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U.S. NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
REGION III

TRANSCRIPT OF TAPED MEETING BETWEEN
MEMBERS OF THE REGION III INVESTIGATION STAFF AND
MR. REX BAKER
INSPECTION SUPERVISOR

KAISER INC. ZIMMER NUCLEAR POWER STATION

PLACE - MOSCOW, OHIO

DATE - 3 MARCH, 1981

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McCARTEN:

Do you agree to have this interview taped, Rex? You have no objections to it?

BAKER:

No objections to it.

McCARTEN:

Uh, one of the first one of the instances that we are interested in, is Ruiz reassignment.

BAKER:

Generally?

McCARTEN:

Generally. We were told by Jim Ruiz that Donovan told him that he was being reassigned because Jerry Adams who is a Pipefitter Superintendent complained to Sandlin. Sandlin complained to Gittings, Gittings passed the word on to you, to tell Donovan to move Ruiz out of the 500 level of the containment. Now is that story essentially correct?

BAKER:

That's more or less the way it went. I wasn't directly ordered to move him, it was a suggestion that I move him to another area of the structural trailer, due to fact that the problems between Jerry Adams and Jim Ruiz.

McCARTEN:

Who suggested you do this Gittings? Did they give you any reason why?

BAKER:

No, he felt that since Jim was having a critical time that he felt that it was best for everybody concerned to move him to the other section.

McCARTEN:

What was your observation of what this personal conflict was? What was the nature of this conflict?

BAKER:

My opinion was that Jim Ruiz was doing the job, Jerry Adams was not too happy about it, and he complained every chance he got, until finally it was suggested that we move Jim to another area.

McCARTEN:

Was Jim writing up a lot of nonconformances?

BAKER:

Yes he was.

McCARTEN:

Were they valid?

BAKER:

Yes they were.

McCARTEN:

In your opinion then, you asked Ruiz to move, or more or less?

BAKER:

Uh, yes, I asked Ruiz to move.

McCARTEN:

And he agreed to it?

BAKER:

Uh, he said, if that's the way it has to be, then that is the way it has to be. But he wasn't too happy about it, I wasn't too happy about it, but I figured if I didn't do it, since the suggestion was made that eventually it would be ordered to be done.

McCARTEN:

So Mr. Gittings suggested to you?

BAKER:

Right.

McCARTEN:

Was anybody present when you did this or was it just the two of you?

BAKER:

It's been awhile back. I won't commit myself to that.

McCARTEN:

O.K., you don't remember. We don't want you to commit yourself to something, you know if you are vague about something, we don't want you to -

BAKER:

Because I've been to so many meetings that - and so many people that sometime with him alone that?

McCARTEN:

Yeah. Was L. Q. Hendley also reassigned recently? He was a pipehanger inspector, right? Pipehanger inspector to the fabrication shop?

BAKER:

Uh, yes, L. Q. was taken from the field and put into the fabrication shop.

McCARTEN:

You know why that was done?

BAKER:

Uh, I made the move personally because we had a person uninspected equipment in Mike Sharp, and uh, we had a Jim Mowatt who was handling four or five shops down there, and they were going eight hours a day on hangers. So I had to put another name down there. L. Q. was a likely candidate for this inspector job cause he's a damned good inspector.

McCARTEN:

Did you ever tell L. Q. that Gittings had said that you were told to move him, Wimbish and Ruiz out of the Reactor Building, or, by Mr. Gittings?

BAKER:

Yes sir, I did.

McCARTEN:

Did that occur?

BAKER:

Yes sir, that did occur.

McCARTEN:

Why did Mr. Gittings say that to you?

BAKER:

I don't know why he said it, but Wimbish and L. Q. Hendley was the ones that were writing a lot of the N.R.'s on hangers. And Jim Ruiz was doing a lot of surveillance reports and N.R.s in the drywell, and Mr. Gillings made the statement to me that he thought these three were being excessive and nit picking. He suggested that I try getting them out of there, and into another area, and alleviate a lot of foreseen problems coming up.

McCARTEN:

In your opinion, were they nit picking in their inspections?

BAKER:

No.

McCARTEN:

That was Mr. Gittings opinion?

BAKER:

They were inspecting to the procedures that they had to inspect by.

McCARTEN:

The SPPM'S?

BAKER:

Right - and doing a damned good job of it.

McCARTEN:

Mr. Gittings didn't hold that opinion? Was this in January when he directed his move?

BAKER:

1980?

McCARTEN:

1981.

BAKER:

Uh, late January first of February.

McCARTEN:

Right around that time. Subsequently Mr. Hendley has been moved, but Mr. Wimbish is still there, he's still in the area working?

BAKER:

Yes. If I hadn't needed L. Q. in the fabrication shop, L. Q. would still be working with us, because I don't have inspectors to cover the areas. I did need him there and I put him there. If it hadn't been him, it would have been somebody else, but it had been suggested to me to see if I couldn't place him someplace else.

McCARTEN:

Rex, when did you first arrive on the site? When did you first start working here?

BAKER:

April 2, 1980.

McCARTEN:

You weren't here when Ken Shinkle was reassigned from pipefitting inspector to mechanical were you? That was in early 1980.

BAKER:

That was earlier. When I got here he was in structural inspection.

McCARTEN:

You know he had been lead hanger inspector before pipe hanger?

BAKER:

Uh, from talking to Ken, yeah I'd heard that he had been, and that he'd been a hanger inspector.

McCARTEN:

Did Ken ever talk to you, or did anybody else ever talk to you about his reassignment, being reassigned from hangers to mechanical?

BAKER:

Uh, well I understand that him and Silas Heath who was the person I relieved as Inspector Supervisor had problems with the hanger program, the same ones that I have had up to now. Ken was the Lead Inspector at the time, and they would have meetings in Mr. Marshall's office. The next thing, I understand that they went to one meeting and then the next day Ken Shinkle was taken off of hangers, and made structural only.

McCARTEN:

You mean with Marshall?

BAKER:

Well, I don't know -

McCARTEN:

You don't know because you weren't there.

BAKER:

I do know it was an construction meeting.

McCARTEN:

We had an incident happen where - this is what we have gotten so far from our investigation, and I'll tell you what we have found and this may or may not be correct, I may not know all the data on this one. There was an incident on a suppression pool liner plate a bolt was bent, and Donovan called up a QA Engineer, and they wrote a Surveillance Report on it, and called up the QA Engineer and said, I am going to make that surveillance an N.R. He then wrote an N.R., and wrote hold tag and told Chris Dumford to go down to the suppression pool and put a hold tag on that plate, and they were getting ready to tension the plate, and subsequently the hold tag was ignored by the craft personnel, they went ahead and tensioned the plate anyway with the dead bolt on it after Dumford put the hold tag on it. Chris Dumford wrote an N.R. on it and then it was some kind of a meeting the next day, this was in early February, there was a meeting the next day apparently where Mr. Gittings or you attended it.

BAKER:

It was myself, Mr. Gittings, Dennis Donovan and Chris Dumford.

McCARTEN:

O.K. what happened at that meeting?

BAKER:

Uh, we sat down to discuss exactly what happened. The word got back to Mr. Gittings that Chris Dumford had been physically restrained from putting the hold tag on, so that they could finish their torquing on the bolts. And of course come to find out they weren't physically restraining but they did attempt to block his entrance to the wallplate.

We discussed the situation and Mr. Gittings said well if I were in labor I would have went ahead and tensioned the bolt also, even with the hold point on. He said we shouldn't put the hold tag on it until after they finished their job.

McCARTEN:

That was his statement?

BAKER:

That was his statement.

McCARTEN:

What happened to that N.R. that was written by Dumford?

BAKER:

Last I seen of it Mr. Gittings had it.

McCARTEN:

Was it ever entered into the N.R. system?

BAKER:

I don't know.

McCARTEN:

You think it was right in telling Dumford that that he should have allowed craft to continue over the whole problem?

BAKER:

No, I don't. I mean, that what a hold point is to stop working until there is a clarification on a deficiency, that's there.

McCARTEN:

Yeah.

BAKER:

The bolt was bent, wasn't no sense in finishing torquing it or the rest of the plate until the engineers made a decision.

McCARTEN:

If they weren't physically detained how did they attempt to prevent him from applying it (the hold tag)?

BAKER:

Well, where the area was at they had to go between two pillars, or you had to go around to the side and climb up over the pipe, and there was two craftsmen setting on the pipe, and when he tried to go through the pillars two of them moved together and started talking. Uh, he mentioned names, but I hear them every day.

McCARTEN:

Yeah, I think I got the names, Chris Dumford, gave us the names. So that N.R. you don't know what happened to that N.R.?

BAKER:

No, I don't.

McCARTEN:

Well, there was another incident where, Inspector Price, quit this was in, you interviewed Price didn't you Ted?

BAKER:

Ricky Price?

McCARTEN:

Yeah. He quit in what month Tom?

BAKER:

I believe it was last November wasn't it - mid-December.

McCARTEN:

He had uh, when we talked to him he said that he talked to you just before his lunch hour and said he was going to quit, and then you went and talked to Mr. Gittings and Gittings told you to pull his badge so he couldn't get back on site, and that subsequently he had some paper work in his desk, some N.R.s that were voided and he wasn't able to get back to his desk. Now what happened when Price was terminated?

BAKER:

O.K. when I told Mr. Gittings Price was terminating.

McCARTEN:

He was quitting?

BAKER:

He was quitting for another job, that April 15 would be his last day, he says "why prolong the inevitable". If he wants to quit anytime, it's fine with me. Now put on his termination slip 12:00.

McCARTEN:

Did you pull his badge? Did he get back on site?

BAKER:

Uh, I don't know, I took that afternoon off, I had a doctor's appointment. I understand that he didn't, but that is heresay.

McCARTEN:

Who was his supervisor?

BAKER:

Phil Norman.

McCARTEN:

He would have given him his termination slip and all of that?

BAKER:

Well, no, once I signed the termination slip I had to try to get it in as soon as possible so that the personnel and payroll can take care of the paper work that they had to do.

McCARTEN:

What ever happened to the contents of his desk?

BAKER:

I assume that the Lead Inspector, Phil Norman would know where it's at cause it is files for welds out here.

McCARTEN:

Yeah - some of the inspectors keep their own files, I do know that. Are you aware of any people being doused with water, inspectors being doused with water, when they are performing inspections?

BAKER:

I have had a couple of inspectors come to me and a couple of leads come to me, complaining about walking into the containment, or one of the buildings, and getting doused with water by construction.

McCARTEN:

What particular inspectors?

BAKER:

Um - uh

McCARTEN:

I know I'm jogging your brain here, Rex.

BAKER:

Tony Pallon for one on nights, I can't seem to recall the other one during the day. I brought the situation up to the Superintendents and Mr. Marshall, and Mr. Marshall said that he would make sure that it did not happen again.

McCARTEN:

Did you talk to Mr. Gittings about it? Or was he here then? You talked to Mr. Marshall about it, didn't you?

BAKER:

I don't know if Mr. Gittings was here at the time or not.

McCARTEN:

Did you ever hear of Jan Mulkey getting doused with water, do you remember that incident?

BAKER:

I think she was the one that was during the day?

McCARTEN:

O.K., but you are not sure?

BAKER:

I'm not sure, but I think she is the one, exactly when it happened, I'm not sure of.

McCARTEN:

Did Tony Pallon ever complain to you about getting searched about also getting searched by Lead Men, Pipefitters and Supervisor is Hauff and Stanley?

BAKER:

No, but I've had a lot of complaints by Hauff and Stanley that they couldn't find Tony Pallon at night. We know that he was here by checking different NES trailers. He was onsite and they claimed that they hadn't been able to find him for five hours.

McCARTEN:

Were they complaining about him not being available, or were they complaining about his inspection techniques?

BAKER:

Well, it started out as inspection techniques and I told them no, he was a certified and qualified inspector and he called them as he saw them, and then that is when the complaints started coming that they couldn't find him at night - it was three or four hours before they could get anything inspected.

McCARTEN:

Did they ever ask you to fire him or move him because of his inspection techniques?

BAKER:

No.

McCARTEN:

They just complained about his techniques to you? Did they complain to you?

BAKER:

Uh, they did not complain to me, I heard this is heresay, that they had made a suggestion to a day superintendent that he be removed from nights, and the day superintendent come and talked to me. His name was Joe King, and we sat together and worked things out.

McCARTEN:

But King asked you to move him?

BAKER:

No. Joe never asked, he told me that, you know, that he had been asked to see if he could remove Tony Pallon from night shift cause they was having problems down there with him. I talked with Joe and we come to the conclusion that maybe the two, Hauff and Tony Pallon were having personality conflicts, but that was no reason to move him off nights.

McCARTEN:

I see.

BAKER:

I think that it was a couple of weeks after that, that Tony requested to come back on days.

McCARTEN:

So now he's on days?

BAKER:

Right.

McCARTEN:

Do you know Inspectors McCullom and Smith?

BAKER:

Larry McCullom.

McCARTEN:

Yeah, Larry McCullom.

BAKER:

Uh, I talked to him on the phone, but I've never met the man personally.

McCARTEN:

You weren't here when he was inspecting?

BAKER:

I wasn't here when he was an inspector, he was here before I got down here.

McCARTEN:

You know anything about their being pulled off the job for finding too much wrong?

BAKER:

Just heresay.

McCARTEN:

Just heresay, no direct evidence.
Do you know a James Ramsey?

BAKER:

Yes.

McCARTEN:

He was laid off in March of 1980 wasn't he?

BAKER:

Laid off?

McCARTEN:

Or did he quit?

BAKER:

He terminated.

McCARTEN:

He terminated?

BAKER:

Yeah.

McCARTEN:

What was his area, do you know at the time?

BAKER:

He was a hanger inspector.

McCARTEN:

Why did he leave?

BAKER:

He told me he had another job. I assume that's the reason he left.

McCARTEN:

So he was not laid off?

BAKER:

No.

McCARTEN:

And was Larry McCullom laid off?

BAKER:

I heresay he was - but that was before I got here - I heard that he was laid off, as I said.

McCARTEN:

Then Silas Heath would have been inspection supervisor before then?

BAKER:

Right.

Now Ramsey was here at one other time, and then I brought him back, now if he got laid off the first time I don't know. But he voluntarily terminated when I was here in January. Was you here when Bob Fredrich was QA Manager?

BAKER:

No, I was not.

McCARTEN:

In February of 1980 were hold points on inspections, redefined as witness points?

BAKER:

February of 1980?

McCARTEN:

February of 1981.

BAKER:

1981.

McCARTEN:

Has there been any redefinition of hold points?

BAKER:

Yes they were. But it wasn't done in February, it was done by a Weld Engineer back in September and October - A. Ray Jackson - we had a meeting with, the QA Manager, Bob Marshall, Jackson, and myself; I sat in on it, and they suggested that he rewrite the procedure, and put witness points, instead of hold points, on some AWS welds - not ASME piping welds, just AWS.

McCARTEN:

What is the difference between a hold point and a witness point?

BAKER:

Well on a witness point all the crafts had to do was call QA and tell them that they were at that stage and ready for an inspection. They could wait a reasonable time, and to them a reasonable time was thirty seconds, and proceed without QA. A hold point is mandatory that they wait until QA gets there.

McCARTEN:

What does AWS code call for?

BAKER:

The witness points or hold points?

McCARTEN:

Yeah, hold points.

BAKER:

It doesn't.

McCARTEN:

Call for any hold points?

BAKER:

No.

McCARTEN:

Was this a case where their procedure was too stringent, more stringent than the code and they relaxed it?

BAKER:

For AWS?

McCARTEN:

Yes.

BAKER:

That was the case, yes.

McCARTEN:

So they relaxed it and made it a witness point?

BAKER:

Right.

McCARTEN:

I think NRC had something to do with that redefinition. Kavin Ward said why are you doing it?

BAKER:

See, at one time the NRC had asked them to be able to trace the welding for AWS a little closer than what they were. I don't know exactly when it was done but then they went to these KE-1 cards and hold points, and it was strenuous - it was locking it up tight, and what they removed really wasn't, required by AWS code.

McCARTEN:

It was just required by the procedure. Were you ever told in February 1981 were you at a meeting where Ruiz had written an N.R. - I guess the welding procedure and Mr. Gittings said we will no longer write procedural N.R.'s. Do you remember that incident?

BAKER:

Yes, he said - we had been writing N.R.s on procedure violations.

McCARTEN:

Of the code.

BAKER:

Or our procedures, and he called myself and I think Donstall - and we sat down and discussed it and we were told that all software items, and he considered procedure violations, software items, would be put on S.R.s vice N.R.s. as of this date, whatever that date was.

McCARTEN:

February 11.

BAKER:

I don't know the exact date.

McCARTEN:

What do you think of that? Do you think that is a correct procedure?

BAKER:

No, I don't. If a welder out there is violating a procedure, and a procedure is qualified to the code, then it's a code violation. That's the way I interpret it.

McCARTEN:

I see. Did you express that to Mr. Gittings?

BAKER:

I did.

McCARTEN:

What was his response to that?

BAKER:

Procedure violations be put on S.R.s, all software, should be put on S.R.s he answered it that way.

McCARTEN:

So he overrode your opinion. They were voiding N.R.'s before. Are they using a different stamp now - putting "supersede" instead of "void" on N.R.s?

BAKER:

They still have a void stamp. They use it once in a while when N.R. is written in error or, let's see, how else do they do it - or if the inspector changes his mind about an N.R. After further investigation, he finds it really isn't an N.R. then he voids it, he goes and puts the stamp on the side. Then they have the superseded one which they stamp superseded by Rev. 1 or, S.R. or whatever - they use.

McCARTEN:

Are you aware of any N.R.s being discarded, not being entered into the system?

BAKER:

They are finally getting put in the system. We had a lot of N.R.s on hangers that was written in November and December and they were laying on Mr. Gittings desk since that time. Uh, I would say they were approximately twenty-four in the last week and a half - he has returned, I would say eight or ten of them to me to put into the system.

McCARTEN:

He's still holding on to the other N.R.s.

BAKER:

He still has some - yeah.

McCARTEN:

Why is he still holding on to those N.R.s?

BAKER:

I have no idea.

McCARTEN:

Who wrote those N.R.s?

BAKER:

Uh, the inspectors, Wimbish, Sharp, Hendley, Dave Painter.

McCARTEN:

These aren't pipehangers?

BAKER:

These are mostly on hangers.

McCARTEN:

And he has held on to them since November and December?

BAKER:

Yes, in fact, he gave me last Thursday a stack of five, that he wanted my inspectors to go back out and reinspect to make sure that the problems that

they stated are still there and if they are still there, and if they are still there process them.

McCARTEN:

He asked them to reinspect, why? Did he say why he held on to them? Why he held onto them for a period in excess of sixty days?

BAKER:

Yes, I turned some in last week that had 11/6 on them.

McCARTEN:

He gave you no reason why he held on to them?

BAKER:

No.

McCARTEN:

But he asked your people to go out and reinspect their previous work and make sure the problem was still there?

BAKER:

Right.

McCARTEN:

Are you aware of any N.R.s that are just missing, never entered into the system at all? Mr. Dumford's N.R.?

BAKER:

That's one of them. I have to say I don't know where it's at. I see so many N.R.s come across my desk I really can't truly answer that statement.

McCARTEN:

We are a situation where we saw on some of these N.R.s, where we had vendor welds crossed out. This is an inspection done in early 1980. It was done by four inspectors, it was the pipehanger N.R., on 124 pipehanger's in the NDG Room. There were 124 deficiencies on about sixty pages -

DANIELS:

Thirty-three pages?

McCARTEN:

Do you know which N.R. we are talking about?

BAKER:

Not that number, but I know what N.R. you are talkin' about.

McCARTEN:

It was the result of four inspectors working for about four days, checking that diesel generator room and they put it all in one big N.R., and all the vendor welds were scratched out. They made comments on it - "weld painted but it looks like frosting on the weld," however, paint obliterates my making a final determination. Yet there is an x through those entries. Did you make that x, or are you aware of why that x was made through the vendor walls?

BAKER:

No, I didn't make no crossouts on it.

McCARTEN:

Do you know why the vendor walls were crossed out?

BAKER:

Uh, we've had problems identifying vendor welds on pipe hangers since I've been here.

Phil said, if they are painted red they are vendor welds. The drawings really don't specify whether they are vendor welds or not? They said they have a dot on them that means that they are shop fabricated so that makes it a vendor weld. I'm assuming that whoever dispositioned that N.R. was the one that determined that they were vendor welds.

McCARTEN:

Were you aware that that N.R. was voided?

BAKER:

Uh, yes. I think it was 1134 or something like that?

McCARTEN:

Yeah. You know why it was voided?

BAKER:

Because, all hangers were subject to reinspection because of redesign, and new seismic safety criteria.

McCARTEN:

O.K. That's what's written on the N.R. Now when the hanger is redesigned is it getting 100% reinspection? Are you instructing your men to do 100% reinspection. Or are you just reinspecting the design changes?

BAKER:

Well, they was instructed to do 100%.

DANIELS:

Rex, another way of putting it, o.k.?

In your opinion, are all hangers out there being reinspected? Are all hangers being reinspected, because some of them after redesign analysis are adequate to what they're supposed to be going to do. Right?

BAKER:

Right.

DANIELS:

Are you reinspecting those? Or are you just reinspecting the ones that come out with a new design?

BAKER:

We're just inspecting those that come out with the new design. We were in a process of doing 100% inspection. And then they said hey we've got these hangers that's been inspected back two and three years ago and we have to honor that inspector's stamp.

McCARTEN:

Who told you that?

BAKER:

Mr. Gittings and Ken Bumgartner, who was the previous QA Manager.

McCARTEN:

I see, he said honor the previous stamp?

BAKER:

I do have a memorandum saying that, we would not be reinspecting hangers for things that was previously inspected.

McCARTEN:

However, you are saying right now, so therefore they void these, I don't want to put words in your mouth, they voided these saying reinspect after redesign when in fact they're not going to be 100% reinspected if they hadn't been redesigned. Is that a true statement?

BAKER:

Yes, that's a true statement. I'm not mistaken when the N.R. was voided, the hangers that weren't classified as vendor hangers, were suppose to be 100% inspected.

McCARTEN:

I see, they changed their minds in the interim?

BAKER:

And downstream.

McCARTEN:

They changed their minds and said we are going to reinspect the redesigned. Right? And obviously they didn't go back and look at these previous nonconformances.

BAKER:

I'm sure they haven't.

McCARTEN:

Did you ever bring that to their attention about the voiding of these inspection reports, when they did say we are not going back? Did you say that we voided N.R.s in the system on those hangers.

BAKER:

No, I didn't, because it probably slipped my mind. I have a lot of paper work to go through.

McCARTEN:

Rex, do you think it's an administrative problem and it wasn't done intentionally?

BAKER:

The missing of the N.R., the ones that was voided.

McCARTEN:

Yeah.

BAKER:

Yeah, I think so, it wasn't done intentionally. Not this particular N.R. On this particular N.R. I don't think it was done intentionally to get out of re-work.

McCARTEN:

It was just a Catch 22 thing -

BAKER:

Well, it was, we'd a never got the N.R. dispositioned, and since everything was supposed to be redesigned and reinspected, then they voided that and said that these hangers will be reinspected at a later time when we redesigned them.

McCARTEN:

At this point here, let's take a five minute break. So we are talking about vendor welds, we are just talking about a memo you wrote.

BAKER:

Yes.

McCARTEN:

O.K., could you lay out what happened with that memo?

BAKER:

On the memo, they decided we kept after them, how we identify vendor welds, vendor hangers. And they said well all hangers that's painted red, are vendor welds, they don't need inspecting, they were accepted by the vendor. So we went out in the field and our process of inspecting we find hanger painted red and the cement that they're hooked to is also painted red. Now we know that the vendors did not give us cement with red paint in it right where the hangers go. So we wrote an S.R. on the problem that we found a hanger had been painted red out there so how we could consider 'em vendor welds. And that's when Mr. Gittings made the statement that all hangers painted red are vendors, and he didn't want to hear no more about it, so I was supposed to have my inspectors inspect hangers that weren't painted red. So I wrote a memorandum saying all hangers painted red could be considered to be vendor weld, and to inspected as such, and then on the bottom I put down "I did not concur with this decision," signed my name and dated it.

McCARTEN:

You gave us a copy of that memo, didn't you?

BAKER:

No, I didn't, one of my inspectors did.

McCARTEN:

Yeah, we have a copy of that. In your opinion, the red paint is not an adequate criteria to judge whether it's a vendor weld, because there's other red paint?

BAKER:

Right.

McCARTEN:

Are you asked to inspect welds that have been painted over?

BAKER:

Yes, we are.

McCARTEN:

Is that a violation of AWS or ASME code or both?

BAKER:

Well, the way the code reads, prior to painting all welds shall be cleaned and accepted.

McCARTEN:

And the way this is, painting is painting.

BAKER:

Right.

McCARTEN:

So in your opinion, we should not be inspecting -

BAKER:

In my opinion, yeah, we should not be inspecting with painting on it. Now there is some where they use a galvanized coating that if it is put on properly, it will highlight defects in the weld, but they spray it on when the weld is still hot and it bubbles and blisters, and you can't tell!

McCARTEN:

We've heard the term from various inspectors about being Marshallized. And they say that is a situation where Marshall or Swain one of his superintendents will go to the Q/C trailer, to you, or to Mr. Gittings and ask that an inspector be called out to the field, Marshall will have the N.R. in his hand, or Swain or whoever, will come to the trailer, pull that inspector off of his job and he'll have to go out and explain to construction why he wrote his N.R. Have you had that happen to you, or any of your inspectors?

BAKER:

Yes, it's happened.

McCARTEN:

Can you give us any specific instances when that has happened? -

BAKER:

I have so many that I can't say specific which ones. I, myself have been called to the field by Marshall.

McCARTEN:

Can you give us an example of it. See, we are trying to wonder if this is just craft people asking why they wrote it, or is it a form of intimidation. Could you just how do you feel about it?

BAKER:

O.K. I had Bob Marshall call me to the field one time. I got out there and my inspectors had been out there inspecting, and they had rejected a couple of hangers, and Bob Marshall, when I walked in started yelling and screaming, he said, look your inspector rejected that, I come down, I looked at it and there ain't a damn thing wrong with it and said I want you to go over there and inspect it. And I said, Bob, my inspectors inspected it and when you calm down I will be in my trailer and I walked out. I have went went a couple of other times I went down one instance with Mr. Gittings with a handful of N.R.s. He looked at them and decided whether they were acceptable or rejectable - that were the seven that he voided.

McCARTEN:

Yeah, the seven voids. Has it ever come to the situation where Marshall is the authority to pull inspectors out of the field without going to their supervisor, and asking them to explain why they wrote an N.R.?

BAKER:

I have been, told of that. I personally haven't seen him do it. But my leads have come to me and say - Hey, Bob look this inspector and wanted to know why the N.R. was written.

McCARTEN:

What particular lead complained of that occurring?

BAKER:

I think it was Dennis Donovan.

McCARTEN:

Marshall took one of his men off - out of the trailer and said why don't you write this? Questioning the inspector?

BAKER:

Yes. I think it had to do with a couple of beads, and Jerry Adams was questioning it.

McCARTEN:

Did you ever have a situation where Marshall came to Gittings with N.R.s, and told him to void them, or to recheck them?

BAKER:

Well, I've never seen Bob Marshall do it, but I have seen his superintendent's walk over and lay an N.R. on Mr. Gittings desk and say "we would like to get this voided so we can continue work," and I happened to be in the office when Mr. Gittings looked it over and he said "if you come back we will discuss this later, I will get back with you".

McCARTEN:

How many - did you see that once or?

BAKER:

Right.

McCARTEN:

When was that?

BAKER:

Oh - the last part of 1980. I don't know exactly what date.

McCARTEN:

You know what superintendent it was that asked him to do that?

BAKER:

Sure, I do. The name skips my mind right now but he wears dark glasses all the time. I don't exactly know his name.

McCARTEN:

Was it Sandlin?

BAKER:

No. No. It's not Sandlin. And it's not Stanfield.

BAKER:

I can make a phone call and find out what the guy's name is just by saying who's the guy with the glasses, and they can tell me. That's all I need to say and I can get his name.

McCARTEN:

Yeah? If you want to call, this is only one incident where you saw -

BAKER:

Right.

McCARTEN:

And Gittings, was he kinda uptight that you were there at the time when this request was made?

BAKER:

Yes.

McCARTEN:

He did not to respond to the man, but he did. Was this before the investigation or after?

BAKER:

I think it was before the quarter part of last year.

McCARTEN:

But you have observed the Construction Superintendent coming into Gittings and saying to void this report so we can proceed with construction?

BAKER:

I'm sure he's a superintendent. But he had the N.R. and he works close in hand with the superintendent. I think he's an Assistant Superintendent.

McCARTEN:

And he asked them to void it?

BAKER:

Yes, he did.

McCARTEN:

And Gittings didn't commit to it, at the time - what was his exact word to this Superintendent?

BAKER:

It's been awhile, but they were along the lines that I can't discuss this right now and we'll pick it up at a later time, I'll get back with you.

McCARTEN:

Somewhere on the phone or in person to person conversation?

BAKER:

Person to person. He walked right in and said "Mr. Gittings would like to get this voided."

McCARTEN:

We have information from inspectors that they can no longer call to get a control number for an N.R. That only you and Mr. Gittings can call for a control number, and this changed in February of 1981. What is the procedure for calling for control numbers for N.R.s?

BAKER: •

Far as I know, that they can still call.

McCARTEN:

Has there been a change?

BAKER:

None, that I know of.

McCARTEN:

What if some inspector reinspected some of your fellas work, what was your opinion on the Gladstone inspection?

BAKER:

Uh, my opinion on the Gladstone inspection was they were being paid by construction to do the inspection, and if I was in Gladstone's shoes I would find what construction wanted me to find.

McCARTEN:

Yeah? Why do you say that?

BAKER:

Just because that's their bread and butter. That's a small shop run by a father and a son, and they don't do much weld inspection ORNDE, they mostly do leak tests. Everybody keeps telling us that they are certified AWS, but the first day they come out to give us their training I questioned their two instructors, and neither one has an AWS certification from that society.

McCARTEN:

Do they have certification based on their experience?

BAKER:

They have a lot of experience. As far as I know there is no grandfather clause for AWS.

McCARTEN:

They had to take the AWS test though?

BAKER:

No.

McCARTEN:

They are not No. 1, 2 or 3 AWS? They are certified through their experience?

BAKER:

Yeah.

McCARTEN:

What do you think of their inspection? Do you think they are competent?

BAKER:

Mr. Deveron is an experienced inspector, but in my opinio his eyesight isn't that good.

McCARTEN:

How old is he?

BAKER:

He's retired and they call him in as a consultant. Gladstone calls him in as a consultant. Yeah, Gladstone calls him as a consultant and they bring him in as a lecturer for the AWS training course.

McCARTEN:

What areas of the plant was inspected by your people?

BAKER:

D. G. Rooms.

McCARTEN:

D. G. Rooms. Have your fellas already inspected them?

BAKER:

Yes they have.

McCARTEN:

Did they find problems there?

BAKER:

They found problems, so N.R.s were written, were given to Gladstone, went out and reviewed them and disagreed with them and the N.R.'s were voided, because they were inspected by Gladstone.

McCARTEN

When did this occur?

BAKER:

October, November 1980.

McCARTEN

In the D. G. Room? Pipehangers or electrical hangers?

BAKER:

Pipehangers.

McCARTEN:

Pipehangers. Who wrote the initial N.R.'s? One inspector?

BAKER:

Hindley, Sharp, and Wimbish.

McCARTEN:

So all their N.R.'s were voided by Gladstone reinspection? Or some of their N.R.'s.

BAKER:

Some.

McCARTEN:

We were told in January that those seven N.R.'s that were voided by Mr. Gittings were voided because the inspectors were in training. At that time were those inspectors in training or were they fully paid, fully qualified inspectors?

BAKER:

They were fully paid, fully qualified inspectors, working here as contract people from Butler.

McCARTEN:

They were not trainees? Level One's?
They were not inspectors in training?

BAKER:

No. They came here as Level II's and took a one week indoctrination, took a written examination, and passed it, and were certified as Level II inspectors.

McCARTEN:

And they were never called trainees?

BAKER:

No. I have a few trainees.

McCARTEN:

I know, we are aware of that.

BAKER:

Yeah.

McCARTEN:

Who bought off from the cable spreading room welds? Was that also Gladstone?

BAKER:

I can't answer that. I don't know for sure.

McCARTEN:

You don't know that?

BAKER:

I should as Inspector/Supervisor know that. This was the second time Gladstone had been out here.

McCARTEN:

You know a fellow named Rick Reiter, Inspector?

BAKER:

Yes.

McCARTEN:

Did he write an Surveillance Report citing lack of traceability on items, just before he left the site?

BAKER:

Yes, I think he did.

McCARTEN:

What happened to that S.R.? What was the story behind that?

BAKER:

He didn't work for me, he worked for Floyd Oltz. And he came and asked my interpretation of the code, and I told him what my interpretation was and he got the A&I's interpretation..

McCARTEN:

On material traceability?

BAKER:

Right.

McCARTEN:

Of basic components.

BAKER:

Because he told me he was going to write an Surveillance Report (SR). That is the last I heard of him. I do know that he wrote it, but I have never seen it.

McCARTEN:

Did he write it because he was leaving? Or did he leave this because of the problem on traceability?

BAKER:

I think he left because his contract wasn't renewed.

McCARTEN:

It wasn't renewed?

BAKER:

Right. He was a contract personnel.

McCARTEN:

Who did he work for?

BAKER:

He worked for Mr. Gittings.

McCARTEN:

In what capacity?

BAKER:

Document Reviewer.

McCARTEN:

Do you know where he is working now?

BAKER:

No.

McCARTEN:

So his contract was not renewed?

BAKER:

That was the last I was told, his contract was not going to be renewed.

McCARTEN:

Do you know why it wasn't renewed?

BAKER:

No. They had well, I do, or I think I do. They had a walk-out up in Document Control. He was pinpointed as the trouble maker of the Grievance Committee.

McCARTEN:

Why did they walk out?

BAKER:

It had to do with complaints from CG&E that, instead of doing work they were in a party-like atmosphere, and the girls or clerks who were a document reviewer's just went to lunch, and didn't come back, and called up Mr. Gittings and said, they'd like for you to come down and talk this out.

McCARTEN:

What document reviewers were involved in this walk-out, beside Rick Reiter?

BAKER:

The whole darn office except for Floyd Oltz was there.

McCARTEN:

What was their complaints?

BAKER:

I don't know. I have no idea.

McCARTEN:

Do you know when this occurred?

BAKER:

Not precise. It was around September, October or November of 1980.

McCARTEN:

Was Diane O'Keefe at all in this at all involved in it?

BAKER:

Yes, she was.

McCARTEN:

She was there at that time and Reiter was there, who else was there at that time?

BAKER:

Sue Godsig, Linda I don't know what her last name is, ..

McCARTEN:

Bill Ralph?

BAKER:

Yeah, but I don't think Bill Ralph was involved in the walk-out cause he was a QA&E he wasn't involved in document control.

McCARTEN:

So didn't renew Rick's contract because of that?

BAKER:

Well, that is what I was brought to believe, was the reason, he left us.

McCARTEN:

Some of these N.R.'s have been voided saying See QUAMI E-17. Have you had any information what QUAMI E-17 pertains to, or why that would be used to void an N.R.?

BAKER:

That's an electrical procedure.

Right. I usually get a lot of electrical, but they had a QA&E come in, CG&E loaned him to Kaiser, by the name of Chuck Burgess, he handled all of the electrical.

McCARTEN:

Were you in the electrical area when they did void it per QUAMI E-17?

BAKER:

No. (inaudible)

McCARTEN:

Did you attend a meeting in November, with the Lead Inspectors in which Mr. Knox said "we don't want to write anything to make Kaiser look bad"? Do you remember Mr. Knox saying that at the meeting to Lead Inspectors?

BAKER:

Vaguely.

McCARTEN:

Vaguley. When was it?

BAKER:

I'm exactly sure how he came across with it.

McCARTEN:

What do you recall of the meeting? Was it a meeting of the lead men?

BAKER:

It was a meeting of the leads, and myself, on our responsibility to Kaiser.

McCARTEN:

You mean, ok, your responsibility to Kaiser, this is after the job choppers had left. Right? Was it the transition period and what was the subjects discussed at the meeting?

BAKER:

The acceptance of hangers, not his exact words but he said the hangers "we want to go out of our way to accept hangers not reject them."

McCARTEN:

He said that? Why was he saying that?

BAKER:

Because the pressure was on to get hangers accepted.

McCARTEN:

Did he say the pressure came from Mr. McCloud to get the QA straightened out, or something like that? Did he mention Mr. McCloud's name? He did? You must speak up louder.

BAKER:

Yes. Mr. McCloud's name was mentioned.

McCARTEN:

Was mentioned in the conversation, and he said that did he ever say that with this did he say that the comments along the lines of, "we don't want to write anything to make Kaiser look bad?" "Or our job is here to accept and not reject?"

BAKER:

The last part of that statement I remembered the other part I don't.

McCARTEN

You don't remember. But you remember "we are here to accept and not reject" as I mentioned...?

BAKER:

Right.

McCARTEN:

What was the supervisory inspector's reaction to that meeting?

BAKER:

You mean mine or my leads?

McCARTEN:

Well you and your leads, what was your reaction to this statemnet like that?

BAKER:

I told my inspectors that they was rejected then write an N.R. If it's acceptable then accept it.

McCARTEN:

Did you feel like that was pressure from Kaiser to accept things, a subtle pressure?

BAKER:

Yeah. Yeah. Some of my leads felt that it was a subtle pressure.

McCARTEN:

Did you feel it was an attempt to pressure you?

BAKER:

Yes.

McCARTEN:

How did the meeting end? Were the guys upset over what was said at the meeting?

BAKER:

We all went to my trailer and just discussed it, and I told them, you will continue inspect them like we have been, to do their job, and do it right.

McCARTEN:

They felt upset about it enough to come back and meet with you personally?

BAKER:

Sure. Yeah.

McCARTEN:

Who were the men that attended the meeting?

BAKER:

Well, the leads at that time were Dennis Donovan, Tom Smith, Bill Norman, I think Wayne Biely was still their electrical lead, if I am not mistaken.

McCARTEN:

O.K. In that meeting you, after their meeting with Knox, not, you said go ahead and inspect it. If you see something, reject it?

BAKER:

Sure. You have to. If it is rejectable, it is rejectable. If it's acceptable we'll buy it off.

McCARTEN:

But it was Knox, who was at that meeting Knox and Gittings?

BAKER:

I think it was just Mr. Knox. If I am not mistaken. I think so.

McCARTEN:

Did you ever recall Bob Hernandez was called out to the field by Marshall?
Over an N.R. that he had wrote?

BAKER:

No.

McCARTEN:

No. Did you ever reinspect did Gittings ever reinspect Ramos work?
Just the seven N.R.'s that we talked about earlier?

BAKER:

I think a couple of them were.

McCARTEN:

Did he routinely have Ramos's work reinspected, when he had identified items
that was of nonconforming?

BAKER:

I was sent out by Mr. Gittings a couple of times to look at Ramos' work. Yes.

McCARTEN:

Why did he have you do that?

BAKER:

I don't know. I guess he figured Ramos wasn't doing his job, or he was
nit picking. Every time I went out to inspect whatever he had inspected,
what he was calling was there.

McCARTEN:

Yeah. (Inaudible)

BAKER:

Then after the Butler people were released and we hired some of them on we made him a QA&E and Kyle Burgess as an Inspector (inaudible).

McCARTEN:

Did Wayne Bealy refuse to allow Mr. Booth to write nonconformance reports?

BAKER:

I don't know about that.

McCARTEN:

You don't know. Were you here when Stewart Tult was here the Electrical QA&E?

BAKER:

No.

McCARTEN:

In regards to your staffing. We were told that the piping inspection area, you formally had ten piping inspectors.

BAKER:

At one time. Yes.

McCARTEN:

What time frame did you have ten piping inspectors? Six months ago?

BAKER:

From the time I got here in April, until November 28 of 1980 when they released the Butler people.

McCARTEN:

Butler. How many do you have now? Three?

BAKER:

Four.

BAKER:

It was in 1980.

McCARTEN:

Late 1980.

BAKER:

Yep.

McCARTEN:

They are having training inspection classes for inspectors.

BAKER:

We are?

McCARTEN:

Are your field inspectors attending these training classes?

BAKER:

We had three training classes before the holidays, and that is as far as it has gotten, yes and my inspectors did go to their classes, and they were being held by Gladstone.

McCARTEN:

What about the QA&E the training that is going on now? We understand that is being attended by QA Engineers and Trainees, Inspectors Trainees. Are you aware that there is some kind of training going on right now?

BAKER:

Oh yeah. That is a review of training of all QA&E and procedures QUAMCI's etc.

McCARTEN:

Is that suppose to be for the inspectors? Also?

BAKER:

If it involves them, yes. But right now I think what their doing is going over all the QA&E to see what changes have to be made now. Be made to the procedures.

McCARTEN:

Have you ever been told that your inspectors are not to attend these classes? Because they are holding up production?

BAKER:

No.

McCARTEN:

These SPPM's these are, what are those? Are these your welding procedures etc?

BAKER:

Special Process Procedures.

McCARTEN:

In your opinion did those meet AWS and ASME code requirements?

BAKER:

Yes.

McCARTEN:

They do. Are they more lenient or more stringent than the code?

BAKER:

Little bit of both. I mean one of them maybe a little lenient, and one of them may be a little stringent.

McCARTEN:

There is one SPP that allows for a 1/16 inch undercut on welds and the code calls for 1/32, did you protest that SPPM saying you could have the 1/16 inch undercut on a AWS weld.

BAKER:

Well, we have an instruction from S&L that lets us have a 1/16 inch undercut on cable hanger trays. I wrote one by direction of the QA Manager, to allow a 1/16 inch undercut on a weld.

McCARTEN:

On electrical cable tray? On all AWS welds? Was the AWS code call for?

BAKER:

1/32nd. When I gave it to him I told him, that I would not sign it and the NDE Welding Engineer, because it was in violation of the code. And I checked the areas that was in violation.

McCARTEN:

And what the 1/16?

BAKER:

Yes.

McCARTEN:

Was there any other areas that were in violation of the AWS code that were in the SPPM?

BAKER:

There was a couple that I would have to look at my rough.

McCARTEN:

The 1/16 area was one of the most significant?

BAKER:

Yes.

McCARTEN:

So what was Mr. Gittings reaction to refusal to sign it?

BAKER:

He thought about it a while, half a day, or a day, and come back and says I agree with you. Yeah, I won't sign this either. So they went another way and Sargent and Lundy and got approval from them to go the 80 code which let you have 1/16 undercut in the area of a primary stress, but nobody on the site wants to determine where the primary stress is, so that has never been approved or put on the street.

McCARTEN:

O.K. so that is saying right now you have to go and have a 1/32nd a 1/32 undercut is the rule?

BAKER:

Right.

McCARTEN:

O.K. You backed in that one then?
Gittings on that one?

BAKER:

Yeah. Unbelievably so.

GILBERT:

Several inspectors I have spoken to pointed out in their opinion that SPPM was very vague and poorly written, and very difficult for them to interpret. As far as the requirements determine whether an S.R. should be written rather than a N.R., or vice-versa.

BAKER:

Yeah that is the reason all the QA&E are getting together in the training classes, to decide what has to be changed and how they should make recommendations, to where their legal and within the boundaries of the codes that are still readable where a person could take them to work with them.

McCARTEN:

Do the inspectors have access to the code?

BAKER:

Yes, I was told not to let them have access but I give them the weld.

McCARTEN:

When were you told not let them have access to the code books?

BAKER:

I was told that they were to go out and inspect, and that interpretation of the code was the Engineers job.

McCARTEN:

Who told you that?

BAKER:

Mr. Gittings.

McCARTEN:

At what time did he tell you this?

BAKER:

August, September somewhere around there, 1980.

McCARTEN:

Was there a conflict at that time between inspectors over the SPPM's being not meeting the code?

BAKER:

Sure.

McCARTEN:

And that was his answer. He said don't let them see the code book?

BAKER:

Well, they were having some copies made in reproduction so that each inspector would have a copy of the code, you know, he told me that he wanted me to call all of them back because he didn't want them codes out in the trailers, they're job wasn't to interpret the code their job was to do the inspections.

McCARTEN:

Are they putting deficiencies not on the N.R.'s, but a punch list?

BAKER:

Yes. They are putting them on Surveillance Reports.

McCARTEN:

They're putting them on S.R.'s?

BAKER:

Or it's a punch list.

McCARTEN:

What is that can you describe it?

BAKER:

Well the punch list that they are putting them on, is the discrepancy to be repaired in a short duration of time, and they make a punch list up and send it to the areas superintendent and he goes back and he takes care of the deficiencies, and we come back and look at it and say that's fine. If it isn't done, within that time period, well then we put it on an N.R.

McCARTEN:

So there punch lists are synonymous with S.R.'s?

BAKER:

Right.

McCARTEN:

They are an S.R.

BAKER:

Yeah it is called a ten day S.R. or an FSR.

McCARTEN:

Oh it is an FSR, ten day S.R., vice a 30 days.

BAKER:

Ten working days...

McCARTEN:

They're walking down the system and putting it on an FSR. Which is the ten day FSR and it is not answered is made an N.R. Are they being made N.R.'s after ten days?

BAKER:

Ah, they are now. I got a list and there was some that was over 30 days old, and I put my foot down and asked the QA to either give me authorization by memo telling me that I could extend my ten days, or put them on N.R. One or the other.

McCARTEN:

What QA Engineer was this?

BAKER:

Chuck Burgess.

McCARTEN:

And this is in the electrical area?

BAKER:

Yes it was.

McCARTEN:

And these FSR's were over ten days old. Did you make them into N.R.'s or what happened?

BAKER:

They were all made into N.R.'s.

McCARTEN:

How many deficiencies were there like this?
That had not been repaired in ten days?

BAKER:

Rough estimate, twelve.

McCARTEN:

O.K. In what particular area?

BAKER:

Electrical.

McCARTEN:

Electrical, in what room?

BAKER:

I don't know right off hand what area.

McCARTEN:

When did this new procedure start?

BAKER:

February.

McCARTEN:

So here March came around and they had not been put on N.R.'s?

BAKER:

No it was the middle of January because I think the date on one was January 16, 1981.

McCARTEN:

I see, one of them was January 16, 1981.

BAKER:

And I got a list the first part of March, and here it was still on it. I went to Mr. Burgess and I said either give me a memorandum to tell my Lead Inspector that your'e waivering the ten days, or have your QA&E that is assigned to you to write me an N.R. for it. One or the other.

McCARTEN:

Are you doing this in more in the electrical area are you doing this on the piping hanger area also? Other areas that FSR's vice putting it on an N.R.?

BAKER:

We haven't been but I assume ...

McCARTEN:

This is a way of resolving dissolving discrepancies..you feel that is, you

are controlling deficiencies that way? Is that a more efficient way of doing things?

BAKER:

Yes, it is controlled.

McCARTEN:

It's controlled. Except in the case of this lack of timely?

BAKER:

Right. See on piping now we do a walk down on the pipe system we make a punch list of what we find, a gouge here, an arch strike there and we turn the punch list into construction.

McCARTEN:

This punch list is a series of S.R.'s.

BAKER:

No, this a walk down punch list.

McCARTEN:

It's just a piece of paper? Is it controlled?

BAKER:

Yes.

McCARTEN:

How is it controlled?

BAKER:

I take that back, it isn't. It's not for piping.

DANIELS:

No, I have never seen a punch list for a final acceptance package and that is a controlled documents...

McCARTEN:

So this punch list now, what is happening to this punch list?

BAKER:

We send them to Linda and Sue Godsey in Document Control and they I guess they make a formal request to sending to construction for them to do prior to the HYDRO.

McCARTEN:

I see, but this punch list is not entered in the N.R. or the SR system is it? To the best of your knowledge?

BAKER:

To the best of my knowledge.

McCARTEN:

Whereas in the electrical you are writing an S.R.?

BAKER:

Right.

McCARTEN:

Whereas in the piping area you are just putting it on a list or a piece of paper, and giving it to the Document Control people and said what these are. They are not entered into the S.R. log books, or the NR system.

BAKER:

No, not to my knowledge

McCARTEN:

So, you agree that it's not a controlled document.

BAKER:

Right.

McCARTEN:

Have you ever been asked to change a hold tag or a rework tag? To allow construction to continue?

BAKER:

Change a hold tag to a rework tag?

McCARTEN:

Yeah.

BAKER:

I've been asked to change a hold tag to a deficiency tag, so that they can work on the rest of the beam. There is a difference, you put a whole tag on, and you can't work on a whole beam, but you could use a deficiency tag it's the same as the hold tag except that you can work on that the rest of that beam, and not what is being, ..is on the N.R.

McCARTEN:

Yeah.. Who has asked you to do that?

BAKER:

Mr. Gittings, and construction.

McCARTEN:

You feel that's o.k.?

BAKER:

In some cases, it depends on what the problem is. If the problem is for the whole beam then naturally I wouldn't change it because I don't want them to work on the whole beam. Well, if it is on one attachment, where it doesn't effect the rest of the beam, I see no problem with putting a deficiency instead of a hold.

McCARTEN:

Have you had any indication that there is a problem with heat number traceability? On small bore and large bore piping?

BAKER:

Yeah. I have the QA&E doing a review, bring me problems over what we have checked on each traceability form. I have my inspectors go down and check on it. I understand this is heresay that some of the traceability problems are being done over in Document Control and not...

McCARTEN:

And there is no field.

BAKER:

No, nobody has initialed anything saying who put the heat number and how it was verified, and the day it was done.

McCARTEN:

But you haven't observed that problem?

BAKER:

No.

McCARTEN:

You fellas on the heat number problem do they verify that the heat number is the right one?

BAKER:

Yes they do.

McCARTEN:

Are you aware of anybody in document control that is assigned the task to go out into the field and check the heat numbers?

BAKER:

No, I don't. We used to have one because Rocky, we called him Rocky, uh...

McCARTEN:

What was his job, to run out and check the numbers?

BAKER:

Right.

McCARTEN:

What happened to him?

BAKER:

Well, he was, I don't think his contract was renewed.

McCARTEN:

I see, when did he leave the site?

BAKER:

The latter part of 1980. I don't know exactly know what month.

McCARTEN:

Now there is nobody in there that does that?

BAKER:

I won't say that.

McCARTEN:

Oh, o.k.

BAKER:

I don't know.

McCARTEN:

Rocky did it at one time?

BAKER:

Right.

McCARTEN:

For Floyd Oltz?

BAKER:

Yes.

McCARTEN:

Could you give me any information on dams not being removed from pipes when they put a dam in there when they weld it a cardboard dam?

BAKER:

No. We have we have no to verify that they have been removed, but as far as knowing that they have been there, and not been removed I don't know.

McCARTEN:

At other sites you have worked at have should there be a way to verify that they have been removed?

BAKER:

Sure. Unless it is soluable paper type. There should be something either in construction's procedure or our procedure that somebody's signed that says they verify that all dams have been removed.

McCARTEN:

But there isn't here?

BAKER:

Not to my knowledge. Unless construction has their own check-off list.

McCARTEN:

O.K. Did construction have the final S&L drawings when they were fabricating these pipe hangers, cable trays. Did the constructon people have the final S&L drawings when they were fabricating these hangers and trays?

BAKER:

I couldn't tell you whether they worked to an approved drawing. The master drawing of the hanger as far as I know still aren't updated on hangers. But they are working to a record copy, out in the field.

McCARTEN:

Just a few more things here, and we'll be on our way. Have the inspectors been told to inspect without the welding procedure? When they came to you about this procedural N.R. problem? In a sense are they being told not to inspect against their own procedures?

BAKER:

To inspect to their own procedures?

McCARTEN:

Yeah, is that a fair statement? If you say you can't write a procedural N.R.?

BAKER:

I don't think that is a fair statement. Uh, they have written S.R.'s asking for clarification of weld procedures, based on the answer coming back, that it was in violation then an N.R. be written, but I don't think they have been instructed to work, or to inspect without a procedure.

McCARTEN:

Could somebody have misinterpreted it being told you can't write an N.R. against a procedure, you can't inspect against the procedure?

BAKER:

No. We were told not to write an N.R. against the procedure. That couldn't be misinterpreted.

McCARTEN:

Yeah, it says just don't...so they are not asking not to inspect against the procedure, they are saying don't write it on an N.R.

BAKER:

Right.

McCARTEN:

Have you ever had a problem with the ASME socket welds you have to back off 1/16 of an inch when you weld it? Have your inspectors ever identified a problem, in that you're not backing off a 1/16 of an inch, there is no inspection of that?

BAKER:

At one time I understand there was a problem, the inspectors are now checking the fit-ups.

McCARTEN:

They check the 1/16 inch fit-up?

BAKER:

Yeah. As part of a hold point.

McCARTEN:

At what time were they doing it or not doing it?

BAKER:

I assume because I've seen communications to the fact that we were having problems with it, and that we should go back and RT the pull back.

McCARTEN:

Yeah, did they RT it?

BAKER:

Yes, some have been RT'd. Twenty only I think.

McCARTEN:

Twenty? Do you feel that is an adequate sample?

BAKER:

No. The code says that all ASME's socket welds should have at least a 1/16 fit-up, they based theirs on a sample of twenty.

McCARTEN:

How many ASME socket welds are on the plant?

BAKER:

(Laughter) I wouldn't care to guess. Every inch of the running plant?

McCARTEN:

Yeah, in excess of two or three thousand. Is that a fair statement, two thousand plus?

BAKER:

Oh, sure, easy.

McCARTEN:

What do you feel about that, I mean if the ASME code says a 1/16 inch gap why weren't they checking that? Did the SPPM not call for it?

BAKER:

I don't know why it wasn't checked earlier.

McCARTEN:

When you got here was it done?

BAKER:

No. They had been putting down on their see SE number so and so, they would write an S.R. on it, and then they would answer it that way.

McCARTEN:

By saying see this S.R...

BAKER:

We done twenty random R.T.'s and ...

McCARTEN:

Everything is o.k.?

BAKER:

Right.

McCARTEN:

So if your guys noticed, the 1/16 gap wasn't backed off, they would write it up, and they would respond by saying see this S.R.?

BAKER:

Right. But that hasn't been that much of a percentage since I have been here?

McCARTEN:

But now they have been doing the 1/16 inch back off? Since when, what month and year?

BAKER:

(Inaudible) I assume they have been doing it since April of 80.

McCARTEN:

April of 80? Since you have been here. So it was a problem before you got here?

BAKER:

Right.

McCARTEN:

O.K.

BAKER:

They may have missed a few but, I don't know.

McCARTEN:

We have had a number of inspectors who have said their N.R.'s were never entered into the system, control numbers were assigned and they disappeared. They gave us a list of about 50. Do you have any other instances beside this one with Dumford, where you know an N.R. was not entered into the system or did you feel an N.R. was not going to be entered into this system? That an inspector wrote?

BAKER:

Well, (inaudible) When they leave my office, I really don't know what is going to happen.

McCARTEN:

I see.

BAKER:

I used to sign, I used to keep track of the N.R. caused I signed as a review board member, and I refuse to sign a few because I didn't agree with the disposition, and I was removed from the signature review board when I was made inspector supervisor due to the they thought there was a conflict of interest. With me being a QA&E and inspector supervisor.

McCARTEN:

When were you...what month was this?

BAKER:

I become an inspection supervisor back in July or August 1980.

McCARTEN:

But since then, yeah...

BAKER:

Now it was in January of this year when I was told that I shouldn't be signing the N.R.'s anymore because there was a conflict of interest.

McCARTEN:

Yes. When you were tracking them, did you notice any not coming back?

BAKER:

No, not really.

McCARTEN:

They were all coming back either voided or disposition was correct.

BAKER:

Yeah, I have had so many come across my desk.

McCARTEN:

Do you have any questions, Tom?

DANIELS:

On the N.R. you say, you stated that you were saying that you used to keep track of them, and the ones that came through your desk had a control number on it, when it came to you, obviously, then went and it was usually and it was into an N.R. and voided..o.k. Now when did you get out of that practice of keeping track of them?

BAKER:

January when they told me.

DANIELS:

Yeah, so you really don't know (stutter) any special instances except in that one case where it went over with the control number on it and then just dis-

appeared. The question is Rex, is that a lot of these ones that have control numbers and never became N.R.'s.. have your initials on them as reviewing and then going to the person above you, Gittings.

BAKER:

Right, right. You are saying that I have reviewed it enough to agree with it, right?

DANIELS:

Agree with and you sent it on in o.k. You know the problem is a lot of these are coming back and sitting on the inspectors desk and he doesn't know where they are coming back from. He never they never entered into the system. And, the question I got is do you have any idea how they are getting back to the inspectors without ever being put into the system, and it came through you, you know you agreed ...yeah, that is the problem.. let's fix it, let's get it on the N.R. and fix it and they are coming back to inspect it and you're never in other words they are bypassing the two supervisors and putting them right back to the inspectors, and saying that no we don't want this, forget it.

BAKER:

I am not aware of that, and my inspectors should bring them right back to me.

DANIELS:

I agree with you. I agree with you. Obviously that has not been the case. (Inaudible) That is all I got Rex. Do you have any questions now?

BAKER:

Not a thing.

DANIELS:

I don't know if Jim wants to ask you anything.

McCARTEN:

Are you aware of any drinking on site, Rex? Any evidence of drinking? Or drug abuse?

BAKER:

Drug abuse no. Drinking, on the site, I've never caught anybody drinking on site, and if I ever catch any of my people drinking on site, they will be

terminated immediately. Uh, but, there are people and I am guilty of it myself, and I am sure everybody is, going out at noon time and have a couple of beers and coming back.

McCARTEN:

Have you ever seen people so drunk on site that they did faulty work?

BAKER:

No.

McCARTEN:

Or poor craft work, or poor inspection work?

BAKER:

No, I haven't.

McCARTEN:

O.K. Were you ever aware of the sale of "hot guns" on site?

BAKER:

No. That all took place, suppose to have taken place before I got here.

McCARTEN:

Did you ever hear about the break in and theft of records from the Peabody Magnaflux trailer? In January of 1980?

BAKER:

No. Sure haven't.

McCARTEN:

Have you ever had problems with Argon gas in the supression pool. Have your inspectors ever identified any problems with Argon settling in the lower areas of the supression pool?

BAKER:

Yeah, it has been identified. Not by my inspectors but I have smelled it myself a couple of times. And when you use Argon you are bound to have leak now and then.

*McCARTEN:

What steps did you take to try and correct it if any?

BAKER:

Try and trace it down to where it was leaking from and tighten up the connections.

McCARTEN:

Have the safety people been on top of the Argon gas leaks?

BAKER:

Oh, I couldn't say that.

McCARTEN:

Has anybody ever been overcome by the Argon gas? That you are aware of?

BAKER:

Not that I am aware of. No.

McCARTEN:

O.K. You smelled it, and you tried to run it down yourself.

BAKER:

Oh, you know, you use Argon all the time and you can go tighten up a fitting, and get rid of it. It happens at all sites.

McCARTEN:

Have you ever gotten any indication that there is faulty welding on the large bore prefabricated piping from Kellogg Incorporated?

BAKER:

Not to my knowledge, no, that was before I got here.

McCARTEN:

Tray hangers we discussed, electrical hangers, do you feel they are overloaded?

Do you feel there are faulty welds on them?

*BAKER:

I am not a Design Engineer so I couldn't say whether they are overloaded or not.

McCARTEN:

O.K. Your people have identified the welding problems though and have written them up in N.R.'s.

BAKER:

Yes.

McCARTEN:

Have any of these N.R.'s been voided? The electrical cable trays? That you are aware of?

BAKER:

I can't really say that I know the answer, I am not aware of it.

McCARTEN:

Do you have information on this security of nuclear fuel, and have there ever been indications that it has been left unguarded? Or it lacked security?

BAKER:

Not that I know of. I know my inspectors needed to get in there for an inspection, and they have to go through the clearance to get there.

McCARTEN:

You were here when the Mr. Applegate was on site?

BAKER:

No, I sure wasn't.

McCARTEN:

You were here when Peabody Magnaflux was on site?

BAKER:

Yes.

McCARTEN:

You were. You got here when they just about let go? Right?

BAKER:

Yeah, I got here in April and I think they left first of June or last of June?

McCARTEN:

Why were they let go?

BAKER:

Why were they let go?

McCARTEN:

Yeah.

BAKER:

I really didn't understand why they were let go. It was my knowledge that they were doing shabby work. That is heresy though.

McCARTEN:

You heard that from other inspectors?

BAKER:

No.

McCARTEN:

From whom?

BAKER:

From construction.

McCARTEN:

From construction. Shabby work is the reason?

BAKER:

Yeah, yeah.

McCARTEN:

Do you have you ever observed their work?

BAKER:

Peabody's?

McCARTEN:

Yeah.

BAKER:

I couldn't find no problem with it. The short time I was here.

McCARTEN:

Which would have been a couple of weeks?

BAKER:

Maybe, a month or a month and a half.

McCARTEN:

Did you ever get an indication that they were that CG&E was trying to get rid of Peabody and Magnaflux because they were finding too many things wrong or identified too many deficiencies?

BAKER:

That was just in my opinion that is the opinion I got, yes.

McCARTEN:

Why?

BAKER:

Well, I just, you know, I don't know why they wanted to get rid of them, it was my feeling that I got after talking to everybody and listening and you know, I was just learning when I first got here, that it was CG&E was the one that was trying to get them off the site.

McCARTEN:

Yeah, do you know why they were trying to do that?

BAKER:

No, I have no idea.

McCARTEN:

I see. Did anybody ever give any indications that they had found a lot of welds they had rejected a lot of welds, and that Kaiser had overridden their objections, Tony Pallon Sr. had overridden them? An that is why they were being canned?

BAKER:

I am not aware of that.

McCARTEN:

No specific information about the reason they left?

BAKER:

No.

McCARTEN:

O.K. I think that is about it. Have you ever had any indication that from QC Inspectors that have left, and as QC Inspection Supervisor a lot of people have left since you have been here in April. Would you say ten or twenty have left?

BAKER:

More than that.

McCARTEN:

More than that? Say thirty? Have any of them ever come up to. And I know some of them are personal friends of yours, is that true?

BAKER:

Uh, well, yeah.

McCARTEN:

And you keep in touch with them periodically?

- BAKER:

Yes.

McCARTEN:

Have any of these people ever indicated that they have been subject to industry wide intimidation or black balling because of their finding problems at Zimmer, and that they have not been able to get employment elsewhere because CG&E has black balled them?

BAKER:

No.

McCARTEN:

No. They all have been reemployed at nuclear facilities?

BAKER:

No. The ones that I know have all went to plants that are shut downs or for repairs to other sites under construction.

McCARTEN:

And there has been no indication that CG&E has black balled them or attempted to black ball them?

BAKER:

Not that I am aware of.

McCARTEN:

O.K. And the evidence is that they are working at other sites?

BAKER:

Yeah.

McCARTEN:

Is that true? I mean you've had friends working at Midland who used to work here?

BAKER:

Right.

McCARTEN:

Fermi?

BAKER:

Fermi.

McCARTEN:

So there is no indication that you know of any attempt by CG&E to black ball or industry wide harrassment of any former employees?

BAKER:

Not that I am aware of.

McCARTEN:

I think that is about it. Ted, have you anything?

DANIELS:

No, that I am aware of, that hasn't been covered.

McCARTEN:

Rex, this is what we are going to do. We are going to have this tape transcribed in our office because of the length of the interview we have to sit down and type this statement, we would be here until tomorrow. And we didn't want to tie you up for a number of reasons. And what we want to do then is to swear you to what you have told us today that this is the truth to the best of your knowledge and belief and then we'll have this statement transcribed. But we want to give you a copy of it for the record of what you have told us, about work here at Zimmer, and this is also for us, for our records, you know, for our reports, that we present to the NRC, as to what we are finding here. And we did tape you because you are a significant witness to a lot of things that did occur.

BAKER:

I understand that.

McCARTEN:

And it protects you and it protects us. I am also sure you are aware of the provisions under Part 19 which states you cannot be fired or anything for pro-

providing us with this information to the NRC. So at this point I would like for you to stand up and raise your right hand.

BAKER:

O.K.

McCARTEN:

Rex, do you swear that this statement you have made to me today is the truth the whole truth and nothing but the truth so help you God?

BAKER:

I do.

DANIELS:

Do you want me to witness?

McCARTEN:

Yeah, Tom Daniels is here to witness?

DANILES:

I, Tom Daniels, witness the above swearing.

END OF INTERVIEW