

# ORIGINAL

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC  
COMPANY, et al

(Comanche Peak Steam Electric  
Station, Units 1 & 2)

Docket No. 50-445  
50-446

Deposition of: James Callicutt

Location: Glen Rose, Texas

Pages: 38,000-38,110

Date: Monday, July 9, 1984

*Original to E. Pleasant  
H-1149*

*TR 01 o/l*

*1 copy to E. Johnson, Region 10*

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1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

3 BEFORE THE ATOMIC SAFETY & LICENSING BOARD  
4

5 -----x  
6 In the matter of: :  
7 TEXAS UTILITIES ELECTRIC :  
8 COMPANY, et al. : Docket Nos. 50-445  
9 (Comanche Peak Steam Electric : 50-446  
10 Station, Units 1 and 2) :  
11 -----x

11 Glen Rose Motor Inn  
12 Glen Rose, Texas

13 July 9, 1984

14 Deposition of: JAMES CALLICUTT

15 called by examination by counsel for Intervenor,  
16 taken before James Burns, Court Reporter,  
17 beginning at 10:01a.m., pursuant to agreement.  
18

19 APPEARANCES:

20 TRAVIS E. VANDERPOOL, Esq., and WILLIAM HORIN, Esq.,  
21 Worsham, Forsythe, Sampels and Wooldridge,  
22 25th Floor, 2001 Bryan Tower, Dallas, Texas 75201,  
for Applicants and Deponent.

23 R. JEFFREY COPPOCK, Esq., Vinson & Elkins, First  
24 City Tower, Houston, Texas 77002, for Deponent.

25 JOEL REYNOLDS, Esq., for CASE, Intervenor

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C O N T E N T S

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
James Calicutt	37002	38086	38108	38108

EXHIBITS	MARKED	RECEIVED
Resume of Deponent	38007	38008

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

1  
2 MR. VANDERPOOL: I am Travis Vanderpool. I'm a  
3 member of the law firm of Worsham, Forsythe and Sampels; we  
4 are counsel for Texas Utilities Electric Company, the  
5 Applicant in this proceeding.

6 We are here today in that capacity, and I want to  
7 point out before the testimony actually begins that  
8 Mr. James Callicutt is here voluntarily, and that he is not  
9 under a subpoena.

10 Mr. Callicutt's testimony has been requested  
11 from the Applicant by CASE, the Intervenor in this proceeding,  
12 on the topics specified in CASE's letter to Leonard Belter  
13 of June 27, 1984; a copy of that letter has been marked for  
14 identification and I believe it is attached to the transcript  
15 of Mr. Vega's deposition as Exhibit A.

16 The Applicant has already noted its objections  
17 to the deposition procedures as scheduled and ordered by the  
18 Board, and intends no waiver of those objections by the  
19 appearance of Mr. Callicutt here today.

20 At this time I would like to summarize the guide-  
21 lines established by the Board for this proceeding in the  
22 taking of his deposition:

23 In the order issued by the Board on March 15, as  
24 modified by a series of subsequent telephone conference  
25 rulings, the scope of this deposition is limited to the taking



1 of evidence and the making of discovery on harassment,  
2 intimidation or threatening of quality assurance/quality  
3 control -- QA or QC -- personnel, with one exception:  
4 Allegations regarding any claim of harassment or intimidation  
5 of craft personnel have been specifically ruled by the Board  
6 to be beyond the scope of this examination in these proceed-  
7 ings.

8 The Board has also ruled that the only evidence --  
9 that only evidence based on personel knowledge will be  
10 adduced, and that hearsay, rumor, and innuendo and the like  
11 are not proper subjects of the evidentiary course of this  
12 deposition.

13 Finally, the Board has instructed the parties  
14 to separate the evidentiary and discovery portions of their  
15 examination of the witness. To give effect to the rulings  
16 as well as to ensure the expeditious completion of this  
17 deposition, Mr. Callicutt is being offered as a witness for  
18 the evidentiary portion of his deposition. Issues for this  
19 portion of the deposition are defined by CASE's letter of  
20 June 27, a copy of which has been marked as Exhibit A to  
21 Mr. Vega's deposition.

22 At the conclusion of that evidentiary deposition,  
23 then the evidentiary record will be closed; and with the  
24 opening of a new transcript, separately bound, the discovery  
25 depcosition of Mr. Callicutt would commence, should CASE

1 decide to conduct such a deposition.

2           When the transcripts are available, the witness  
3 will sign the original of each of his depositions on the  
4 understanding that should the executed originals not be  
5 filed with the Board within seven days after the conclusion  
6 of the deposition, a copy of either of the transcripts may be  
7 used to the same extent and effect as the originals.

8           MR. REYNOLDS: Okay. I am not going to respond  
9 to any of the points at this time. In so doing, I don't intend  
10 any waiver of any arguments we may make.

11           I would say, though, that all of the questions  
12 that I'm going to ask today, we intend as evidence, as opposed  
13 to mere discovery.

14           So there's no need for any bifurcation of the  
15 questioning, as you suggested.

16           Mr. Callicutt, would you state your name for the  
17 record, and spell it, please?

18           THE DEPONENT: James Callicutt; J A M E S  
19 C A L L I C U T T.

20           MR. REYNOLDS: Have you ever had your deposition  
21 taken befor?

22           THE DEPONENT: No, I haven't.

23           MR. REYNOLDS: Let me explain just a few things:  
24 Have you spoken with your attorney about a  
25 deposition?

1 THE DEPONENT: No, sir.

2 MR. REYNOLDS: All right.

3 Just to summarize it briefly, this deposition is  
4 part of an NRC licensing proceeding for the Comanche Peak  
5 facility. You'll be testifying under oath today, the same as  
6 you would in a court of law. You are obligated under penalty  
7 of perjury to tell the truth.

8 Every word that you say today is going to be  
9 transcribed by the court reporter, sitting to your right.  
10 After the deposition, a booklet will be prepared; you'll be  
11 asked to review that for accuracy, and then to sign it.

12 You may make changes at that point; however, any  
13 changes you make will be subject to comment by any of the  
14 parties to the proceeding.

15 And the booklet may then be used as evidence in this  
16 case. It becomes a part of the record.

17 The reporter can only transcribe one person speak-  
18 ing at a time. So if you'll make sure to wait before respond-  
19 ing until I've finished my question, I'll try and wait before  
20 I ask another question until you have completed your answer.

21 You have to answer audibly. The reporter cannot  
22 reflect a nod of the head or a shake of the head.

23 I'm not asking you to speculate on anything. If  
24 you don't know the answer, you can simply say, "I don't know,"  
25 or "I don't remember."

1 I am not trying to trick you. I just want to get  
2 a factual record here.

3 If at some point you want to take a break, just  
4 say so, and we'll do that.

5 Do you have any questions before we proceed?

6 THE DEPONENT: No.

7 MR. REYNOLDS: Will you swear the witness.

8 Whereupon,

9 JAMES CALLICUTT

10 having been first duly sworn by the court reporter, was  
11 examined and testified as follows:

12 EXAMINATION

13 BY MR. REYNOLDS:

14 Q Mr. Callicutt, would you please briefly describe  
15 your educational background?

16 A High school diploma.

17 Q Would you then describe your professional  
18 experience?

19 A I've been in construction all my life, one type or  
20 another.

21 Q Could you give us a sort of listing of the jobs  
22 you've had -- first, the jobs you've had before Comanche  
23 Peak?

24 A By title or -- ?

25 Q Why don't you just give me title -- first,

1 company, then title, and, briefly, what your duties were;  
2 and the approximate time period?

3 A I worked in the oil fields approximately from '48  
4 till '67. From '67 up until the present time I've been  
5 employed with Brown & Root.

6 Q And for what oil company?

7 A For several different ones.

8 Q What were they?

9 A Mostly drilling, subcontractors.

10 Q Can you give us the company names?

11 A It's in my resume.

12 MR. REYNOLDS: Has the resume been made a part of  
13 the record in this case?

14 MR. VANDERPOOL: I don't know if it has. Would you  
15 like to -- ?

16 MR. REYNOLDS: I think it would be very good just  
17 to make it part of this transcript.

18 MR. VANDERPOOL: We'll go ahead and mark, then, --  
19 I'll give you a copy of James Walter Callicutt's resume. You  
20 can make that a part of the record.

21 MR. REYNOLDS: Mark that as Deposition Exhibit 1.

22 (The document referred to was  
23 marked Deposition Exhibit No. 1  
24 for identification.)  
25



1 BY MR. REYNOLDS:

2 Q Would you go through the jobs which you have had  
3 in the nuclear industry, starting from the first one forward?

4 MR. VANDERPOOL: Let me say, I gave you a copy of  
5 it because you wanted it made a part of the record. If you  
6 are going to use my copy, I want you to make it a part of the  
7 record, and you can refer to it if you want to.

8 MR. REYNOLDS: Fine. I believe it isw part of the  
9 record.

10 MR. VANDERPOOL: Have you offered it as Exhibit 1?

11 MR. REYNOLDS: Yes.

12 (The document referred to,  
13 previously marked Deposition  
14 Exhibit No. 1 for identification,  
15 was received.)

16 BY MR. REYNOLDS:

17 Q Let's start with Gulf States Utilities Company?  
18 You were a boilermaker and journeyman. Could you describe  
19 precisely what your duties were?

20 A To make the boiler.

21 Q I beg pardon?

22 A All phases of boiler work.

23 Q So you were in construction?

24 A Yes.

25 Q Could you describe your functions as a boiler-maker

1 superintendent for Brown & Root at Comanche Peak Steam  
2 Electric Station?

3 A Would you repeat that?

4 Q Could you describe what your duties were as  
5 boilermaker superintendent in the Comanche Peak Project?

6 A I have been boilermaker superintendent on the  
7 Comanche Peak Project.

8 Q Could you look at your resume and indicate for  
9 which project you were boilermaker superintendent?

10 A Arkansas Power & Light, Redfield, Arkansas.  
11 Carolina Power & Light, Roxboro, North Carolina. Virginia  
12 Electric Power Company, Yorktown, Virginia.

13 Q And precisely what are your duties as boilermaker  
14 superintendent?

15 A To erect the boilers.

16 Q How does that differ from a journeyman? I assume  
17 you're in a supervisory position?

18 A That's right.

19 Q What does that specifically entail on a day-to-day  
20 basis?

21 A You are over all construction of the boilers.

22 Q Do you do the hiring of people, for example?

23 A Yes, sir.

24 Q Do you do the firing?

25 A Part of it.

1 Q And the disciplining?

2 A Yes.

3 Q Okay.

4 And then when you came to Comanche Peak you became  
5 the General Superintendent, Mechanical/Piping; is that  
6 correct?

7 A That is correct.

8 Q All right. Now, could you tell us precisely --  
9 and that is your current occupation?

10 A Yes.

11 Q Would you describe exactly what your duties are  
12 as the General Superintendent?

13 A As General Superintendent I'm over all mechanical  
14 phases of the plant.

15 Q Can you be a little more specific as to what you  
16 mean by "being over all mechanical phases of the plant"?

17 A Over the mechanical phase. I have under me  
18 piping, millwright, installation and hangers -- crafts-  
19 people.

20 Q Do you actually do the work yourself?

21 A No.

22 Q How does your function differ from the actual  
23 craftworkers, themselves?

24 A I'm in supervision.

25 Q So you have administrative responsibilities?

1 A Yes.

2 Q What are those administrative responsibilities?

3 A To see that all specs, procedures, are followed,  
4 all construction is done on time, on budget.

5 Q Do you have any kind of technical responsibilities?  
6 For example, approving work, examinign work, determining  
7 whether it meets specs?

8 A I examine work but I do not have the final say on  
9 it.

10 Q Who has the final say on whether a piece of work  
11 meets specs?

12 A The inspectors.

13 Q Why do you get involved in the process, if you  
14 don't have final say?

15 A To see whether I consider it to be good or not.

16 Q So, could you just explain in more eetail exactly  
17 how you come into the process?

18 A Well, I could be asked to look at welds, fits,  
19 or anything, by craftspeople, by superintendents, or by  
20 inspectors.

21 Q And why do they come to you and ask you to inspect  
22 it?

23 A Mostly so they won't offend you.

24 Q And if you say that the work doesn't meet specs,  
25 what happens?

1 A They get it to where it meets specs.

2 Q And what if you say it does meet specs?

3 A That could be debatable.

4 Q So at that point they would then go to somebody  
5 else?

6 A That's correct.

7 Q And who would that person be?

8 A More than likely be engineering.

9 Q Engineering? Any particular person in engineering?

10 A According to what section of the -- that we were  
11 looking at.

12 Q Okay.

13 Now, do you have any personnel responsibilities?

14 A I directly have Mr. Ken Liford and Mr. George  
15 Tenley under me.

16 Q You are supervisor for Mr. Tenley and Mr. Liford?

17 A Yes.

18 Q Do you have personnel responsibilities for any  
19 of the others?

20 A No. Not directly.

21 Q What responsibilities do you have, even if  
22 indirectly?

23 A Mr. Liford has superintendents working under him,  
24 and he is my assistant.

25 Q So he is the one with personnel responsibilities



1 for the superintendents and also for the ground forces?

2 A All but Mr. Tenley.

3 Q All but Mr. Tenley?

4 A Yes, Mr. Tenley reports directly to me.

5 Q What area does he report to you on? What is his  
6 area of responsibility?

7 A He's superintendent of the boilermakers and  
8 millwrights.

9 Q And Mr. Liford is in charge of what?

10 A Pipehangers and installation.

11 Q And did you have overall responsibility for  
12 mechanical?

13 A Right.

14 Q And who are your supervisors?

15 A Mr. Doug Frankum, Mr. Eddie Turner.

16 Q And do you report to them?

17 A Yes, sir.

18 Q How many craftworkers are there in the mechanical  
19 section?

20 A Right now, approximately 600 people

21 Q What is the highest amount that you've had during  
22 construction of the facility?

23 A MR. VANDERPOOL: Let me instruct the witness: I  
24 think I am going to object to your question, and the line of  
25 questions you're going into. I've permitted you to go into his

1 resume. I think it's obvious your question is beyond the scope  
2 of the evidentiary portions of this proceeding. I think what  
3 were stated as the objectives of your evidentiary deposition,  
4 this sounds to me like discovery.

5 I would ask you to confine your questioning to the  
6 evidentiary portion of the deposition, and not the discovery.

7 BY MR. REYNOLDS:

8 Q Well, what was the peak number of works at the  
9 plant during construction?

10 MR. VANDERPOOL: Well, I'll reassert my objection.  
11 I advise the witness that he is not required at this time  
12 to answer questions beyond the scope of the deposition.

13 MR. REYNOLDS: This is still, in my opinion,  
14 background on his responsibilities.

15 MR. VANDERPOOL: Well, if you'll confine your  
16 questioning, then, to background investigation, to his  
17 background, and to what he has supervised, then I'll --

18 MR. REYNOLDS: All right, I'm not going to pursue  
19 this too much further.

20 BY MR. REYNOLDS:

21 Q Could you just give me an answer to that particular  
22 question? -- the number of workers at Comanche Peak?

23 MR. VANDERPOOL: Under his supervision?

24 MR. REYNOLDS: Yes.

25 THE WITNESS: Approximately 1,400.

1 BY MR. REYNOLDS:

2 Q And what time period was that?

3 A The exact dates, I'd have to go back and look.

4 Q Can you give just a ballpark estimate?

5 A Probably from about 1980 through '82. That's a  
6 guess.

7 Q Okay.

8 Now, you mentioned that you have some personnel  
9 responsibilities; could you describe just what, specifically,  
10 those responsibilities are?

11 Hiring?

12 A I don't do the hiring.

13 Q You don't do any hiring?

14 A No.

15 Q You don't have any input into that at all?

16 A I may have some input, but Personnel does it.

17 Q What kind of input do you have?

18 A Type of people we need, how many we need.

19 Q But in terms of actual interviewing people or  
20 actually hiring individuals, you don't do that?

21 A No.

22 Q What responsibility do you have with regard to  
23 promotions or raises?

24 A I sign each and every raise.

25 Q Do you sign it after you have done some review

1 yourself, or do you delegate the review to someone?

2 A Most of the review is delegated.

3 Q And to whom do you delegate that?

4 A Superintendents.

5 Q What aspects of the review do you not delegate?

6 A All it comes through, across my desk for is final  
7 signature. Some of them I question, some I don't.

8 Q And why would you choose to question one and not  
9 question another? Generally speaking?

10 A It may be the amount of the raise, or the time  
11 frame that the raise comes in.

12 Q Have you ever questioned one based on who the person  
13 was, and your experience with that particular individual?

14 A No.

15 Q Do you have any role in discipline, or firing a  
16 worker?

17 A Discipline, yes; firing, sometimes it is brought  
18 through me.

19 Q What is your role with regard to discipline?

20 A Any discipline the superintendents feel that they  
21 can't take care of, I do it.

22 Q Can you give us an example of when that might have  
23 occurred?

24 A Maybe the person wants to talk to me that they have  
25 disciplined.

1 Or they been disciplined and they think it's  
2 unfairs; then it comes to me.

3 Q Have you ever instructed someone else to discipline  
4 a worker?

5 A Yes.

6 Q Then tell us under what circumstances you would  
7 do that?

8 A If I had knowledge of something that possibly they  
9 didn't know, the superintendent or assistant superintendent.

10 Q And how frequently do you do that?

11 A Oh, not very often.

12 Q Once a month, three times a month, ten times a  
13 month?

14 A Probably maybe once a month.

15 Q Can you give us an example of how you did that  
16 most recently?

17 A Just tell the superintendent that I think this  
18 person needs discipline; it may be absentee; it may be several  
19 different things.

20 Q Can you tell us exactly what this incident  
21 involved -- absenteeism?

22 A That last one, I couldn't say.

23 Q Do you ever get involved in discipline because of  
24 poor quality of work?

25 A Yes.



1 Q Can you give us an example of when you did that  
2 recently?

3 A Date-wise, I couldn't.

4 Q Approximately?

5 A Two months ago.

6 Q And what were the circumstances?

7 A There was a craftsman that I thought had done  
8 some sloppy work.

9 Q And how did that work come to your attention?

10 A I was in the area and saw it.

11 Q So what kind of work was it?

12 A It was some welding.

13 Q What was the problem?

14 A It was just poor workmanship.

15 Q Specifically, do you recall what the problem was?

16 A No.

17 Q Are there any generalized criteria which you apply  
18 in determining whether to discipline a worker?

19 A No, depend on the circumstances.

20 Q So, the answer is that there are no generalized  
21 criteria?

22 A Not to my knowledge.

23 Q What are some of the factors that you take into  
24 account when you are evaluating a worker's performance?

25 A His absentee, type work he puts out, his attitude

1 toward other people, how well he gets along, and how quick he  
2 gets it done.

3 Q Okay.

4 Are these criteria which you, yourself, have come  
5 up with? What is the origin of those criteria?

6 A We have got a standard form for rating personnel.

7 Q What is that form called?

8 A It's just called a rating form; they are rated  
9 every three months.

10 Q Does it have a number?

11 A I don't think so.

12 Q And, so, can you describe the form specifically for  
13 me?

14 A It's filling out on 1, 2, 3, 4, 5, on, I believe,  
15 5 different things; but I'm not positive about that.

16 Q And what are the categories?

17 A Absentee is one of them, the type of work that they  
18 do; how well they get along with other people; and I don't  
19 remember the others.

20 Q Rate of production -- would that be one?

21 A That could possibly be it.

22 Q Now, how is this form used?

23 A The foremen rate the craftsmen, the general foreman  
24 rates the formen; superintendents rates the general foreman.

25 Q And do you rate Mr. Liford?

- 1 A Yes. And Mr. Tenley.
- 2 Q And how frequently is this done?
- 3 A On craftspeople it's done every three months.
- 4 Q How about on foremen?
- 5 A That's all the way through the superintendents.
- 6 Q Every three months this is filled out as a matter  
7 of course?
- 8 A Yes.
- 9 Q What happens when someone is disciplined during that  
10 three -month period?
- 11 A You got a counselling sheet put in his folder.
- 12 Q And what is that?
- 13 A It's a sheet that he has been counseled.
- 14 Q So there's no revision of the general -- the  
15 previous sheet that you just described?
- 16 A Not until the next rating period.
- 17 Q And would the next rating period incorporate the  
18 counsel sheet?
- 19 A That counsel sheet would stay in his folder from  
20 now on.
- 21 Q Okay.
- 22 Could you describe a counsel sheet?
- 23 A Counsel. It's just a form that they have filled  
24 out when they counsel him and put about what it's about. It  
25 could be a number of different things that he was counseled.

1 Q Does it have the same kind of format where you have  
2 five different categories?

3 A Not necessarily. It's got a place down for  
4 remarks, what you have told the employee, what the employee's  
5 answer was; the foreman and the employee both sign it; or the  
6 employee may refuse to sign it.

7 Q You mentioned that the criteria were one-to-five  
8 ratings on the review sheet, is that correct?

9 A It's something like that; yes.

10 Q Can you explain to us how that works? Is "5" the  
11 top rating you can get?

12 A Yes.

13 Q And what kind of action would cause a person to  
14 have a "5" reduced to a lower number?

15 A If he fell down in his performance review.

16 Q Okay, give me some examples of actions that would  
17 take someone down to a "4"?

18 A Well, if you have rated a person as doing quality  
19 work for their three months, then for any number of reasons  
20 he don't do it the next three months, you may drop his rating  
21 down to a "3" or a "2" in that particular category.

22 Q So if there's a lack of improvement, the number  
23 continues to go down; is that correct?

24 A Well, if he goes down too far we normally just  
25 discharge the man.

1 Q Can you give us some examples of actions that  
2 would cause a person to be rated a "4" as opposed to a "5"?

3 A His work has dropped off.

4 Q His work has slowed down?

5 A Right.

6 Or his quality of work has slowed down.

7 Q And how is that objectively determined, that the  
8 quality of his work has gone down?

9 A That's his foreman's and general foreman's job.

10 Q Has it got anything to do with QA review?

11 A No, sir.

12 Q Then QA is not involved in this determination at  
13 all?

14 A No, sir.

15 Q What about if a person gets involved in a fight  
16 with a QA person, would that be a cause -- would that be  
17 reflected in this review sheet?

18 A If a person is involved in a fight he is terminated.

19 Q Terminated immediately?

20 A Yes, sir.

21 Q Are both people involved in a fight terminated  
22 immediately?

23 A That is company policy.

24 Q Is there any circumstance in which you've had a  
25 fight and that has not occurred?



1 A Not to my knowledge.

2 Q So they've always been terminated?

3 I'm sorry, you'll have to answer audibly to that  
4 last question?

5 A Yes.

6 Q So there have never been circumstances where  
7 two people were involved in a fight and both were not  
8 terminated?

9 A Not to my knowledge.

10 Q What would be the sanction if one worker threatens  
11 another worker? -- for any reason?

12 A He would be reviewed and if we thought it was  
13 legitimate he would be terminated.

14 Q Who would review it?

15 A It could come clean up to my level.

16 It would start out with the foreman, general  
17 foreman, and be brought up as high as need be.

18 Q And what do you mean "as need be"? Under what  
19 circumstances would it be brought up the ladder to you?

20 A Well, if the foreman investigated and didn't think  
21 that it was satisfactory, he would carry it to the general  
22 foreman; and it would come on up the ladder.

23 Q If he didn't think what was satisfactory?

24 A What was happening.

25 If his people had been accused of something, and he

1 couldn't get to the bottom of it, then he would bring it to a  
2 higher level.

3 Q Is that the only instance in which you would hear  
4 about it?

5 A Normally, yes.

6 Q So is it fair to say that most of the incidents  
7 involving threats from one worker to another do not come to  
8 your attention?

9 A I would say most of them do come to my attention.

10 Q Okay.

11 A But that's the way they're brought to my attention.

12 Q So most of those kinds of incidents do come up  
13 the ladder to you?

14 A That's correct.

15 Q So, if I understand you correctly, most of these  
16 incidents, then, are not satisfactorily resolved at the lower  
17 levels?

18 A That's correct.

19 Q And why is that?

20 A Because under the circumstances they don't have all  
21 the forces to get all the information.

22 Q What do you mean exactly?

23 A Well, if it involves another craftsperson, if it  
24 involves quality people, whoever may be involved.

25 Q Why can't the foreman simply get the two people

1 together and find out, say, "what happened here"?

2 A It may be his craft and then some other craft.

3 Q So what you're saying is, the other person may be  
4 outside his area?

5 A That's correct.

6 Q All right.

7 But if it's within one area?

8 A If it's in one area under one foreman, he can take  
9 care of it.

10 Q And so you don't -- you probably wouldn't hear of  
11 that?

12 A No.

13 Q Is it fair to say that anything involving a  
14 craftworker and a quality person would come to you?

15 A Yes.

16 Q Simply because the foreman does not have the  
17 jurisdiction to resolve it?

18 A That's correct.

19 Q How many situations involving a threat between a  
20 craftsperson and a quality control person have occurred in the  
21 past year?

22 A Involving a threat?

23 Q Threat?

24 A None to my knowledge.

25 Q How many within the past five years?

1 A Maybe about three.

2 Q What were those three incidents?

3 A I can't recall.

4 Q You don't have any recollection at all of any of  
5 them?

6 A I remember about three incidents involving threats,  
7 but I don't recall what the facts were.

8 Q Do you recall an approximate time period?

9 A No, I don't.

10 Q Do you remember what they were about?

11 A They were threats, bodily harm.

12 Q Do you know what the cause of the threat was?

13 A Tempers.

14 Q Do you remember the specific subject matter which  
15 caused tempers to flare?

16 A No, I don't.

17 Q So to your knowledge there were absolutely none over  
18 the past year?

19 A I don't remember any the past year.

20 Q Did you have any fights during the past year? --  
21 between a craftsperson and a quality person?

22 A Not to my knowledge.

23 Q How about during the last five years?

24 A No, that I remember.

25 Q Have you had any instances where a craftsperson

1 criticized a quality person, or vice-versa? -- that led to your  
2 involvement to resolve it?

3 A Will you repeat the question?

4 Q Were there any instances in which a craftperson  
5 criticized a quality person for vice-versa during the last  
6 year that came to your attention that you resolved?

7 A There probably have been.

8 Q You seem unsure?

9 A I don't really understand what you mean, "for me  
10 to resolve"?

11 A Okay.

12 Well, let's take that out; just those that came to  
13 your attention?

14 A Yes.

15 Q Would you describe what those instances were?

16 A Maybe a craftsperson felt like a QC person was  
17 too tight, was over and above procedures.

18 Q How many times did that happen in the past year?

19 A I don't remember.

20 Q Ten times, 20 times?

21 MR. VANDERPOOL: He doesn't want you to speculate.  
22 You can give him a reasonable estimate, but just don't  
23 speculate?

24 THE WITNESS: I just don't remember.  
25



1 BY MR. REYNOLDS:

2 Q Why did it come to your attention?

3 A To get with the quality leadership and see if we  
4 could work it out.

5 Q Okay, and what happened in these two incidents?

6 A I talked to the quality leaders: they got a  
7 problem; they take care of it.

8 Q There's never been an instance where quality  
9 has not "taken care" of it?

10 A Not to my knowledge.

11 Q What do you mean by "taking care" of it?

12 A They see if they are the problem; if they do, they  
13 correct it. If they don't have a problem, they tell me that  
14 they don't have one -- that I've got the problem.

15 Q How many times did they tell you that they don't  
16 have a problem?

17 A None I could remember.

18 Q 50-50?

19 A I wouldn't speculate on that.

20 Q Have you made a judgment on the situation itself  
21 along with the quality control people?

22 A I look at it and make a judgment; then I go to the  
23 quality people.

24 Q If you can resolve it, yourself?

25 A Then that's as far as I go.

1 Q All right.

2 Now, how would you resolve it, yourself?

3 A If I felt like my person wasn't doing what he  
4 ought to be doing.

5 Q So you go to the quality control side when you think  
6 that the quality is at fault? -- when you think that the  
7 quality control person is at fault?

8 A Yes.

9 Q Whom do you go to on the quality control side?

10 A Different people.

11 Q Can you give us examples or the names?

12 A Bob Seaver, Gordon Purdy, any of the leads.

13 Q How many leads are there?

14 A I couldn't tell you off the top of my head.

15 Q Five or ten?

16 A No, I won't speculate.

17 Q Do you have any formalized procedures for resolving  
18 these kinds of instances, incidents? And by that I mean  
19 fights, threats, arguments?

20 A No.

21 Q So it's pretty much your area, you decide how to  
22 handle it, and that's the way it's done?

23 A That's correct.

24 Q Is there any instance in which it goes higher than  
25 you to resolve one of those situations?

1 A Yes, sir.

2 Q Now, in what circumstances would it go higher than  
3 you?

4 A Any person on the job, his gripe gets to going  
5 anywhere he wants it to come.

6 Q What does that mean, exactly?

7 A He wants to see Mr. Frankum, Mr. Turner, he can go.

8 Q And how often has that happened in the past year?

9 A The numbers I couldn't tell you.

10 Q About 10?

11 A I'm not going to speculate.

12 Q One or two?

13 Do you know? If you don't know --

14 A I don't know.

15 Q So you have no recollection of any numbers where it's  
16 gone above your head to resolve a problem?

17 A No.

18 Q It has happened, though?

19 A It has happened.

20 Q Do you remember any of the incidents, so you can give  
21 us an example?

22 A Not off the top of my head.

23 Q Do you want to take some time to think about it?

24 A There was a welder fired, I believe 2 or 3 months  
25 ago.

1 Q Who was that welder?

2 A By name, I couldn't remember his name.

3 Q And what was the reason the person was fired?

4 A The actual reason, I can't remember that without --  
5 I'd have to look at the record.

6 Q And what happened?

7 A He went to see Mr. Frankum.

8 Q What did Mr. Frankum do?

9 A He was still fired.

10 Q How do you measure productivity of a worker?

11 A By how much production he gets out.

12 Q And do you have objective criteria to determine  
13 that?

14 A It's according to what craft he's in.

15 Q Okay, let's say welding?

16 A The number of welds he puts out in a day.

17 Q What is the number per day that he has to put out?

18 A There is no certain number.

19 Q How do you determine that number?

20 A What size pipe, what condition that he welding on.

21 Q Now, is this documented in some way?

22 A Production is documented.

23 Q The rate of production that's expected, is that  
24 documented?

25 A Not per man, no.

1 Q Is it documented in any way?

2 A It's documented through cost control.

3 Q How is that?

4 A It's how much work we do and what it costs per  
5 weld or per hour or per every other figure.

6 Q Do you determine rate of productivity by cost per  
7 weld?

8 A The rate of productivity is each individual's and  
9 what circumstances he works under.

10 Q Right, but for a certain kind of work in craft,  
11 you have a generalized rate; is that correct?

12 A We have a generalized cost.

13 Q Generalized cost. And that cost determines what  
14 the generalized production would be?

15 A Yes.

16 Q I may have asked this, but: is this documented in  
17 any way?

18 Is it written down?

19 A The cost?

20 Q The rate, the rate of production?

21 A No.

22 Q How does the worker know what that rate is?

23 A The foreman tells him what's expected of him.

24 Q Okay.

25 So the foreman is the one that sets that rate?



1           A       Well, it goes down all the way from superintendent  
2 all the way down to the foremen.

3           Q       Do you set the rate?

4           A       Not necessarily set them.

5           Q       What do you do?

6           A       I have got a schedule to meet, a time frame to meet  
7 it in; and I tell the superintendents.

8           Q       And the superintendent is expected to make sure that  
9 that time frame is met?

10          A       Yes.

11          Q       Do you ever offer incentives to your workers to  
12 encourage them to meet that rate of productivity?

13          A       It has happened.

14          Q       What kind of incentives?

15          A       Maybe a party. Dinner.

16          Q       Do you do that frequently or infrequently?

17          A       Infrequently.

18          Q       What are the penalties if a worker doesn't meet that  
19 rate?

20          A       If a worker doesn't meet the rate that we think he  
21 should, he's terminated.

22          Q       The first time, second time, third time? Do you  
23 have any system of warning?

24          A       After he has been talked to about his production,  
25 and he don't pick up.

1 Q Do you ever employ any other penalties, other than  
2 termination?

3 A They have been let go two-to-three days without  
4 pay.

5 Q What would cause you to impose a suspension as  
6 opposed to a termination?

7 A Deliberately violating procedures.

8 Q That would cause you to terminate the person?

9 A Right.

10 Q All right.

11 What kind of things would cause you to suspend  
12 the worker for?

13 A If he had done something that maybe he had been  
14 told or maybe he hadn't been told, that he shouldn't do.

15 Q How does that differ from violating procedures?

16 A He could have been out of his work area.

17 Q And that would cause a suspension?

18 A Possibly.

19 Q Any other instances, any other actions which would  
20 lead to a suspension?

21 A Several different circumstances could lead to a  
22 suspension.

23 Q What are they?

24 A If he had got something that belonged to somebody  
25

1 else, had borrowed it without asking.

2 Q Do you warn a person first?

3 A Normally, yes, sir.

4 Q How many times?

5 A Once.

6 Q When would you not warn the person for a suspension?

7 A I wouldn't approve a suspension without a person  
8 had been talked to about it.

9 Q And failed to improve?

10 A Correct.

11 Q Now, let's go to the next area, and talk about  
12 attitude: You said that that was one of the causes for  
13 discipline, lowering the rating.

14 Can you tell me what you mean by "attitude"?

15 A The interest that he shows in his work, and getting  
16 along with other people.

17 Q So somebody who fights a lot has a bad attitude?

18 A That's correct.

19 Q How do you determine that somebody likes his work?

20 A He shows interest in the work.

21 Q By coming up to you, for example, and saying,  
22 "Mr. Callicutt, I really like my work."?

23 A No, sir.

24 Q Can you give me examples of how you know?

25 A He's doing his job and doing it well.

1 Q That means keeping up speed?

2 A Correct.

3 Q And doing good quality work?

4 A That's right.

5 Q How would you handle a situation where there was a  
6 high reinspection rate?

7 A It depends on the circumstances.

8 Q Well, can you explain what you mean by that?

9 A He might be in a area where all the work he is doing  
10 is harder to get to, difficult work; that he would have more  
11 inspection rate than normal.

12 Q And that would be because his work is more difficult  
13 to do, is that right?

14 A A more difficult area.

15 Q If a person has a higher inspection rate would that  
16 cause you to consider discipline?

17 A Possibly.

18 Q When would it not?

19 A If he was working in a difficult area.

20 Q Any other circumstances?

21 A No.

22 Q In any circumstances in which a worker was slow,  
23 you would not consider discipline?

24 A Would you repeat the question?

25 Q You said that rate of production is criteria that

1 you consider for disciplining, or citing for discipline;  
2 is there any circumstance in which a worker's inability to  
3 maintain the established rate of production would not lead to  
4 discipline?

5 A No.

6 Q What is your responsibility with respect to quality  
7 assurance and quality control?

8 A Would you repeat that?

9 Q Yes.

10 Do you have any responsibility for QA/QC?

11 A No.

12 Q That's solely within the province of the QA  
13 Department?

14 A Yes.

15 Q How many QA/QC personnel are involved in inspecting  
16 the work of your workers?

17 A The numbers I couldn't give you.

18 Q Well, how about a percentage? You've got a certain  
19 number of workers; how many QA/QC personnel, generally, are  
20 required to keep your work going at the rate it's supposed to?

21 A Probably about 30 to 35.

22 Q 30 to 35 QA/QC inspectors for how many workers?

23 A Approximately 600 people.

24 Q Suppose it came to your attention that production  
25 of workers was being slowed. The foreman said, "You're not



1 meeting your rate of production." And the worker said, "It's  
2 because the way QC is getting in the way," or words to that  
3 effect. What would you do, or what would the foreman do?

4 A They would check it out.

5 Q How would they do that?

6 A Go check with the quality people.

7 Q And what if it turned out to be accurate, that  
8 QA/QC was slowing down the work?

9 A They would take it to their head.

10 Q Beg pardon?

11 A Take it to their lead.

12 Q The QA/QC lead?

13 A Yes.

14 Q And what would they say?

15 A That's up to him.

16 Q What are his options?

17 A The QA/QC lead?

18 Q Yes?

19 A His options is just like mine.

20 Q Which are?

21 A He is the boss.

22 Q So he decides whether or not this is to speed up  
23 the QA/QC or keep it going at the same rate?

24 A That's his option.

25 Q Have you ever instructed QA/QC to speed it up?

1 A No.

2 Q Have you ever told anyone else to instruct QA/QC  
3 to speed it up?

4 A No.

5 Q Have you ever told a QA/QC worker that if he or she  
6 didn't move things along, beef things up, that they would be  
7 disciplined or fired?

8 A No.

9 Q Have you ever instructed anybody to do that?

10 A To do what?

11 Q To tell a QA/QC worker that if he didn't speed up  
12 the inspections that he'd be fired or disciplined?

13 A No.

14 Q Are you aware of any instances where a QA/QC  
15 inspector has been so instructed by someone from your section?

16 A No.

17 Q Throughout the entire term of your involvement  
18 with the facility you haven't heard of anybody -- you haven't  
19 heard about it at any time?

20 A No.

21 Q Are you familiar with the 10 CRF 50 Appendix B  
22 Criteria?

23 A Yes.

24 Q Do you know that one of them requires independence  
25 between construction and quality control?

- 1 A Yes.
- 2 Q Can you just describe what measures Brown & Root  
3 have to assure that independence?
- 4 A QA and QC do not report to us.
- 5 Q They don't report to anybody in the company?
- 6 A Anybody on the job site.
- 7 Q To whom does QA/QC report?
- 8 A They report to Houston.
- 9 Q Do they ever report to you?
- 10 A Under what conditions?
- 11 Q That's what I'm asking you: under any circumstances?
- 12 A No.
- 13 Q So there's no reason for QA/QC to come and talk to  
14 you at all -- just a pleasant conversation?
- 15 A If we have problems we talk.
- 16 Q Problems meaning a dispute between a craftworker  
17 and Q. workers?
- 18 A Problems there, problems in production.
- 19 Q What do you mean by that?
- 20 A Production is not coming along like we think it  
21 ought to be.
- 22 Q You talk to QA/QC about it?
- 23 A If I feel like they've got anything to do with it.
- 24 Q And whom do you talk to in QA/QC?
- 25 A It would be at Mr. Seaver's, Mr. Purdy's level.

1 Q Are there any other measures Brown & Root have  
2 to assure independence, other than reporting to Houston?

3 A Not to my knowledge.

4 Q Do you have any signs on-site saying that -- just  
5 an example -- craftworkers shall not attempt to influence  
6 quality control personnel in their inspections?

7 A I don't know.

8 Q You're not aware of anything like that?

9 A No.

10 Q Do you have a -- strike that.

11 Is there anything on-site, for example, posters or  
12 notices to workers that emphasize the need for the value of  
13 maintaining independence between construction and quality  
14 control?

15 A I couldn't answer that.

16 Q How do your workers know that you're supposed to be  
17 independent of quality control?

18 A They are told.

19 Q By whom?

20 A By us.

21 Q Do you tell every worker yourself?

22 A No.

23 Q Who does?

24 A It's on down the line. The foremans, superinten-  
25 dents.

1 Q Have you ever told a worker that yourself?

2 A Probably.

3 Q Do you remember ever telling a worker that?

4 A Yuh.

5 Q When?

6 A I couldn't tell you.

7 Q Is there any document that you know that reflects  
8 the workers were so instructed?

9 A Not to my knowledge.

10 Q Have you ever instructed any worker that he or she  
11 was being too careful?

12 A No.

13 Q Have you ever told anybody else to tell a QA/QC  
14 worker that he or she was being too careful?

15 A Rephrase that?

16 Q Have you ever instructed anybody else to tell a  
17 QA/QC worker that he or she was being too careful, or words  
18 to that effect?

19 A No.

20 Q Are you aware of any instance in which a craftworker  
21 or foreman or supervisor on the craft side has told a QA/QC  
22 worker that he or she was being too careful?

23 A Yes.

24 Q Would you tell us when that was?

25 A No.



- 1 Q Approximately?
- 2 A Three or four months ago.
- 3 Q Can you describe the incident?
- 4 A All I can remember the person claimed that, it was  
5 brought to the leads and the formen and was settled.
- 6 Q Do you know who was involved in that incident?
- 7 A By name, no.
- 8 Q How did you hear about it?
- 9 A It was brought to my attention by one of the  
10 superintendents.
- 11 Q After it had been resolved?
- 12 A Yes.
- 13 Q You've never personally been involved in that  
14 kind of an incident?
- 15 A No.
- 16 Q What kind of procedures are there to assure that  
17 your workers adhere to QA/QC practices?
- 18 A There's procedures for all work out here.
- 19 Q Yes, specific QA/QC procedures; right?
- 20 A Right.
- 21 Q Do you have any incentives to encourage workers  
22 to comply with QA/QC procedures?
- 23 A All work is supposed to be in compliance with QA/QC  
24 procedures.
- 25 Q So you don't offer -- you're not offering any

1 additional incentives to make sure of good quality control?

2 A No.

3 Q What actions do you take to make sure that those  
4 quality control procedures are being implemented by the workers?

5 A If they're not implemented, the work won't pass.

6 Q So essentially you rely on the inspection by QA/  
7 QC to determine whether or not your workers are complying with  
8 QA/QC procedures?

9 A My workers work to their procedures; QA/QC works  
10 to their procedures.

11 Q Do your workers not have any QA/QC procedures?

12 A Not per se.

13 Q What do you mean, "not per se"?

14 A Our workers have their own procedures; QA/QC  
15 has their procedures.

16 Q But your workers would only have to follow certain  
17 procedures which relate to QA/QC procedures; correct?

18 A That's correct.

19 Q Are these a part of their normal work procedures?

20 A That's right.

21 Q You don't have any special procedures that instruct  
22 them specifically with regard to QA/QC procedures?

23 A No.

24 MR. VANDERPOOL: You mean other than his normal  
25 work procedures?

1 MR. REYNOLDS: Right.

2 THE WITNESS: Right.

3 BY MR. REYNOLDS:

4 Q Do you have any special training for your workers  
5 to teach them about the importance of quality assurance/  
6 quality control?

7 A All workers are trained on all procedures.

8 Q They're trained on their procedures; but you don't  
9 have anything in addition to educate them about why their  
10 work is to follow adequate QA/QC procedures?

11 A No.

12 MR. REYNOLDS: Let's take a break.

13 (Recess.)

14 BY MR. REYNOLDS:

15 Q Would you agree that there is traditionally friction  
16 between craftworkers and the QA/QC personnel?

17 A Would you repeat that?

18 Q Would you agree that there is as a general matter  
19 friction between craft personnel and QA personnel?

20 MR. VANDERPOOL: In all construction projects?

21 MR. REYNOLDS: Let's just focus on Comanche Peak.

22 MR. VANDERPOOL: As opposed to other projects?

23 MR. REYNOLDS: Just as a general matter that  
24 craftworkers and quality control personnel often have friction  
25 between them?

1 THE WITNESS: What do you mean by "friction"?

2 BY MR. REYNOLDS:

3 Q I don't mean to use a trick word. But there is a  
4 certain amount of tension that may lead to disputes; and I  
5 chose the word "friction" because that's what I mean?

6 A To a certain extent.

7 Q And to what do you attribute that?

8 A They're on different sides.

9 Q What do you mean, "different sides"?

10 A QA's inspecting, the craft's doing.

11 Q So the craft has a production goal to meet and  
12 QA/QC has a responsibility for inspecting that which may  
13 slow down production?

14 A That's possible.

15 Q Now, do you feel that you in your position are  
16 generally aware when these different functions lead to  
17 friction?

18 A In most cases if it's severe enough.

19 Q You would be?

20 A I would be.

21 Q All right.

22 You described a few incidents earlier this  
23 morning, arguments, fighting and things of that sort, threats;  
24 are there any other kinds of harassment, like, just easing, or  
25 hazing that you encountered at Comanche Peak?

- 1 A Such as what?
- 2 Q Teasing, hazing?
- 3 A Not to my knowledge.
- 4 Q None whatsoever?
- 5 A No.
- 6 Q What about reported incidence to threats, fights,  
7 do you report that to the NRC?
- 8 A No.
- 9 Q Do you ever do internal inspections yourself,  
10 investigations, which are then documented by inspection  
11 reports?
- 12 A Would you repeat that?
- 13 Q Do you ever do investigations and document them in  
14 written form?
- 15 A No.
- 16 Q What if somebody is fired for fighting, is that  
17 in writing anywhere?
- 18 A That's on his termination papers.
- 19 Q Okay. And what are the termination papers?
- 20 A That's a paper we fill out when we terminate the  
21 employee.
- 22 Q One sheet of paper?
- 23 A And a carbon copy.
- 24 Q Okay. And what does that form look like?
- 25 A Termination form.



1 Q Are the categories on it? How is it laid out?

2 A The worker is rated, the reason why he was fired is  
3 on it; it's signed by the foreman, general foreman, whoever  
4 terminates the employee; and the employee, if he will sign it.

5 Q And where is that kept?

6 A Personnel records.

7 Q How long are those personnel records kept?

8 A I couldn't tell you.

9 Q Do you have a documented system for rating  
10 infractions?

11 A Repeat that?

12 Q Do you have a documented system for rating of  
13 infractions?

14 A No.

15 Q No guidance at all to a supervisor as to how he would  
16 rate one infraction versus another?

17 A Not to my knowledge.

18 Q What's the understanding of Brown & Root's policy  
19 on intimidation and harassment of, one, a craftworker by  
20 supervisors, and, two, QA personnel by craft personnel?

21 A The first part of the question?

22 Q What's your understanding of the policy/ What do  
23 you understand the policy to be with regard to harassment and  
24 intimidation?

25 A You don't harass and intimidate them.

1 Q "Period"?

2 A "Period".

3 Q And where is that documented?

4 A I don't know that it is documented.

5 Q Is there any attempt to define what intimidation  
6 or harassment is, and what the different forms of harassment  
7 and intimidation might be?

8 A Not to my knowledge.

9 Q What do you -- how do you define "intimidation"?

10 A Preventing somebody from doing their work in  
11 accordance with their procedures.

12 Q And how do you define "harassment"?

13 A It could be a number of things.

14 Q Like what?

15 A Harassment, to me, would be continually picking  
16 on a person or persons.

17 Q Anything else?

18 A No.

19 Q What do you mean "continually"?

20 A Repeatedly, frequently.

21 Q So as long as you don't do it more than once, you  
22 can pick on somebody; is that what you mean?

23 A No.

24 That to me is what harassment is, if you do that.

25 Q So it doesn't have to be continuous?

1 A To me it would have to be continuous.

2 Q Well, now, if someone is threatened with firing if  
3 they don't speed up their work, do you consider that  
4 harassment?

5 A No.

6 Q Why not?

7 A That is a promise.

8 Q Okay. But that's not harassment?

9 A If he hadn't been doing his job, I don't consider  
10 that harassment.

11 Q All right.

12 So if somebody says, "speed up your work or you're  
13 going to get fired" -- and in your mind, that's not harassment?

14 MR. VANDERPOOL: I'm going to object to the  
15 question, I guess the line of questioning; you said a long  
16 time ago that you were not going to go into this very much  
17 more; and we've lagged continually.

18 But I don't think the question is germane to the  
19 guidelines that were set out, and certainly not relevant to  
20 his experience relative to those guidelines.

21 So I would object to the question and instruct the  
22 witness not to answer this type of question.

23 MR. REYNOLDS: I think the thing we discussed  
24 earlier had to do more with -- if I'm not mistaken had to  
25 do with the number of workers in a peak period at the plant.

1 This has to do clearly with his understanding of what the  
2 term "harassment" is. And I would think it is directly  
3 relevant.

4 MR. VANDERPOOL: Well, if you're asking him what  
5 his understanding of "harassment" is, and what the word  
6 means, that's one thing.

7 If you're talking about general procedures, that's  
8 something else.

9 If that's what you're confining your questioning  
10 to is what his understanding of the word "harassment" is,  
11 then proceed.

12 MR. REYNOLDS: That's definitely my intent.

13 BY MR. REYNOLDS:

14 Q What if someone tells a QA/QC worker that he or she  
15 is going too slow, and they'll have to speed up or get fired;  
16 now, is that harassment?

17 A Who is "someone"?

18 Q Well, presumably someone who has authority to fire  
19 them?

20 A If they're not doing it to the criteria that they  
21 have set out, I don't think it's harassment.

22 Q I guess I didn't understand your answer. You  
23 said it's not harassment, if what?

24 A If the person in authority over them has asked them  
25 to speed up.

1 Q Well, it's more than ask them to speed up. He  
2 says, "If you don't speed up, you'll be fired".

3 A If they're dragging their feet that bad, that's  
4 not harassment.

5 Q What if a person says, "If you don't stop being so  
6 careful, you're going to get fired"?

7 MR. VANDERPOOL: In what context are you asking  
8 that? Are you asking if he's a qualified QC inspector?

9 MR. BERRY: Is that a craftperson or QA?

10 MR. REYNOLDS: I'll rephrase the question.

11 BY MR. REYNOLDS:

12 Q Suppose a QA/QC worker is told by his or her  
13 supervisor, someone in authority, is told: "If you don't  
14 stop being so careful you're going to be fired."

15 Is that harassment in your opinion?

16 MR. VANDERPOOL: Well, again, you're asking him  
17 his opinion only with respect to whether or not to his under-  
18 standing of the word "harassment", and not his opinion as  
19 to whether or not a quality control supervisor is harassing  
20 a quality control inspector -- because obviously he's not been  
21 offered as an expert in what harassment is by a quality  
22 control supervisor.

23 MR. REYNOLDS: I'm just trying to understand his  
24 definition of "harassment".

25 THE WITNESS: Repeat that?



1 MR. REYNOLDS: Sure.

2 BY MR. REYNOLDS:

3 Q Suppose a QA/QC person is told by a person in  
4 authority that unless he or she is less careful, they will  
5 be fired; is that harassment?

6 A No.

7 Q What if a craftperson tells a QA/QC person who  
8 is reviewing that craftperson's work that if you don't hurry  
9 up, I'm going to report you. Is that harassment?

10 A No.

11 Q What if a craftperson tells a QA/QC person  
12 that if they don't speed up their inspections they will see  
13 to it that they are fired? Is that harassment?

14 A No.

15 Q Why not?

16 A In the first place, the craftperson can't see to it  
17 that a QC inspector is fired.

18 Q So as long as the person making the statement doesn't  
19 have the power to carry it out, that's not harassment in your  
20 opinion?

21 A No.

22 Q Let me ask you one other one:

23 Suppose a craftperson says to the QA/QC person,  
24 "if you don't speed it up, speed up your inspections, I'm going  
25 to have you killed". Is that harassment?

- 1 A That's a threat.
- 2 Q Do you characterize that as harassment?
- 3 A I'd classify it as a threat.
- 4 Q But not harassment?
- 5 Would you characterize that as intimidation?
- 6 A I'd classify that as a threat.
- 7 Q I think I understand what you mean.
- 8 Do you recall any incident either because of your
- 9 personal involvement or because you've heard about it of a
- 10 foreman taking a craftworker by the neck and threatening to kill
- 11 him?
- 12 A No.
- 13 Q Wasn't that a claimed incident of intimidation and
- 14 harassment at Comanche Peak, to your knowledge?
- 15 A A "claimed incident"? I have heard reports.
- 16 Q And, specifically, what are those reports?
- 17 A That QC was intimidated.
- 18 Q Are there any specific instances of intimidation
- 19 or harassment that you're aware of; I'm speaking of "claimed
- 20 instances"?
- 21 A I had one superintendent that worked under me that
- 22 they claimed was harassment.
- 23 Q Okay. Who was the superintendent?
- 24 A Ronnie Johnson.
- 25 Q And who made the claim?

1 A QA/QC.

2 Q And who supposedly was doing the intimidating and  
3 harassing?

4 A I'd have to get to the report to remember just  
5 what it was, but -- Ronnie.

6 Q Ronnie was being harassed.

7 A Ronnie was being accused of harassing QA/QC.

8 Q I see.

9 What happened in that incident?

10 A It was brought to Mr. Tolson and Mr. Frankum's  
11 attention. Ronnie was counseled.

12 Q He was terminated?

13 A Counseled.

14 Q Counseled?

15 A Right.

16 Q Any other incidents of claimed intimidation or  
17 harassment?

18 MR. VANDERPOOL: You are asking what has been  
19 reported to him? Is that right?

20 MR. REYNOLDS: That's right. In other words, what  
21 claims he's aware of.

22 MR. VANDERPOOL: I would state that since you're  
23 calling for hearsay with this question you're seeking to  
24 elicit hearsay; if your question is limited to reports that  
25 have been made to him as to how the reporting process worked and

1 what was correctly reported to him, I will not make such  
2 objection.

3 BY MR. REYNOLDS:

4 Q Let me ask you a leading question, then:

5 Is it part of your job to be aware of any  
6 intimidation or harassment by your work persons?

7 A Yes.

8 Q All right.

9 Now, to continue with the line of questioning I  
10 was pursuing before: Aside from the incident of Ronnie  
11 Johnson, are there any other incidents of claims intimidation  
12 or harassment that have been reported to you or that you have  
13 become aware of, because that's part of your job function?

14 A Reported to me, no.

15 Q Any that you heard of through other means?

16 MR. VANDERPOOL: Other than? Not in his capacity  
17 as --

18 MR. REYNOLDS: Not through direct reporting, but,  
19 you know, which have come to your -- which you have heard  
20 about by one means or another.

21 MR. VANDERPOOL: I'll object to the question as  
22 seeking to elicit hearsay information, and instruct the witness  
23 not to answer the question. I think the Board Chairman has  
24 already ruled that hearsay evidence will not be permitted  
25 in these proceedings.

1           And your question, as phrased, seeks to elicit  
2           hearsay information.

3           MR. REYNOLDS: Let me just respond that he's  
4           testified that it is part of his job to be aware of any  
5           incidents of claimed harassment and intimidation; whether or  
6           not they come to him through a formal reporting process or  
7           other means. It seems to me that still would be part of his  
8           job description, and, therefore, it's an appropriate question.

9           MR. VANDERPOOL: Well, the question, as phrased,  
10          can't be outside the scope of his job performance; and that's  
11          the reason for my objection. I think you're calling for  
12          hearsay information by the way you put your question "outside  
13          the scope of his job".

14          BY MR. REYNOLDS:

15          Q       Well, do you often hear -- or do you occasionally  
16          hear of claimed incidents of harassment through hearsy, by  
17          somebody else telling you about it?

18          MR. VANDERPOOL: I think that question clearly  
19          calls for hearsay information. And it does not by any means --  
20          in fact, it seems to exclude his job.

21          MR. REYNOLDS: No, I don't think so. Excuse me.  
22          I don't think so.

23          Because I'm asking him whether he personally hears  
24          about claimed incidents of intimidation or harassment. That  
25          is not hearsay.



1 That he personally would hear about -- that is not  
2 hearsay.

3 MR. VANDERPOOL: In the context of his job?

4 MR. REYNOLDS: In the context of his job.

5 MR. VANDERPOOL: Okay.

6 MR. REYNOLDS: All right.

7 BY MR. REYNOLDS:

8 Q Did you personally hear about claimed intimidation  
9 or harassment on your job at Comanche Peak?

10 A Rephrase that?

11 Q Well, you've already testified about. During the  
12 course of your job, your employment, at Comanche Peak, do other  
13 people inform you about claimed instances of intimidation  
14 and harassment?

15 A Yes.

16 Q All right.

17 Can you tell us, in addition to the Ronnie Johnson  
18 incident, what other instances or other incidents have been  
19 reported to you?

20 A No.

21 Q There have been no others?

22 A I can't tell you exactly what they were.

23 Q That's the only one you can remember?

24 A Specifically, yes.

25 Q What about nonspecifically?

1 A I would say there have been others.

2 Q Okay. What others?

3 A How many or how often, I don't remember.

4 Q You have no recollection other than to say simply  
5 that there have been others; and that's all you can remember?

6 A That's correct.

7 Q If I were to ask you that same question, but say  
8 "claimed instances of improper firing," would your answer  
9 remain the same? -- that you can't remember any other instances?

10 A Do what, now?

11 Q Are there any instances in which claimed improper  
12 firing have been reported to you?

13 MR. VANDERPOOL: I don't see at all how this is  
14 germane to the examination and purpose of this evidentiary  
15 deposition.

16 MR. REYNOLDS: Firing is a form of intimidation  
17 and harassment.

18 MR. VANDERPOOL: Are you talking about it in that  
19 context?

20 MR. REYNOLDS: Yuh.

21 MR. VANDERPOOL: The question was just on the  
22 basis of any reports of improper firing to him.

23 MR. REYNOLDS: Okay.

24 BY MR. REYNOLDS:

25 Q When I say "intimidation and harassment," do you take

1 that to include threats for improper firing, and things of that  
2 kind? Or are those separate in your mind?

3 MR. VANDERPOOL: Are you asking him if a threat to  
4 improperly fire a QC inspector?

5 MR. REYNOLDS: No, I'm talking about -- well, let's  
6 just say improper firing. Is that a form of intimidation or  
7 harassment?

8 MR. VANDERPOOL: As I understand the way he's  
9 prefaced his question previously, Mr. Callicutt, I believe  
10 he's asking you now for what your general understanding is  
11 and your definition of "harassment and/or intimidation".  
12 So with that in mind, he's asking you generally if a threat  
13 to improperly fire someone is a -- in your mind --  
14 intimidation?

15 THE WITNESS: Improperly fire someone? Yes.

16 BY MR. REYNOLDS:

17 Q Okay. And what about threats of bodily harm?  
18 Does that also follow as intimidation and harassment?

19 A A threat of bodily harm is a threat.

20 Q Would you characterize that as intimidation and  
21 harassment?

22 A No, I'd characterize it as a threat.

23 Q Okay. Then I do need to ask the question:

24 Now, have there been any instances in which  
25 claimed improper threat, threats of bodily harm, have been

1 brought to your attention during your employment at Comanche  
2 Pea' -

3 MR. COPPOCK: Mr. Reynolds, is this limited to  
4 QC/QA personnel?

5 MR. REYNOLDS: It's not limited to QC personnel.

6 THE WITNESS: Bodily harm to QC personnel?

7 BY MR. REYNOLDS:

8 Q Right?

9 A Yes.

10 Q And what were those instances?

11 A There were three of them.

12 Q Tell us as specifically as you can about each of  
13 those three incidents?

14 A I cannot remember specifically the names or  
15 places.

16 MR. VANDERPOOL: Counsel, we've gone through that  
17 same line the last hour, the same questions that you're  
18 asking now you've been all through already.

19 BY MR. REYNOLDS:

20 Q You know there were three; you don't remember any  
21 circumstances beyond that?

22 A No.

23 Q Have you ever held any meetings with your craft  
24 personnel to emphasize to them the importance of QA/QC?

25 A Yes.

- 1 Q When were those meetings held?
- 2 A Specific dates I couldn't give you.
- 3 Q Did you hold them on a regular basis?
- 4 A No.
- 5 Q Why did you hold the meetings that you are referring  
6 to?
- 7 A Maybe the quality was dropping down on the work  
8 a little bit; NCR's was picking up.
- 9 Q Have you ever had any meetings to discuss with  
10 them the company's policy on intimidation and harassment?
- 11 A I have attended a meeting.
- 12 Q And when was the meeting?
- 13 A I couldn't give you a date.
- 14 Q Recently?
- 15 A Within the last six months.
- 16 Q Okay.
- 17 Who attended?
- 18 A Mr. Frankum had it.
- 19 Q Who else?
- 20 A All superintendents.
- 21 Q All craft superintendents?
- 22 A Yes.
- 23 Q What other management personnel?
- 24 A Mr. Frankum and Mr. Turner.
- 25 Q What was discussed at that meeting?



1           A       We were told part of the harassment; we were to  
2 deal with it.

3           Q       And what did he say to you?

4           A       That we did not harass QC/QA in any way, form or  
5 fashion.

6           Q       That you should not?

7           A       Correct.

8           Q       What led to that meeting?

9           A       You'd have to ask him.

10          Q       You don't know why he called that meeting at that  
11 particular time?

12          A       I sure don't.

13          Q       Okay.

14                    You referred to three instances of intimidation --  
15 excuse me -- threats of bodily harm; have you ever had any  
16 meetings to discuss that issue?

17          A       Possibly.

18          Q       Why do you say "possibly"?

19                    Do you remember any?

20          A       No.

21          Q       After you heard about those three instances of  
22 improper threats -- you mentioned three of them -- did you take  
23 any action, yourself?

24          A       To my knowledge, all three employees were  
25 terminated.

1 Q Did you personally take any action at all?

2 A No.

3 Q Were there any actions, to your knowledge, taken  
4 by the company to prevent it from recurring again?

5 A I couldn't answer that.

6 Q Are you aware of any actions taken by the company?

7 MR. VANDERPOOL: Beyond the termination of the  
8 employees?

9 MR. REYNOLDS: Yuh?

10 THE WITNESS: No.

11 BY MR. REYNOLDS:

12 Q Does Brown & Root have a policy on reporting of  
13 nonconformances?

14 A Yes.

15 Q And what is that policy?

16 A Everybody reports nonconformances if they find them.

17 Q Are there any circumstances in which a nonconfor-  
18 mance would not be reported?

19 A Not to my knowledge.

20 Q How are they reported?

21 A Through foremen, if it's craft.

22 Q Do they report it orally or in written form?

23 A It may be orally.

24 Q In what circumstances would they be in writing?

25 A They wouldn't, craft wouldn't.

1 Q Craft's would not be in writing?

2 A They wouldn't normally from the craftperson be in  
3 writing.

4 Q Are there any circumstances where they would be  
5 in writing for craft?

6 A Possibly.

7 Q What are those circumstances?

8 A If he wanted to write it up.

9 Q Do you recall any being written up?

10 A By a craftsperson? No.

11 Q How do QA/QC people report nonconformances?

12 A They write them up.

13 Q And what are those write-ups called?

14 A NCR's.

15 Q Any other types?

16 A IR's.

17 Q IR's? What does that stand for?

18 A Unsat.

19 Q Beg pardon?

20 A Inspection Report.

21 Q Any others?

22 A Unsat IR's.

23 MR. BERRY: "Unsat"?

24 MR. VANDERPOOL: "Unsat IR's."  
25

1 BY MR. REYNOLDS:

2 Q What is that?

3 A That is the inspection report that's unsatisfac-  
4 tory.

5 Q Are you involved in that NCR process at all?

6 A Sometimes trying to get a disposition on it.

7 Q When would you become involved?

8 A If it hadn't been dispositioned and we needed to  
9 work it.

10 Q During the normal course of processing an NCR,  
11 do you get involved at all?

12 A No.

13 Q How is that handled?

14 A QC writes it; goes to Engineer for disposition, or  
15 whoever; comes back to the cycle dispositioned; goes back to  
16 craft work.

17 Q Are you aware of any instance in which a craftperson  
18 has instructed or requested a QA/QC employee or inspector  
19 not to write an NCR, a nonconformance?

20 A Repeat that?

21 Q Are you aware of any instance in which a  
22 craftworker has requested or instructed a QC employee or  
23 inspector not to write an NCR for a nonconformance?

24 A No.

25 Q Under what circumstances will an NCR be voided?

1 A Repeat that?

2 Q Under what circumstances will an NCR be voided?

3 A If it was wrote -- if it was written and the  
4 procedures were within guidelines or procedures, they would  
5 void it.

6 Q So the only instance in which an NCR would be  
7 voided is an instance in which the NCR was in error?

8 A Right.

9 Q Are you aware of any instance in which an NCR  
10 has been voided without the concurrence of the QA/QC person  
11 who wrote it up?

12 A No.

13 Q Never?

14 A Not to my knowledge.

15 Q Are you aware of any instances in which a QA/QC  
16 person has written an NCR and been pressured into voiding  
17 that NCR?

18 A No, not to my knowledge.

19 Q Have any craftworkers at any time ever come to you  
20 and complained about a QA/QC person writing up an NCR on their  
21 work?

22 A Yes.

23 Q And how frequently does that happen?

24 A A number, I couldn't give you.

25 Q Would you say it occurs several times a month?



1 A Not that often.

2 Q When was the last time that happened?

3 A I couldn't tell you.

4 Q So has it happened at all in 1984?

5 A I'm sure it has.

6 Q This month?

7 A I couldn't answer that.

8 Q Think about it: has it happened this month, at  
9 all?

10 A I don't --

11 Q There are only nine days in this month?

12 A I don't remember.

13 Q Were there any instances in which a worker has come  
14 to you and complained about an NCR, what do you then do?

15 A I'll check out the circumstances, make sure of it.

16 Q How do you go about doing that?

17 A Get the NCR, see how it's written, what it's  
18 against.

19 Q And then what?

20 A It's either within procedures or it's not.

21 Q And if it's, in your opinion, within procedures;  
22 what do you do?

23 A Get it dispositioned and work it.

24 Q And if it is not within procedures, what do you do?

25 A I would go to one of the leads and question him.

1 Q And what if the lead thinks it is within procedures?

2 A We would take it to the engineer.

3 Q And whom do you take it to in engineering?

4 A According to what kind of an NCR it was.

5 Q And why would you take it to engineering?

6 A Because they have the final say.

7 Q Who in engineering has the final say?

8 A Engineering itself.

9 Q So it depends on what kind of an NCR it is, but  
10 they have the final say?

11 A That's right.

12 Q So, engineering has control, in essence, over  
13 QA/QC in that kind of circumstance; doesn't it?

14 A Engineering/Design. They say whether it's built  
15 or it's not.

16 Q And even if QA/QC thinks it isn't, and engineering  
17 thinks it is, that's final?

18 A That's right.

19 Q Have you ever had to go to engineering on an NCR  
20 in that kind of a situation?

21 A Myself, personally?

22 Q Yes?

23 A Not to my knowledge.

24 Q What about your staff?

25 A They possibly could have.

1 Q But you don't remember?

2 A No.

3 Q If you think an NCR has been improperly issued,  
4 to whom do you go to in QA/QC?

5 A Bob Seaver or Gordon Purdy.

6 Q Okay.

7 And then what do they do? -- if you know?

8 A What they do? I couldn't tell you.

9 Q Would you describe the system for controlling  
10 documents at Comanche Peak?

11 MR. VANDERPOOL: Again, I don't believe this is  
12 within the scope of the questions that CASE has outlined to  
13 be covered in the deposition. I think that's purely outside  
14 the scope.

15 MR. REYNOLDS: Well, first of all, it relates to  
16 QA/QC in the sense that there are allegations that there have  
17 been instances of intimidation and harassment in the document  
18 control area. I think it's directly relevant.

19 Second of all, it's not my understanding that CASE's  
20 position on the relevance of issues not listed in -- I think  
21 it's the June letter -- I think that may be very different  
22 than yours. I think they are saying that that is something  
23 that is going to be left to argue before the Board.

24 And if, indeed, you are determined to be correct,  
25 then a motion to strike would be appropriate.

1 MR. VANDERPOOL: Well, my understanding is that  
2 the evidentiary deposition that the Board is to -- has asked  
3 be conducted, is related to instances of harassment,  
4 intimidation of quality control/quality assurance personnel.  
5 And I don't see how your question relates to that area.

6 So I'll instruct the witness that he is not required  
7 to answer that question in the evidentiary portion of this  
8 deposition. If you later adjourn and then go to discovery,  
9 that's a different story.

10 But at this point, I'll advise the witness he's  
11 not required to answer the question.

12 MR. REYNOLDS: Well, first of all, your determina-  
13 tion of, you know, how this deposition is to be laid out,  
14 is something that we don't necessarily go along with. And  
15 just in terms of organization it makes sense to do it here.

16 And I would propose to go ahead with it here.  
17 It is not going to take long anyway.

18 MR. VANDERPOOL: Well, Joel, I've heard that  
19 before, I guess a couple of hours ago; and I guess it's  
20 certainly nothing that I've arbitrarily determined. What the  
21 procedure is, we've got an evidentiary deposition to take.  
22 And that's consistent with what's the Board's rule.

23 And what you're talking about doing, it sounds to  
24 me like you're talking about getting into discovery in an  
25 unrelated area.

1 MR. REYNOLDS: Well, as to your position, evi-  
2 dentiary as opposed to discovery, let me just say when we had  
3 this discussion earlier, I said I'd be moving very quickly.  
4 I think I did. And if we could just go through it now, it  
5 would save us a good deal of time.

6 MR. VANDERPOOL: I would instruct the witness that  
7 he is not required to answer questions regarding document  
8 control; because I don't believe that that has anything to do  
9 with the harassment and intimidation allegations.

10 MR. REYNOLDS: It's your position that document  
11 control is not QC/QA related?

12 MR. VANDERPOOL: I think you haven't show at all  
13 how this is QC/QA related.

14 MR. REYNOLDS: Let me ask this question:

15 BY MR. REYNOLDS:

16 Q Is document control something that is required  
17 to 10 CFR Part 50, Appendix B?

18 A I'm sure it is.

19 Q All right.

20 Could you describe the system for controlling  
21 documents at Comanche Peak?

22 MR. VANDERPOOL: I will again instruct the witness  
23 that is outside the scope of the June letter; it is clearly  
24 outside the scope of the evidentiary proceedings; and I'll  
25 instruct the witness that he's not required to answer in this



1 portion of the deposition, which is supposed to be eviden-  
2 tiary.

3 MR. REYNOLDS: He's just established it's QC/QA  
4 related.

5 MR. VANDERPOOL: I don't think he has.

6 MR. REYNOLDS: I just asked him if it was required  
7 by --

8 MR. VANDERPOOL: QA/QC is not the same thing as  
9 -- if there is a requirement in QA/QC, it's not the same,  
10 or necessarily related to harassment and intimidation.

11 MR. REYNOLDS: Well, it is if I can by questions  
12 establish whether or not there's been any instances with  
13 respect to documentation.

14 MR. BERRY: It is my understanding that QC/QA  
15 document control is relevant in the scope of this deposition.

16 MR. VANDERPOOL: Well, if that's what you're  
17 talking about, then that's not what your question was.

18 MR. REYNOLDS: Well, my question was simply for  
19 background; and that's definitely where I'm going. And if I  
20 don't go in that direction, then you can stop me.

21 MR. VANDERPOOL: I think in the understanding that  
22 you are pursuing this in light of the last allegations  
23 of intimidation, then we will proceed. However, I would  
24 rephrase the question.

25 MR. REYNOLDS: This is for general background;

1 BY MR. REYNOLDS:

2 Q What is your understanding of the document control  
3 system at Comanche Peak?

4 A I didn't understand.

5 Q If you want to get a control document, how do you  
6 do it?

7 A Go to DCC.

8 Q Beg pardon?

9 Q Go to DCC.

10 Q And what is DCC?

11 A Document control center.

12 Q All right.

13 Now, what procedures do you have to follow to get  
14 a control document? How is that accomplished?

15 A Go ask for it.

16 Q And do you have to have any kind of a written  
17 request for it? Do you have to sign anything to obtain the  
18 document? How is that done?

19 A You sign that you have that drawing there.

20 Q When it's given to you?

21 A Yes.

22 Q All right.

23 Now, when you go and request the document, do you  
24 always get it immediately? Or sometimes do you encounter  
25 some delay?

1 A Sometimes there's a delay.

2 Q Why is there a delay?

3 A They have to run it through the computer to see  
4 that it's updated.

5 Q How long has this system been used at Comanche  
6 Peak?

7 A The present system, about six months; eight; I'm  
8 not sure of the date.

9 Q Who is in charge of DCC?

10 A Haywood Huchison.

11 Q Prior to instituting this system how were  
12 documents controlled?

13 A Each craft controlled their own documents.

14 Q So there was no centralized document control system?

15 A They did come out of central DCC.

16 Q But control of the documents was left to the  
17 individual crafts?

18 A Right.

19 Q Do the delays that sometimes occur in getting  
20 documents result in friction between the document control  
21 personnel and the craft personnel?

22 A Yes.

23 Q Is this a frequent occurrence, whenever there's a  
24 delay? Is this a problem, in your opinion?

25 A No.

- 1 Q How often does it occur?
- 2 A I couldn't tell you a time frame.
- 3 Q In the event there's a dispute about how long it's
- 4 taking to get the document, what does the craft person do
- 5 to make an attempt to speed up this?
- 6 A Go to their foreman.
- 7 Q Beg your pardon?
- 8 A Go to their foreman.
- 9 Q And what does the foreman then do?
- 10 A Takes it to the general foreman.
- 11 Q And what does the general foreman do?
- 12 A He'll either go talk to persons in DCC or take it
- 13 to a higher level.
- 14 Q And if they go to a higher level, to whom do they
- 15 take it?
- 16 A They could come all the way up to me.
- 17 Q And have you become involved in those kinds of
- 18 disputes?
- 19 A I have gone and talked to Mr. Huchison about the
- 20 speed in which we were getting documents out of the document
- 21 control.
- 22 Q So there's a concern about how long it would take
- 23 to get your documents?
- 24 A That's correct.
- 25 Q And what did Mr. Huchison tell you?

1 A That he would see if he had a problem.

2 Q And what has happened since that time? Does he have  
3 a problem?

4 A Whatever it is, he's resolved it. Part of it.

5 Q How was it resolved?

6 A We get our packages faster now than we did.

7 Q What part has he not resolved?

8 A There's still some delay.

9 Q I see.

10 Have you ever instructed an employee - a document  
11 control employee -- that documents should be issued without  
12 delay?

13 A No.

14 Q Have you ever instructed anyone else to so instruct  
15 the document control personnel?

16 A No.

17 Q Are you aware of any instance in which document  
18 control persons have been so instructed?

19 MR. VANDERPOOL: Are you asking him as a result of  
20 his position at Brown & Root Company, has he been so informed  
21 or not?

22 MR. REYNOLDS: Sure.

23 THE WITNESS: Repeat the question?

24 BY MR. REYNOLDS:

25 Q Have you ever been informed that anyone has



1 instructed the document control person to issue a document  
2 immediately?

3 MR. VANDERPOOL: As a result of your position with  
4 Brown & Root Company?

5 In the capacity of your position in Brown & Root  
6 Company?

7 THE WITNESS: Repeat that one more time?

8 BY MR. REYNOLDS:

9 Q Do you know of any instance in which a document  
10 control person has been instructed to issue a document  
11 immediately?

12 MR. VANDERPOOL: And he's asking that, that when you  
13 know something, if you have been advised of that as a result  
14 of your position with Brown & Root Company?

15 THE WITNESS: The way the question's phrased,  
16 no.

17 BY MR. REYNOLDS:

18 Q To your knowledge, have craft employees attempted  
19 to pressure QA/QC -- document control personnel -- to reduce  
20 or eliminate delay in getting documents?

21 MR. VANDERPOOL: Are you asking him as a means  
22 of harassing or intimidating quality control personnel?

23 MR. REYNOLDS: Just in general.

24 MR. VANDERPOOL: Well, then, I'll again raise my  
25 objection that you're beyond the scope of the deposition; and

1 even what you said you're doing as to general background on  
2 information about document control.

3 This has nothing to do with general document  
4 control. And what you're saying goes into those areas of  
5 general document control. We're not talking about harass-  
6 ment. That's what you said you were talking about.

7 MR. REYNOLDS: I disagree, because if I characterize  
8 it as intimidation or harassment, that limits it in his mind;  
9 because I have a different definition for that than he does.  
10 Obviously.

11 So it's a determination based on objective facts,  
12 whether or not intimidation exists.

13 MR. VANDERPOOL: Well, you advise him of what  
14 your objective facts are relating to harassment and intimi-  
15 dation of QA/QC personnel, and then you can ask your questions  
16 in respect to that or ask about intimidation as you set out  
17 in the objective findings.

18 BY MR. REYNOLDS:

19 Q To your knowledge have craft personnel ever  
20 pressured document control personnel to reduce the delay in  
21 getting a document?

22 MR. VANDERPOOL: Well, I reserve my objection, and  
23 instruct the witness that he is not required to answer questions  
24 that are outside the scope of this deposition.

25 MR. REYNOLDS: That is clearly within the scope of

1 the deposition.

2 I mean, we're talking about circumstances, you  
3 know, if a craft worker attempts to pressure a document  
4 control person, that may indeed be intimidation or harass-  
5 ment.

6 MR. VANDERPOOL: Of quality control personnel?

7 MR. REYNOLDS: Of document control personnel.

8 Disregard QA/QC.

9 MR. VANDERPOOL: All right. With that explanation  
10 then I'll advise you that you may answer the question.

11 THE WITNESS: No.

12 BY MR. REYNOLDS:

13 Q Do you have any knowledge about an attempt by  
14 anyone to pressure Dobie Hatley to release documents without  
15 complying with procedures?

16 A No.

17 Q You have no knowledge of that whatsoever?

18 A No.

19 Q Are you aware that an allegation was made with  
20 respect to that?

21 A Yes.

22 Q And in your opinion those were totally false; is  
23 that correct?

24 A That is correct.

25 Q Are you aware of any memo or other document

1 that was issued directing termination of an employee who goes  
2 outside the company with safety information?

3 A Repeat that?

4 Q Are you aware of any memo or other document  
5 which has been issued at Comanche Peak threatening  
6 termination of an employee who goes outside the company with  
7 safety information?

8 A No.

9 Q Are you aware of any memo or document which threatens  
10 termination if a person goes -- fails to go to Brown & Root  
11 first with safety information?

12 A No.

13 Q Do you have any knowledge about the location of  
14 Hal Gibson? Do you know where he is?

15 A Do I know where he is?

16 Q Yuh?

17 A The last I heard was they said he was in Bay City,  
18 Texas.

19 Q Do you have any knowledge regarding an incident  
20 alleged by Henry Allen Stiener that occurred in September 1980  
21 alleging that you and others threatened Ronnie Johnson with  
22 termination if he didn't finish a pipeline by 5:30 p.m. on  
23 that day?

24 A No.

25 Q Are you aware that such an allegation has been made?

1 A Yes.

2 Q In your opinion it's totally false?

3 A Yes.

4 Q There's no truth to it, whatsoever?

5 A No.

6 Q Did you meet with Mr. Liford, Mr. Frankum,  
7 Mr. Hebert to discuss Ronnie Johnson's production rate at any  
8 time?

9 A It's very possible I did.

10 Q Do you have any recollection that you may have  
11 done that?

12 A I am sure I did.

13 Q Did you ever speak with Mr. Johnson about that?

14 A I'm sure I did.

15 Q And what did you tell him?

16 A I don't remember.

17 Q When did you meet with him?

18 A I don't remember.

19 Q Why are you sure you did?

20 A Over the course of the years, I'm sure I must have.

21 Q But you have no recollection of any particular  
22 instances?

23 MR. VANDERPOOL: As you asking in connection now  
24 with reference to Mr. Steiner?

25 MR. REYNOLDS: Yes.



1 MR. VANDERPOOL: He's asking now if you have any  
2 recollection of a meeting in connection with Mr. Stiner's  
3 allegations that he's asked you about?

4 THE WITNESS: No, I don't remember that.

5 BY MR. REYNOLDS:

6 Q What is your understanding of the allegations made  
7 by Mr. Stiner?

8 A That we pressured Mr. Johnson into doing something  
9 out of procedure.

10 Q And in your opinion it's without foundation?  
11 It's totally false?

12 A That is correct.

13 Q All right.

14 On the date that he has alleged this pressure,  
15 did you along with the others I just mentioned meet with  
16 Mr. Johnson?

17 A I don't know.

18 Q You may have? You may not?

19 MR. VANDERPOOL: For some reason, or any reason?

20 THE WITNESS: I'm sure I probably talked to him  
21 that date.

22 BY MR. REYNOLDS:

23 Q Do you recall what you said to him?

24 A I don't have any idea.

25 Q But you're sure it had nothing to do with the rate of

1 his production?

2 A I wouldn't say if it did or didn't.

3 Q It could have?

4 A It's possible.

5 Q Once the allegation was made, did you take any  
6 action to determine whether or not the work that was allegedly  
7 done was done inadequately?

8 MR. VANDERPOOL: What allegation are you talking  
9 about?

10 MR. REYNOLDS: Part of the allegation, I understand,  
11 is that work done by Mr. Johnson subsequent to the pressure,  
12 was inadequate.

13 MR. VANDERPOOL: Well, I believe the witness  
14 just testified that the allegation is totally false; or that  
15 anything like that happened.

16 MR. REYNOLDS: He just said that he may have spoken  
17 with him regarding production on that date; he doesn't  
18 recall.

19 BY MR. REYNOLDS:

20 Q Is that correct?

21 A That's true.

22 Q Right.

23 Now, part of the allegation had to do with the  
24 quality of work that was subsequently done; is that also  
25 correct?

1 MR. VANDERPOOL: Are you asking him what the  
2 allegation was?

3 MR. REYNOLDS: Yes.

4 MR. VANDERPOOL: What his understanding of it is?  
5 Do you understand the question?

6 THE WITNESS: Yes. It's wehat the allegation  
7 states?

8 MR. VANDERPOOL: Right.

9 THE WITNESS: Part of it was quality of the work.

10 MR. REYNOLDS: All right.

11 BY MR. REYNOLDS:

12 Q Now, since -- once the allegation was made,  
13 have you taken any action whatsoever to determine whether or  
14 not the work that was done was adequate?

15 MR. VANDERPOOL: Okay, what work are we talking  
16 about?

17 MR. REYNOLDS: The work with respect to which  
18 Mr. Steiner has made an allegation.

19 MR. VANDERPOOL: If you know what work Mr. Steiner  
20 is talking about, then --

21 THE WITNESS: Part of that work Mr. Steiner was  
22 talking about has never been found.

23 BY MR. REYNOLDS:

24 Q Okay. Let's take the part that has been found;  
25 what action did you take to determine the quality of that

1 work, if any?

2 A Personally, I didn't take any.

3 Q Did anybody take any action within the company  
4 to determine the quality of the work?

5 A I think it would show on the records that it was  
6 all checked out.

7 Q Do you know?

8 A I couldn't swear to it, personally.

9 MR. REYNOLDS: I have no further questions.

10 MR. BERRY: I have some questions that will take  
11 me 10, or 20 minutes to a half an hour or so.

12 What I would like to do now is have a break for  
13 a few minutes?

14 MR. REYNOLDS: Off the record.

15 (Recess)

16 MR. BERRY: Back on the record.

17 CROSS-EXAMINATION

18 BY MR. BERRY:

19 Q Mr. Callicutt, my name is Gregory Berry; and I am  
20 appearing on behalf of the Nuclear Regulatory Commission  
21 Regulatory Staff of the NRC.

22 I have a few questions I want to ask you to clear  
23 up some questions that I might have about your earlier  
24 testimony this morning.

25 Earlier you testified that you had knowledge of

1 three incidents of harassment at the Comanche Peak plant?

2 A Yes.

3 Q Would you describe for me what they were?

4 A There was three threats.

5 Q Three threats.

6 Could you describe those, the nature of the threats?

7 A To the best of my knowledge they was boidly harm.

8 Q Threat to kill?

9 A No, not necessarily kill.

10 Q Do you recall who made the threats?

11 A The craftspersons.

12 Q Do you recall the individuals' names?

13 A No.

14 Q Is there anything that would help you to remember  
15 their names?

16 A I might could look it up in the record; I don't  
17 know that.

18 Q There is a record?

19 A Well, there would be a termination record of each  
20 individual.

21 Q Also, in your testimony earlier this morning, you  
22 mentioned that there was a meeting held called by Mr. Frankum,  
23 I believe, to discuss these incidents, harassment incidents?

24 A Not those --

25 Q Not those?



1 A -- particular incidents.

2 Q Other incidents?

3 A He had a meeting on harassment and intimidation --  
4 period.

5 Q I see.

6 And could you just indicate again what was  
7 discussed at that meeting?

8 A Harassment, intimidation and other subjects.

9 Q Did Mr. Frankum indicate to the individuals present  
10 at that meeting that -- any concern about the safety of the  
11 plant, that this harassment could mean any problems with the  
12 construction or the overall safety or quality of the plant?

13 Was that discussed?

14 A I'm sure it was, but what the words was, I can't  
15 remember just exactly what he said.

16 Q When was that meeting, do you remember?

17 A Not by date; no.

18 Q Is there anything that would help you remember?

19 A No, not really.

20 Q So you have no recollection of the date of this  
21 meeting?

22 A He had the superintendent meeting the last  
23 Thursday of every month, and that's when it was brought up.

24 Q Do you remember if this meeting was in this year?

25 A I would say it was within the last year.



1 Q Last year, and that's the best of your recollec-  
2 tion?

3 A That's true.

4 Q Mr. Callicutt, who is Dobie Hatley?

5 A Would you repeat the question, please?

6 Q Who is Dobie Hatley?

7 A To my knowledge she was a DCC person.

8 Q A Document Control person?

9 A Yes.

10 Q You testified earlier this morning that you were  
11 aware of some attempt to pressure him? There's an allegation  
12 that he was pressured?

13 A She made the allegation that she was pressured.

14 Q Pressured how?

15 A Into issuing documents that weren't updated.

16 Q Weren't updated?

17 A Correct.

18 Q What does that mean?

19 A They don't have the latest revision, the last  
20 CMC, DCA, or some paper that's out.

21 Q What's CMC mean?

22 A Component modification card.

23 Q What would that do?

24 A That changes something to the drawing.

25 Q Who does that?

1 A Engineering.

2 Q Engineering?

3 And the other?

4 A The DCA is a design change, engineering; it's all  
5 done by engineering, all changes.

6 Q It is a craftperson that allegedly pressured her  
7 to issue these documents without these modifications?

8 A I think that is correct.

9 Q Do you remember the person?

10 A No.

11 Q The craft person?

12 A No.

13 Q Is there anything that will help you to remember?

14 A I don't know if it were one craftsperson or more  
15 than one craftspeople.

16 Q If these documents were issued without the  
17 modifications, and the other information is not included on it,  
18 would that be a problem for the final construction?

19 A It could cause some rework.

20 Q I want to focus now on Ronnie Johnson; he was one  
21 of your superintendents?

22 A He was under Mr. Liford, which was under me.

23 Q Mr. Steiner alleges that Mr. Liford threatened to  
24 terminate Mr. Johnson if he did not increase production, increase  
25 his output?

1 A Yes.

2 MR. VANDERPOOL: Are you asking if that's what he  
3 understands the allegation was?

4 MR. BERRY: Yes.

5 BY MR. BERRY:

6 Q Do you understand that was what the allegation was?

7 A That was part of it.

8 Q Mr. Callicutt, why do you believe that there's no  
9 basis to Mr. Steiner's allegation about the harassment?

10 A To my knowledge they both were checked out and  
11 proven false.

12 Q You say, to my knowledge, they've all been checked out  
13 and proved false; but the allegations have been investigated  
14 and determined to be without basis?

15 A Yes, that's correct.

16 Q Who investigated them? Do you know?

17 A Not personally.

18 Q Would there be records made of these investigations?

19 A The NRC investigated quite a few of them, I'm sure.

20 Q Is Ronnie Johnson still one of your superintendents?

21 A No, not right at the present time.

22 Q What happened?

23 A He was transferred over the reactor building in  
24 task force.

25 Q Mr. Siford, what's his first name?

1 A Ken.

2 Q Kenneth Liford?

3 Have you discussed this allegation or this incident  
4 of Ronnie Johnson, the incident I referred to -- Mr. Steiner's  
5 allegation -- that Mr. Liford threatened him with termination  
6 if he did not increase his production, that particular  
7 incident?

8 Do you recall discussing that at any meeting with  
9 Mr. Liford and yourself?

10 MR. VANDERPOOL: He is asking you if you discussed  
11 Mr. Steiner's Ronnie Johnson allegation with Mr. Liford?

12 THE WITNESS: The allegation, itself?

13 MR. BERRY: Yes.

14 THE WITNESS: Yes.

15 BY MR. BERRY:

16 Q Could you relate the substance of that conversa-  
17 tion as best you can remember?

18 A Basically we talked about what it was, whether  
19 there was anything to it.

20 Q When did this take place?

21 A When?

22 Q Um-huh?

23 A At different times.

24 Q Right after this incident-- Mr. Steiner alleges it  
25 was about September 1980, about that time, did you discuss

1 this particular incident? Do you recall a meeting with that  
2 occurring?

3 MR. VANDERPOOL: Excuse me, counsel, I'm not sure  
4 I understand your question. And I don't know if the witness  
5 does.

6 Are you asking him about the allegation or -- he's  
7 already testified that to his knowledge he feels this incident  
8 never happened; so I guess it's hard for him -- or at least  
9 for me -- to understand how he could testify about an incident  
10 that he says is unfounded.

11 Now, if you're asking about the allegation?

12 MR. BERRY: I just want to ask this question:

13 BY MR. BERRY:

14 Q It is your testimony that you have no recollection  
15 of this incident occurring?

16 A That is correct.

17 Q Now, as far as the allegation of -- Mr. Stiner's  
18 allegation of this incident, or the threat by Mr. Liford  
19 to Mr. Johnson, you have discussed that with Mr. Liford?

20 A Yes.

21 Q What was the substance of that discussion?

22 A What the allegations were.

23 Q What the allegations were.

24 MR. VANDERPOOL: I think he is wanting to tell you  
25 is what did you conclude with that discussion with Mr. Liford

1 about the validity of that allegation?

2 THE WITNESS: We decided there wasn't anything to  
3 it.

4 BY MR. BERRY:

5 Q Mr. Callicutt, are there any other incidents of  
6 harassment or intimidation that occurred at thke plant that  
7 you might be aware of that you have not mentioned earlier  
8 or indicated or explained to us about?

9 MR. VANDERPOOL: I am sorry, I don't understand  
10 the qeustion.

11 BY MR. BERRY:

12 Q I am asking Mr. Callicutt --- the testimony you  
13 gave this morning exhausts all your knowledge about any  
14 incidents of harassment?

15 A Personal knowledge?

16 Q Personal knowledge?

17 A Yes.

18 Q So we have the three incidents where there were  
19 threats made by craftpersons to, I guess, QA/QC personnel;  
20 and this Ronnie Johnson allegation?

21 A That is correct.

22 Q Outside of those four incidents, there were no other  
23 incidents of which you have personal knowledge?

24 A I couldn't say there's no other incidents; but I  
25 don't recall any other.



1 Q You don't recall any others?

2 A No.

3 Q Now, the Ronnie Johnson incident, it is your  
4 position that it never occurred; and you don't remember this;  
5 and Mr. Steiner's allegation of it never occurred?

6 A That's right.

7 Q But the three other incidents, the incidence of  
8 threats, it's your position that you do not remember the  
9 names of the individuals involved?

10 A No, I don't.

11 Q The names of the craftpersons?

12 A No, I don't.

13 Q You don't know the names of the QA personnel?

14 A No.

15 Q You don't recall what the threats were?

16 A It was either, "I'm going to --" -- some kind of  
17 bodily harm.

18 Q And as far as any memoranda, document or written  
19 report concerning these incidents, do you know where they  
20 would be, where they could be obtained?

21 A To my knowledge the only report would be on the  
22 termination papers.

23 Q Now, as far as the three incidents of threats,  
24 you testified those employees were terminated?

25 A To the best of my knowledge, yes.

1 Q Mr. Callicutt, those incidents, the incidents of  
2 the threat in these particular cases, and threats of bodily  
3 harm as to QA personnel, would that impact the safety of the  
4 plant?

5 A Not necessarily.

6 Q Not necessarily? Could it?

7 A It could.

8 Q How?

9 A If it wasn't reinspected.

10 Q These particular instances, were they reinspected?

11 A Yes.

12 Q Do you know what the disposition was?

13 A Approximately, all I can remember about those  
14 incidents was the QC person brought it to Mr. Liford's  
15 attention that there had been a threat made; they investigated  
16 it; decided the persons should be terminated; and they were  
17 terminated. There wasn't any physical harm done, I don't  
18 think.

19 Q My question, the real question I've got is that,  
20 a threat, the reason for the threat perhaps we don't know;  
21 the threat was a QA inspector advised the craft personnel  
22 he was not performing the procedure correctly; he may have  
23 done something improperly and that craft person threatened  
24 the QA inspector.

25 My question to you is: if that happened, assuming

1 that happened, is there any way for that incident, the  
2 failure of the craftperson to follow procedure, could that  
3 have gone uncorrected and caused a problem, a safety problem?

4 A No.

5 Q Why is that again?

6 A Because it would still be inspected. And in these  
7 particular cases they were inspected.

8 Q Is there a report of that, the inspection report?

9 A I am sure there are.

10 Q You wouldn't do that?

11 A No.

12 Q QA would?

13 A Yes.

14 MR. BERRY: I have no further questions.

15 BY MR. VANDERPOOL:

16 Q Mr. Callicutt, I believe counsel for Intervenor  
17 marked this as Depo Exhibit No. 1, a copy of what appears on  
18 its face to be a resume of yours. I put before you what  
19 was marked as Depo Exhibit No. 1, and ask you to look at  
20 that, and let me know when you're finished?

21 (Handing document to witness.)

22 A Yes, sir.

23 Q The record is complete; I believe counsel said it  
24 was offered into the record, but just so it's certain: What  
25 is this item that is marked as Depo Exhibit 1?

1 A That's my resume.

2 Q All right.

3 Can you state whether or not it fairly and  
4 accurately describes your experience?

5 A Yes, it does.

6 Q You made mention earlier in your testimony about  
7 certain incentive programs; do those incentive programs  
8 -- is it understood that work produced through those incentive  
9 programs will involve quality work?

10 A It has to be quality work.

11 MR. VANDERPOOL: Pass the witness.

12 MR. COPPOCK: I have no questions.

13 MR. REYNOLDS: I just have a couple on redirect.

14 REDIRECT EXAMINATION

15 BY MR. REYNOLDS:

16 Q I believe you said in response to Mr. Berry's  
17 questions that the discussions at a meeting called by Mr.  
18 Frankum on harassment was one of a series of meetings held on  
19 the last Thursday of every month; is that accurate?

20 A No.

21 He has a superintendents' meeting the last Thursday  
22 of every month, it was discussed at.

23 Q It was discussed at one of those Thursday meetings?

24 A That's correct.

25 Q Okay.

1 Q Is that the only Thursday meeting it was  
2 discussed to your knowledge?

3 A I'm not sure.

4 Q You're not aware of any other discussions?

5 A No.

6 Q Also in response to the cross-examination questions  
7 you indicated that there may have been other incidents of  
8 threats, intimidation or harassment; what's the basis for that  
9 statement?

10 A It could have possibly happened, but I don't  
11 have any -- I don't remember it.

12 Q But you've told us today of every incident of  
13 which you have knowledge?

14 A That I have personal knowledge of.

15 Q Right.

16 Are there other ones of which you do not have  
17 personal knowledge that you haven't mentioned today?

18 MR. VANDERPOOL: I'm sorry, I don't understand  
19 the question.

20 BY MR. REYNOLDS:

21 Q Are there other incidents with respect to which  
22 you do not have personal knowledge that you have not mentioned  
23 here today?

24 A According to who you want to believe.

25 Q So you've heard of some; the question is whether or

1 not you want to believe them?

2 A Well, papers, radio, television is full of it.

3 Q Right.

4 So those are the ones you're referring to, the  
5 ones you read about in the press?

6 A Yes.

7 Q Any other ones you heard about at the plant?

8 MR. VANDERPOOL: I think the question clearly  
9 calls for hearsay information, and it's not related to infor-  
10 mation that he has personal knowledge of; or it's not limited  
11 to matters that have been brought to him as a result of his  
12 capacity as an employee of Brown & Root.

13 MR. REYNOLDS: The question doesn't call for  
14 hearsay. I am not necessarily interested in the truth of the  
15 matter asserted. I am interested only in what he has heard,  
16 he, himself, has heard as to other incidents. And that is  
17 not hearsay.

18 MR. VANDERPOOL: Granted, if it is in the capacity  
19 of his employ at Brown & Root.

20 MR. REYNOLDS: It isn't limited to that at all.

21 MR. VANDERPOOL: Well, it certainly should. It  
22 calls for hearsay information if it doesn't. If it's not  
23 limited, it is totally irrelevant.

24 MR. REYNOLDS: I asked about intimidation and  
25 harassment; that's the subject of this proceeding. It's not



1 hearsay, because I asked him what he had heard. Whether or  
2 not what he heard was true or not -- I think that's a proper  
3 question.

4 MR. VANDERPOOL: It calls for hearsay information  
5 if 't's not limited to his capacity as a supervisor of  
6 certain people within the company. In that capacity when it  
7 is reported to him, or it's reported to him in that capacity  
8 or information comes to him because of that capacity, then  
9 the hearsay exception you referred to might apply. Otherwise  
10 it does not.

11 And if you limit it to that, I will instruct the  
12 witness that he certainly may answer the question.

13 MR. REYNOLDS: I'm not referring to any hearsay  
14 question at all.

15 I am contending, and I think we can all agree that  
16 it's not hearsay; because only when I am asking him to tell  
17 me about an incident and the question of whether that's true  
18 or not; what I am asking him is simply whether or not he has  
19 heard -- and that doesn't require any chain of action  
20 whatsoever. That's not hearsay. That's all I want to know.  
21 I don't want you to tell me whether it's true or not.

22 I just want to know whether or not you heard about  
23 any other incidences of alleged intimidation and harassment  
24 or threats?

25 MR. VANDERPOOL: Well, I will instruct the witness

1 that he is not required to answer anything other than what  
2 he may have heard as a result of his capacity as a Brown &  
3 Root employee.

4 MR. REYNOLDS: What is the basis for that  
5 objection?

6 MR. VANDERPOOL: Because it has nothing to do with  
7 the scope of the deposition, and it is clearly seeking to  
8 introduce hearsay information in the record.

9 MR. REYNOLDS: Can you tell me whether there's  
10 been any limitation regarding evidence to such factual infor-  
11 mation as to what a witness may have obtained in the course  
12 of his employment?

13 I am certainly not aware of any kind of limitation  
14 of that nature.

15 MR. VANDERPOOL: It is my understanding the scope  
16 of deposition and why you might be able to ask the witness  
17 what has been reported to him -- which would not be hearsay  
18 if it's coming to him as a result of his capacity as an  
19 employee.

20 You can ask anybody what they might have heard,  
21 and it is -- it wouldn't be hearsay if they had heard the  
22 information; but it has no bearing on the case whatsoever.

23 MR. REYNOLDS: It certainly does if it relates  
24 to intimidation and harassment at Comanche Peak.

25 Mr. berry; There isn't any dispute as to anything

1 Mr. Callicutt would have heard about intimidation or harass-  
2 ment which would not have come to him in that capacity,  
3 because he is a Brown & Root employee.

4 MR. REYNOLDS: I have been assuming there wouldn't.  
5 I would now like to believe that in fact there may be.  
6 Obviously, there's no distinction. We're raking over a  
7 matter that's not sensitive at all.

8 But if there are other events which he's heard  
9 about that's something I am entitled to know; and I think it  
10 is potentially significant.

11 MR. VANDERPOOL: I don't think it is if it's  
12 something you might have told him. You might have told him  
13 something out in the parking lot that happened. That has  
14 nothing to do weith the case.

15 MR. REYNOLDS: No. Certainly I never told him  
16 anything. If somebody else at the plant told him something  
17 while he's having lunch, then I think that that is relevant.  
18 And that's the kind of stuff I want to know.

19 MR. VANDERPOOL: Are you asking specifically  
20 whether anyone told him any specific allegations, and who  
21 that person was?

22 MR. REYNOLDS: Any information regarding such  
23 instances. And if the answer is no to that, we can just  
24 leave it.

25 If the answer is yes, then I'd like to pursue it  
and find out what it is. And if at some point you want to argue

1 on the grounds it should be stricken as hearsay or outside  
2 of the scope, I think that's the perfect way to go.

3 But it is important enough I really do feel I  
4 ought to be able to pursue it.

5 You can argue with Mr. Roisman later if you like.

6 MR. COPPOCK: Can we go off the record a second.

7 (Discussion off the record.)

8 MR. VANDERPOOL: Back on the record.

9 My objection stands, that it seeks to elicit  
10 hearsay information or at least information that's beyond the  
11 scope of this deposition; but I will not instruct the witness  
12 not to answer it.

13 Maybe the answer to the question is no.

14 MR. REYNOLDS: Do you need the question repeated?

15 THE WITNESS: Yes.

16 MR. REYNOLDS: Okay.

17 BY MR. REYNOLDS:

18 Q Are there other incidents of alleged intimidation  
19 or harassment or threats that you have heard about, that  
20 you may not have personal knowledge, but that have come to  
21 you in the course of your employment? Strike that.

22 Are there other incidents of intimidation or  
23 harassment or threats which you have heard?

24 MR. VANDERPOOL: Beyond the --

25 MR. REYNOLDS: Yes.

THE WITNESS: Yes.

1 BY MR. REYNOLDS:

2 Q Tell us about those?

3 A Everything that's in the paper, on the radio.

4 Q Can you tell us more specifically what you ahve  
5 in mind?

6 A Television.

7 Q What the incidents are?

8 MR. VANDERPOOL: Well, I will reassert my  
9 objection if you're asking him what he's heard on television  
10 or radio.

11 MR. REYNOLDS: I'd like to know how much he's  
12 heard at the plant? Are there any incidents that you have  
13 heard about at the plant?

14 THE WITNESS: None that I were involved in.

15 BY MR. REYNOLDS:

16 Q Any that you were not involved in?

17 A Could have possibly been.

18 Q What were those?

19 MR. VANDERPOOL: Same objection.

20 It calls for hearsay information; and to the extent  
21 it does not call for hearsay, it seeks information that is  
22 beyond the scope of the deposition.

23 BY MR. REYNOLDS:

24 Q Go ahead?

25 MR. COPPOCK: Would you repeat the question?

MR. REYNOLDS: I'm just asking him: what were  
those incidents?

MR. VANDERPOOL: That he heard at the plant?



1 MR. REYNOLDS: Yes. Beyond those he's already  
2 testified to.

3 MR. COPPOCK: I believe he testified that he  
4 didn't have any specific recollection of what he heard at the  
5 plant.

6 MR. REYNOLDS: I don't know that he testified to  
7 that. If he did, fine.

8 BY MR. REYNOLDS:

9 Q Do you have any specific knowledge about those  
10 incidents?

11 Specifically, what did you hear?

12 A I have testified to what I knew of in my knowledge,  
13 had anything to do with.

14 Q Are there any other incidents which you've heard  
15 about that you have not already mentioned?

16 A Yes.

17 Q What are those?

18 A Radio, television are all full of it.

19 Q Beside the radio and television, just what you  
20 heard about at the plant?

21 A I don't remember any but the ones I have told you  
22 about.

23 Q Okay, to your recollection there were some, but  
24 you don't remember what they were?

25 A I am sure there probably are.

Q I beg your pardon?

A I am sure there probably are.

Q Sure they are what?



1 A Some that I don't remember.

2 Q You don't remember anything about when they  
3 occurred, or who was involved?

4 A I didn't have anything to do with it, so I don't  
5 remember.

6 Q Again, somebody told you about it, based on what  
7 the person told you about it -- that's all I am asking?

8 A No.

9 Q All right.

10 In respect to those you had about in the news-  
11 paper and on television, did you take any action to investigate  
12 those?

13 A No.

14 Q Then, finally, I think you mentioned on cross  
15 with regard to the three incidences of threats, that the  
16 components in question or the work in question was reinspected?  
17 Is that correct?

18 A Yes.

19 Q What's the basis for that statement?

20 A It would have naturally been reinspected when there's  
21 any kind of complaint.

22 Q And do you have any personal knowledge these  
23 three instances were reinspected?

24 A Personally, no.

25 Q Is there a documented procedure that requires  
reinspection where there's been a complaint or an alleged  
threat?

A I don't know.

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MR. REYNOLDS: No further questions.

REXCROSS-EXAMINATION

BY MR. BERRY:

Q Have you heard on TV or radio about an allegation of harassment or intimidation or threats at the plant involving any areas under your jurisdiction, millwrights, boilermakers, and so on and so on, where it's your responsibility to look into that?

A If it was brought to the plant, yes.

Q So I understand: if you just heard it on TV that somebody was alleging that he'd been intimidated or harassed or threatened by a millwright or boilermaker, and it was reported on TV, would you have gotten up the next day and looked into that, that allegation, that incident you heard about on TV?

A Possible.

Q You are not required to do it, I know. And you didn't do it?

A No.

Q And any allegations or incidents you heard about on TV needed to be looked into once you got back to the plant?

A Me, personally?

Q Yes?

A No.

MR. BERRY: No further questions.

MR. VANDERPOOL: I have a few.

1 BY MR. VANDERPOOL:

2 Q Mr. Callicutt, of the three incidents that you  
3 have testified about where threats were made, do you have  
4 any reason to believe that those threats that were made  
5 were not followed up with subsequent inspections?

6 A No.

7 MR. VANDERPOOL: No further questions.

8 MR. REYNOLDS: Off the record.

9 (Discussion off the record.)

10 MR. REYNOLDS: Back on the record.

11 The transcript will be dealt with in accord with  
12 the procedure being adopted as all other depositions; and  
13 the witnesses will review and sign as soon as the transcript  
14 is prepared.

15 MR. VANDERPOOL: Very well, thank you,  
16 Mr. Callicutt.

17 (Whereupon, at 1:12 p.m., Monday, July 9, 1984,  
18 the deposition was adjourned.)

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JAMES CALLICUTT

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This is to certify that the attached proceedings before the  
NRC COMMISSION

In the matter of: Deposition of James Calicutt

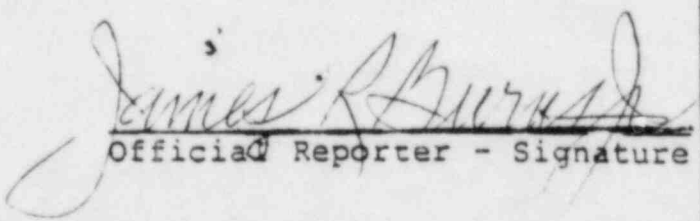
Date of Proceeding: Monday, July 9, 1984

Place of Proceeding: Glen Rose, Texas

were held as herein appears, and that this is the original  
transcript for the file of the Commission.

James R. Burns, Jr.

Official Reporter - Typed

  
Official Reporter - Signature

Brown & Root, Inc.

JAMES WALTER DWIGHT  
General Superintendent - Mechanical/Piping

SUMMARY OF EXPERIENCE:

Thirteen years of boilermaker-related experience and fourteen years of experience in oil field operations. Has erected and trail-operated boilers and precipitators and repaired boilers for power plant units. Currently serving as General Mechanical Piping Superintendent for a Nuclear-Fueled Power Plant his duties are the supervising of all installation of all mechanical equipment, all piping erection and all fabrication done on job site.

PROJECT TYPES

Nuclear Power Plants  
Fossil-Fueled Power Plants  
Papermills

PERSONAL DATA

Born: January 7, 1931, Group, Texas  
Diploma, Arp High School, 1948  
Married, two children

ACTIVITIES

Supervision  
Material Receiving and Storage  
Precipitator Erection  
Mechanical Equipment erection  
Boiler Repair  
Boiler Components Hanging and Fitting

EMPLOYMENT HISTORY

Brown & Root, Inc.	Since 1967
Wolf & Magee Drilling Co., Inc.	10 years
Gibson Drilling Co.	4 years

SOCIAL SECURITY NO.: 457-46-7406

March 1984

*Deke Exford*



JAMES WALTER CALICOTT  
General Superintendent - Mechanical/Piping

DETAILED PROFESSIONAL EXPERIENCE

Brown & Root, Inc. - Since 1967

General Superintendent - Mechanical/Piping (2 Years)

COMANCHE PEAK SEAM ELECTRIC STATION, GLEN ROSE, TEXAS

Responsible for the erection and installation of all piping, hangers, and fabrication of all structural steel on the job site. Responsible for the installation of all mechanical equipment in association with the operation of a Nuclear Power Plant.

Boilermaker Superintendent - (5 Years)

ARKANSAS POWER & LIGHT CO., REDFIELD, ARKANSAS

Involved in receiving and storage of boiler and precipitator material and construction of a power plant.

CAROLINA POWER & LIGHT CO., ROXBORO, NORTH CAROLINA

Erected precipitators on Units 1 and 2 and removed old duct work.

VIRGINIA ELECTRIC POWER CO., YORKTOWN, VIRGINIA

Repair Unit 3 boiler after blowup.

Boilermaker General Foreman - (2½ Years)

Involved in hanging and fitting of boiler components. Project included:

CAROLINA POWER & LIGHT CO.

Power plant, boiler area.

GULF STATES UTILITIES CO., WILLIS, TEXAS

Power plant, boiler area.

Boilermaker foreman - (2 Years)

Supervised hanging and fitting of boiler components.

GULF STATES UTILITIES CO., WILLIS, TEXAS

Power plant, boiler area.

Also worked on the boiler area of a papermill.

Boilermaker Journeyman - (2 Years)

Performed duties similar to those describes above. Project included:

NEKOOSA-EDWARDS PAPER CO., ASHDOWN, ARKANSAS

Papermill, boiler area.

LOWER COLORADO RIVER AUTHORITY, BASTROP, TEXAS

Power plant, boiler area.



JAMES WALTER CALICUTTI  
General Superintendent - Mechanical/Piping

WOOLF & WAGLE DRILLING, INC. - 1957-1967  
Driller, and operated drilling rig and supervised crew.

GIBSON DRILLING CO. - 1951-52 and 1954-56  
Roughneck and performed general oilfield operations.