

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

2/3/83

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

APPLICATION OF TEXAS UTILITIES
GENERATING COMPANY, ET AL. FOR
AN OPERATING LICENSE FOR
COMANCHE PEAK STEAM ELECTRIC
STATION UNITS #1 AND #2
(CPSES)

Docket Nos. 50-445
and 50-446

AFFIDAVIT OF ROBERT L. MESSERLY

1 Q: Please state your name and address for the record.

2 A: My name is Robert L. Messerly. My address is Route 10, Box 619C,
3 Fort Worth, Texas 76135.

4 Q: Please tell us a little about your background at Comanche Peak plant.

5 A: I worked for Brown & Root at Comanche Peak for almost five years.
6 It would have been five years in February 1983. I started out in cable tray
7 hangers. I worked for four years as a supervisor in pipe hangers, until June
8 of 1982. I was foreman and supervisor over all of the area between 860 and 905
9 elevation, which includes all the main steam in the Unit 1 containment building.
10 In June of 1982 I was busted back, supposedly for absenteeism but I believe for
11 allegedly *RLM* cooking ribs in a weld rod can. (I wasn't.) About the end of November 1982, I
12 was contacted by Antonio Vega about the waste of materials, and ordering of equip-
13 ment for drilling through rebar and concrete and gifts received by me and others
14 for ordering all the equipment for drilling through the rebar and concrete. I was
15 told by him that I should turn over the documentation which I told him I had
16 on the holes I had drilled in rebar and concrete without having documentation and

1 authorization to Ron Tolson. I asked Mr. Vega if I was going to have a job
2 Monday morning; he said, oh yeah, yeah, no problem, no problem, nobody's going
3 to know about this. And a week later I was fired, on December 7, 1982. A welder
4 and I were over in the containment building delivering a tool that we had borrowed,
5 and we were fired for leaving our work area two minutes before the first whistle
6 blew.

7 Q: Tell us about the drilling through the rebar you mentioned.

8 A: You know the article that came out in the paper about rebar drilling
9 and all that?

10 Q: The article from the FORT WORTH STAR-TELEGRAM dated 1/7/83 titled
11 "Cover-up at Comanche Peak is charged" which I've shown you as being CASE Attach-
12 ment 9 to CASE's 1/11/83 Written Argument on Issues?

13 A: Yes, that's the article. Well, I'm the one that started the rebar
14 drilling. I'm the one that ordered the material to get it, and I'm the one
15 that broke Danny Grisso (who's mentioned in the article) in. He used to work
16 for me. I went to Hal Goodson, who was my immediate supervisor and told him
17 that I wanted something besides what I had, that I didn't want to go to the
18 next Brown & Root job and say I knew how to drill holes through concrete and
19 rebar. And I got out of it.

20 Q: They were buying these -- what do they call them -- rebar eaters?

21 A: Yes, from Drillco Manufacturing Company at their branch office in
22 Miami, Florida. I told Mr. Vega that I had taken a trip to Miami, Florida,
23 watched the Dallas Cowboys play; that I took about \$300 down there with me
24 and came back with more money than I took; that me and my wife took an all-
25 expense paid trip, were treated to the best meals and everything else by

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1 Drillco Manufacturing Co.; and that I had been sent \$400 from them as a gift
2 or whatever you want to call it through Western Union. All this was because
3 I had ordered those parts from Drillco. I told him I also knew for a fact that
4 another man had received two motorcycles as a gift because he ordered Drillco
5 parts. And a week later I was out on the street.

6 Q: They're not supposed to use rebar eaters onsite?

7 A: Well, they are and they aren't. If they've got documentation and
8 authorization from engineers, it's all right to use them in certain parts of
9 the buildings. If there's no documentation for it, you're just not allowed
10 to use them, period, because it'll cut through anything. It's that type of
11 drill.

12 Q: But if they cut through any of the rebar in the wall, they're supposed
13 to be careful not to damage the rebar any more than they have to and they have
14 to get approval before they do it, is that right?

15 A: Right. You've got to have approval and you've got to have documentation
16 by engineering. And some of it was done without having any kind of documentation
17 or approval.

18 Q: Did you do some of that too?

19 A: Yes, I'm the one that originated it. I'm the one that ordered it from
20 Miami. It was over \$50,000 or so when I ordered the first order of equipment
21 through Hal Goodson.

22 Q: And he was aware of it and approved it?

23 A: He approved the ordering of it and what it did because it was like 90%
24 difference in that and Hilti bolt. What it amounted to is Hilti organization
25 came in there with the same thing, but basically you had to drill more holes

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1 in the wall and you had to mount Hilti bolt drills to hold this particular appa-
2 tus they had; and Drillco had a vacuum plate where all you had to do was plug
3 it in the wall and hook it on the wall and drill it. In man hours, it saved
4 a lot of time.

5 Q: But were things done that weren't supposed to be done they way they
6 were done?

7 A: Well, that's sort of what it amounted to. I've got documentation for
8 the past 1½ years when I took it over, and later Danny Grisso was made foreman
9 over it.

10 Q: You've got documentation on that?

11 A: I've got about the holes that I've drilled and was ordered to drill
12 because my job was on the line. I've got about a year-and-a-half of documenta-
13 tion. It's like a diary. I kept a daily log on what percent I cut out of the
14 rebar, when it was done, the date, and everything else. And what I was told
15 by general foremen and three strikers (which are next to a gold hat, which is
16 a superior general foreman); I was told to do it or go out the gate. And this
17 is the documentation I was told to turn in to Ron Tolson.

18 Q: Did you turn it over to him?

19 A: No, I did not. I still have all the documentation.

20 Q: You said you know Danny Grisso, who was mentioned in the newspaper
21 article?

22 A: Yes, and I also know J. R. Dillingham, who was also mentioned in
23 the article.

24 Q: So what was said in the article about holes being drilled through the
25 concrete and rebar is true?

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1 A: Yes. Also, I was ordered on several occasions to loan out my rebar
2 eater to other people. I can't swear what they did with it, but they could
3 have used it to drill holes in the concrete and rebar without anyone knowing
4 or authorizing it and without documentation.

5 Q: You said you also worked in the Unit 1 containment on the main steam
6 line?

7 A: Yes. The things I've seen done and the things I've done under orders
8 is ridiculous. I watched a gold hat pull a main steam pipe with the polar crane
9 about six inches or so to force it into position because it didn't fit. I
10 saw him put several tons of pressure on it to move the pipe. This was a 32-
11 inch main steam line. I had to remove all my temporary pipe hangers for him
12 to pull it up to six inches, and then I was told to put my pipe hangers back
13 on in order to hold it.

14 Q: Was this the main polar crane, the one that they use to refuel?

15 A: Right. I've been in steel fabrication all my life. I'm 43 years old.
16 I'm no young pup. I'm not an engineer, but I know if that pipe ever gets in
17 a bind and comes loose, it's going to be like a rubber band that's held taut.
18 The hangers aren't going to do a bit of good.

19 I put in about 90% of the feedwater hangers, which is for your main lines
20 for flooding in case of an accident. I put them in and had to take every one
21 of them out because they were underdesigned. And you're talking about a year
22 or two of work. I had a crew of 8 to 14 people, and this was my job. I had
23 basically all of the main steam and all of the feedwater. This was after I
24 got through with the rebar drilling.

25 Q: We've just shown you a copy of NRC Form 3, Notice to Employees.

1 Do you recall ever having seen that posted at Comanche Peak?

2 A: No, I don't. You've got bulletin boards in front of the main tool
3 room, one on the turbine deck, and one in the Administration Building. I had
4 access as a Foreman to all of them, and I don't remember ever seeing it.

5 I don't know what can be done about the waste, the materials, and
6 the back-stabbing that goes on at Comanche Peak. There are \$100 plus per
7 Hilti bolt that are scrapped daily by the skip pan full. There's wood, lumber,
8 steel, and what it's costing the taxpayers, it's ungodly. There's no reason
9 for it. It's ridiculous, it's the misfits, it's the supervision you've got
10 out there. For instance, the general foreman on nights built a gold hat a
11 sun deck or porch on his house. I tried to fire this man three times but I
12 couldn't do it; they wouldn't let me do it because he'd been out there five
13 or six years, and he was a good ole boy. I tried to fire him three times for
14 inadequate work. He could not handle his position. And here they were paying
15 him \$14 or more an hour. Now this man is a general foreman, underneath a gold
16 hat, in charge of pipe hangers on nights. The man is unqualified, incompetent,
17 can't do his work. He's cut holes in hangers where if there were any kind of
18 vibration the hanger would fall off the wall; he used a cutting torch, and
19 you're not allowed to use a cutting torch on any kind of material out there
20 on a pipe hanger unless it is done in the Fab Shop under QA supervision.
21 Well, he cut holes in them so that sometimes he couldn't even figure out his
22 holes, he couldn't figure out the tolerances or anything. And this man is now
23 a general foreman on nights on big bore pipe hangers.

24 I can tell you lots of things. I was a supervisor for four years out
25 there. Let me just give you a general perception of what's going on there.

1 I've been in steel work all my life -- I've been a fabricator, I've supervised
2 a shop, and the whole bit. You've got people out there who do rebar tying.
3 You've got two pieces of steel to tie together with a piece of wire. This is
4 rebar people, all right? All they've got to do is to go up there and tie
5 the rebar, and pour the concrete around it. It's all a hidden object, right?
6 This entire rebar organization and building department has come into pipe hangers.
7 The entire rebar staff out there is a kind of clique, and they went into the
8 hanger department. They suddenly became hanger geniuses. There's one man
9 out there right now who, three weeks before he was transferred from scaffold
10 and rebar said, "Man, I don't know how in the hell you read these blueprints
11 -- I don't know how in the hell you can make these things (pipe hangers)."
12 And as God is my witness, three weeks later this man was a General Foreman over
13 pipe hangers. He was a general foreman next to a gold hat over pipe hangers.
14 He suddenly knew all about pipe hangers. He suddenly knew all about steel.
15 And here was a man that has done nothing but concrete and rebar all his life.
16 But all of a sudden he is a steel genius because he is in the clique, because
17 he belongs to the building department out there, because he is one of Billy
18 Ward's little boys.

19 There's jokes floating all over that plant where they show a pipe hanger
20 tied together with wire or nailed together with wood because of the carpenters
21 and rebar hands that came over into pipe hangers. They're coming over as foremen,
22 they're coming over as General Foremen and they're coming over as gold hats
23 (superintendents). And all of a sudden they know everything about pipe hangers
24 and about steel.

25 I'm just fed up with it, cause I've got to live here. I was here before

1 they came. I'll testify in the hearings, I'll talk to anyone who can see that
2 something's done about this. I'm not sure that Comanche Peak is safe.

3
4 Robert L. Messerly
Robert L. Messerly

5 Date: 2/3/83

6 Juanita Ellis
7 Witness

8
9 STATE OF TEXAS

10 On this, the 3rd day of February, 1983, personally appeared Robert L. Messerly,
11 known to me to be the person whose name is subscribed to the foregoing instru-
12 ment, and acknowledged to me that he executed the same for the purposes therein
13 expressed.

14 Subscribed and sworn before me on the 3rd day of February, 1983.

15 Loretta Rayner
16 Notary Public in and for the State of Texas

17 My commission expires: 2/28/85
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