

A. No.

Q. Did you ask her whether Nichols knew that she went to talk to Mestepey?

A. No.

Q. Do any of these things seem curious to you? I mean, maybe there's an open door thing around here where people can go do that sort of thing.

I'm not casting any aspersions or suspicions as a result of that. I mean, people may be free to go see other people if they want to. I don't know about that.

A. There is pretty much an open door.

I really don't know how to answer that question. It's -- In retrospect, probably Nichols should have been more involved.

At the time Carol was the contact. She contacted Mestepey, and according to their discussion thought they had the thing resolved with what they had in place.

Q. Okay. Another somewhat curious -- maybe not completely -- but was the fact that she is taking these samples, taking these samples day in and day out, and then all of a sudden she gets to the 7th; she has a meeting with Mestepey and she just completely drops out of sight with respect to this thing.

Not only does she not receive the lab analysis for the samples she submitted, but she also quit taking samples. She doesn't take another sample after that day. And --

A. Well, that's also the date they reached the bottom of the hole. All of the samples were taken and submitted to

check for the hexane, which was her primary focus to begin with.

And like I said, I think she reported what she knew to Mestepey. They had it under control, and they went on.

MR. DRISKILL: Larry.

BY MR. CHAPMAN:

Q. Okay. I'm going to move off that subject, unless you've got another question on that issue, on the lab analysis and the water sample. If you do, we'll come back to it.

Also, in your summation here on September 10th, you make another -- I guess observation, we'll call it. You say, "On August 2nd HP directed Operations to drum visible uranium contaminant from the excavation."

What are you talking about in that statement?

A. On the 2nd, Ron Adkison and Lee Lacey walked around the excavation site, and they could see visible yellow contaminated rocks, at which time they got Ken Simeroth, who then secured someone from operations to drum that material up.

Q. It was the solid pieces and chunks?

A. Yes.

Q. Then down a little further you make an observation, "A decision was made to use contaminated

backfill material rather than increase volume of contamination material by adding clean rock."

Do you know when that decision was made and what it was based upon?

A. There's a letter in there somewhere in the documents that I ran across where Bob Kiehn had written a note to Mestepey. That was around the 15th, I believe. The 16th.

Yeah. To Nichols.

Q. Okay. You've probably answered my question then.

A decision was made, and you made your determination based on this August 16th, 1990 letter from Kiehn to Nichols, which this letter basically says there's a plan for backfilling the excavated hole around it by using the contaminated material.

A. Yeah. There was a meeting, I believe the same day as that letter -- I wasn't in attendance -- where they discussed the pros and cons of doing that. But I was not at that meeting, so I can't really tell you what was discussed there.

Q. I'm just trying to make sure I understand all your observations, what you're basing them on.

A. I understand.

Q. Then the last observation you make here was -- one of the last ones -- "Standard health physicist protection

for the restricted area was in place at all times, and the safety engineer monitored the project for any unsafe practices."

Let me break that into two sections and ask you a question.

What is your understanding of "standard health physicist protection for the restricted area"? What does that encompass, or what were you led to understand that encompassed?

A. Well, basically, that statement is based on a comment that was made in an exit interview of the NRC.

My understanding of "standard health physics practices" is basically what you get in your employee orientation. That's the wearing of the gear, the surveying, respirators if necessary, just -- the smocks.

I think those contractors actually had to wear change-out clothes. Everything that went in and out was surveyed.

They went through the standard testing, the urine sampling, just like everyone else. That's the standard HP practices.

Q. Okay. In looking at a couple of areas here under the heading, "Documents," there are some notations here that I'm not sure who wrote them, unless this stands for that lady.

A. Yeah. That's Laura Quintana.

Q. Laura Quintana.

She's making some summary of meter surveys, and she says, "First meter surveys appear to have been done on August 21st through 25th of drummed material from the tank, which was used as fill material."

And she says the highest reading on the drum was 1.5 millirems per -- I'm not sure I can read that.

A. "Per hour," I believe.

Q. Per hour.

She says, "Problem: Not all the drums are read by Ken Simeroth; that 1 out of every 50 drums was read and surveyed."

Are we talking drums of water that was being pumped out of --

A. No. That was drums of rock that was being put in as backfill.

Q. They had drummed this rock, and then they were returning it back into --

A. No. This was rock that had been drummed -- I don't want to lead you astray here. I believe it was from the SX yard. I don't know for sure.

It was rock that had been drummed previously from other sites at the facility and had been stored on the pad.

Q. I guess what I'm reading out of this, this was

some of the material that was being used as fill material behind these vault walls?

A. Correct.

Q. And this was a -- Was it a rock/gravel material or was it --

A. I didn't see the actual material.

Q. Okay. I don't know exactly --

A. It was always referred to as rock and sand.

Q. Is it your understanding that backfill material going behind these vault walls, in between there and the excavation was material that had been stored, as well as material that had been dug out of the excavation itself?

A. That I couldn't tell you. I don't have any idea.

The only thing I had ever heard about was the drummed rock that they were using.

Q. Then going back over here in your interview section where you have some of your interviews that you conducted, under the title which -- it says "Lee," which I assume is your discussion with Lee Lacey.

A. Uh-huh.

Q. "On August 17th," your note says, he discussed it with Chilton. "Not a reportable issue. Were" ...

A. Let's see.

"Went through the rationale not to report. He was off on Monday, and he talked to Reau about it on Tuesday."

Q. Did Mr. Lacey give you a reason why he felt it was not reportable, or did you inquire as to what he made his decision on?

A He discussed it, but I don't remember the rationale behind it, to tell you the truth.

Q. Just that he said he didn't feel it was reportable?

A Well, he didn't. And he also discussed it with, I believe, Keith Asmusson of General Atomics, who didn't. But when he got back and talked about it to Reau, I think they -- Well, I don't know.

I think they decided to report it based on another "Let's report to the high side, instead of the low side," or whatever. If there's any doubt, let's call."

BY MR. DRISKILL:

Q. That was a discussion between Lacey, Chilton and those guys in the middle of the month, the 17th?

A. Around the 17th. Wasn't that a Friday?

Yeah. The 17th is when Chilton brought the samples to Lee. They discussed it and talked it over with GA.

And then when Reau came back the following Tuesday, he said to report it. Reau and Lee came to that decision to report it. I wasn't in on that meeting, so I don't know what the exact scenario was.

I just know when Reau got back, it was reported.

BY MR. CHAPMAN:

Q. Would you tell me once again this lady's name, Laura Quintana?

A. Quintana. It's Q-u-i-n-t-a-n-a.

Q. She is employed by whom?

A General Atomics.

Q. And she does quarterly --

A. She does quarterly assessments.

Q. Of all the divisions, of all the sections?

A She's kind of like an independent quality assurance auditor.

Q. Okay. So she would be familiar with the health physicist department and their responsibilities and their duties?

A. Uh-huh.

Q. And she's stationed in San Diego?

A. Correct.

Q. Okay. The reason I ask that is I'm looking at "Notes for Reggie" dated 9-5-90 -- and slash Mike, it says -- dated 9-5-90 and initialed LQ.

One of her comments, I guess, or her observations when she did an audit was, "Air sampling should have begun as soon as contamination was seen," in her opinion, August 6th, 1990, "especially if water was somewhat yellow." Did

you discuss that with her?

A No. She gave me that note as she was leaving to get on the plane, so I didn't get a chance to discuss it with her at all.

Q. But it was her opinion --

A Yes.

Q. -- and her --

MR. THOMAS: Excuse me. Are you aware of her views on this, or can you really state her opinion?

THE WITNESS: I can't state -- This is what she gave me, and that's the extent of my knowledge.

MR. THOMAS: If they wish to, they can talk to Laura about her opinions.

BY MR. CHAPMAN:

Q. Okay. You didn't discuss it with her then?

A. No.

Q. She merely handed you this piece of paper?

A. Right.

Q. And you didn't have an opportunity since then to discuss it with her by phone or with any other personnel inside the company?

A. No.

Q. In your decisions or your observations, did any of this information weigh into your --

A. Of Laura's?

Q. -- weigh into your --

A No. That was -- She did that -- gave me the original and gave Mike a copy, but that was primarily for Mike. I'm not technically oriented enough to analyze what health physics should or shouldn't be doing.

Q. You didn't assist her in her quality assurance audit?

A No.

BY MR. DRISKILL:

Q. Did you spend much time looking into the scenario which resulted in Mike Chilton finding these lab samples?

A No, I didn't.

Q. So you don't really know how that occurred?

A. I'm not sure how he came up with that.

Q. Did you discuss his interface with Lee Lacey?

A. I talked to Mike at the time I talked to Mestepey. There was a brief discussion of just the fact that he had the samples; he went to Lacey to discuss them; and that's when Lee went through the scenario to determine if it was reportable or not.

Q. You didn't question his judgment or inquire about his judgment relative to reportability of the information that he had?

A. About Mike's?

Q. No, about Lee's.

A. No.

Q. Did you ask him why they waited until the middle of the next week, based on the information that they had, to contact the NRC because I don't believe that the NRC was contacted until the 22nd, about six days later?

A. I thought they were contacted on the 21st. I may be wrong about that, which was the day -- as Lee explained it to me, they went through the scenario -- through the regulations, determined it was not reportable, discussed that with Asmusson just to reinforce it.

And then when he came back and discussed it with Reau on Tuesday, they decided to err on the side of reporting and reported it anyway.

And I thought it was reported the 21st, but I may be wrong.

BY MR. CHAPMAN:

Q. Reggie, are you familiar with 10 CFR 20.403?

A. No.

MR. CHAPMAN: What's that other section? 10 CFR --

MR. DRISKILL: 19.

MR. THOMAS: 19.12.

BY MR. CHAPMAN:

Q. 19.12?

A. [Shakes head.]

Q. And I don't suppose you researched those any or had any opportunity to?

A. No.

MR. CHAPMAN: That's all I have.

BY MR. CHAPMAN:

Q. While Don is thinking there a second, this chronology you've prepared is taken pretty much off of Kiehn's daily log, is it not?

A. Most of it is off of Kiehn's daily log. The other parts of it are off of the sample data report that Don gave me.

Q. But it's primarily based on documentation and not interviews or observations?

A. Yes, that's correct. I think the only thing you might find is around the 7th, the interview with Carol and Mestepey is on there, which was not documented anywhere, but they both recalled the meeting.

Q. Yes, I noticed that on the 7th -- By the way, you did make a comment that Don Knoke -- You must have interviewed him also.

A. Uh-huh.

Q. Made a comment that he went and retrieved the exact numbers off of the lab results in question, which I think were the 4th's lab results, wasn't it?

A. It was the 2.06 and the three point something.

I believe they were the 4th, the ones from the 4th.

Q. Yes. 2.06. It was the 4th.

MR. CHAPMAN: Well, once again that's all I have.

BY MR. DRISKILL:

Q. Subsequent to your preparing or doing this investigation, were you involved in any way with any of the other aspects of this matter relative to the backfilling and so on?

A No.

Q. Did you attend any engineering meetings or anything prior to initiation of this project?

A. The only thing that I ever attended was early on when the discussion of the project began, as it related to insurance requirements if we left the tanks underground. And that was at least a year and a half before the project.

Q. So there wasn't any discussion of the ABC's of exactly how we're going to do it --

A No.

Q. -- nor had, I guess, even the decision been made to do it?

A The decision hadn't even been made. We were exploring what are our options.

Q. Do you recall during the course of this thing being aware that they were having problems with water in

that pit, or did you ever go down there and look at it?

A No. As a matter of fact, two of the -- I guess the first and third week of August I was on vacation, and the one week I was back, I don't think I got a chance to get out of my office. That was statement week.

MR. DRISKILL: Do you have anything else?

MR. CHAPMAN: [Shakes head.]

BY MR. DRISKILL:

Q. Reggie, have I or any other NRC representative here threatened you in any manner or offered you any rewards in return for this statement?

A. No.

Q. Have you given this statement freely and voluntarily?

A Yes.

Q. Is there anything further you would care to add for the record?

A No.

MR. DRISKILL: Okay. Thank you very much. We're off the record.

[Whereupon, at 3:10 p.m. the interview was concluded.]

REPORTER'S CERTIFICATE

This is to certify that the attached proceedings before the United States Nuclear Regulatory Commission in the matter of SEQUOYAH FUELS CORPORATION, held on October 11, 1990, in Gore, Oklahoma, were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission taken by me and thereafter reduced to typewriting by me, and that the transcript is a true and accurate record of the foregoing proceedings.

Betty Morgan

Betty Morgan, Official Reporter

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