

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:)
)
DUKE POWER COMPANY, et al.) Docket Nos. 50-413
) 50-414
(Catawba Nuclear Station,)
Units 1 and 2))

JULY 1, 1983
8:10 A.M.

DEPOSITION OF:

LARRY R. DAVISON

8311210471 830825
PDR FOIA
AHLERS83-434 PDR

A33

1 APPEARANCES:

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Columbia, S. C.3
4 Counsel on Behalf of Intervenor, Palmetto
Alliance Corporation5 RONALD L. GIBSON, ESQ.
Charlotte, N. C.6
7 Counsel on Behalf of Applicant, Duke Power
Company8 Also Present:9 George W. Grier
Duke Power Company10 Roger Ouellette
11 Duke Power Company12 Glenn H. Bell
Duke Power Company13 Michael F. Lowe
14 Palmetto Alliance15 Phil Jos
Palmetto Alliance16 Betsy Levitas
17 Carolina Environmental
Study Group18 Billye Garde
19 Government Accountability
Project

20

21

I N D E X

22

WITNESSDIRECTCROSS

23

Larry R. Davison

3

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25

1	<u>E X H I B I T S</u>		
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1 The resumed Deposition of Larry R.
2 Davison is taken at the corporate offices of Duke
3 Power Company, Charlotte, North Carolina, on this
4 the first day of July, 1983, in the presence of
5 Robert Guild, Attorney for the Intervenor; and
6 Ronald L. Gibson, Attorney for the Applicant.

7 All formalities as to caption, certificate
8 and transmission are waived. It is agreed that
9 Lynn B. Gilliam, Notary Public in and for the State
10 of North Carolina, may take said Deposition in
11 machine shorthand and transcribe the same to type-
12 writing.

13 Said Deposition is taken subject alone to
14 testimony for competency, relevancy and materiality;
15 and all objections, save as to the form of questions
16 asked, are reserved until the Hearing.

17
18 LARRY R. DAVISON,
19 having been previously sworn to tell the truth, was
20 examined and testified as follows:

21
22 DIRECT EXAMINATION
23 BY MR. GUILD:

24 Q Mr. Davison, good morning.

25 A Good morning.

1 Q A number of documents were identified yes-
2 terday by your Counsel and made available to me at
3 the conclusion of yesterday's Deposition.

4 I wonder if you could help me understand
5 your knowledge about these documents and their pro-
6 duction. Have you seen these?

7 A This first document is a memo to file con-
8 cerning Mr. Rockholt, a Welding Inspector; and a
9 note of a conversation he had with the Catawba CA
10 Division.

11 It is a file from Employee Relations As-
12 sistant, Barbara Horne.

13 Q All of that first stack relates to Mr.
14 Rockholt?

15 A No, just this first. The second document
16 is a document concerning a harassment charge by
17 Welding Inspector Phillip Reep, R-E-E-P.

18 Q Is that from your file, Mr. Davison?

19 A A couple of them are from my file. The
20 other are from Barbara Horne's Employee Relation
21 file and also a document from Construction Employee
22 Relations.

23 Q How did that come to be identified?

24 A This is a harassment charge by a Welding
25 Inspector made to our Employee Relations Assistant.

1 It was investigated by us, and both Construction Em-
2 ployee Relations; and has been ongoing.

3 It came about a couple months ago.

4 Q How did these documents come to be iden-
5 tified?

6 A How do you mean that?

7 Q How did they come to be identified and get
8 to us yesterday afternoon?

9 A We talked with the Legal Department about
10 this and said we will keep those documents together,
11 and Legal said how about getting these together and
12 getting them to us.

13 Q How did they get to Legal?

14 A Yesterday was when I gave it to them. As
15 far as I know they may have gotten it earlier; but I
16 gave it to them yesterday.

17 Q What else do you have?

18 A The third set of documents is a recourse
19 procedure from Beau Ross concerning an evaluation
20 of his.

21 Q Where did those documents come from?

22 A From the recourse file that Employee Re-
23 lations keeps.

24 Q From your file?

25 A Some of the documents would be in my file.

1 They would all be in the Employee Relation files
2 also.

3 Q So the source of those documents was not
4 from your file but the Employee Relations file?

5 A Yes, some of them; but I may have copies
6 also.

7 Q But that would be coincidental; those docu-
8 ments came from the Employee Relations files; is
9 that right?

10 A Yes.

11 Q Let's start with that set first. Did you
12 search your files for documents that were related to
13 the subject of Mr. Ross' recourse?

14 A Yes, I did.

15 Q Are there any other documents in your
16 file?

17 A No.

18 Q Any notes of yours?

19 A No.

20 Q Mr. Davison, let's talk about first the
21 evaluation that appears in this set of documents that
22 have been identified as related to Mr. Ross' recourse.

23 There is an exempt employee evaluation
24 that appears attached to those documents that relate
25 to Mr. Ross; is that right?

1 A Yes.

2 Q What I want to understand is some of the
3 procedures and forms and process that is reflected
4 in this set of documents that I have here.

5 First of all with respect to Mr. Ross'
6 evaluation that appears here, how was it conducted?
7 What process does it relate to and who was involved
8 in that process?

9 MR. GUILD: Counsel, I guess the
10 last one of the last things you said was
11 confirming that the copies, that some of
12 the documents we have herein are in hand-
13 writing and are illegible.

14 Do you have the originals?

15 MR. GIBSON: I have the originals
16 that are a little better copies. This is
17 the one that is legible (indicating).

18 That is in pencil, and here is one
19 that may not be a lot better in terms of
20 the copy.

21 These are not the same documents.
22 Why don't you continue with your question-
23 ing, and it will be clear what the documents
24 are.

25 THE WITNESS: The exempt employee.

1 in October of this year we implemented an
2 Employee Management Plan.

3

4 BY MR. GUILD:

5 Q When did that happen?

6 A October of this year.

7 Q October of '82?

8 A Yes, '82.

9 Q Say it again.

10 A In October of '82, we implemented a Per-
11 formance Management Plan which has the forms that
12 you are looking at now, the Personnel Performance
13 Plan worksheet as part of it, and also this Account-
14 ability Summary and Appraisal.

15 Q Which was attached to the stack made avail-
16 able yesterday of Mr. Ross' recourse?

17 A Yes.

18 Q And we have a Personnel Performance Plan
19 worksheet and another form goes along with that call-
20 ed an Accountability Summary and Appraisal?

21 A Yes.

22 Q All right, sir; go ahead.

23 A Under this program the Personnel Perform-
24 ance Plan worksheet is developed for each exempt
25 employee with the supervisor and employee developing

1 that.

2 And that is used to set the standards and
3 objectives for each employee during the evaluation
4 period; and at the end of that period, the Account-
5 ability and Appraisal form is filled out and that
6 serves as the employee's evaluation.

7 Q And who conducts the evaluation?

8 A The employee's supervisor conducts that.

9 Q The same supervisor that produced the
10 Personnel Performance Plan?

11 A Yes.

12 Q When was this evaluation system implemented?

13 A In October of 1982.

14 Q What existed prior to the Performance
15 Management Plan with regard to evaluation of an
16 exempt employee?

17 A Basically once a year the employee's super-
18 visor would conduct an evaluation of that employee
19 and put it on a form used for that purpose and sub-
20 mit that.

21 Q What was that system called, if it had a
22 name?

23 A I don't recall a specific name; I don't
24 recall a specific name--Performance Evaluation would
25 be basically what it was.

1 Q What are the differences between the
2 earlier Performance Evaluation system and the Per-
3 formance Management Plan?

4 A Basically it involves the Personnel Per-
5 formance Plan worksheet where the supervisor and the
6 employee fill that out at the beginning of the review
7 period and set forth some objectives and standards to
8 be met during that evaluation period.

9 Then periodic reviews are held between the
10 supervisor and the employee to go over the progress
11 on those objectives; and just before the evaluation
12 is completed, that plan worksheet is gone over again
13 with the employee.

14 Q And previously under the earlier system?

15 A Previously there was an evaluation com-
16 pleted once a year which would be gone over with the
17 employee.

18 Q Would there be objectives and standards
19 previously?

20 A There may be, yes; it would really be
21 dependent on the supervisor what objectives he might
22 set and tell the employee.

23 Q How would those standards and objectives
24 have been established earlier?

25 A Through the supervisor and employee

1 discussing them.

2 Q Would that be documented?

3 A The previous form did have a place to
4 document objectives for the next year; but of course
5 that might not be the only objective that might occur.

6 That was the objectives that were there
7 during that period in time which the objective was
8 done.

9 You need to be working on the objectives
10 of the next year.

11 Q What document would that appear on?

12 A The Performance Appraisal.

13 Q That is the evaluation?

14 A Yes.

15 Q What objective measure of performance for
16 exempt employees was employed prior to the adoption
17 of this recent plan?

18 A The measures would be established by the
19 supervisor. There were no set measures.

20 Q Was there a numerical rating?

21 A Yes.

22 Q Would you describe that, please?

23 A The employee was evaluated into one of
24 five categories; and that was translated into a nu-
25 merical value.

1 Q What were the five categories?

2 A Marginal, fair, competent, commendable
3 and distinguished.

4 Q Marginal, fair, competent, commendable
5 and distinguished?

6 A Yes.

7 Q And those were assigned numbers one
8 through five?

9 A Well, they really were not assigned numbers.
10 They would correspond roughly to the numbers under
11 this program, one, two, three, four, five; one being
12 marginal and five being distinguished.

13 Q In what way wouldn't they correspond; you
14 said roughly?

15 A Under the previous system, we didn't have
16 a numerical scale. You had those categories.

17 Q One of those different categories was the
18 result of an annual evaluation?

19 A Yes.

20 Q What was the significance of each of those
21 categories previously?

22 A They were categories that you would evalu-
23 ate. Employee evaluations put the employee in one
24 of those categories, marginal, fair, commendable,
25 competent and distinguished.

1 Q What was the significance of those cate-
2 gories with regard to pay and working conditions,
3 promotions, demotions, retention?

4 A They would be a factor in pay.

5 Q What factor, how would they be significant?

6 A That is one of the factors that when the
7 evaluation was done and the rating that the employee
8 was rated in one of those categories was a factor
9 that was used to determine the amount of increase.

10 Q I want to understand with some degree of
11 specificity how would one's pay be effected by the
12 evaluation under the earlier system?

13 A That would be a factor that you would
14 take the evaluation and the category that the employee
15 came out, one of those five categories; you would go
16 to a chart and that chart was established for the
17 various categories what the increase would be, taking
18 into account other factors also.

19 Q There is a standard that establishes the
20 relationship between the evaluation category and pay?

21 A Basically, yes; but there was still room
22 within that standard for judgment of the supervisor.
23 There might be a range, for example, this category
24 for this rating for an individual might be a range.

25 Q Was there a range?

1 A As I recall.

2 Q Where was that relationship established;
3 was there a document, procedure, policy, memorandum?
4 Where would that relationship have been established?

5 A Yes, there is a document that describes
6 and shows for the rating categories and the pay that
7 a person is, personally, at what range of increase
8 might be available.

9 Q I would like to understand what that docu-
10 mentary source is, what it was before the new system
11 and what it is now.

12 A That document that has that information on
13 it is basically the same that has been used for some
14 time.

15 Q It is the same?

16 A Well, it is updated each year; but as far
17 as --

18 Q The numbers may change?

19 A Yes, but the basic documents--

20 Q The relationship between the evaluation
21 results and the pay, just the numbers are reviewed?

22 A Right.

23 Q What is that document called?

24 A I don't know that I know the title of that
25 document.

1 Q Give me your best understanding; how
2 would you refer to it?

3 A It is a pay computation sheet, increase
4 computation sheet based on the evaluation of the
5 employee.

6 Q Do you have a copy of that?

7 A Yes, I do.

8 Q In your file?

9 A Yes.

10 Q All right, sir; now then, what is the sig-
11 nificance of the reading system, the evaluation cate-
12 gories before and after, if they have changed with
13 respect to promotions?

14 A There is no set rule for evaluations with
15 respect to promotion that I am aware of. I would
16 expect that normally a very low evaluation would
17 probably be a factor in a decision for a promotion, or
18 a very high one.

19 Q What is very low?

20 A The lowest one would be a one or marginal
21 as described in the earlier system.

22 Q And a very high?

23 A Would be five or distinguished.

24 Q So after an evaluation in categories one or
25 five, would be significant with respect to promotions?

1 A It would one of the factors, I feel sure;
2 not only if it was one or five, but whatever it might
3 be.

4 Q I want to understand specifically to the
5 extent that you can tell me, specifically, Mr. Davison,
6 what the relationship is of each of these evaluation
7 categories on the subject of promotion.

8 A There is no set relationship between
9 evaluation and promotion. I am sure previous evalu-
10 ations would be one factor taken into account in a
11 promotion.

12 Q So it would be up to the discretion of whom?

13 A The supervisor and management.

14 Q Is there a written policy or procedure now
15 before the change that effects the relationship between
16 promotion and the evaluation?

17 A Not that I am aware of, no.

18 Q Would you know?

19 A I would expect I would know.

20 Q How about demotions?

21 A There is no written policy or procedure on
22 that that I am aware of, either.

23 Q What is the significance of the evaluation
24 with respect to this demotion?

25 A The significance obviously a person who

1 cannot continue to receive say a marginal rating, I
2 imagine would be in for counseling about performance
3 of his job and improving that performance.

4 It possibly could lead to demotion; termi-
5 nation, probably not.

6 Q All right, sir; how about termination?

7 A What is the question?

8 Q Same line of questions, Mr. Davison: What
9 is the relationship or what is the significance with
10 respect to termination of the evaluation and the evalu-
11 ation results you have described before and after the
12 change in the policy?

13 A Here again, the person's performance in a
14 job could be a factor in a termination.

15 Q Is it a factor?

16 A It could be, yes.

17 Q Is there an objective standard that estab-
18 lishes the relationship between evaluation and
19 termination?

20 A Not that I am aware of, no.

21 Q Is there a written policy or procedure or
22 document that reflects the relationship between results
23 of evaluations and terminations?

24 A There is a document regarding the operation
25 of the PMP Program, which I said went into effect in

1 QA in October.

2 I can't recall exactly that place at that
3 point in time. There may be some guidelines on it.

4 Q You don't know if it does or not?

5 A I can't recall seeing them there; I can't
6 say if there are or not.

7 Q How about before the PMP Program?

8 A I am not aware.

9 Q How about the document that describes the
10 operation of the PMP Program?

11 A It is a document entitled, "Performance
12 Management Plan," and how that is operated.

13 Q Do you have a copy of that?

14 A Yes, I do.

15 Q Now the documents that have been made
16 available to us with respect to Mr. Ross' recourse
17 include documents reflecting the Performance Manage-
18 ment Plan that you have just described.

19 A Yes.

20 Q Is this the first time that this plan has
21 been implemented with respect to Mr. Ross?

22 A Yes.

23 Q Would this be the first time that this plan
24 has been implemented with respect to all exempt
25 employees?

1 A In QA, yes.

2 Q How about in other departments of the
3 company?

4 A I don't know as I understand--this is in
5 effect throughout the company. I don't know what
6 other departments may have implemented.

7 Q Do you understand they implemented it at
8 different times than QA?

9 A They may have; I am not aware whether
10 other departments did it at the same time we did or
11 not.

12 I just don't know.

13 Q All right, sir; now let's shift to the im-
14 plementation of this program both before and after
15 the adoption of the PMP with respect to the specifics
16 of Mr. Ross' case.

17 How would you characterize the results of
18 Mr. Ross' first annual evaluation under this program,
19 Mr. Davison?

20 A How would I characterize the results of
21 that evaluation?

22 Q Yes.

23 A Well, the results are characterized best
24 by that numerical score that is arrived at through
25 weighing the factors and the evaluation in each factor.

1 Q How would you characterize it?

2 A I would characterize it as a fair evaluation.
3 It shows some room for improvement.

4 Q Is improvement required in Mr. Ross?

5 A No, I would not say improvement is
6 required.

7 Q What personnel actions would result if
8 improvement was not forthcoming on Mr. Ross' part?

9 A With that evaluation at fair, if no improve-
10 ment occurs then I would assume his next evaluation
11 would be fair, too.

12 Q Would that have any effect on Mr. Ross'
13 pay?

14 A Yes, it would be one of the factors that is
15 taken into account in determining his pay.

16 Q How would it effect his pay?

17 A All other things being equal, the higher the
18 evaluation, generally speaking, the higher the
19 increase.

20 Q Specifically with respect to Mr. Ross?

21 A If he were to receive a lower rating than
22 others then his increase would not be as great, other
23 factors being equal.

24 Q Well, let's have specific reference to the
25 evaluation that is before us. How would that evalu-

1 ation effect first Mr. Ross' pay?

2 A Okay, that evaluation, as I said before, is
3 one of the factors that rating that you come out with,
4 one, two, three, four, five, is one of the factors
5 that goes into the chart that determines what the
6 increase will be for an employee.

7 Q How will it effect Mr. Ross' pay?

8 A Depending on what the number is; the lower
9 the number, generally speaking, the lower the increase.
10 The higher number, the higher the increase.

11 Q I want to understand specifically how that
12 would effect Mr. Ross?

13 A If the evaluation is lower that could, again,
14 that is not the only factor that goes into the amount
15 of increase; but other factors being equal, that would
16 mean he would get a smaller increase than he would
17 get if he were rated higher.

18 Q All right, sir; I want this in as concrete
19 terms as possible. We have in front of us a specific
20 rating.

21 I understand the abstract about how this
22 works. I want to know the specifics of Mr. Ross.
23 What should Mr. Ross understand from the results
24 of the evaluations that appear reflected in the docu-
25 ments given me about the significance of these

1 evaluations with respect to his pay?

2 A He should understand that is one of the
3 factors that goes into the amount of increase he will
4 get each year.

5 Q Should he expect to get a high increase?

6 A I can't answer that, should he expect to
7 get a high level of increase.

8 Q Is this a rational system with predictable
9 results, Mr. Davison?

10 A Yes, they are.

11 Q Having said that, help me understand what
12 objective relationship Mr. Ross should understand
13 there is from the two points, whatever that rating is?

14 A The relationship he should understand;
15 again, if this overall rating is a high rating, in the
16 five level, then his increase is probably higher than
17 it would be if it were a three or a two or a one.

18 Q Mr. Davison, you have the document in
19 front of you; you know what it is. Is it high, low
20 in relationship to his increase?

21 There is a specific rating.

22 A What I can tell you is his increase would
23 be lower with this evaluation than it would be if he
24 had gotten a five and higher than it would be if he
25 had gotten a one.

1 Q Is it higher than other employees? Give me
2 a standard. Is it higher than average, below average?

3 A I don't know what the average is. I would
4 just have to guess on that.

5 Q I don't want you to guess. I want you to
6 tell me to the best of your knowledge and understand-
7 ing. You are the Second Level Supervisor over Mr.
8 Ross; are you not?

9 A No.

10 Q Third Level?

11 A Yes.

12 Q All right, Third Level Supervisor over Mr.
13 Ross; and your name is mentioned prominently in
14 these documents.

15 A Yes.

16 Q You reviewed his recourse resulting from
17 his dissatisfaction with his evaluation?

18 A Yes.

19 Q You are not a stranger to Mr. Ross?

20 A No.

21 Q Nor are you a stranger from his recourse
22 or his evaluation?

23 A No.

24 Q Having some knowledge of Mr. Ross' cir-
25 cumstances, I want to talk in as much specifics as

1 you can.

2 What I don't want to have happen, I don't
3 want the Hearing in this case to come and have you
4 then later remember things that you now don't, or
5 remember more details or more specifics.

6 I want you to tell me in as exhaustive
7 detail as you can, under oath, fully and truthfully,
8 as much information as you can tell me with respect
9 to the subject we are talking about--Mr. Ross and
10 his evaluation and what he should expect.

11 A You want me to tell you what Mr. Ross
12 should expect in terms of this evaluation in terms of
13 pay?

14 Q Yes, first.

15 A The amount of increase that he got for the
16 period of time over which the evaluation covered was
17 probably lower than it would have been if he had gotten
18 a higher rating.

19 Q And higher than it would have been if he
20 had gotten a lower rating?

21 A That's right, he should understand from
22 this there are some areas in the standards in the
23 supervisor's judgment which were not met, and there
24 is room for improvements.

25 Q What would result if there is no improvement?

1 A He will be evaluated again, and if his first
2 performance gets higher or lower, it will show up on
3 his evaluation.

4 Q And what else will happen?

5 A It would depend on the situation.

6 Q Would Mr. Ross lose his supervisory
7 position?

8 A I would not, this doesn't indicate to me
9 that there is a problem there.

10 Q Anything else that you think indicates there
11 is a problem there?

12 A I believe his evaluation for the period of
13 time before this was implemented indicated there needed
14 to be improvement.

15 Q In order for him to remain supervisor,
16 yes.

17 A But there had been improvement noted in
18 that performance also.

19 Q Taken together then what is your opinion
20 on that subject?

21 A Taken together, the evaluation of fair is
22 proper. There is still room for improvement, but
23 if his performance stays exactly as it is now, he is
24 not in any problem or trouble over that.

25 Q Can you identify this document (indicating)?

1 A Yes.

2 Q What is it, sir?

3 A This was a document completed by Mr.
4 Art Allum as an interim evaluation on Mr. Ross.

5 Q When was that done, sir?

6 A It was done in the period of time of
7 October, December, 1982. I'm not exactly sure what
8 date.

9 Q Was it before or after the implementation
10 of the new personnel system?

11 A Performance Management Plan; this was
12 worked on before the implementation; but I think it
13 carried on through after the implementation.

14 It wasn't completed and gone over with him
15 until after the implementation.

16 Q How about when that document was produced;
17 do you know?

18 A Again, it was being developed by his super-
19 visor, Art Allum, in the period of time October,
20 November, December.

21 I'm not exactly sure.

22 Q Was the document produced in December to
23 the best of your understanding?

24 A To the best of my understanding, yes.

25 Q Where did this document come from?

1 A That came out of the--Art Allum gave me
2 that document when I was doing the research on Mr.
3 Ross' evaluation.

4 Q On his recourse?

5 A On his recourse, yes.

6 Q What is your understanding of this state-
7 ment by Mr. Allum contained in this document without
8 improvements in those areas, "Beau's continuance as
9 a supervisor will not be appropriate"?

10 A My understanding of that was Art was
11 communicating to Beau that some of the problems he
12 was having could effect his assignment as a super-
13 visor.

14 Q He was communicating that to Beau?

15 A Yes.

16 Q Was this document given to Mr. Ross?

17 A No, that document to my knowledge was not
18 given to him.

19 Q Then how do you know that was communi-
20 cated to Mr. Ross?

21 A This was dated 1/26/83, by Mr. Ross. The
22 copy that we have did not put that on there. In my
23 discussions with Mr. Ross, he informed me he went
24 over this.

25 Mr. Allum went over this with Mr. Ross.

1 Q That note attached is Mr. Ross' handwrit-
2 ing?

3 A No, excuse me; that is Mr. Allum.

4 Q The 1/26/83, handwriting on that document
5 is from Mr. Allum?

6 A Yes.

7 MR. GUILD: Counsel, do you have the
8 original of that?

9 MR. GIBSON: That is a copy we had.
10 The problem is an alignment of the docu-
11 mented copy.

12 This one is probably better, you can
13 see the date but it is not totally legible
14 (indicating).

15

16 BY MR. GUILD:

17 Q Mr. Davison, can you help me by reading
18 that note that appears on a better copy of the
19 1/26/83?

20 A "I told him that I felt significant improve-
21 ment had been made, and that my main concern was
22 his involvement with the Craft."

23 Q And that was referring to improvements
24 during what period, if you know?

25 A This would cover the evaluation of Mr. Ross

1 by Mr. Allum from his previous evaluation up until
2 the implementation of the PMP Program.

3 And what he was indicating there was since
4 that time, since the implementation he has seen im-
5 provement.

6 Q Between that point and the 28th of January
7 when he made that note?

8 A Yes, I believe he says that he has seen
9 improvements.

10 MR. GIBSON: Excuse me, Mr. Guild.
11 Do you want to swap pages since this one
12 has the date?

13 MR. GUILD: Sure.

14
15 BY MR. GUILD:

16 Q Mr. Davison, you don't know whether or
17 not Mr. Ross has seen this document, the typewritten
18 document that Mr. Allum prepared?

19 A During the course of my investigation into
20 the recourse, I did go over that document with Mr.
21 Ross.

22 Q Did you show it to him?

23 A I had it out, I did not give him a copy of
24 it.

25 Q You didn't read it to him?

1 Q What category is fair?

2 A Fair on a numerical scale one to five is
3 a two. It indicates there is some improvement needed.

4 Q And when was that, the fair evaluation,
5 performed?

6 A Which one are you referring to; the one
7 before this one?

8 Q Yes, the first, if I remember?

9 A That would have been in April of, let's
10 see, let me make sure I get my dates right, this
11 would have been in April of '83; so April of '82.

12 Q Now I've seen some references to a periodic
13 re-evaluation more frequently than a year. Help me
14 understand, Mr. Davison, what those refer to and
15 how they come about.

16 A Okay, under the PMP Program there are
17 periodic reviews scheduled. We conduct them every
18 four months, as I recall, but with the implementation
19 in October there were scheduled review periods set
20 because we were in the middle of an evaluation period.

21 Q I missed that last point. They were not
22 every four months?

23 A Well, when you implement the program you
24 say we will have periodic reviews every four months.
25 If you are within four or five months, you may do the

1 evaluation rather than having a periodic review in
2 between that.

3 You have to adjust that schedule.

4 Q How would that effect Mr. Ross?

5 A I would have to look at my sheet that says
6 if you implement here you conduct the evaluation.
7 To my knowledge he did not have a periodic review
8 in October from the implementation of PMP until
9 his evaluation in October.

10 Q That would have been his annual review?

11 A His annual review.

12 Q In April of '83?

13 A Yes.

14 Q So what periodic reviews has Mr. Ross had,
15 if you know?

16 A He has had the review that Mr. Allum held
17 with him on that note where he indicated it, 1/26/83;
18 and that is the only one that I'm aware of that is
19 documented.

20 Mr. Allum has certainly discussed Mr.
21 Ross' performance with him throughout the year.

22 Q That periodic review, was that pursuant
23 to the PMP?

24 A No, that was after the PMP. He was
25 started before the PMP went into effect.

1 Q Has Mr. Ross had a periodic review since
2 his most recent annual evaluation?

3 A No, not to my knowledge.

4 Q When is the next one due?

5 A It would be July, I believe, four months
6 past the evaluation.

7 Q Now help me, if you can, Mr. Davison,
8 put some of these objective measures in some per-
9 spective.

10 Within your knowledge, let's say within the
11 Quality Assurance Department, what is the significance
12 of a competent rating for a person that is at Mr.
13 Ross' supervisor level?

14 A Significance of competent would mean that
15 the employee is performing satisfactorily in that
16 position.

17 Q How, in your understanding, would that
18 compare to the evaluation performance of others at
19 Mr. Ross' supervisor level?

20 A I'm not sure I understand your question.

21 Q Let me see if I can ask it simply. Would
22 others in his supervisory level have higher or lower
23 ratings than competent?

24 A They could have, yes.

25 Q Do they in your experience; that is what I

1 want to understand?

2 A Do they have higher and lower ratings than
3 competent; yes.

4 Q Help me understand who has a higher rating
5 than competent in supervisory positions in the Quality
6 Assurance Department.

7 A Here again, this is done each year and the
8 rating may change from year to year.

9 Q Yes, sir.

10 MR. GIBSON: Excuse me, Mr. Guild.
11 Are you asking about specific names of
12 individuals and their specific ratings?

13 MR. GUILD: Yes.

14 MR. GIBSON: I will instruct him not
15 to give a name and anybody's individual
16 rating.

17 Those ratings are confident. If you
18 give an example, perhaps we can work out
19 some sort of reference scheme so that if
20 you later determine you want the names we
21 can tie it back to some format today.

22 But I think the specific, John Doe was
23 rated "X", was confident, and we will
24 instruct him not to reveal that information.

25

1 BY MR. GUILD:

2 Q What is Mr. Art Allum's rating?

3 MR. GIBSON: I will instruct him not
4 to give you people's specific ratings; but
5 in terms of trying to get the information
6 in the Record, if you want to have us keep
7 track among ourselves of who he was re-
8 ferring to if he uses an initial or letter.

9 MR. GUILD: Counsel, for consistency's
10 sake with Mr. Allum we went through the
11 entire list of Welding Inspectors under Mr.
12 Ross' supervision; and he at least appeared
13 to be responsive to that question to the best
14 of his knowledge, I assume.

15 MR. GIBSON: It is my understanding
16 Mr. Allum gave a certain rating or opinion
17 about a person's performance; and I have
18 no problem with your asking about that.

19 But I'm talking about the specific
20 rating given in their written performance
21 appraisal.

22 MR. GUILD: Counsel, I think just
23 for clarity, my question to Mr. Allum was
24 first of all, yes, what was his opinion;
25 secondly, what was the rating after having

1 established that the rating scale included
2 competent.

3 And just for the Record, I believe he
4 told me all of the Welding Inspectors of
5 whom I asked were rated competent until
6 he got to Mr. Ross.

7 And we talked about his rating. The
8 intention and my understanding of his
9 response was directed at the evaluation and
10 produced the rating competent in all cases,
11 or marginal was the answer with respect
12 to Mr. Ross.

13 MR. GIBSON: You are talking about
14 a different system in your Deposition of
15 Mr. Allum.

16 You are talking about the system for
17 non-exempt employees; and we differ and I
18 guess the Record will reflect what he said.

19 But in terms of whether he was talking
20 about the specific rating to the extent you
21 want to ask Mr. Davison about those state-
22 ments, non-exempt employees, we will give
23 his opinion and recollection of the rating.

24 But talking about exempt supervisory
25 employees and their specific rating in the

1 PMP Program, we will not have him give
2 you that information during the Deposition.

3 MR. GUILD: There were supervisory
4 employees, one, at least, Mr. Ross; and
5 Mr. Allum did state what Mr. Ross' rating
6 was.

7 Counsel, the point of this is the
8 credibility of a number of the people we
9 were talking about are likely to be Wit-
10 nesses in this proceeding is material; and
11 that credibility question, which the Board
12 says is one issue it intends to address, is
13 something we believe we are obligated to
14 pursue in Discovery in order to understand
15 our claim more fully and your defense.

16 I don't know how we can proceed, I
17 certainly want to respect the privacy of
18 employees, but I think it has to be elicited.

19 MR. GIBSON: We would be willing to
20 work out some key system so if the Board
21 determines yes, you are entitled to those
22 names, then it would be a matter of giving
23 you the key.

24 If you want to give us the list of
25 names you want to use, we will develop a

1 key system and go through it; but absent
2 that, we will not give you the specific
3 rating for supervisors during the Deposition.

4 I am proposing that for getting the
5 information in the Record, and you can
6 apply the key system to what he said.

7 MR. GUILD: That would be our
8 request. I won't pull it out of Mr. Davison
9 if there is a better way to do it.

10 If you want to gather that information
11 and key it, that would be useful.

12 MR. GIBSON: Are you saying we
13 could just have that or I am trying to
14 determine how it will impact your questions
15 at this point.

16 MR. GUILD: What I intend to do over
17 the face of your instructions to Mr. Davison
18 not to answer specific questions about the
19 rating of employees, I will note my position
20 to the contrary; but I would intend to ask
21 Mr. Davison questions about the work per-
22 formance of various employees and then on
23 the point of the specific evaluations of
24 various Duke personnel who are likely to be
25 Witnesses, I would ask that you, you know,

1 find that information and propose a system
2 of coding that attempts to reserve your
3 position on their confidences.

4 MR. GIBSON: So you are comfortable
5 with proceeding with reserving the right
6 to request that information at some later
7 time?

8 MR. GUILD: Yes, to the extent that
9 I am unable to examine this Witness on
10 that specific point, I would reserve any
11 rights with respect to pursuing those lines
12 with Mr. Davison.

13 MR. GIBSON: Let's go ahead and see
14 if we run into a problem with something
15 specifically.

16 MR. GUILD: Okay.

17
18 BY MR. GUILD:

19 Q Mr. Davison, who holds the positions that
20 are at the same supervisory level with Mr. Ross in
21 Quality Assurance Department at Catawba?

22 A There are about 12 or 13 Supervisory
23 Technicians.

24 Q Who are they, sir?

25 A Do you want them by name?

1 Q Yes, sir. Name and their department or
2 their title to the extent that their titles would come
3 into their departments.

4 A Beau Ross, of course, in Welding. Bob
5 Harris, Welding; Stanley Ledford--

6 Q Slow down; I'm trying to write these down.
7 Bob Harris in Welding?

8 A Yes.

9 Q Stanley Ledford, Welding?

10 A Hap, H-A-P, that is his nickname; I think
11 it is W. S. Sifford.

12 Q S-I-F-F-O-R-D?

13 A Yes.

14 Q What area is Mr. Sifford?

15 A Welding; Bill Deaton, Welding; Ray Pettit.

16 Q How do you spell his last name?

17 A P-E-T-T-I-T; Nondestructive Examination,
18 NDE. Douglas Cabe--

19 Q C-A-B-E?

20 A Yes, Nondestructive Examination. Ray
21 Bowling, B-O-W-L-I-N-G, Electrical; Jack Caddell,
22 Electrical.

23 Richard Payne--

24 Q Spell that.

25 A P-A-Y-N-E, Civil. Sim Turner, Mechanical;

1 C. Z. Beardon, B-E-A-R-D-O-N.

2 Q Is that "C" or "B"?

3 A "C". Joe Coleman, Mechanical.

4 Q Beardon was Mechanical?

5 A Yes, I believe that is all there is.

6 Q Who else holds the position at the equiva-
7 lent supervisory level to Mr. Allum under Mr. Allum's
8 present position as of yesterday, I guess, in the QA
9 Department at Catawba, sir?

10 A Okay, Charles Baldwin until today.

11 Q He just changed jobs today?

12 A Yes.

13 Q And his job as of yesterday was what?

14 A He worked in the Welding Nondestructive
15 Examination area.

16 Q Welding and Nondestructive Examination
17 area?

18 A Yes.

19 Q What was Mr. Allum's title as of yester-
20 day?

21 A Technical Supervisor, and he remains at
22 that same title.

23 Q And the people, Mr. Ross and the other
24 names that you just gave, they are Supervising
25 Technicians; is that right?

1 A Yes.

2 Q Who else holds the position Technical
3 Supervisor, or whatever else was of equivalent
4 responsibility to Mr. Allum?

5 A Fred Bulgin, B-U-L-G-I-N. He will be
6 in the Welding NDE area.

7 Q Will be or is?

8 A Well, he is; he transferred from McGuire
9 a couple weeks ago.

10 Q Others?

11 A Charles Baldwin.

12 Q Welding NDE area?

13 A Yes, John Warren.

14 Q What area is he in?

15 A Electrical and Civil.

16 Q Just those four?

17 A Yes.

18 MR. GIBSON: Excuse me, did you
19 include Allum in the four?

20 MR. GUILD: I have Allum, Bulgin,
21 Warren and -- right.

22

23 BY MR. GUILD:

24 Q Mr. Baldwin is in the Welding and NDE
25 area?

1 A Yes.

2 Q Mr. Davison, what is your opinion of the
3 work performance by Mr. Art Allum?

4 A I think it is satisfactory.

5 Q Is that reflecting a competent job
6 performance?

7 MR. GIBSON: Mr. Guild, we are de-
8 feating the purpose of my instructions
9 earlier if you will ask that question of
10 each one.

11 You can ask if his opinion directly
12 corresponds to one of the ratings. I will
13 ask him not to answer the second or third
14 question.

15 He can give his opinion about satis-
16 factory if the Board so rules to give you
17 that.

18 Without going through the Board, we
19 will not give you those ratings; but now I
20 will not let him answer that specific
21 question with respect to these individuals.

22 If you want to note your position and
23 save time, we can move forward.

24

25 BY MR. GUILD:

1 Q How do you mean satisfactory?

2 A That their performance is satisfactory;
3 there may be room for improvement in one specific
4 area, but overall they are satisfactory.

5 Q Is there room for improvement?

6 A Usually most people have room for improve-
7 ment.

8 Q How about Mr. Allum; in what area?

9 A I think perhaps in the area of communi-
10 cations.

11 Q What does that mean?

12 A That means his communications with the
13 people that work for him.

14 Q How about Mr. Ross?

15 A Overall, satisfactory.

16 Q I will get to that, but Mr. Allum's
17 communication with Mr. Ross?

18 A Yes, I think that is the result of my
19 investigation in the recourse was there was room for
20 improvement there.

21 Q With Mr. Allum's communications with Mr.
22 Ross?

23 A Yes.

24 Q Help me understand where that opinion is
25 reflected in the results of your investigation of the

1 recourse, if you would, please.

2 A In the answers I supplied to Mr. Ross.

3 MR. GIBSON: I had it by date; I had
4 the document.

5 THE WITNESS: This was a letter
6 from me to G. E. Ross dated May 26,
7 1983.

8 I say in there that I think your feel-
9 ings about this appraisal stem largely
10 from two items; the first item is the fact
11 that our expectations from you in your
12 position were not communicated to you
13 clearly.

14 It is a lack of communications I
15 accept responsibility for. And I asked him
16 if he was communicating clearly with his
17 supervisor.

18 I think communications was a good
19 part of that.

20 Q That reflects your feelings of Mr. Allum's
21 need for communication in reference to Mr. Ross?

22 A Yes.

23 MR. GUILD: Let's make this docu-
24 ment as the second Exhibit to Mr. Davison's
25 Deposition.

1 MR. GIBSON: Excuse me, Bob; why
2 don't I give you a separate set. We may
3 run into the same problem with that date.

4 I think the copy she has is the only
5 one with the date. Remember the document
6 we discussed earlier, I think it is Exhibit
7 One.

8 MR. GUILD: Yes.

9 MR. GIBSON: So I will give you a
10 separate set, and you can mark that. The
11 whole first line of that note I believe is
12 chopped off, so you can get it from her.

13 As I understand it the Court Reporter
14 will keep any copy you hand to her now; is
15 that correct?

16 MR. GUILD: Yes.

17 (Whereupon, the document referred
18 ed to as memo to G. E. Ross dated
19 May 26, 1983, was marked and received
20 by the Court Reporter as Davison
21 Exhibit Two and entered into the
22 Record.)

23
24 BY MR. GUILD:

25 Q Mr. Davison, I will show you a document;

1 can you identify that one (indicating)?

2 A Yes.

3 Q What is that, sir?

4 A This is a document that I produced as an
5 outline of the steps that I took in investigating Mr.
6 Ross' recourse over his evaluation.

7 Q When did you prepare that outline?

8 A There is a date on the back of it, I think.
9 5/26/83, it may be a couple days in the process.

10 Q Is that current as of the time of the letter
11 that you sent to Mr. Ross?

12 A Yes.

13 MR. GUILD: Let's mark that as the
14 third Exhibit.

15 (Whereupon, the document referred
16 to as investigation into recourse sub-
17 mitted to the Catawba Project QA
18 Manager by G. E. Ross was marked
19 and received by the Court Reporter
20 as Davison Exhibit Three and entered
21 into the Record.)

22
23 BY MR. GUILD:

24 Q All right, sir; these documents that have
25 been identified as Exhibits Two and Three, your letter

1 to Mr. Ross and the notes, the outline, they reflected
2 your conduct of review of Mr. Ross' recourse under
3 the Employee Recourse Procedure?

4 A Yes.

5 Q What step in the recourse procedure did
6 this reflect?

7 A This would be in the QA Department
8 recourse procedure, the second step. The first step
9 would be to, well, the first step would be discussing
10 with the immediate supervisor; and the second step
11 would be orally or in writing with the Second Level
12 Supervision.

13 Then the Third Level Supervision.

14 Q All right, this was what step now?

15 A This would be basically the second step.

16 Q With the Second Level Supervision?

17 A Well, the first step, which is really
18 informal, is just the discussion with the supervisor.

19 Q That would be Mr. Allum?

20 A Yes, and the second step in that regard
21 would be discussion or in writing to the Second Level
22 Supervisor, who would be Mr. Willis at this point.

23 Q Did that occur in this case?

24 A Yes.

25 Q Was there any written recourse to Mr.

1 Willis?

2 A Yes.

3 Q Was there a written response by Mr. Willis?

4 A Yes.

5 Q Does that appear?

6 A Yes.

7 MR. GIBSON: Excuse me, Mr. Guild,
8 if you need about five minutes, there is a
9 phone call I can return.

10 MR. GUILD: Not unless you want to
11 take a break. Let's move on and take it
12 in a half hour or so.

13

14 BY MR. GUILD:

15 Q Mr. Willis, then you; and what was the next
16 step in the Employee Recourse Procedure for Mr.
17 Ross?

18 A That would be to the Department Head; in
19 this case Mr. Grier.

20 Q Did Mr. Ross go to Mr. Grier?

21 A No, he has not.

22 Q Well, help me understand then what this
23 document reflects. Will you identify that document
24 (indicating)?

25 A This is a memo to file dated April 27, 1983.

1 signed by Mr. G. V. Grier.

2 Q Does it reflect a meeting on this subject
3 with Mr. Ross?

4 A Yes, this is a memo of the meeting with
5 Beau Ross that Mr. Grier had.

6 MR. GUILD: Let's mark that one as
7 well, please.

8 (Whereupon, the document referred
9 to as memo to file from Mr. Grier
10 dated April 27, 1983, was marked and
11 received by the Court Reporter as
12 Davison Exhibit Four and entered into
13 the Record.)

14
15 BY MR. GUILD:

16 Q Help me understand how this meeting between
17 Mr. Ross and Mr. Grier, who is the supervisor level
18 above you and to whom Mr. Ross would address the
19 next level of his recourse; how does it fit into the
20 pursuit of Mr. Ross' recourse?

21 A Mr. Ross submitted the recourse to Joe
22 Willis in writing. Joe, of course, informed me and
23 I informed George Grier.

24 When Joe developed his answer to Mr. Ross,
25 he went over that answer with Mr. Grier, and Mr.

1 Grier said, "If Beau would like to talk with me about
2 it, I would be glad to talk with him about it."

3 Q Is that consistent with the recourse pro-
4 cedure?

5 A I don't see any inconsistency there. The
6 recourse procedure doesn't address that.

7 Q But Mr. Grier is the one who would decide
8 the next level of the recourse beyond you?

9 A Yes.

10 Q But Mr. Grier is the one who would decide
11 the next level of the recourse beyond you?

12 A Yes.

13 Q But he was involved in the first step of
14 the recourse?

15 A He was made aware of it and what Mr.
16 Willis' answer would be; and he indicated if Beau
17 would like to talk with him about it, he would be glad
18 to do so.

19 Q And he did before you got the second level
20 recourse?

21 A Right.

22 Q So Mr. Grier not only was involved in
23 reviewing and being informed of the first level
24 resolution, but he met with the man who was pursuing
25 the recourse between the first and second steps?

1 A Yes.

2 Q And that was consistent with the recourse
3 procedure in your opinion?

4 A In my opinion there is no inconsistency.

5 Q Beyond you where would Mr. Ross go?

6 A Beyond me he could recourse to Mr. Grier.

7 Q But he has already been to Mr. Grier.

8 A He has had a discussion with Mr. Grier.

9 Q What is the status of Mr. Ross' recourse
10 at this time?

11 A It is settled, as I understand it. Mr. Ross
12 has not to my knowledge gone to Mr. Grier in
13 recourse over this.

14 Q All right, and does your letter to Mr. Ross
15 reflect fully the terms of the settlement of his
16 recourse?

17 A It reflects my answer to his recourse; that
18 is my letter. If he were not to accept that or not
19 be satisfied with that, he has the option to go to Mr.
20 Grier.

21 Q Does it reflect fully the terms of the
22 settlement of Mr. Ross' recourse?

23 A To my understanding, yes.

24 Q All right, sir; let's return back to Mr.
25 Allum. When did you decide to transfer Mr. Allum

1 to the Mechanical area, Mr. Davison?

2 A That would have been about a month ago.

3 Q About the first of June?

4 A Somewhere in that time frame, yes.

5 Q Describe the circumstances.

6 A Mr. Willis, who was Inspection Superin-
7 tendent, was reassigned to the Operations Division
8 of QA, which left a vacancy there.

9 Mr. Goodman, Jerry Goodman, who had been
10 the Second Level Supervision of the Mechanical
11 Inspection area, was promoted to Inspection Superin-
12 tendent, which left a vacancy there.

13 Mr. Allum was changed assignments to take
14 the vacancy by Mr. Goodman when he moved in; and
15 basically, Mr. Bulgin being transferred in from
16 McGuire.

17 Q Yes?

18 A Mr. Bulgin being transferred in from
19 McGuire filled the opening left by Mr. Allum.

20 Q Does Mr. Ross now report to Mr. Bulgin?

21 A Yes.

22 Q Was Mr. Ross' recourse and the circum-
23 stances reflected in that recourse of any significance
24 in the transfer of Mr. Allum?

25 A No.

1 Q Was Mr. Allum's communications problem
2 of any significance in his transfer?

3 A No.

4 Q All right, sir; now let's go back through
5 the list now of the people at Mr. Allum's level of
6 supervision.

7 We come to Mr. Fred Bulgin; what is your
8 opinion as to Mr. Bulgin's work?

9 A Mr. Bulgin just transferred in to Catawba
10 June 13th, I believe. But my opinion of his perfor-
11 mance is satisfactory also.

12 Q What work did he do at McGuire?

13 A He was a Technical Supervisor at McGuire
14 in the Inspection area also.

15 Q What part of the Inspection area?

16 A He was primarily Welding and NDE. I
17 think as McGuire wound down he may have gotten
18 in to some other areas also.

19 Q What other areas?

20 A I wouldn't know for sure, as a number of
21 people at McGuire, because of the completion of the
22 plant got smaller and smaller, so as I remember the
23 Technical Supervisors, as people got transferred out,
24 may involve an area more than a specific discipline.

25 Q Did he move out of Construction QA and

1 into Operations?

2 A No.

3 Q Did his responsibility expand into
4 Construction to include other specialties?

5 A Mr. Bulgin is not in Construction. He is
6 in QA, but he is in the Department of QA.

7 Q Construction?

8 A Yes, it would have expanded; for example,
9 if he took over the Civil Inspection area also.

10 Q His work historically has been in the
11 Welding and NDE area?

12 A Yes.

13 Q Had Mr. Bulgin supervised Welding
14 Inspectors prior to the reclassification of the Welding
15 Inspector positions?

16 A Now I'm just speaking from my memory
17 here, I don't know Mr. Bulgin's entire history. But
18 as I recall, he at one time supervised Welding
19 Inspectors, and as a Supervising Technician; and as
20 a Technical Supervisor supervising the Technical
21 Inspectors.

22 Q He would have supervised at one time
23 inspectors who performed welding supervision?

24 A Yes.

25 Q Have you ever been aware of complaints

1 of lack of qualifications on Mr. Allum's part to
2 supervise Welding Inspectors?

3 A Mr. Rockholt, I'm not sure, I don't recall.
4 All that is in his memo that you have a document
5 there.

6 That may have been something he said, I
7 don't remember.

8 Q It would be helpful if there are documents
9 that reflect that, Mr. Davison.

10 A Well, we gave you a copy.

11 Q Yes, but what I want to understand is what
12 you know, the stuff I have already or I can find out
13 because I have a document, I can dig for and will;
14 but what I want to understand is what you know and
15 are you aware of complaints regarding Mr. Allum's
16 qualification to supervise Welding Inspectors?

17 A Mr. Rockholt may have said something
18 along those lines. I don't recall whether it is in
19 the memo or he said it verbally; but I don't recall
20 anything in writing.

21 Q That is not what I'm asking. Do you have
22 any awareness of anything written or oral, any
23 complaints on that subject?

24 A Other than if Mr. Ross mentioned in his
25 recourse and Mr. Rockholt in that letter, that would

1 be the only thing.

2 Q Are you aware of any complaint by Mr. Ross
3 concerning Mr. Allum's qualifications as Welding
4 Inspector?

5 A It may have been part of his written recourse.

6 Q If that would help to refresh your recol-
7 lection, please let's take a moment and look at those
8 recourses.

9 MR. GIBSON: This is a set (indicating).

10 MR. GUILD: Sure; if you want to show
11 it to the Witness that would be great.

12 THE WITNESS: No, I don't see any-
13 thing in Mr. Ross' recourse that would
14 state that.

15 Q All right, sir; does that help you remember
16 whether or not there is in that document or in any
17 other form expressed a complaint or concern regard-
18 ing Mr. Allum's qualifications to supervise Welding
19 Inspectors?

20 A I can't remember clearly that, but it seems
21 like Mr. Rockholt may have said that or that may be
22 in his memo or he expressed that opinion.

23 I'm not positive on that point.

24 Q Do you recall ever looking into that subject,
25 ever investigating concerns regarding Mr. Allum's

1 qualifications?

2 A No.

3 Q You never did?

4 A No.

5 - All right, sir; let me show you a document
6 that has been identified as, this is Exhibit 12, let's
7 see, I don't recall whose Deposition it goes to, to
8 tell you the truth.

9 Sir, do you recognize that handwriting,
10 first (indicating)?

11 A Not for sure, no.

12 Q All right, sir; it has been previously
13 identified by other Witnesses as the handwriting of
14 John Bryant.

15 Is Mr. Bryant a Welding Inspector at
16 Catawba?

17 A Yes.

18 Q Do you know Mr. Bryant?

19 A Yes.

20 Q Have you ever seen that document before?

21 A I've not seen this; I believe I might could
22 recognize some of this perhaps as being part of the
23 Task Force review.

24 Q Yes, they reviewed that subject in previous
25 testimony. It is the handwritten notes of Mr. Bryant

1 concerning some of his concerns.

2 There are others as well. I want to direct
3 your attention specifically to the third page. Look
4 at it, it is kind of below, there is a line and it is
5 written below.

6 There is a paragraph, and would you read
7 for the Record the several questions that appear under
8 that?

9 A Below the line?

10 Q Yes, sir.

11 A "Why was Charles Baldwin removed as QC
12 Welding Supervisor? Is Art Allum qualified to ef-
13 fectively oversee the QC Inspection Program?"

14 "Why was Beau Ross overlooked for this
15 job position? Should not Larry Davison and Jim Wells
16 also be removed from their positions?"

17 "Why is Construction involved in resolving
18 the QC Inspectors' concerns? Construction caused
19 many of the concerns. Why do we have QA procedures
20 and design drawing requirements if Construction and
21 QA upper management feel they can verbally override
22 them?"

23 "What is the significance of a QC Welding
24 Inspector's job with Duke Power? Why is it that
25 Welding and Mechanical Technicians are found to have

1 more responsibility and their services more valuable
2 to Duke than the Weld Inspectors?"

3 "Upper supervision wants QC Inspectors to
4 perform their jobs from trust for them and disregard
5 the QA procedures and specific design requirements."

6 Q All right, sir; have you ever heard those
7 concerns expressed before in substance?

8 A Parts of them may have shown up in the
9 Task Force report that I looked at.

10 Q Mr. Davison, we have that document; but
11 have you ever heard those concerns other than through
12 reading the Task Force report?

13 A Maybe verbal discussions with these people
14 during this period of time. But other than that, no.

15 Q All right, let's see if we can address them
16 in sequence. "Why was Charles Baldwin removed as
17 QC Welding Supervisor?"

18 A Because we felt like that Charles was having
19 difficulty communicating with the people he super-
20 vised and was responsible for; and those people saw
21 Charles as a block to communications.

22 We felt like if we could remove that block
23 then that would be a good thing to do.

24 Q Who are you referring to, who felt that
25 way?

1 A I felt that way and I made that recommen-
2 dation.

3 Q To whom?

4 A To my boss at the time, Mr. Wells.

5 Q When was he removed as QC Welding
6 Supervisor? What job was he assigned?

7 A He was still involved in Welding Non-
8 destructive Examination area.

9 Q Took him out of supervising visual inspec-
10 tion and put him over in NDE?

11 A Yes.

12 Q What was the source of the dissatisfaction
13 that you understood regarding Mr. Baldwin?

14 A Well, as I perceived the situation then, the
15 inspectors and people who had the concerns felt like
16 that Mr. Baldwin was somehow blocking communications
17 up and saw him as a block there; and I felt like to
18 make that change would do a great deal to open those
19 lines of communication.

20 Q To you?

21 A Or up the chain.

22 Q Was it to you? Is that what you are referr-
23 ing to in part?

24 A Just in general, improve communications,
25 but up the chain, too.

1 Q Communications from Welding Inspectors to
2 you, Larry Davison?

3 A In part; and to Bob Morgan and other people.

4 Q In a specific, can you give me a specific
5 of where those communications were, where you under-
6 stood them to be blocked?

7 A No, as some of the concerns referenced,
8 there was a concern with Charles. Some of the
9 concerns mentioned him by name and indicated they
10 did not think Charles was listening to them.

11 Q Was that change made as a result of the
12 expression of the Welding Inspector concerns?

13 A Basically, yes.

14 Q Approximately what time was that made, if
15 you recall?

16 A I don't recall; I believe it was in late
17 January of 1982.

18 Q One of the earlier responses to the Weld-
19 ing Inspector concerns?

20 A Yes.

21 Q Before Mr. Wells left?

22 A As I recall it was shortly before he left.

23 Q Before the Task Force issue that was filed
24 in the report?

25 A Yes.

1 Q All right, sir; "Is Art Allum qualified to
2 effectively oversee the QC Inspection Program?"
3 That is the subject program?

4 A Yes, it is.

5 Q You weren't aware of that question?

6 A I may have seen that in some of the con-
7 cerns and part of the Task Force.

8 Q Were you aware of that concern on the part
9 of Mr. Bryant?

10 A If it was expressed and I saw it as part
11 of the Task Force, I would have been aware of it.

12 Q I appreciate that, but does that refresh
13 your recollection?

14 A I don't recall Mr. Bryant ever speaking
15 that factually to me.

16 Q Are you aware that he held that opinion or
17 others held that opinion?

18 A Not other than seeing it in the Task Force.

19 Q Is that in the Task Force report?

20 A I believe those concerns are part of what
21 the Task Force looked into.

22 Q Help me understand where that is. I
23 finally found my copy of the REV 3 of the Welding
24 Inspector Task Force report so that is what this is.

25 This is under a cover letter of June 22nd,

1 and there is some correspondence that follows the
2 first couple pages.

3 And then I think you get into the final
4 revisions or the most recent revision of the Task
5 Force report; and if you would take a look at that
6 report and help me find where it addresses concern
7 about Mr. Allum's qualifications (indicating).

8 A This is the report of the Task Force that
9 looked into the technical concerns. There was also
10 a report on the non-technical concerns, and I believe
11 that is where that would be.

12 Q So that concern is not a technical concern
13 about Mr. Allum's qualifications?

14 A To my knowledge it was not handled in the
15 Technical Task Force report.

16 Q That is what I want to understand. Is your
17 understanding that was not a technical concern?

18 A What was the concern again?

19 Q Sure, it is the second question I think is
20 what we've got.

21 A The concern, "Is Art Allum qualified to
22 effectively oversee the CC Inspection Program?" I
23 think that is a decision that has to be made by
24 management as to whether it is or not.

25 It can be classified as technical or

1 non-technical.

2 Q Do you know how it was classified?

3 A I believe non-technical.

4 Q Where are the non-technical concerns?

5 Help me understand that.

6 A Okay, I understand there is a non-technical

7 concern document that deals with those.

8 MR. GUILD: Counsel, can you help

9 me; what does that document look like?

10 What is the non-technical concern?

11 MR. GIBSON: Are you asking us to

12 find a copy now that was available during

13 Discovery?

14 Are you asking us to find a copy to

15 make it available to the Witness?

16 MR. GUILD: Sure, but first help me

17 find it; that is what I'm trying to do.

18 MR. GIBSON: I'm not sure I under-

19 stand what you mean by help you find it.

20 THE WITNESS: I'm not sure that may

21 have been in the technical or non-technical;

22 I would have to look at the volume, the

23 specific ones and go through all of these

24 to be sure it is not in there.

25 MR. GUILD: Let's do it, Mr. Davison.

1 Let's find them.

2 MR. GIBSON: Mr. Guild, I have in
3 front of me the non-technical Welding
4 Inspector concerns which include the hand-
5 written documents from the various
6 inspectors.

7 This may be the information you are
8 looking for.

9 MR. GUILD: All right, sir; I am
10 looking for, I guess, the findings and
11 report, if that is what you have there that
12 would be helpful if you could show that to
13 the Witness.

14 MR. BELL: There has never been a
15 revision to this. This is it though, there
16 is no revision.

17 MR. GIBSON: Do you have the docu-
18 ment, Mr. Guild?

19 MR. GUILD: I'm not sure.

20 MR. GIBSON: I have a copy I will
21 place in front of the Witness. I believe
22 Ms. Garde has identified the same item.

23 MR. GUILD: Let me just make sure,
24 the last thing looks like a transcript of
25 Rockholt and Owen.

1 That is about an inch thick.

2 MS. GARDE: This is the second Task
3 Force, third Task Force, tenth Task Force--

4 MR. GUILD: That appears to be draft
5 one of a speech. Is there a cover letter
6 that you have to go with this?

7 MS. GARDE: Look on the next page,
8 that is where they are starting; but they
9 have a different set.

10 MR. GUILD: Let's see, I think I
11 have an incomplete set in front of me.

12 THE WITNESS: I don't see it listed
13 here, this summary here (indicating).

14 MR. GUILD: First, I had what you
15 have by date and title, and I will see if I
16 have it, too.

17 THE WITNESS: Looking at a March
18 24, 1982, letter to W. H. Owen from Cecil
19 Alexander, "In re, Non-technical Welding
20 Inspector Concerns," and it says, "Enclosed
21 is a copy of those concerns."

22 MR. GUILD: What does that look like?

23 THE WITNESS: It looks like this
24 (indicating). It has a listing of the
25 inspectors and apparently is a cross reference

1 of this reference.

2 MR. GUILD: Okay, I think I am work-
3 ing down to that. It is horizontal sheets
4 and it lists inspectors by name and their
5 concerns?

6 THE WITNESS: Yes.

7

8 BY MR. GUILD:

9 Q Do you see J. Bryant on that list?

10 A Yes.

11 Q And initialed by that is the code of Mr.
12 Bryant's name; what is that?

13 A "D".

14 Q Read what his concerns are as listed.

15 A Under qualifications, "Was told that he was
16 over qualified for his job by Jim Wells." Under
17 resolutions, "Was told that resolution was not an
18 inspector concern," and it was suggested that he
19 "resign and tried to make inspectors scapegoat to
20 NRC."

21 "Craft still asks for directions; NCIs
22 destroyed when presented for SNs." And under harass-
23 ment, "Harassed."

24 Q Those are all non-technical concerns
25 in your opinion?

1 A Yes, I think they would be non-technical.
2 I don't see the one here that you referred to; it may
3 be in the Technical Task Force report.

4 Q Let's look there, I want to understand, Mr.
5 Davison, how the Task Force addresses the Welding
6 Inspector concerns, if they do.

7 And let's talk about this concern. "Is Art
8 Allum qualified to effectively oversee the QC Inspection
9 Program?"

10 A I didn't know, I didn't prepare these docu-
11 ments. I was not on the Task Force.

12 Q Are you familiar with them?

13 A Yes.

14 Q Are you part responsible for implementing
15 any recommendations?

16 A As assigned to me.

17 Q In your area of responsibility?

18 A Yes.

19 Q And that includes supervising Mr. Allum?

20 A Yes.

21 Q And the Welding Inspectors?

22 A Indirectly, yes.

23 Q If you need the time, please take the time,
24 Mr. Davison.

25 A I would like to see a copy of the technical

1 report.

2 Q Are you clear it is not in the non-technical?

3 A Do you want me to go through; I don't know.

4 Q Please take whatever time you need to so
5 we can have the Record clear on the subject. Why
6 don't we do this: Why don't we take about ten minutes
7 and perhaps the Witness can use a little bit of that
8 time to review the technical documents and review the
9 non-technical documents; and perhaps we can identify
10 that concern.

11 (Whereupon, the Deposition was
12 adjourned at 10:04 and reconvened at
13 10:28 a.m.)

14 MR. GIBSON: Mr. Guild, during the
15 break Mr. Davison reviewed the non-technical
16 documents and the technical documents.

17 It appears that the document you are
18 showing him, which has some identification
19 in the Record already, is not a precise
20 document that was dealt with by the Welding
21 Inspector Task Force, either technical or
22 non-technical.

23 It appears this document or perhaps
24 others that you have to use in this line of
25 questioning were produced to you and

1 identified on one of the four attachments
2 by a 1/12, letter.

3 It is my understanding those items
4 identified in those letters came from Weld-
5 ing Inspectors after the Task Force had
6 completed their work, although there was
7 overlap as to which concerns were treated.

8 The precise document that you are
9 looking for was not available at the time the
10 Task Force completed their work.

11 MR. GUILD: Thank you.

12

13 BY MR. GUILD:

14 Q Is that your understanding, Mr. Davison?

15 A Yes.

16 Q Again, the document that is identified as
17 Exhibit 12 was identified by Mr. Allum as Mr. Bryant's
18 handwriting.

19 The question I had pending, I guess before
20 the break, was whether or not that specific concern
21 was addressed in either the Technical or Non-technical
22 Task Force report; and that is, "Is Art Allum quali-
23 fied to effectively oversee the QC Inspection Program?"

24 And do I understand from Counsel's
25 inspection it is not?

1 A I did not identify either of those documents.

2 Q And you inspected both of those documents
3 during the break?

4 A Yes.

5 Q What is your understanding, sir, of the
6 circumstances of when this document and the other
7 documents that Counsel had reference to; that is the
8 handwritten notes of the Welding Inspectors, that is
9 the one he had referred to as being produced after
10 the Task Force report--

11 What were the circumstances of the prepara-
12 tion and production of those documents?

13 A As I understand it as part of Discovery,
14 we asked all our employees to turn in any records
15 they had of disputes with their management or other
16 supervision.

17 It is my understanding that would be a
18 document produced then.

19 Q All right, sir; let's see if we can track it
20 down. Do you know where this document came from?

21 A No, I don't. In fact, I have not seen that
22 document before. I think some of the things on there
23 I may recognize from parts of the Task Force, but
24 I didn't see that document.

25 Q Having thought about it a little bit over the

1 break, you are now confident you have never seen this
2 document before?

3 A Not in that form.

4 MR. GUILD: Looking through the file,
5 Counsel, could you tell which attachment
6 that document relates to?

7 MR. GIBSON: I can review the specific
8 attachment.

9 MR. GUILD: That is what I'm doing
10 right now.

11 MR. GIBSON: Would you hand me a
12 copy of those, Mr. Bell?

13 MR. GUILD: It is my understanding
14 after conferring with Mr. Bell that Attach-
15 ment Three has the first of those docu-
16 ments; and in fact, looking at what is
17 attached to our Attachment Three, you
18 could have the same document.

19 MR. GUILD: What is the title on
20 Attachment Three?

21 MR. GIBSON: "Descriptive Index of
22 Documents Produced in Response to
23 Interrogatories 23 and 25," parenthetical,
24 close parenthetical.

25 MR. GUILD: Okay, and this particular

1 document, do you have a better identifi-
2 cation of it, Counsel?

3 I am just trying to find my Attachment
4 Three.

5 (Whereupon, Mr. Guild found the
6 document he was searching for at
7 10:35 a.m., and the Deposition resumed
8 as follows:)

9 MR. GUILD: Are these from the file
10 maintained by John Bryant?

11 MR. GIBSON: I believe that's correct,
12 which numbered item are you referring to?
13 That is probably correct, I just wanted to
14 read it from here so if I can be more
15 assertive, Roman Numeral III beginning on
16 Page Two of Attachment Three begins,
17 "Documents obtained from a file maintained
18 by Jack Bryant."

19 And the documents pertain to resolutions
20 of QC issues and personnel matters; and it
21 is probably Item Five, Mr. Guild, which
22 says, "Handwritten notes of Quality Control
23 issues in process of being resolved."

24 MR. GUILD: All right, sir.

25 MR. GIBSON: But again, it could be

1 one of the other items listed. We have to
2 go through and actually compare to deter-
3 mine.

4 Also it is my understanding that that
5 same document shows up in Mr. Ross' items
6 that were produced also.

7
8 BY MR. GUILD:

9 Q My concern, Mr. Davison, is whether or
10 not these issues have been addressed and resolved by
11 the Task Force, either the Task Force, Welding
12 Inspector Task Force that I understood addressed
13 technical concerns; is that correct?

14 A Yes.

15 Q Or by the process that purported to address
16 non-technical concerns, that was not a process, that
17 was a Duke management team?

18 A Basically, yes; I think that may have been
19 called a Non-technical Task Force.

20 Q Or by some other means; and what I want
21 to understand is whether they were concerns that are
22 reflected in documents that have been made available
23 to us that are pending or have not been addressed;
24 and is it your testimony that this question, that
25 apparently comes from Mr. Bryant's notes as so

1 identified now is not addressed in either of those two
2 pieces of work?

3 A I could not find it in either of those two
4 pieces of work. I was not a member of the Task
5 Force.

6 Q Right, I understand; how about the next
7 matter, "Why was Beau Ross overlooked for this job
8 position?"

9 Do you know whether that matter was
10 addressed?

11 A I don't know whether that was addressed as
12 part of the Task Force.

13 Q You are not aware of whether they took up
14 that issue?

15 A I am not aware of it.

16 Q Would that be technical or non-technical?

17 A That would be non-technical in my opinion.

18 Q Do you know whether or not Mr. Ross was
19 considered for that position?

20 A No, he wasn't considered because it was
21 not a promotion of anybody. It was just simply a
22 reassignment.

23 Q Essentially Mr. Allum and Mr. Baldwin
24 just switched places; is that right, both working in
25 Welding and NDE?

1 Would it have been appropriate to have
2 considered Mr. Ross if there was a vacancy in the
3 position that Mr. Allum filled?

4 A If there was a vacancy, we would consider
5 probably all of the supervisors who had knowledge and
6 experience in that area.

7 Q And he was one of those?

8 A Yes.

9 Q So it would have been consistent with Duke
10 policy to consider him if there had been a vacancy?

11 A But there wasn't a vacancy.

12 Q And for that reason he wasn't considered?

13 A Right.

14 Q Were you aware of that concern by Welding
15 Inspectors, say Welding Inspectors or others in Mr.
16 Ross' crew?

17 A I can't recall; somebody may have said
18 that to me at one time. I just don't recall specifically.

19 Q Okay, "Should not Larry Davison and Jim
20 Wells also be removed from their positions?" Do you
21 know whether or not that concern was addressed in
22 either the Technical or Non-technical Task Force?

23 A I am not aware that it was.

24 Q Mr. Wells is not in that position any more;
25 is he?

1 A No, he is not in the position of Corporate
2 QA Manager.

3 Q He is working for Duke Power Company?

4 A Yes, I believe he is still working for Duke
5 Power Company.

6 Q What does he do?

7 A He is on temporary assignment to INPO and
8 has been since February, 1982, to the best of my
9 recollection.

10 Q What does he do with INPO?

11 A I am not sure; I understand he works with
12 the Construction evaluation portion of INPO.

13 Q In Quality Assurance?

14 A I don't know whether it would be termed
15 Quality Assurance or not.

16 Q But in any event he does not work in Quality
17 Assurance for Duke Power?

18 A No.

19 Q Is he on relatively long term leave?

20 A I wouldn't say that; I think he is on tempo-
21 rary assignment.

22 Q Is there a plan for him to come back this
23 year?

24 A Not that I'm aware of.

25 Q Is there a plan for him to come back as

1 Corporate QA Manager?

2 A Not that I'm aware of.

3 Q He does not hold that position any more?

4 A No.

5 Q But you do, you are still in the position you
6 were in at the time these concerns were raised?

7 A Basically, yes; I have been located to the
8 Catawba site.

9 Q You came to Corporate Headquarters for
10 awhile and then went back to Catawba?

11 A Right.

12 Q Your position has remained the same?

13 A Essentially, but when I was in Corporate
14 we had McGuire under construction, and I had
15 responsibility there and Cherokee under very limited
16 responsibility there.

17 Q Cherokee has been discontinued so there is
18 no QA going on there?

19 A We have some QA personnel at Cherokee.

20 Q What are they doing?

21 MR. GIBSON: I don't see how this is
22 related to the scope of the Depositions at
23 this point.

24 MR. GUILD: I am trying to under-
25 stand Mr. Davison's responsibilities. I

1 want to know what he is doing and why his
2 position changed and if there are external
3 reasons or if it related to his job perfor-
4 mance.

5 MR. GIBSON: Go ahead.

6 THE WITNESS: We have about three
7 people there continuing with the QA Program
8 for Identification, Shipping and Maintenance
9 of Materials.

10

11 BY MR. GUILD:

12 Q To basically keep stuff and look after
13 equipment and materials so they can be disposed of
14 at some later point?

15 A Basically.

16 Q And there is nothing going on at McGuire,
17 there is no construction, QC?

18 A No, that's correct.

19 Q When was the Construction QC essentially
20 completed at McGuire so I can understand the scope
21 of your duties?

22 A It would have been very recently, in the
23 past several months when Mr. Bulgin and Mr. Sifford
24 transferred down from McGuire to Catawba.

25 Q But it is your testimony that your position

1 and your responsibility tracked to the construction of
2 Quality Control in Construction with the completion of
3 McGuire and cancellation of Cherokee and the remain-
4 der of focus of work at Catawba?

5 A Basically, yes. Now, of course, the position
6 Project QA Manager was a new position that did not
7 exist when I was QA Manager-Project.

8 Q Okay, but you have maintained essentially
9 the same responsibility that you had before?

10 A Essentially except for Catawba.

11 Q Do you know whether or not any analysis
12 was made by either the Task Forces, the Non-technical
13 or Technical or Duke management of the appropriate-
14 ness of maintaining you in that position, Mr. Davison?

15 A No, I do not.

16 Q You are not aware of any?

17 A No.

18 Q All right, sir; do you know whether or not
19 there are other concerns that are reflected in the notes
20 of Welding Inspectors and others that were made
21 available to us that have not been addressed by either
22 of the Task Forces?

23 A I believe some of the documents Mr. Ross
24 turned over indicated some notes he had made on the
25 calendar; and I do not believe those were part of the

1 Task Force.

2 Q Have they been addressed?

3 A I am in the process of going over those
4 with Mr. Ross in making sure that he is satisfied and
5 doesn't have an outstanding concern out of those.

6 Q Does he have an outstanding concern out
7 of those?

8 A The ones we have gone over, there is no
9 outstanding concern. I haven't completed that yet.

10 Q When did you begin that?

11 A Shortly after the documents were turned in,
12 some period of time, it would have been probably
13 April or May of this year.

14 Q Were those concerns made known to the
15 Task Force?

16 A No, the Task Force was nonexistent.

17 Q How about to those persons in Duke manage-
18 ment who were responsible for implementation of the
19 Task Force recommendations?

20 A I made George Grier aware of them.

21 Q What did Mr. Grier do or say in response?

22 A He indicated that we needed to go over
23 those to see if any were outstanding or had not been
24 resolved to his satisfaction.

25 Q That is what you are doing?

1 A That is what I'm doing.

2 Q He gave you basically the direction to do
3 what you were doing?

4 A Yes.

5 Q How about to Mr. Bradley?

6 A Did I make Mr. Bradley aware?

7 Q Yes.

8 A Not specifically that I recall; I may have
9 mentioned that to him, but I don't recall.

10 Q Do you know whether Mr. Bradley has been
11 made aware of those?

12 A I don't know.

13 Q Mr. Bradley, you understand, is responsible
14 for implementation of the Task Force recommendations?

15 A Yes, responsible for the coordination.

16 Q Are there any other concerns that were
17 identified in the additional documents that were
18 identified in Discovery?

19 A Not that I'm aware of.

20 Q Just those reflected on Mr. Ross' calendar?

21 A Yes, and there was one other item that I'm
22 aware of that was turned in by an Electrical
23 Inspector, Ernie Cole.

24 Q How do you spell his last name?

25 A C-O-L-E.

1 Q Have those been identified in Discovery and
2 made available to your knowledge?

3 A To my understanding they have.

4 Q Do you know where those documents are
5 identified in the Discovery Responses?

6 A Do I know if they were?

7 Q Yes.

8 A No, I did not turn those documents over.
9 I turned those in when we asked all of our people to
10 turn in any documentation of concerns that they had.

11 MR. GUILD: Just so we can be clear,
12 if Counsel could help me--is there a
13 reference to Mr. Cole's concern?

14 MR. GIBSON: It is my understanding
15 that is also an Attachment Three that we
16 talked about a few moments ago.

17 MR. GUILD: Fine. Now that is it
18 then with the exception of Mr. Ross's
19 calendar and the concerns that are reflected
20 there and concerns identified from Mr. Cole?

21 THE WITNESS: Yes.

22

23 BY MR. GUILD:

24 Q What are you doing with Mr. Cole's concerns?

25 A I have talked with him about that. He

1 documented that as being something that had occurred
2 and had been NCI'd, and the NCI had basically handled
3 that problem.

4 Q To his satisfaction?

5 A Yes, he has not continued on with that con-
6 cern.

7 Q My question is to his satisfaction?

8 A You would have to ask him. It is my under-
9 standing that he is satisfied.

10 Q All right, sir; Mr. Davison, describe for
11 me, sir, how the procedures for handling construction
12 deficiencies in the area of Welding have changed since
13 the period of time when the Welding Inspectors ex-
14 pressed their concerns.

15 Let's say since January of 1982.

16 A Okay, the procedures change quite fre-
17 quently as a matter of course. I am not sure I can
18 identify specifically what was changed as a result of
19 the Task Force, but basically one area that has changed
20 is the use of the R2A or Discrepancy Report for
21 Welding Inspection discrepancies that has come into
22 use.

23 Basically before then that was not used in
24 that area.

25 Q What was used before then?

1 A NCIs were the primary means.

2 Q Is that the most significant change in your
3 opinion that has occurred in those procedures since
4 about January of 1982?

5 A In those procedures, yes. Like I say, there
6 have been revisions in those procedures as part of an
7 ongoing program.

8 Q All right, sir; now explain to me why the
9 change was made that you have just referred to.

10 A R2 was a form that used to be entitled,
11 "Minor Discrepancy Report." It was used primarily
12 in Mechanical when it was first developed.

13 As time went along in the Welding
14 Inspector Task Force, it was indicated that we needed
15 to look at our methods for handling discrepancies.

16 And it became apparent that the use of such
17 a form was needed, and R2 was essentially revised
18 to make that available for use in all the inspection
19 disciplines.

20 Q How was the form or procedure R2 used in
21 the Mechanical area previously?

22 A It was used to document minor discrepancies.

23 Q Give me an example of a hardware item
24 that would be appropriately treated by using the R2?

25 A If he was looking at a piping configuration

1 and notes that a long nut or a valve tag was missing
2 or maybe a valve was identified with a wrong tag, he
3 would use R2 to document that.

4 Q How about a construction deficiency in the
5 Mechanical area; that would be appropriate in your
6 judgment previously for use of R2?

7 A I believe that is just what I described, if
8 I understand you correctly. Minor discrepancies,
9 valves with wrong tags on them, maybe illegible,
10 maybe the tag is illegible, maybe a long nut is miss-
11 ing off a belted connection, that type thing.

12 Q All right, was a procedure R2 formerly
13 expressly limited to a Mechanical area?

14 A It was limited by reference from other
15 Mechanical procedures, Mechanical procedures reference
16 R2 and said to use that.

17 Q How about inspection procedures in the
18 Mechanical area?

19 A Again, what is the question, how have they
20 been changed?

21 Q No, did they reference R2 before?

22 A Yes, before they would reference, make a
23 reference to R2 for handling discrepancies.

24 Q Did R2 limit itself; was R2 limited by its
25 terms to a Mechanical area?

1 A No.

2 Q By the terms of R2 as previously stated,
3 would R2, would those terms be applicable in the
4 Welding area previously?

5 A It would have been used in the Welding
6 area, but practice was not to use it. It developed
7 as part of the Mechanical area.

8 It was used primarily there.

9 Q Any other areas?

10 A As the Electrical area had a form called
11 a Minor Discrepancy Report as part of one of its
12 procedures, and that came over to be used.

13 R2 took the place of it some period of time
14 ago.

15 Q But the practice was not to use it in the
16 Welding area?

17 A Yes, there was no equivalent to practice
18 or usage of that.

19 Q Why was, in your opinion, there a need to
20 replace the use of NCIs by the R2A in the Welding
21 area?

22 A By using the NCI to document just about
23 every discrepancy, it caused a larger number of
24 NCIs to be written.

25 NCIs were treated with much higher level,

1 if you will, of involvement of a lot of different
2 people; and the deficiencies that were not major
3 deficiencies, that were minor in nature, could be
4 handled without that.

5 Q What procedural changes in process con-
6 trol with respect to Welding have been implemented
7 since about January of 1982?

8 A I'm not sure I could list all of those for
9 you.

10 Q How about identifying?

11 A F9 and M4, that is two procedures that
12 have been replaced, that I know were revised and they
13 were dealing with Welding process control.

14 Q I was going to modify that question and ask
15 you to identify significant changes in that area.

16 A I am not aware of any significant changes
17 in that area.

18 Q The changes in F9 and M4 are not signifi-
19 cant in your opinion?

20 A In my opinion.

21 Q What is a procedure F9?

22 A Procedure F9 is the process control pro-
23 cedure for welding and piping system erection.

24 Q Safety related?

25 A Yes.

1 Q M4?

2 A Is the inspection procedure for welding and
3 piping system erection.

4 Q Safety related?

5 A Yes.

6 Q What procedure is used for the inspection
7 of conduit?

8 A That would be an Electrical procedure.

9 Q Do you know what the procedure number is?

10 A I'm not positive, M40, M41, one of those
11 two, I believe.

12 Q How about tray hangers?

13 A Electrical cable tray hangers?

14 Q Yes, sir.

15 A M40, M41; one of those.

16 Q The same; have either of those procedures,
17 those for conduits and tray hangers, changed in any
18 significant way?

19 A Not that I'm aware of or that I recall.

20 Q You are aware of the change in the M4
21 procedure with respect to the use of accept reject by
22 the inspector to reflect construction deficiencies
23 initially detected in Welding Inspection?

24 A Are you talking about the use of an accept
25 or reject block on the form?

1 Q Yes, sir.

2 A Yes, I am aware of some changes.

3 Q Describe those changes.

4 A As I recall at one time those blocks were
5 on the form. They were removed for a period of
6 time and then they were added back on.

7 Q When were they on the form initially?

8 A Dates, I am not going to be able to tell
9 you.

10 Q Approximation to the best of your
11 recollection.

12 A I would say during the earlier changes at
13 Catawba they were there in the '76, '77 time frame.

14 Q Why were they removed?

15 A Part of a revision to the procedure. I didn't
16 revise that procedure, and I can't recall all that went
17 into that.

18 Q You worked with that procedure then?

19 A Yes.

20 Q Did you supervise inspectors who were
21 expected to follow that procedure?

22 A Yes.

23 Q That was a way of identifying construction
24 deficiencies in welding?

25 A That was one way, yes.

1 Q And in that capacity, do you have any under-
2 standing of why the procedure was changed?

3 A I can't recall, I know that that was dis-
4 cussed very extensively at that time. It was not a
5 flippant decision to do that; but I can't recall.

6 Q You have no recollection of the basis for
7 that change?

8 A No.

9 Q How about the basis for the change back,
10 the subsequent change in M4 to include the accept-
11 reject blocks?

12 A Again, I would not be able to tell you
13 that. I am just aware that that was done.

14 Q You have no understanding of why it was
15 done?

16 A Not that I recall right off.

17 Q And again, that use of that accept and
18 reject box, that is now part of procedure M4, is a
19 method for Welding Inspectors to indicate construction
20 deficiencies in welding?

21 A It is a matter for the inspector to indicate
22 whether he has accepted or rejected the item; and I
23 am not sure that is on every step along the way.

24 I know it is there for final visual
25 inspection.

- 1 Q Do you disagree with my characterization?
- 2 A Would you restate it for me?
- 3 Q Sure, is the use of that accept and reject
4 box on the M4, is the use of the M4 a method with
5 which Welding Inspectors can note a construction
6 deficiency identified in inspection?
- 7 A Yes, it would be a method to do that.
- 8 Q And when, to the best of your recollection,
9 when was the M4 procedure most recently changed to
10 provide for the accept-reject?
- 11 A I can't give you a date on that.
- 12 Q Since January of 1982?
- 13 A I would think so; I'm not positive about
14 that.
- 15 Q You don't recall?
- 16 A No.
- 17 Q Are there any equivalent process control
18 procedures equivalent to M4 such as the procedures
19 that you've identified for electrical conduit and tray
20 hangers and other safety related area in construction
21 at Catawba?
- 22 A There are inspection procedures, yes.
- 23 Q Do those inspection procedures include a
24 similar process control procedure and form where
25 inspectors in those areas would indicate their

1 acceptance or rejection by a box like there is on the
2 M4 form?

3 A Some do and some don't.

4 Q Can you tell me which ones don't?

5 A Not without looking at all the procedures
6 I couldn't.

7 Q Can you tell me whether or not, just give
8 me for a judgment, if you can, do most safety related
9 inspection procedures have process control procedures
10 where the inspector can accept or reject where
11 construction deficiencies are identified and provide for
12 a correction as a matter of process control?

13 A In general I would say that they don't.
14 The use of the R2 in Mechanical and Electrical area
15 would serve that function.

16 Q There has been no significant change in the
17 use of the R2 procedure in the Mechanical and
18 Electrical area in this period of time?

19 A No significant change.

20 Q But there has been a significant change in
21 the Welding area?

22 A The utilization of R2, that procedure in
23 the Welding area, yes. I would say that is a signifi-
24 cant change.

25 Q Give me a rough idea, if you can, Mr.

1 Davison, of how many procedures there are that are
2 similar to the M4 procedure in areas other than
3 welding.

4 A I think that may depend on what you mean
5 by "similar to." All of our inspection procedures are
6 similar to one another.

7 Q Let me see if I can explain it this way:
8 I am intending in identifying other procedures in other
9 areas than welding that are similar to the M4 for
10 welding.

11 I know that they, I know that minor dis-
12 crepancies as you have been using that term are
13 identifiable other than by using a non-conforming item
14 or an R2A.

15 A Welding is a little bit unique in that regard
16 in that a lot of welding inspections are done in pro-
17 cess while the work is actually going on.

18 There are certain steps that are inspected
19 before you go on. You have hold points at which the
20 work has to be completed and inspected before you
21 go on.

22 Most of the procedures don't have that type
23 of hold point or in-process inspections. Most of these
24 are done after the work may be installed and then it
25 is inspected, so in that sense, I would say that most

1 of the other procedures are not similar to M4 and M5.

2 Q That is a significant difference in the
3 Welding area in your opinion?

4 A Yes.

5 Q And is that significant because in the
6 Welding area in your opinion those minor discrepancies
7 that are identified in process are readily correctible
8 by the Craftsmen?

9 A Usually that is the case because the
10 inspections occur during the process, and the Crafts-
11 man is usually right there while the inspection is
12 going on.

13 Q Did I state that--

14 A Yes, I think you stated that accurately.

15 Q And is it fair to say by comparison or
16 contrast in other areas the work would be not in
17 process and instead completed at that point where the
18 inspector would review it and therefore minor dis-
19 crepancies would be less readily correctible by the
20 Craftsman?

21 A The Craftsman would not in most cases be
22 available right there to do that.

23 Q So how would that correction be accomplish-
24 ed?

25 A If the Craftsman were there it could be

1 accomplished that way, documented in R2A. Some of
2 the other procedures do provide forms to document
3 corrections.

4 Q So I can understand this in some perspective,
5 Mr. Davison, would a cable tray be an example of
6 a component whose installation would be reviewed upon
7 completion?

8 A Basically, yes.

9 Q Can you identify procedure F13?

10 A I'm familiar with that number; I would have
11 to look at it.

12 Q I am not.

13 A I will have to look at it to identify it.

14 Q Does that relate to the fabrication or
15 installation of cable trays?

16 A I would have to look at it and see.

17 Q All right, sir; the notes of Mr. Bryant that
18 were identified contain a reference on the first page,
19 Mr. Davison, to a date that is 9/25/81.

20 One NCI or ICI 162-27 Courthen Class A;
21 is that an indication of a weld?

22 A It sounds like it.

23 Q Would that be one NI?

24 A One NI would be the unit, one NI system.

25 Q What is NI system?

1 A Safety Injection.

2 Q All right, sir; do you recall the incident
3 for the piece of work that is referenced there?

4 A Yes, I recall that. I believe that was one
5 of the welds that was addressed by the Technical
6 Task Force.

7 Q Would you read now for the Record that
8 statement dated 9/25/81, one NI 162, Class A?

9 A "Weld repair made on route side of weld.
10 The repair area is approximately six feet from the
11 open end of the pipe."

12 "I could not take a meaningful inspection
13 due to accessibility," something in parentheses, I
14 can't make out what that is.

15 "NRC instructed me to sign the final visual
16 anyway."

17 Q Yes, describe that incident to me.

18 A I understand that that was a pipe in the
19 NI system that had a repair made to it on the route
20 side.

21 Q Route side?

22 A Yes; and the inspector is referring to he
23 did not feel he could conduct a meaningful examina-
24 tion of the route of that weld because it was approxi-
25 mately seven feet up in the run of the pipe.

1 Q Were you aware of that incident at that
2 time?

3 A No.

4 Q Were you aware of the resolution of that
5 incident?

6 A Yes.

7 Q How did you become aware of it?

8 A It was one of the items in the Technical
9 Task Force report.

10 Q That is the first you became aware of it?

11 A Yes.

12 Q Looking through documents 11/19, during
13 the time when that weld was performed, that is the
14 subject of 181, what was your responsibility for
15 reviewing or originating or resolving nonconforming
16 items in the Welding area, Mr. Davison?

17 A I did not participate in that at that time.
18 That was when I was QA Manager at the project
19 located here in Charlotte.

20 Q Yes, sir; not with specific reference to
21 that incident, what was your responsibility at that
22 time?

23 A There was a Project QA Engineer at that
24 time, and he reported to me; and of course he was
25 responsible as well as myself for the implementation

1 of the QA Program, which the NCI was a part of that
2 program.

3 Q Did you at any point have responsibility for
4 origination or review or resolution of nonconforming
5 items in Welding at Catawba?

6 A Yes; when I was the Junior QC Engineer
7 at Catawba, I had the responsibility for reviewing
8 QC nonconforming items at origination.

9 Q When was that?

10 A That would have been from 1974 to February
11 of 1981.

12 Q And that was the point where Mr. Bulgin
13 then took responsibility for that inspection?

14 A Basically, yes.

15 Q And he has that responsibility now?

16 A No, the procedure has changed.

17 Q So you no longer have that responsibility?

18 A That's correct.

19 Q Who does?

20 A There are about six people I believe that
21 are authorized to review and approve NCIs; and my-
22 self, Mr. Morgan, Bob Morgan, Joe Shropshire--

23 Q Wait a second, let me write those down.
24 Okay, Morgan--

25 A Shropshire; Ken Schmidt.

1 Q Who is Mr. Schmidt?

2 A Associate QA Engineer at Catawba.

3 Q Spell his last name.

4 A S-C-H-M-I-D-T.

5 Q What is an Associate QA Engineer?

6 A He is QA Engineer at Catawba.

7 Q Not Associate?

8 A No.

9 Q That is four; who else?

10 A Mr. Tommy Barron. He is Associate QA
11 Engineer. Mr. Jerry Goodman, who is the Inspection
12 Superintendent.

13 Q Now?

14 A No.

15 Q And until today?

16 A That was Mr. Joe Willis.

17 Q All right, and generally how long had these
18 gentlemen or persons who have held their positions
19 been responsible for the review of the NCIs?

20 A All of those people have been responsible
21 in performing that function for some time.

22 Q What I want to understand is you did it,
23 then Mr. Baldwin did it after you. Then these gentle-
24 men did it after Mr. Baldwin. Is that essentially
25 the sequence?

1 A Let me explain; when I did it, it was the
2 Senior Engineer Review. I was the Junior Engineer,
3 okay; so I performed that responsibility and did that
4 practically all the time for those originating the
5 inspection.

6 Q Say that again.

7 A I performed that responsibility practically
8 for all of those originated by inspection. When I
9 left Mr. Baldwin and other Technical Supervisors
10 performed that function; and the procedure got revised
11 and essentially eliminated that review and kicked it
12 over to the QA Review; and these are the people who
13 do the QA Review now.

14 Q When would that change have taken place,
15 approximately?

16 A This change limited it to those people.
17 That occurred fairly recently.

18 Q Within the last week or so?

19 A Within the last month.

20 Q So before it was limited within the last
21 month to those people who do it, Mr. Baldwin--

22 A No, let me go back to the beginning again:
23 When I was there there were three signatures on the
24 origination.

25 There was originator. It used to be Junior

1 Engineer Review and QA Review, the Senior Engineer
2 Review.

3 Q Let me get the time; this is '74 to '81?

4 A '74 to '80 time period, and the Senior
5 Engineer changed to Technical Review, and that is
6 when Mr. Baldwin and the Technical Engineers per-
7 formed that function; and that would have been in the
8 time period '81.

9 Then the procedure was reviewed to elimi-
10 nate that review and put that function under the QA
11 Review; and those people I just named plus others
12 have been authorized to do that.

13 Q And that is very recently?

14 A That is probably a year or two years. A
15 year, maybe a year, possibly. Then very recently
16 it has been limited to just those people I named.

17 Q And were they named in the procedure or
18 their titles?

19 A No, they are not named in the procedure.

20 Q How is it limited to them as a matter of
21 practice?

22 A I issue a letter that states that these are
23 the people authorized to do that.

24 Q So the terms of procedure of Q1 are not
25 changed to do that, but your implementation of Q1

1 would be what this written letter does change?

2 A Yes, QI has changed to that.

3 Q You have made that authorization?

4 A Yes.

5 Q And is that about a month--

6 A About a month.

7 Q Okay, I want to understand, Mr. Davison,
8 the period of time that you did this review when you
9 performed what you have described as the Senior
10 Engineer Review.

11 Let's take it back from the time when you
12 came on the job at Catawba in '74. When construction
13 started in '75, how were construction deficiencies
14 in the Welding area first identified and documented?

15 A They would be identified through the pro-
16 cess of inspection, primarily. Inspectors looked for
17 these things.

18 They could be resolved either by correction
19 to the inspector's satisfaction and therefore he settles
20 it, or he could write a nonconforming item on it.

21 Q Okay, under the first alternative, how would
22 the original deficiency have been documented?

23 A It would not have been documented on the
24 form, itself. The acceptance of that particular
25 activity, whatever was being inspected, would have been

1 documented.

2 Q So only the final acceptance was documented?

3 A That's right.

4 Q All right, and then if the deficiency, if
5 the second alternative were chosen, that is to write
6 an NCI, how would that occur?

7 A The inspector would originate that NCI, take
8 the form, fill out the form and forward it up to the
9 persons to review it.

10 Q Who would that have been; who would have
11 first reviewed it?

12 A Primarily during that period of time that
13 would have been me.

14 Q You would have been the first review at
15 that time?

16 A Yes, they probably, now they may have
17 talked with their supervisor about it before they came
18 to me; but in a lot of cases they would come straight
19 to me.

20 Q And where would you have been?

21 A I was located on the site. I had an office
22 there at the construction offices.

23 Q All right, the Welding Inspector physically
24 gets a form to fill out?

25 A Yes, and they have copies of the form in

1 their work area.

2 Q And the work areas, are there inspection
3 areas where the welding is being done in this instance?

4 A Right, plus they have an office in the
5 construction office, too, at this time.

6 Q I want to understand the practice then.
7 The Welding Inspector notes a deficiency in the process
8 of inspecting a weld that is being performed.

9 What does he do?

10 A Okay, if it is a deficiency that can be
11 corrected easily and the Craftsmen are there, he has
12 the Craftsmen correct that and documents his accep-
13 tance.

14 If it is not in that category, he would get
15 a copy of an NCI form.

16 Q Where would he get the NCI forms?

17 A He would have them available in the work
18 area.

19 Q Would he have a stack of them next to him?

20 A They have a map shack in the area, and
21 they keep their equipment and forms there.

22 Q What kind of proximity to the inspection
23 site would that map shack be?

24 A They are located throughout the plant.
25 Some levels might have two on one level of the plant.

1 Q Give me an idea just in some kind of mea-
2 sure so I can understand; a hundred feet from the
3 inspection site, fifty feet from the inspection site?

4 A Well, it may be further than that from the
5 inspection site. There might be an area where the
6 map shack is located at the reactor site.

7 Q A different level as well?

8 A It could be.

9 Q Would it take as long as five minutes for
10 the inspector to go to the map shack to get the form?

11 A It could.

12 Q Ten minutes?

13 A Possibly.

14 Q So he gets the form and then what does he
15 do?

16 A He fills out the form.

17 Q He also has that task; that goes along with
18 that procedure to identify the item?

19 A Yes.

20 Q What does he do with the tag?

21 A He can sign that tag and place that tag on
22 it or tag and tape on the item, itself, to identify
23 that as an item that has been nonconformed.

24 Q Then what does he do?

25 A Then he would either send the form or bring

1 the form up for review.

2 Q How would he send it?

3 A He might give it to somebody who is coming
4 up. He might send it up through his supervisor, go
5 to the supervisor and ask the supervisor to send it
6 up.

7 Most commonly they would bring it, them-
8 selves, as I recall.

9 Q Where would they send them or bring them?

10 A To the construction office.

11 Q To you?

12 A To me, yes.

13 Q Give me an idea again for proximity of
14 where you were located then to the inspection site.

15 A Well, the construction office, I was located
16 and the Welding Inspectors had areas there, too. We
17 were I would say maybe a hundred feet away from the
18 plant, a hundred fifty feet away from the plant.

19 Q Where is it now? Where was the construction
20 office? Give me a reference to the site; what is
21 located there now, the same office?

22 A Oh, yes; the office is still there.

23 Q The construction office is still there?

24 A Yeah.

25 Q All right, sir; then what would happen?

1 Would they bring the completed form to you?

2 A Yes.

3 Q What would you do with it?

4 A I would review it, make sure that it was
5 an item that was nonconforming, make sure the de-
6 scription was accurate, all the blanks were filled in.

7 I would read it, was it properly written,
8 and I would sign it and give it back to the inspector
9 or forward it on to QA.

10 Q All right, sir; so you would make sure the
11 form was filled out properly?

12 A Right.

13 Q What else would you do in your review?

14 A Make sure it was identified properly that
15 you could understand it. If it needed a location
16 reference or anything like that, that was on there
17 and that it was a valid nonconforming item.

18 Q How would you determine whether it was a
19 valid nonconforming item?

20 A By reading it, looking at it. There is a
21 space on there, violations, and referring to the docu-
22 ments sited.

23 Q Then what would you do? Let's say if you
24 signed it, where would you sign it?

25 A There was a block on the form.

1 Q And what blank was it, what did it provide
2 for?

3 A The form was organized with the origination
4 which gave all of the details, documents violated,
5 and what the problem was and a place for the originator
6 to sign.

7 And next to that was a place for the review-
8 er to sign.

9 Q That was you?

10 A For the most part I reviewed practically
11 all the inspections. There are others who would re-
12 view it and a manager for the QA person, also.

13 Q You signed it, and then what would happen?

14 A Formerly I would give it back to the
15 inspector, and he would turn it into QA.

16 Q Where is QA located?

17 A In the same building at that time, still is
18 in the same building.

19 Q What would QA do with it?

20 A They would review it also, and there was
21 a space for them to indicate their review, and they
22 would also determine who it should be assigned to
23 for resolution and mark that on the form.

24 Q Anything else?

25 A Determine distribution, who should be sent

1 a copy of it. The inspector would get a number, and
2 the NCI would be logged in sometime during that pro-
3 cess.

4 It may be before he brought it to me, it
5 may be after he brought it to me.

6 Q It could be either way?

7 A Either way, the vast majority were number-
8 ed before they brought it to me.

9 Q Okay, and that process was followed con-
10 sistently during a period of time from the beginning
11 until when, as you just described, with your involve-
12 ment?

13 A The period of time I did it would be
14 February, 1981.

15 Q February, 1981?

16 A (The Witness nodded his head affirmatively.)

17 Q And that process was the same for
18 deficiencies that were noted in all areas of
19 construction?

20 A Yes.

21 Q All right, sir; what happened in the instance,
22 Mr. Davison, where you do not approve the NCI?

23 A Then I would get back with the inspector
24 to discuss that with him.

25 Q What would happen where you did not approve

1 the NCI?

2 A I would get back with the inspector, explain
3 to him what I thought the problem was, and why I
4 thought it was not legitimate.

5 Q Typically he is standing in front of you?

6 A Right, typically it was in one step; although
7 there were cases where they would leave it with me
8 and I would review it.

9 Q So let's take it a step at a time. The
10 inspector is standing in front of you, and you review
11 it.

12 Give me an example in the welding situation
13 where you determined it was not a valid NCI.

14 A There were very, very few of those; and
15 I don't know that I can say, give you something that
16 would be typical in that case.

17 The typical process would be typical in
18 that case. The typical process would be the inspector
19 would come up with an NCI with a question, should
20 this be NCI'd; and he and I would discuss it and come
21 to a decision as to whether it should be or should not
22 be.

23 If we decided it should, I would sign it
24 and forward it on. If we decided it shouldn't, the
25 inspector would take that copy with him and give it

1 back to the inspector.

2 Q Was that a consensus decision between the
3 two of you?

4 A Yes.

5 Q All right, if the inspector disagreed, if he
6 did not have a consensus, if you said it is not and he
7 said it is--

8 A Then we would talk about it. I would want
9 to know why he thought it was and what his basis was;
10 and I would explain to him what my basis was.

11 Q And that happened and he still disagreed
12 with you. What happens?

13 A Then I would say, I would tell him that is
14 not an NCI; if it has a number on it, I would sign it
15 and on the form I would state my reasons and send it
16 on.

17 Q Slow down one second. You were the super-
18 visor and the inspector was the supervisee?

19 A Yes.

20 Q Correct; and you were exercising manage-
21 ment supervision over the inspector?

22 A Yes.

23 Q So if you could agree on it, fine. If you
24 couldn't agree, you would hold to your position?

25 A Yes; normally in a case like that if there

1 were disagreements I would go back to the supervisor,
2 go back to other people involved, make sure I had
3 all the information, all the facts available on it.

4 Q But ultimately it was your decision to make
5 in your judgment?

6 A Yes.

7 Q So in the situation where it comes to you
8 and you have determined that it is not a valid NCI
9 and the paperwork has been done, you would sign it
10 and indicate your reasons on the form?

11 A If the number were already on it.

12 Q Then what?

13 A I would sign it, get the QA to review it,
14 and I would state on there why I felt it was invalid
15 and turn it back over to QA; and they would review
16 that.

17 Q And you would document that in your opinion
18 it was invalid?

19 A For the following reasons this is not valid.

20 Q And that would be under the resolution
21 portion of the NCI?

22 A Yes.

23 Q And then you would put down, what would
24 you put down as resolution in that instance?

25 A I would say this NCI is not valid for the

1 following reasons, and I would list them.

2 Q And what would you put for corrective
3 action?

4 A NA.

5 Q Just not applicable?

6 A Right.

7 Q If you would ever, in trying to resolve this,
8 dispute, let's say there is a dispute. The Welding
9 Inspector believes it is a valid NCI and you believe
10 otherwise.

11 Q Would you ever go to the inspection site
12 and like in this instance see the welding?

13 A Yes, I would do that or I might possibly
14 do that. I might take the supervisor with me. I
15 might take the inspector with me.

16 Q Would that be unusual for you to do that?

17 A No, it wouldn't be unusual. This whole
18 situation is unusual in that it occurred very, very
19 rarely.

20 Q Would typically you involve, if you were
21 going to the inspection site with the inspector and
22 maybe his supervisor, would you involve the Craft
23 who had performed the work?

24 A If they needed to be involved in it.

25 Q Would that be unusual in the situation?

1 A More often than not I would say the Craft
2 would not be involved.

3 Q May they have been?

4 A Occasionally, yes.

5 Q How about the Craft supervision?

6 A Perhaps.

7 Q Let's say it is a situation that you have
8 just referred to, and you go back to the inspection
9 site to look at the piece of work and you satisfy your-
10 self that your conclusion was correct, all right, that
11 the work was not appropriately nonconforming.

12 Would you reflect that opinion on the form?
13 Would you write that up, yourself?

14 A If the form already had the number on it,
15 that is what I would do; yes.

16 Q You would note that, that you had looked at
17 the piece of work and you confirm it is a nonconforming
18 item?

19 A Yes; and here again, I want to reiterate
20 this happens so rarely, there are probably not a lot
21 of cases that did occur.

22 Q Okay, if you did look at the piece of work
23 in your review to determine whether it was a valid
24 NCI, Mr. Davison, would you list yourself as an
25 inspector?

1 Would you document your inspection of the
2 piece of work?

3 A If I looked at the item and determined that
4 it was acceptable, I would document that on the NCI,
5 if the NCI had a number.

6 If the NCI did not have a number, I would
7 get back with the inspector or his supervision and
8 say, "This doesn't need to be NCI'd. It is acceptable,"
9 and I would explain why.

10 Q Right, but taking the situation you have
11 referred to where there is a piece of paper with a
12 number on it, an NCI number; you are still of the
13 opinion it is not a valid NCI after having looked at
14 the piece of work.

15 And you send it back to QA and write it
16 up as non-applicable or follow up or whatever it
17 says.

18 Would you note on the document that you
19 had inspected the item?

20 A I may and may not. I would list my rea-
21 sons for why it was not valid.

22 Q Would you note on any of the process
23 control documents that you had inspected that?

24 A No, I can't think of any cases where that
25 occurred.

1 Q All right, sir; now then, let's take the
2 other situation; an inspector comes to you and first
3 there has not been a number on the NCI, but the
4 inspector would typically have completed the form?

5 A Correct, yes. Well, he may have completed
6 it or he may have a question--should I NCI this?

7 A lot of times they will complete the form and say
8 here's what I think.

9 Q So he has the form completed in this
10 situation. We will talk about the other, if that is
11 important.

12 But he completes the form but there is no
13 number on it, and he brings it to you and you deter-
14 mine, you reach the conclusion that it is not a valid
15 NCI either by looking at the paper and talking to him
16 or looking at the paper and talking to him and going
17 back to the site and looking at the piece of workman-
18 ship.

19 That would happen; right?

20 A Occasionally.

21 Q What would be the resolution in that instance?

22 A Would you go through that again?

23 Q Sure; the paper has been filled out by the
24 inspector.

25 A Okay.

1 Q He comes to you first. There is no number
2 on the NCI.

3 A Okay.

4 Q You talk to him about it, review it, do
5 whatever you need to do, including going back to the
6 item or working the weld or other piece of work.

7 You still conclude it is not a valid NCI.
8 I want to understand the disposition.

9 A I would explain to the inspector why it is
10 not a valid NCI.

11 Q You explain it to him. Then what happens?

12 A The situation ends there. If the inspector
13 is still of the opinion it is, I certainly listen to him
14 and I say okay, I understand what you are saying;
15 and I explain why.

16 Q You go around and around and basically the
17 decision is yours?

18 A Right.

19 Q What happens to the NCI, itself?

20 A I would give it back to the inspector.

21 Q For what purpose?

22 A Dispose of it.

23 Q Throw it away?

24 A Whatever.

25 Q What was he supposed to do with it?

1 A Nothing.

2 Q All right, was there any documentation of
3 your decision to invalidate the NCI in that situation?

4 A In that case, no.

5 Q Do you maintain any documentation of NCIs
6 that you invalidated in that way, Mr. Davison?

7 A No.

8 Q Do you maintain a personal diary or calen-
9 dar?

10 A No, I kept a calendar; the calendar was
11 just for appointments and that type of thing.

12 Q Would you note on your calendar if you met
13 with the inspector concerning a concern about a
14 possible NCI?

15 A No.

16 Q Would you note on your calendar if the
17 resolution of the item or the matter required a meet-
18 ing, wasn't just a face to face with the inspector at
19 that point, but let's say it is a situation where the
20 next day you are going to meet with the inspector and
21 his supervisor or maybe the Craft or somebody else?

22 Would you put that on your calendar?

23 A No.

24 Q You wouldn't?

25 A No.

1 Q Never?

2 A No.

3 Q Mr. Davison, do you maintain your calen-
4 dars?

5 A I keep them for the year and the next year
6 I get another one. No, I don't keep them beyond.

7 Q What is the oldest calendar that you have?

8 A I have one for 1983.

9 Q Do you have your 1982 calendar?

10 A No.

11 Q What did you do with it?

12 A Threw it away.

13 Q Do you have a secretary that works for
14 you?

15 A No.

16 Q Did you have one in 1982?

17 A No.

18 Q Is there anybody else that maintained
19 records of your appointments during 1982 or earlier?

20 A No.

21 Q All right, sir; Mr. Davison, I would ask
22 that you maintain your 1983 calendar and protect it
23 and keep it in good order, and we would intend to
24 seek its production in the course of the Licensing
25 Hearing; all right, sir?

1 A Okay.

2 Q Let's talk about the piece of work that Mr.
3 Bryant described in the document earlier. Now this
4 is the 9/25/81.

5 You weren't at the Catawba site then; is
6 that correct?

7 A That's correct.

8 Q You were back here in Charlotte?

9 A That's correct.

10 Q And you did not have anything to do with
11 the resolution of that particular item?

12 A Right.

13 Q But as a matter of policy and procedure,
14 how should that have been handled in your opinion
15 is what I want to understand.

16 C-R-B, you recognize that as Mr. Baldwin?

17 A Yes.

18 Q He was performing the review function that
19 you have described that you performed before him?

20 A Yes.

21 Q Did you instruct Mr. Baldwin in how to
22 perform that review when he took over that
23 responsibility?

24 A No.

25 Q Not at all?

1 A No.

2 Q Who instructed him, if you know?

3 A I'm not aware of anybody that instructed
4 him.

5 Q Did Mr. Baldwin work for you when you
6 were doing this job?

7 A Yes.

8 Q Did he have occasion to observe how you
9 performed the function?

10 A Oh, yes.

11 Q And you worked together for some period
12 of time doing this function? He assisted you in doing
13 this function?

14 A Yes, he was involved in a lot of situations.
15 He knew what I did.

16 Q Did you have any reason to believe anyone
17 instructed him differently when he took over the
18 situation?

19 A No, not that I am aware of.

20 Q And you would have expected that he would
21 do it the way you had done it?

22 A Yes.

23 Q How would the circumstances described in
24 that reference to that particular weld, how would they
25 have been handled?

1 Lead me through the process, Mr. Davison.
2 I don't want to ask you to couch your facts that you
3 don't know about.

4 I want you to consider this in the realm
5 of a hypothetical in this instance, how would this
6 have been handled through the process of identifying
7 deficiencies that we have discussed?

8 A I can tell you my understanding.

9 Q That would be fine.

10 A Here again, first hand knowledge--

11 Q I understand that.

12 MR. GIBSON: Before we begin, can
13 I be clear which specific item we are re-
14 ferring to?

15 MR. GUILD: Yes, 9/23/81.

16 MR. GIBSON: The one that was read
17 earlier?

18 MR. GUILD: Yes, it is the weld
19 repair inside the seven foot, up in the pipe;
20 go ahead.

21 THE WITNESS: Okay, the inspector
22 had a question because the repair was seven
23 feet back up in the pipe and said, "Hey, I
24 can't see that very well, and I don't believe
25 I can do a meaningful inspection of it," and

1 he contacted the supervisor who--

2

3 BY MR. GUILD:

4 Q Who would have been?

5 A Mr. Ross. He said, "What should I do?"

6 I believe Mr. Ross talked to Mr. Baldwin. That is

7 my understanding.

8 Q Mr. Baldwin?

9 A Yes, that is my understanding. Again, I
10 wasn't there; I wasn't involved in it so I don't know.

11 Q But the decision was that you think this
12 falls clearly within the inaccessible portion of M4
13 that has a table in it which tells you what is con-
14 sidered accessible from the idea of a pipe, how far
15 you have to be from the opening in a pipe to be
16 accessible for inspection.

17 A This was clearly beyond those limits so
18 you do the best you can do utilizing the best tools
19 and equipment that you can come up with to do it.

20 Q Okay.

21 A And then you conduct the inspection that
22 way.

23 Q All right.

24 A If you can identify anything that way then
25 you reject it. Otherwise you would accept it.

1 Q Now I'm asking you not how this particular
2 one was handled, but let's say Mr. Baldwin was in
3 a position that you were in; that is reviewing the
4 proposed nonconforming items, and Mr. Ross presents
5 this to you, and what would you expect Mr. Baldwin,
6 according to procedure, to do?

7 What would the appropriate procedure and
8 instructions be?

9 A Coming in the form of a questioning, there
10 is a weld at seven feet back up in the pipe, and I
11 can't see it very well, what should I do--refer back
12 to procedure again for limits of accessibility.

13 Clearly this is beyond the limits of
14 accessibility. Do the best you can. If there is any-
15 thing we have to help you, we will do the best we can
16 with what we've got.

17 Q Like what?

18 A Mirrors, poles, anything you might use to
19 get a review of that section, view that section back
20 up in the pipe.

21 Q Would it be appropriate to conduct a welding
22 inspection using a mirror and a pole?

23 A Yes, under those circumstances where you
24 are beyond the limits of accessibility.

25 Q To look in the pipe?

1 A Yes.

2 Q How do you understand what the diameter
3 of the pipe is we are talking about?

4 A I understand it is a six inch pipe.

5 Q You would agree he could not go up in the
6 pipe and look?

7 A I wouldn't think so, no.

8 Q So what is the inspector supposed to do
9 under the procedure?

10 A It is beyond the limits of accessibility;
11 he does the best he can under the circumstances.

12 Q Tell me how he is supposed to do it. I
13 want to understand physically how an inspector is
14 supposed to do it according to procedure under those
15 circumstances.

16 A He would like to see what aids he might
17 have to help him in doing that.

18 Q What aids would he use to do it?

19 A Maybe a mirror attached to a pole stuck
20 up there with a flashlight.

21 Q Would you expect the inspector to do that
22 with a weld seven feet up in a six inch pipe?

23 A I would expect him to do the best he could
24 do.

25 Q I want to understand what an inspector

1 should do in your supervisory capacity.

2 A If an inspector cannot see it and it is
3 beyond the limits of accessibility, then the procedure
4 recognizes that if it is beyond this point.

5 Q "Visual examinations should generally be
6 conducted by the direct method. The angle of vision
7 to the surface to be examined should be no more than
8 30 degrees and the eye no more than 24 inches from
9 the surface."

10 "For observation of relative heights and
11 other conditions which require a profile view of the
12 piece to be examined, the angle of vision should be
13 within 20 degrees if perpendicular to the piece."

14 "If these conditions cannot be met, indirect
15 examination will have to be employed." I am reading
16 out of Procedure L80. Does that sound like the
17 policy at the time we are talking about?

18 A Yes, I think that is--I'm not aware of
19 any revisions.

20 Q All right, sir. "For observation of rela-
21 tive heights and other conditions which require a
22 profile view of the piece to be examined, the angle
23 of vision should be within 20 degrees if perpendicular
24 to the piece."

25 "If these conditions cannot be met, indirect

1 examination will have to be employed. Mirrors, tele-
2 scopes, borescopes, or other suitable instruments
3 may be used."

4 "Magnifiers may be used as an aid to
5 visual examination. Adequate illumination is required
6 to insure there is no loss of sensitivity in the
7 examination."

8 "If a fine line 1/32 inch or less in width
9 on an 18 percent neutral gray card or some other
10 artificial flaw (scribe line, pencil mark, etc., 1/32
11 inch wide maximum) located on the surface to be
12 examined can be easily seen, the illumination is
13 adequate."

14 "If the 1/32 inch line or artificial flaw
15 cannot be easily seen, additional illumination such
16 as a flashlight shall be employed."

17 Was that the policy and procedure in effect
18 at that time?

19 A Yes, what you are reading applies to the
20 outside surface of a weld.

21 Q About the inside surface?

22 A Normally it will not be accessible. That
23 is what the table is there for, to tell you when you
24 can conduct a visual examination.

25 Q So none of that procedure, that does not

1 have anything to say about the situation that Mr.
2 Eryant was talking about or we are hypothesizing
3 here, the inside route side of the weld and the pipe?

4 A For route conditions of a weld, the M4
5 establishes what is accessible for inspection and what
6 is not accessible for inspection.

7 Q Here is M4, take a look at it and direct
8 my attention to that (indicating).

9 A Here is a graph that shows the internal
10 diameter of the pipe.

11 Q Identify what you have there.

12 A QA Procedure M4, Page 10, Revision 0.

13 Q Okay.

14 A And it shows the internal diameter in
15 inches, inside diameter of the pipe in inches and
16 internal accessibility for inspection.

17 Q So for a six inch pipe what is the standard
18 according to that table?

19 A Well, a six inch pipe, I would have to look
20 to see what the inside diameter of that would be; but
21 if you are assuming it is six inches--

22 Q Let's say it is four inches, how about that?

23 A Internal distance in inches would be seven
24 inches.

25 Q Explain that to me if we assume it is four

1 inches inside diameter, what does that result tell
2 you?

3 A That it is not accessible for direct visual
4 inspection beyond four inches inside the run of the
5 pipe.

6 Q Seven indeed is beyond four inches, right?

7 A Right.

8 Q So M4 has said we cannot get the visual
9 inspection; right?

10 A Right.

11 Q Then what is the inspector supposed to do,
12 having made that determination?

13 A He uses whatever means he can to do the
14 best inspection he can.

15 Q Best visual inspection?

16 A Yes, if he can't it is very likely he cannot
17 do a visual inspection. You obviously cannot do a
18 visual inspection of a roof in a closure weld.

19 Q What is that?

20 A The last weld in the pipe, so there is no
21 opening.

22 Q No way to get to the inside at all?

23 A Right.

24 Q Now there is a way to get into this one in
25 your example, right, seven feet up but there is an

1 open end, right?

2 A Right.

3 Q Does he go to the procedure guidance in
4 80 to figure out the best way he can do it?

5 A He uses that in combination with M4.

6 Q M4 says you cannot do a straight visual,
7 and you are saying the policy is to do the best he can;
8 right?

9 A Right.

10 Q With regard to doing the best he can, all
11 this paragraph in L80 tells him, it describes the use
12 of mirrors, illumination and magnification to do the
13 visual; right?

14 A Right.

15 Q It tells him how much light he needs to be
16 able to do it without further illumination.

17 A The M4 has already told him it is inaccessi-
18 ble.

19 Q But you are telling him to do the best he
20 can?

21 A Right, use whatever measures he can.

22 Q He does to L80 and all the business about
23 gray cards and 1/32-inch lines, and it does not take a
24 genius to figure out when it is 7 feet out he will not
25 be able to meet that standard; he has to get a flash-

1 light, right?

2 A Right.

3 Q Then he gets a flashlight and he has the
4 mirror on a pole and he sticks the mirror up a pole.
5 Is it your position that is how he is supposed to
6 form the visual?

7 A Under the circumstances here he will use
8 whatever he felt like was the best he could do.

9 Q I want to understand what you think under
10 those circumstances is the best he can do. You are
11 the one reviewing the NCIs and supervising the work.

12 A Anything else I can think of that would be
13 better than that in this situation--

14 Q Is there anything else?

15 A You might get a borescope. Here again, it
16 will be very limited in terms of what you can see,
17 make out and interpret.

18 Q What do you use a borescope for?

19 A Many things.

20 Q Tell me so I will understand how that would
21 help you under the circumstances.

22 A It might enable you to get a better look.

23 Q Tell me what it looks like.

24 A A borescope is a flexible or inflexible
25 length of tubing that has a means of transmitting light

1 down into the pipe to look in and see out the other
2 end.

3 Q And it is used for examining welds in pipes?

4 A It would be used for a lot of purposes.

5 Q Can you use a borescope to look seven feet
6 up a pipe?

7 A You possibly could.

8 Q Could you; I'm asking?

9 A I would expect so.

10 Q Could you observe an adequate visual
11 examination of a weld with a borescope?

12 A I don't know, it would depend on the
13 resolution of the borescope. I don't know.

14 Q At Catawba in your Welding Inspection
15 experience was there available to Welding Inspectors
16 a borescope that would allow him to perform an
17 adequate visual examination?

18 A No, there was not a borescope available
19 to him there.

20 Q Okay, do they have them now?

21 A We've got one on order, yeah.

22 Q Okay, did you have a borescope out there
23 before?

24 A The inspection group didn't have one; no.

25 Q Did they have one out there at all?

1 A Inspection and Construction; Nuclear Pro-
2 duction, I don't know whether they had one or not.
3 I believe they do.

4 Q Do you know what they use them for as a
5 normal matter?

6 A No.

7 Q Those are in Operations?

8 A I assume so, yes.

9 Q Something to do with examining the internals
10 of a reactor, getting into the steam generator, doing
11 something like that, doing repair work?

12 A I don't know what they use them for.

13 Q But you don't use them for inspection?

14 A Not normally, no.

15 Q The short and long of it, Mr. Davison,
16 the inspector having studied the procedures or having
17 memorized them or having just common sense perhaps
18 reaches the conclusion that he cannot do his job, he
19 cannot visually inspect the weld repair; what then
20 is he supposed to do under the procedure as you
21 understand it?

22 A Then if it is the interior, the route part
23 of the weld is inaccessible for inspection, then he does
24 the best he can.

25 Q And what is he supposed to do; what does

1 that mean?

2 A It means he does the best job he can.

3 Q I want to understand what standard you are
4 holding these people to, sir. What is the best he
5 can do under the circumstances we have just defined?

6 A Attaching a flashlight and mirror and pole
7 under those circumstances and doing the best he can.

8 Q All right, the Welding Inspector comes to
9 you or through his supervisor and says I can't see
10 that weld, I can't inspect that weld.

11 What is he supposed to do then at that
12 point?

13 A Then he gets direction from his super-
14 visor.

15 Q And what direction is appropriate?

16 A If the weld is inaccessible, he would say
17 sure you can't, it is beyond the limits of accessibility,
18 the repair.

19 As I understand it it is for a radiography
20 defect never detected visually to begin with so at
21 that time radiography will have gone over it after the
22 repair is complete to see if the defect, the radiog-
23 raphy picked up has been corrected.

24 You are not looking at the defect because
25 you did not detect it visually to begin with. It was

1 detected by the radiography, so radiography would
2 have to pick that up.

3 He cannot inspect it in accordance with the
4 limits of accessibility. I would still expect him to
5 look to the extent that he can.

6 Q And what is he supposed to do?

7 A He is supposed to indicate his acceptance
8 as a result of what we have described. It would be
9 no different than him indicating his acceptance of a
10 closure weld when he can't see the route of it.

11 Q Should he indicate that he was unable to
12 visually inspect the weld?

13 A He can, there would be nothing--

14 Q Would it be accepted as a matter of pro-
15 cedure that he indicated that he could not visually
16 inspect the weld?

17 A No.

18 Q It is not required that he document that the
19 visual inspection did not occur and was not possible
20 because of the inaccessibility of the weld?

21 A Not in this case, no.

22 Q Is it proper in that case for him to sign
23 it off?

24 A Yeah.

25 Q And you would have directed the inspector

1 to sign it off in this case?

2 A I would have said is there anything we can
3 use to get a better view of it; and if you have used
4 everything we have available to do it and in our view
5 we can't see anything wrong with it, you should sign
6 it.

7 Q And you would have instructed him to sign
8 it off?

9 A Yes; there again, knowing that it had been
10 radiographed.

11 Q Would you document that as well?

12 A No, I would not document that.

13 Q How would you have insured that the weld
14 was radiographed subsequently?

15 A The system that we have in place checked
16 to make sure that every weld that is required to be
17 radiographed is radiographed, the same system we
18 are talking about now.

19 Q What I want to understand--

20 A The QA Program.

21 Q How do you document that this is appropriate-
22 ly signed off on visual by the Welding Inspector
23 because you, one, can't see it and two, expect that
24 it is going to be subsequently radiographed--

25 How do you document those two conditions?

1 A Well, the form, it will indicate radiog-
2 raphy is required; and that form will have to be
3 completed and Radiography will sign it.

4 Q And that is the process control?

5 A Yes.

6 Q And no other documentation is required
7 under these circumstances?

8 A No.

9 MR. GIBSON: Is this a good stopping
10 point.

11 MR. GUILD: All right.

12

13 BY MR. GUILD:

14 Q All right, sir; I'm showing you a copy of
15 Procedure M4, and this is the weld process control
16 sheet M4A; is that the process control form you are
17 talking about?

18 A Yes.

19 Q And that is the current revision as best
20 you know?

21 A Yes.

22 Q That is not identical to the form used
23 during this whole form?

24 A No.

25 Q That has the accept-reject boxes on it that

1 for a time were not on it?

2 A It has the accept-reject box for final visual
3 inspection.

4 Q And that was not the final form used?

5 A I don't believe so.

6 Q Under the circumstances we have described,
7 where would the Welding Inspector be instructed to
8 sign off?

9 A He would do the final visual inspection.

10 Q Okay, is there a line reference?

11 A Number Seven.

12 Q It says, "ID acceptable--"

13 A Accessible.

14 Q Is he supposed to check that yes?

15 A In this case you would check it no.

16 Q Was that provision on the form in earlier
17 versions?

18 A I haven't always been there; I don't know
19 when that revision came up.

20 Q Do you know whether that "ID accessible,
21 yes/no" box revision came up?

22 A I don't know.

23 Q Do you know how long that "ID accessible,
24 yes/no" box has been on there?

25 A No, I would just have to guess.

1 Q Do you know whether that provision was
2 changed as a result of the Task Force recommendation?

3 A Not right off; I would have to look at it
4 to tell.

5 Q And so he would sign off, he would check
6 no final visual inspection, check ID accessible, no,
7 line seven; correct?

8 A Yes.

9 Q And then where would he sign?

10 A Here (indicating).

11 Q Under the repair column?

12 A Yes, assuming this was a repair.

13 Q Assuming it was after repair?

14 A Yes.

15 Q That is Revision 13 to M4; correct?

16 A Yes.

17 Q I will show you another document (indicating).
18 Is this a process control sheet in the form earlier
19 employed?

20 A This is M4A, Revision 11, it looks like.

21 Q Is that an earlier version of that form?

22 A Yes, it looks to be.

23 Q And let's see, final records check is at the
24 very bottom of the form. What is the date that
25 appears on this?

1 A 8/8/77.

2 Q Do you recognize that as a form that would
3 have been used approximately at that time?

4 A Yes.

5 Q How would the example that we have just
6 talked about be completed? What would the Welding
7 Inspector be instructed to sign off in the earlier
8 version of the form?

9 A You are saying on this form how would that
10 example--

11 Q Yes.

12 A Yes.

13 Q The specific aspect of it, the Welding
14 Inspector's signing off per instructions, having dis-
15 covered that he could not under M4 see the weld, the
16 route side of the weld, what was he supposed to do?

17 A Well, he would not perform any documen-
18 tation of that on here. There would not be any docu-
19 ment.

20 Q Would he still sign the control sheet?

21 A Yes.

22 Q Where would he sign?

23 A Here in block ten.

24 Q Block ten is identified as "Visual
25 Inspection"?

1 A Yes.

2 Q And he would not reject it?

3 A Assuming he did not see anything he felt
4 was rejectable.

5 Q Assuming he did not see it because he
6 could not see it, he would accept it and put his
7 initials down?

8 A Yes.

9 Q But you would not be expected to other-
10 wise document the circumstances?

11 A He would not be required to, no.

12 Q Let's see if we can--I think it is time to
13 break, but I would like to identify this as the next
14 number, just the first copy.

15 (Whereupon, the document re-
16 referred to as Weld Process Control
17 Sheet was marked and received by the
18 Court Reporter as Davison Exhibit
19 Five and entered into the Record.)

20 MR. GIBSON: Mr. Guild, one other
21 thing we need to take up, I suggest right
22 after lunch, is scheduling for next week.

23 I will give you a letter which sets
24 forth our understanding of everyone's avail-
25 ability or unavailability.

1 Some folks warned us to let them know
2 by noontime today, and we have gone past
3 that.

4 We will resume in an hour.

5 (Whereupon, Mr. Davison's
6 Deposition was adjourned, to be con-
7 cluded on July 13, 1983.)

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I, Larry R. Davison, hereby certify
that I have read and understand the foregoing tran-
script and believe it to be a true, accurate and
complete transcript of my testimony.

Larry R. Davison

This Deposition was signed in my
presence by Larry R. Davison on the _____ day of July,
1983.

Notary Public

C E R T I F I C A T E

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Lynn B. Gilliam, do hereby certify that the proceedings were by me reduced to machine shorthand in the presence of the Witness, afterwards transcribed upon a typewriter under my direction; and that the foregoing is a true and correct transcript of the proceedings.

I further certify that these proceedings were taken at the time and place in the foregoing caption specified.

I further certify that I am not a relative, Counsel or Attorney for either Party or otherwise interested in the outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my hand at Charlotte, North Carolina, on this the _____ day of July, 1983.

LYNN B. GILLIAM
Court Reporter

My Commission expires May 12, 1988.

Beau also has a problem in accepting Code requirements as being stringent enough. For example, after having been given a copy of the Code criteria for NF welds and being instructed to have some hanger material inspected by these criteria, the inspector listed several items as rejectable that the criteria clearly did not specify. Considerable time and effort had to be spent to properly inspect the material listing Code rejectable items separately from other observed questionable conditions.

In carrying out his duties as a supervisor Beau has problems answering the questions of his employees in the proper manner. All supervisors were instructed in June to provide answers to employee questions when they knew the answer. When they did not, to go to the next level of supervision with the question to get the answer and then communicate it to the employee. Recently one of Beau's inspectors had several questions about a NCI. Instead of following the method above which he had been instructed to do, Beau attempted to answer the questions himself which he could not do. Then he referred the inspector to his (Beau's) supervisor. The inspector later stated that he thought Beau had told him that he would probably need to file recourse to get an answer. Beau does not seem to understand his role as a supervisor in answering or getting answers to his employee's questions.

Beau has felt that he should not be held accountable for his employees actions in areas of safety, attendance and job performance. This was illustrated by his reluctance to write his Personal Performance Plan Worksheet (PPPW) for the coming year listing objectives in these areas although the other supervisors had no objections to these accountabilities and felt them to be valid. Again this pointed out a basic misunderstanding of his role as a supervisor. However, once the PPPW was written, he has attempted to improve in the areas identified. Improvement has been made in his crew's attendance and some improvement has been made in his communications with craft and technical support personnel, however, more improvement is needed in this and the other areas listed on his PPPW.

May 26, 1983

G E Ross

Re: Catawba 1-2
Employee Recourse, G E Ross to L R Davison dated May 12, 1983

I am writing this letter to you in response to your recourse to me regarding your recent performance appraisal.

In looking into your recourse I have talked with both you and Art Allum, I have reviewed the performance appraisal of other supervisors in positions similar to yours; and, I have spent a great deal of time reviewing your own appraisal.

I can understand how one would feel upon learning that his or her performance appraisal was rated lower than expected. I can understand how this could make you feel as if you had not been dealt with fairly. I have thoroughly investigated your appraisal and your concerns about being discriminated against. Whereas your feelings are important to me, out of fairness and equity each performance appraisal must be evaluated on its true merits. This has been my approach in my investigation into this matter.

In short, my decision is that your appraisal conducted this past April is proper. I think your feelings about this appraisal stem largely from two items.

The first item is the fact that our expectations of you in your position were not communicated to you clearly enough nor in enough detail. This lack of good communications I accept the responsibility for. I am taking steps to see that it does not occur again. But, even with this problem, clear improvement in your performance is noted on your appraisal. I see no reason why that should not continue and even get better with improved communication on our part.

I ask that you also recognize the importance of your communicating clearly with your supervisor. If directions or decisions are of concern to you be sure you have used all the proper channels to communicate and resolve them.

The second item which I concluded had contributed to your feelings of being discriminated against is your interpretation of certain actions, or inactions, by Art Allum. My investigation revealed that in these cases you were not aware of all that had taken place and; therefore, you viewed them as discriminatory against you, or in favor of someone else. Again I ask you

Davison Ex 2
lg 7/1/83

to be sure you have communicated your concerns when you feel this way so that misunderstandings do not develop.

I pledge to you my best efforts to communicate our expectations to you clearly; and, I have no doubt of your ability to meet those expectations.

I would be glad to discuss this response with you if you so desire. Please let me know if you do.

If you do not feel this response satisfactorily addresses your concerns you should address them to the next management level, the Corporate QA Manager, G W Grier, within 10 days in accordance with the recourse procedure.



L R Davison
Project QA Manager

INVESTIGATION INTO RECOURSE SUBMITTED
TO THE CATAWBA PROJECT QA MANAGER
BY G E ROSS ON 5-13-83.

A. Outline of steps taken in investigation

1. Asked G E Ross for extension of time to reply under Duke Management Procedure 8901-0012-QA-001 from four days to 5-27-83. Concurrence from G E Ross obtained..
2. Went over with G E Ross in detail following items to be sure understanding of basis of recourse and basis of feelings expressed by G E Ross in the recourse
 - a. Recourse letter itself, dated 5-12-83
 - b. Evaluation AS&A of G E Ross dated 2-21-83
 - c. Preliminary evaluation of G E Ross by Art Allum with note added by Art Allum that it was discussed with G E Ross on 1-26-83.
 - *d. PPPW worksheet for G E Ross approved by Art Allum and J W Willis covering 11-1-82 to 2-1-83.
 - *e. Answer provided to G E Ross from Joe Willis concerning his recourse at that step, dated 4-22-83.
 - *f. Memo to file from G W Grier concerning meeting with G E Ross on this subject dated 4-27-83.

*not in detail

3. Reviewed personnel files of G E Ross, S W Ledford, B W Deaton, and Bob Harris. Reviewed performance evaluations for these individuals that were contained in these files.
4. Discussed results of step 2 with C N Alexander, QA Administrative Services Manager.
5. Went over with Art Allum, G E Ross' supervisor, those items shown in 2) above.
6. Made G W Grier aware of recourse from G E Ross to me concerning his evaluation.
7. Met with G E Ross and A E Allum to discuss points of disagreement disclosed in steps 2 and 5.

Parsons Et 3

B. Findings resulting from investigation

1. That Beau's feelings of being discriminated against were based on the outcome of his evaluation and other actions he had observed. These actions observed by Beau (G E Ross) were viewed from Beau's perspective; and, resulted in conclusions on his part which were not legitimate because he did not know of other factors or actions that resulted in the observed actions.

There was no discrimination against Beau substantiated by the other actions observed by Beau.

2. That communications from Art to Beau regarding Beau's performance were informal (i.e. verbal) and not clearly understood by Beau.
3. That communications from Beau to Art were lacking in that Beau did not follow proper procedures (informal or formal recourse) in getting answers to his concerns where he had doubted Art's decision or directions.
4. That Art's evaluation of Beau's performance was not discriminatory because his evaluations of other persons reporting to him were done in the same manner and with many of the same points as the evaluation of Beau.
5. That Art's evaluation of Beau's performance was basically accurate.
6. That a large contributor to Beau's feelings of being treated unfairly resulted from the lack of specific, clear standards for Beau's performance and the lack of formal review sessions to go over Beau's performance.
7. That Beau tends to evaluate himself against his own internalized standards and has difficulty accepting any other evaluation. He also tends to evaluate himself by comparing others in his position against these internalized standards. This makes meaningful communication sometimes very difficult with him.
8. That Art's evaluations of other supervisors who also had concerns expressed in the same manner as Beau did not support or substantiate discrimination by Art toward them.

C. Conclusion

I conclude that there has not been discrimination by Art Allum in G E Ross' evaluation.

I conclude that G E Ross feels there has been and is discrimination against him because of the poor job done in communicating to him expected standards of performance in specific detail. He also feels discriminated against because of actions or inactions he has observed but does not see or know all of what goes into these actions. In other words, he has misinterpreted his observations, and, in some cases, just does not know the facts.

D. Recommendations

I recommend steps be taken to ensure more formal communications about performance between first and second level supervision and an independent review of first line supervisor's PPWs.

To this end I will instruct the employee relations assistant at Catawba to do several things. They are:

1. Track the conductance of PPPW reviews at the required intervals for first line supervisors.
2. Review all generated PPPWs for clarity and as objective as possible standards for all first line supervisors.
3. To report to me any cases where poor communication about performance standar/s is suspected.

These steps will remain in effect until such time as I conclude proper communication is occurring.

Signed

L R Davison

Date

5-26-83

L R Davison
Catawba QA Manager

cc: G W Grier
C N Alexander

	INITIAL	DATE
CHECKED	JLS	7-20-77
PC APPROVAL	JLS	7-22-77
CA APPROVAL	JLS	7-22-77

DUKE POWER COMPANY
CONSTRUCTION DEPARTMENT
PROJECT CATAWBA

PRE-APPROVED BY	ED LINES	210
INFO IDENT		
INFO REV. NO.		

WELD PROCESS CONTROL SHEET

HYDRO

DESCRIPTION

Weld No. ORN 55-3 Class C

Drawing No. CN-ORN-55

PC Rev. No. 1 Weld Report No. 1

F-BB Required Yes No Type Weld BUTT

Pipe Size 30" Joint Thickness 0.375"

Material C.S. (P-1)

Remarks:

PROCESS CONTROL

FWDS. N/A

Preheat N/A PWHT. Data Sheet N/A

Root Pass/Repair NDE N/A

Final NDE Proc. L-22 OR L-30 AND L-41

> 1" Delta Ferrite Check (M-32) Required Yes No

Remarks:

INSPECTIONS

AUTHORIZED INSPECTOR REVIEW JLS DATE 7/25/77

Steps 1 Thru 7 Are Mandatory Hold Points Unless Otherwise Indicated	ACC. REQ.	Initial	Level	Date	Hold Pnt.	A.I. Initial	Date
1 Repair NDE Proc. _____ Rev. _____		N/A	N/A	N/A			
2 Cleanliness		N/A	N/A	N/A			
3 Fit Up		N/A	N/A	N/A			
4 Limited Accessibility (Criteria Is Limited Access Required Yes <input type="checkbox"/> No <input type="checkbox"/>)		N/A	N/A	N/A			
5 Purge		N/A	N/A	N/A			
6 Preheat		N/A	N/A	N/A			
7 Root Pass NDE Proc. _____ Rev. _____		N/A	N/A	N/A			
8 Root Pass		N/A	N/A	N/A			
9 Weld Complete		N/A	N/A	N/A			
10 Visual Inspection		JLS	II	7/29/77			
11 Inservice Inspection Prep. (Criteria _____)		N/A	N/A	N/A			
12 NDE Inspection							
a. Liquid Penetrant Proc. _____ Rev. _____		N/A	N/A	N/A			
b. Magnetic Particle Proc. <u>L-22</u> Rev. <u>4</u>	✓	JLS	II	8/5/77			
c. Ultrasonics Proc. <u>L-41</u> Rev. <u>5</u>	✓	R.F.	II	8/5/77			
d. Radiography Proc. _____ Rev. _____ O.C.		N/A	N/A	N/A			
		N/A	N/A	N/A			
13 Post Weld Heat Treatment Proc. _____ Rev. _____		N/A	N/A	N/A			
14 Authorized Inspector Final Visual (If Desired)							

MT Machine Serial Number CNC 107 Viewing Port Used on Repair Yes No RT Interval

WELD INFORMATION RECORDS

WELDER INITIAL	STENCIL NUMBER	FILLER SIZE	FILLER TYPE	FILLER MANUFACTURER	HEAT/LOT NUMBER	FIELD WELD DATA SHEET USED/REV	DATE	INSPECTOR	DATE

RECORD OF SURFACE DEFECTS BY MT/PT

1. Type of Defects

2. Defects removed by _____

3. Inspected by MT/PT _____ DATE _____

4. MT Machine _____

(A) TRACEABILITY RECORDS

Piping Materials Heat Numbers N/A

NDE Piece Mark N/A

Backing Ring Heat Number _____

JAN 20 1982