

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC
COMPANY, et al

Docket No. 50-445
50-446

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

Deposition of: James Patton

Location: Glen Rose, Texas

Pages: 37,561-37,712

Date: Monday, July 9, 1984

*Original to E. Johnson Pleasant
H-1149*

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1 Copy to E. Johnson, Region IV

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

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

Glen Rose Motor Inn
Glen Rose, Texas

July 9, 1984

Deposition of: JAMES PATTON,
called by examination by counsel for Intervenor
taken before TERRI L. HAGUE, Court Reporter,
beginning at 1:00 p.m., pursuant to agreement.

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Appearances:

FOR THE APPLICANT:

MARK L. DAVIDSON, ESQ.
Bishop, Liberman, Cook, Purcell & Reynolds
1200 17th Street NW
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FOR THE NRC STAFF:

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Washington, D.C. 20555

FOR THE INTERVENOR:

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C O N T E N T S

| WITNESS: | EXAMINATION BY: | PAGE |
|--|-----------------|--------|
| JAMES PATTON | Mr. Cochran | 37,567 |
| | Mr. Davidson | 37,612 |
| | Mr. Cochran | 37,703 |
| PATTON DEPOSITION EXHIBIT A MARKED FOR IDENTIFICATION | | 37,712 |

P R O C E E D I N G S

1
2 Whereupon,

3 JAMES PATTON

4 was called as a witness by counsel for the Intervenor
5 and, having been first duly sworn, was examined
6 and testified as follows:

7 MR. DAVIDSON: Ms. Reporter, I would
8 like to make a statement for the record.

9 MR. COCHRAN: Do you want to just
10 incorporate it by reference?

11 MR. DAVIDSON: Well, I think that I
12 ought to just read it, if I may.

13 My name is Mark L. Davidson. I'm a
14 member of the law firm of Bishop, Liberman, Cook,
15 Purcell & Reynolds, counsel for Texas Utilities
16 Electric Company, Applicant in this proceeding.

17 I appear here today in that capacity,
18 and as attorney for Mr. James P. Patton, a TUGCO
19 employee.

20 Before proceeding further, I wish to point
21 out that Mr. Patton is appearing voluntarily, and
22 that he is not under subpoena.

23 Mr. Patton's testimony has been requested
24 from the Applicant by CASE, Intervenor in this
25 proceeding on the topics specified in CASE's letter to

1 Leonard W. Belter, dated June 27, 1984, a copy of
2 which has been marked for identification by the
3 reporter, and appended to the transcript of Mr.
4 Antonio Vego as Exhibit A.

5 I ask that the June 27th letter addressed
6 to Mr. Belter be incorporated here by reference.

7 The Applicant has already noted its
8 objection to the deposition procedures and schedule
9 ordered by the Board, and it intends no waiver
10 of those objections by Mr. Patton's appearance here
11 today.

12 At this time, I would like to summarize
13 the guidelines established by the Board for this
14 proceeding, and the taking of this deposition.
15 Under the order issued by the Board on March 15,
16 as modified by a series of subsequent telephone
17 conference rulings, the scope of this deposition is
18 limited to the taking of evidence in the making of
19 discovery on harassment, intimidation, or threatening
20 of quality assurance/quality control, that is QA/QC
21 personnel, with one exception, allegations regarding
22 any claimed harassment or intimidation of craft
23 personnel have been specifically ruled by the Board
24 to be beyond the scope of this examination and these
25 proceedings.

1 The Board also has ruled that only
2 evidence based on personal knowledge may be adduced
3 and that hearsay, rumor, innuendo and the like
4 are not proper subjects of the evidentiary portion
5 of this deposition.

6 Finally, the Board has instructed the
7 parties to separate the evidentiary and discovery
8 portions of their examination of the witness. To
9 give effect to the rulings as well as to insure
10 expeditious completion of this deposition, we now
11 offer Mr. Patton as a witness for the evidentiary
12 portion of his deposition.

13 The issues for this portion of the
14 deposition are defined by CASE's letter of June 27,
15 a copy of which, as I have already noted, was
16 marked as an exhibit to Mr. Vega's deposition.

17 At the conclusion of this evidentiary
18 deposition, the evidentiary record will be closed
19 and with the opening of the new transcript to be
20 separately bound, the discovery deposition of
21 Mr. Patton would commence should CASE decide to
22 conduct such a deposition.

23 When the transcripts are available, the
24 witness will sign the original of each of his
25 depositions on the understanding that should the

1 A My name is James Patton.

2 Q Mr. Patton, by whom are you employed?

3 A My employer is Texas Utilities.

4 Q Now, is that Texas Utilities generally
5 or is it Texas Utilities Generating Company?

6 A Texas Utilities Generating Company.

7 Q Sometimes known as TUGCO?

8 A Yes.

9 Q T-u-g-c-o?

10 A Yes.

11 Q How long have you been so employed by
12 TUGCO?

13 A I started my employment with TUGCO
14 March 1984.

15 Q Who were you employed with prior to
16 March of 1984?

17 A Prior to 1984, employment with Texas
18 Utilities, I was employed by Brown & Root for some
19 eight years or so.

20 Q Mr. Patton, have you ever given testimony
21 before?

22 A Not in a capacity as I'm doing at this
23 time, no.

24 Q Well, do you understand that you have
25 been given an oath to tell the truth?

1 A Yes.

2 Q Do you understand that even though we
3 are in a very casual, informal surroundings here,
4 that that deposition is to be used in a trial before
5 the Nuclear Regulatory Commission or its Board?

6 A Yes.

7 Q Do you understand that it is very important
8 that you be very careful of about the answers
9 which you give to the questions which are asked,
10 so that that testimony will be true and accurate?

11 A Yes.

12 Q If as we go along you don't understand
13 any of my questions, would you please stop me and
14 let's straighten it out right then.

15 A Yes.

16 Q And may I have one additional agreement
17 with you; that is, that because the court reporter
18 cannot take down both of us at the same time, that
19 you completely let me finish my questions, and I
20 promise you I'll let you completely finish your
21 answers?

22 A Okay.

23 Q Okay. May we have that agreement?

24 A Sure.

25 Q What is your present capacity with TUGCO,

1 present employment?

2 A I am a quality assurance technician.

3 Q What is a quality assurance technician?

4 A Quality assurance technician is a
5 person as an inspector or quality control, quality
6 assurance inspector.

7 Q Is it the same as an inspector; is
8 that what you're telling me, that the two jobs
9 are the same?

10 A For Texas Utilities, technicians,
11 they have several different aspects of a person being
12 a technician. In any case, I an inspector. My
13 title is quality assurance technician.

14 Q What you're saying is, there are other
15 quality assurance technicians that may not be an
16 inspector?

17 A That's correct.

18 Q While you're -- do you need to confer
19 with your attorney?

20 A No.

21 Q Well, your attorney was showing you a
22 note. Do you need a chance to read that note?

23 A No.

24 Q While you were with Brown & Root for
25 eight years, what was the nature of your duties?

1 A My ultimate duty with Brown & Root for
2 those eight years was inspection, supervision of
3 personnel. It gets quite detailed as far as the
4 different time frames, exactly what I was possibly
5 doing at that time. But the utmost responsibility
6 was inspection and supervision of personnel
7 performing inspections.

8 Q When you say "utmost," do you mean by
9 that that that was your highest level of responsibility?

10 A No.

11 Q What was your highest level of responsibility?

12 A My highest level of responsibility was
13 a job title called QC superintendent.

14 Q What was your last job or duty, rather,
15 with Brown & Root? Is that what you meant by
16 "ultimate"?

17 A Yes.

18 Q Okay.

19 A My last title with Brown & Root also was
20 QC superintendent.

21 Q What is the distinction between a QC
22 superintendent and some other QC employee?

23 Let me ask it this way: What are the
24 various job titles within the QC department?

25 MR. DAVIDSON: May we go off the record for

1 one moment, Mr. Cochran?

2 MR. COCHRAN: Sure.

3 (Discussion off the record.)

4 MR. COCHRAN: Let's go on the record.

5 BY MR. COCHRAN:

6 Q My question referred to your time while
7 you were with Brown & Root. And with that
8 clarification, what are the various job titles
9 within the Brown & Root QC Department?

10 A I first -- my first title with Brown &
11 Root in the QC Department was QC inspector. Shortly --
12 or after a while of being a QC inspector, I was promoted
13 to QC lead inspector.

14 After a while as a QC lead inspector,
15 I was promoted to QC superintendent.

16 Q Now, how did these job titles fit in
17 with the level 1, level 2, level 3 designations in
18 the Brown & Root QC department?

19 A A level 1 QC inspector is basically
20 considered a trainee-type individual. A level 2
21 inspector is considered to have a different and
22 a greater background as far as the particular
23 disciplines an inspector is asked to inspect.

24 A level 3 inspector has more responsibilities
25 than a level 2. A level 3 inspector has responsibility

1 of training and certifications of inspection personnel,
2 whereas a level 2 inspector, he does the actual
3 inspections himself as related items in which
4 he is certified in.

5 Q Would it be a fair characterization,
6 then, that the levels 1, 2, and 3 designations are
7 all sub-groupings under a QC inspector, with the
8 lead inspector then being something above those
9 three levels? Or do I have it incorrect?

10 A No, that's not correct.

11 Q It's not correct?

12 A No, it's not correct.

13 Q That's what I'm trying to understand, and
14 bear with me. I'm not going to spend a lot of
15 time on this, but I just want to get a general
16 understanding.

17 Can you have levels 2 and 3 lead
18 inspectors, then; is that what you're saying?

19 A Well, a lead inspector would be a person
20 designated to be that, just that, a lead inspector
21 over X number of people in a particular discipline.
22 He would probably hold the certifications of at
23 least a level 2 inspector.

24 Q Okay. He does not have to be a level 3?

25 A No, sir, he does not have to be level 3

1 inspector.

2 Q And then a quality control superintendent
3 is over several lead inspectors, and the subordinate
4 inspectors?

5 A The quality control superintendent in
6 most cases, yes, would be over at least one lead
7 inspector.

8 Q Okay. Well, now, prior to going to work
9 for Brown & Root some eight and a half years ago,
10 who did you work for, what was your background?

11 A Brown & Root was my first employer after
12 graduation from Texas A&M in 1975.

13 Q What was your undergraduate major
14 at Texas A&M?

15 A My undergraduate major was agriculture
16 education.

17 Q Okay.

18 A During my previous years during high
19 school and during junior high school, and during
20 college, I worked each summer at some different
21 construction companies.

22 My father owned a construction company.
23 I worked for him. I worked for Brown & Root in
24 1971. This was during the summer months, I may add.

25 For each summer and each holiday period,

1 I worked for some type of construction company,
2 several different types.

3 Q You had a lot of experience in construction.

4 A That's all I've ever done.

5 Q Noe, when Brown & Root hired you on,
6 what was your designation, your initial designation?

7 A When Brown & Root first hired me,
8 my initial designation for approximately one month
9 was a light equipment operator. The quality control
10 field had no openings at that time, and I was put
11 on in the light equipment operator area to operate
12 in equipment at that time.

13 Q Going to the time when you joined the
14 QC department of Brown & Root, then, what was
15 your first designation?

16 A My designation at that time was inspector.

17 Q And was that a level 1 status?

18 A At that particular time there wasn't
19 per se a level 1 status. Because of my background in
20 construction, the quality control personnel felt
21 that I would make a quality control inspector,
22 and I was hired.

23 Some of my previous background was
24 used as equivalent background, and I subsequently
25 had taken tests, proved myself as far as being

1 able to pass those tests and was subsequently
2 certified as a QC inspector.

3 Q So at that time, then -- what year was
4 that, by the way?

5 A That was 1976.

6 Q In what month?

7 A April -- approximately March, April,
8 approximately.

9 Q So in March or April of 1976, when you
10 joined the Brown & Root QC department, is it
11 your testimony that they did not have the levels
12 1, 2, and 3 designations that they now have?

13 A No, no. I didn't say that.

14 Q All right. Then it's not clear to me
15 what level you joined the QC department at.

16 A As an explanation, everyone has to join
17 the Brown & Root QC department as basically a
18 trainee individual, because they are not
19 certified at that time. Once they become employed
20 by Brown & Root QA/QC department, they are given
21 tests, given classroom training, and if they pass
22 those tests, they become certified.

23 Q When you passed those tests and became
24 certified, at what level did you become certified at?

25 A There was one certification given to me

1 that I passed tests. I was given that certification
2 at level 1. That was in structural metallic
3 materials.

4 That was basically a CAT weld inspector
5 for Brown & Root. After that, I have become
6 certified with Brown & Root in all of the
7 certifications that I have taken and received as
8 a level 2.

9 Q Can you just list for me the subject
10 matter areas that you received certifications in?
11 You've already mentioned CAT weld.

12 A CAT weld inspection was the first.
13 Magnetic particle inspection as a level 2, liquid
14 penetrant inspection as a level 2.

15 Q All right.

16 A Visual weld inspector, level 2; mechanical
17 equipment inspector level 2; mechanical inspector/
18 fabricator inspector as a level 2.

19 Q Okay. Anything else?

20 A That's all.

21 Q And are those the specialty areas that
22 you have obtained certification in at the
23 time you transferred over to TUGCO in March of '84?

24 A Those are the certifications I held at
25 that time that I did transfer, yes, as far as the

1 level 2. The level 1 had expired by that time.

2 Q So at that time you were not certified
3 in level 1 in -- or in CAT weld at all; is that
4 correct?

5 A At that time, that is correct, because
6 CAT weld inspections at Comanche Peak are completed
7 at this time or basically completed at this time.

8 Q Now, there's been prior testimony that
9 the training program at Brown & Root for these
10 various specialty areas involves some period of time,
11 some number of hours of classroom work, and then some
12 number of hours of on-the-job training following
13 the classroom work, and an examination during that
14 process at some point.

15 Does that conform to your understanding
16 of the program?

17 A Yes.

18 Q Is that what you did essentially?

19 A Yes.

20 Q Now, can you give me the -- if you began
21 in March or April of 1976 in the QC department, is
22 that the date that your title of QC inspector began?

23 A I'm not real sure what my first title
24 would have been. QC inspector is the title that was
25 given to personnel at that time. I was not in the

1 position to know as far as what exactly the rank
2 at that time that I would have held.

3 Q You didn't know what your title designation
4 was?

5 A At that particular time, everyone was
6 called a QC inspector that worked for the QC
7 department.

8 Q Okay. That was my question.
9 That was your title, also?

10 A Yes.

11 Q Can you give me the date that you became
12 a QC lead inspector? Month and year is fine.

13 A The year was 1979, approximately March
14 of '79. I'm not exactly sure about the month.
15 It was approximately at that time.

16 Q Can you give me the approximate time that
17 you became a QC superintendent?

18 A I became a superintendent approximately
19 the latter quarter of 1980.

20 Q Now, I take it that your initial CAT weld
21 designation was fairly -- or certification was
22 fairly soon after you entered the program, you know,
23 within a few months; is that correct?

24 A Fairly soon. I think within approximately
25 four months.

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Q Sometime in 1976?

A Yes.

Q Can you give me the approximate dates of the other designations?

A I could not give you accurate, no.

Q Were they strung out over some period of time or did you go through some sort of crash program and become certified in them all at one time?

A Most of them were definitely, yeah, strung out. We're looking at a time frame approximately in 1976. I feel that I did receive my visual examination at that time. Shortly thereafter, these others were to follow, but, yes, they were strung out at some time frame, period of time, yes.

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1 Q Had you obtained all of these certifications
2 that you have told us about prior to the time that you
3 became a QC lead inspector in March of 1979?

4 A I think I had obtained all of those except
5 mechanical equipment inspector.

6 Q Were you ever a level 3 inspector or QC
7 inspector while at Brown & Root?

8 A No.

9 Q Is it common or within Brown & Root QC
10 department for an individual to become a lead inspector
11 and then a superintendent without also being a level 3
12 inspector?

13 A Yes.

14 Q Can you tell me others who have followed
15 that route?

16 A Mr. Wright Woodyard.

17 Q Who else?

18 A Mr. Joe Crossland.

19 Q Anyone else?

20 A Cappy Lawrence.

21 Q I am sorry?

22 A Cappy is what he went by. I can't recall
23 his first actual name.

24 Q Cappy is a nickname?

25 A Yes. Lawrence.

on2

1 Q Anyone else?

2 A I can't think of anyone else.

3 Q When you left Brown & Root, who was your

4 supervisor?

5 A Mr. Gordon Purdy.

6 Q What was his title?

7 A QA manager.

8 Q Had he been your supervisor prior to your

9 promotion to the superintendent's position?

10 A No, sir.

11 Q While you were lead inspector -- let me

12 back up a minute.

13 Is the QC superintendent -- strike that.

14 Is there more than one QC superintendent?

15 A Yes.

16 Q Okay.

17 A There was at that time, yes.

18 Q Okay. So the QC manager would conceivably have

19 two or more QC superintendents under his supervision?

20 A Well, that's correct, yes. But, for

21 instance, there is the QC manager, which is Gordon Purdy.

22 Then at this particular time frame we are talking about

23 when I became a lead inspector there was a QC manager and,

24 yes, the QC manager under the QA manager did have two QC

25 superintendents working under his direction at that time.

1 Q You make a distinction between QA and QC
2 manager, which tells me that there is a distinction between
3 QA functions and QC functions. Can you just sort of
4 briefly tell me what they are?

5 A The difference in the functions or the
6 difference in the personnel, as far as the QA or QC?

7 Q Both.

8 A The QA functions basically has to do with
9 paper work.

10 Q Okay.

11 A QC functions has to do with hardware itself.
12 We had the QA manager that was supervisor over the QC
13 manager. He was head of the QC department, also head of
14 the QA department, the QA manager was.

15 The QA manager was responsible for all QA
16 activities. The QC manager was responsible for all QC
17 activities which he again reported directly to the QA
18 manager.

19 Thr person who is out in the plant looking
20 at this, inspecting objects, inspecting work, inspecting
21 pipe, inspecting welds, called a QA or a QC inspector,
22 which?

23 A QC inspector.

24 Q That person observes something which he feels
25 is substandard and writes an NCR on it; who processes

1 that NCR, QA people or QC people?

2 A First off, the person who initiates a non-
3 conformance report processes it through to the QA
4 department. The inspector writes a nonconformance report.
5 He obtains a number for the nonconformance report from the
6 nonconformance sections, and when he fills out the non-
7 conformance report he does send that, again, to the NCR
8 coordinator which then processes the NCR procedure to the
9 appropriate discipline areas which engineering goes to,
10 also quality engineering, but that particular function
11 of processing it after it leaves the QC inspectors' hands
12 is a QA function.

13 Q Is the NCR coordinator a QA person or a QC
14 person?

15 A NCR coordinator is a QA person.

16 Q He would report to the QA manager, whereas the
17 inspector who wrote the NCR would report to the QC man?

18 A Yes.

19 Q What forms were used during the eight years
20 that you were in Brown & Root's quality control department?
21 What forms were used for the purpose of documenting
22 substandard items which that inspector might have
23 observed?

24 MR. DAVIDSON. Objection. I think that
25 substandard characterizes it too far. I don't know that
the word choice "substandard" is appropriate in this case.

1 I think Mr. Cochran may merely mean non-
2 conform, which isn't necessarily substandard.

3 MR. COCHRAN: I am not trying to prejudice
4 by getting you to agree that anything or everything is
5 substandard. I just want to know what forms used by the
6 inspector in the field to report items which he felt
7 violates something, a regulation, a blueprint, a
8 specification, whatever it is that he feels something
9 he observed violates..

10 BY MR. COCHRAN:

11 Q What form did he use?

12 A If an inspector feels that a nonconforming
13 condition exists he will document that nonconforming
14 condition on a nonconformance report.

15 Q We earlier heard in some prior testimony
16 a different term used, an unsat IR. Are you familiar
17 with that term?

18 A An inspection report.

19 Q What is the difference as you understand
20 them between an unsat inspection report and an NCR?

21 A An inspection report would be used to
22 document the acceptability of an item at a particular
23 inspection point. That acceptability of an item for that
24 given inspection attribute may be satisfactory or it
25 may be unsatisfactory. That is not to say that the

1 overall component isn't nonconforming. The item that
2 an inspector is inspecting may be unsatisfactory.

3 Q If an inspector -- just to use an
4 example, if an inspector is observing a weld and is
5 trying to determine whether or not that weld is satisfactory
6 to him that it isn't, that it does not meet specifications,
7 which form is he going to use to document that?

8 A There is several things that need to be brought
9 up for that question. Two things that need to be known.

10 Q Okay. Tell me about them.

11 A If the hangar in which case I was working
12 on at these particular times, we will use that as an
13 example, if the hangar that we had been inspecting had
14 been previously accepted by quality control inspector and
15 additional surveillance problem that might have existed
16 with the hangar was found out, then if the weld at that
17 particular time was lacking in whatever respect, we
18 would size, possibility that someone may have come along and
19 ground the wrong hangar, then a nonconformance report would
20 be issued to cover that.

21 If a hanger was inspected and had not
22 been previously accepted by quality control, a non-
23 conformance report would not be generated at that time
24 because the hangar would be deemed as in process working
25 at this particular time and for in process work a

1 nonconformance report isn't necessarily to be generated.

2 Q Define hanger for me as you are using it.

3 A A hanger is a support
4 that is coordinated in accordance with the NASME report,
5 subsection F.

6 Q And, of course, it is important to determine
7 where it meets those standards that the materials of
8 which it is made be documented all the way back to the
9 source, isn't it?

10 MR. DAVIDSON. I will object to the form
11 of the question, but please answer it, if you can.

12 MR. COCHRAN: Go ahead and answer the
13 question. That is just for the judge to rule on.

14 THE WITNESS: Okay. Material per job
15 procedures required for it to be documented.

16 BY MR. COCHRAN.

17 Q And is this a paperwork problem of some
18 substance? That is probably too broad a question. Let
19 me rephrase that.

20 MR. DAVIDSON. Thank you, Mr. Cochran.

21 BY MR. COCHRAN:

22 Q Documenting the materials in each hanger in
23 a plant such as the Comanche Peak Plant does require
24 paper work, doesn't it?

25 A Yes.

1 Q Just generally.

2 A Yes.

3 Q And to document each hangar, do I understand
4 you correctly that it requires that the material in each
5 hangar be documented all the way back to the original source
6 of that material?

7 A That isn't quite a true statement.

8 Q How is it untrue?

9 A It is documented back to the purchase order heat
10 number trace ability in that hangar package. That
11 heat number traceability is provided, yes, but it isn't
12 the quality control inspector's job in the field to
13 determine if the acceptability of that material does
14 exist. That would have been performed on a surveillance
15 receiving inspection, et cetera.

16 MR. DAVIDSON. Mr. Cochran, I don't mean
17 to interrupt you, but I should point out that the
18 nature, extent, system and procedures that comprise the
19 QA/QC program at Comanche Peak as administered by
20 Brown & Roots and TUGCO, has been the subject of
21 extensive hearings in this proceeding, the record of which
22 is now closed.

23 I believe that while I understand the
24 purpose of your inquiries to help all about the users
25 and provide some background and basis for the interrogation
of this witness, and I do hope you aren't going to spend
an extensive amount of time because it is cumulative.

1 of this witness, and I do hope you aren't going to spend
2 an extensive amount of time because it is cumulative,
3 it doesn't add anything, and it is somewhat irrelevant
4 to these proceedings.

5 MR. COCHRAN: I am not going to spend a
6 lot of time. Its relevancy is to test this witness'
7 knowledge for the procedures for which he was
8 responsible for implementing and to that extent it isn't
9 cumulative.

10 BY MR. COCHRAN:

11 Q Now, just in general terms -- let me strike
12 that.

13 Let me ask it this way: As part of your
14 quality assurance or quality control training, did you
15 receive training in regard to Brown & Root's quality control
16 philosophy, that is what they expected of its QC inspectors?

17 Just yes or no, first of all.

18 A Yes.

19 Q Can you tell me what your understanding
20 based upon that training of the responsibility of
21 the QC inspector in the field?

22 A Yes, I can.

23 Q Would you do so?

24 A Quality control inspector has the utmost
25 responsibility to assure that in the performance of

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1 procedures, of specifications, of fabrication
2 activities in which area he happens to be inspecting in,
3 he has the utmost responsibility to assure that those
4 procedures, specifications, drawings, are followed, the
5 particular training session that I sit in that I am
6 describing here give me the feeling that quality control
7 inspectors, they weren't handed out -- as I said,
8 blinders, and put over their eyes. They were open to any
9 aspects of plant safety, of safety related activities at
10 Comanche Peak and they did have the utmost responsibility
11 in assuring that any nonconforming conditions were brought
12 up, that all procedures, again, were followed and that
13 inspections were performed in a timely manner and that as
14 a summary, all procedures, specifications, codes, had been
15 adhered to.

16 Q Well, do I then understand your testimony to
17 be that your understanding and believe is that in order
18 for that inspector to perform that function he had to have
19 the utmost backing of his supervisors and his employees; is
20 that correct?

21 A Yes.

22 Q And is it your perception that you as a QC
23 inspector have that sort of utmost unquestioned backing by
24 your supervisors?

25 A Yes.

1 Q And is it my understanding that you believe
2 that you as you carried out your responsibilities as a
3 QC inspector would have had total option and freedom
4 about any fear of interference by supervisors or
5 craft personnel or anybody else to call them as you say,
6 them, in effect?

7 MR. DAVIDSON: Excuse me. I would like to
8 hear the question reread. It was a little long.

9 (The reporter read the record as requested.)

10 THE WITNESS: Yes.

11 BY MR. COCHRAN:

12 Q And so you, then, aren't able to point out
13 to the Board any specific instances where a QC inspector
14 was prevented for carrying out his responsibilities as you
15 perceived the responsibility today?

16 Mr. DAVIDSON. I will object to the form of the
17 question, but the witness may answer.

18 BY MR. COCHRAN:

19 Q Please answer.

20 A I have no knowledge whatsoever of any QC
21 inspector being harassed or kept from reporting any
22 conditions at Comanche Peak.

23 Q You are familiar with Mr. Bob Bronson,
24 aren't you?

25 A Yes.

1 Q Tell me how you know Bob Bronson.

2 A Bob Bronson was hired and came to work for me
3 at Comanche Peak.

4 Q Did you hire him?

5 A No, sir.

6 Q Who hired him?

7 A I am not sure. It would only be just a guess,
8 actually.

9 Q Don't guess. I don't want your guesses.

10 MR. DAVIDSON. Thank you, Mr. Cochran.

11 I would remind the witness you shouldn't guess.
12 You are under oath. You have to testify truthfully and
13 factually.

14 BY MR. COCHRAN:

15 Q Were you Bob Bronson's supervisor?

16 A I was superintendent over Bob Bronson.
17 His supervisor, yes.

18 Q You held the title of QC superintendent at
19 the time that Bob Bronson was a QC operator?

20 A That's correct.

21 Q So you had already been promoted from QC
22 lead inspector to QC superintendent before he was
23 hired?

24 A That's right.
25

jon

1 Q Who was between you and Mr. Bronson?

2 A Mr. Billy Snelgrove. Mr. Snelgrove was the

3 lead inspector at that time that Mr. Bronson worked for.

4 Q So if we were to construct a little chain

5 of command chart as far as Mr. Bronson is concerned, if

6 we start with him, his immediate reporting person would

7 be Billy Snelgrove; is that correct?

8 A Yes.

9 Q Am I pronouncing that right?

10 A Snelgrove.

11 Q Okay. And then his secondary reporting person

12 would be you; is that correct?

13 A Yes.

14 Q And above you would have been who?

15 A Jim Reagan.

16 Q What was Jim Reagan's title?

17 A QC manager.

18 Q You are aware, are you not, or are you --

19 let me ask you in the affirmative. What are the facts in

20 regard to your knowledge of Mr. Bronson's believe that he

21 was in fact prohibited from reporting nonconforming items?

22 Do you have such knowledge?

23 MR. DAVIDSON. I object to the form of that

24 question. I think it is a little bit broad, rather

25 general. Can you more particularize exactly what it is you

1 want the witness to answer?

2 BY MR. COCHRAN:

3 Q Do you have knowledge of any complaints
4 by Mr. Bronson in regard to his being prohibited
5 from -- I mean it to be broad -- for doing his job as a
6 quality control inspector?

7 A Mr. Bronson never approached me with any
8 complaint of anyone prohibiting him from doing his job.

9 Q Do you have knowledge of such complaints?

10 A I do not have any knowledge of such complaints.

11 Q Would it be a violation of procedures for
12 a QC inspector to be expressly forbidden to write NCRs on
13 any items other than the item he was directly inspecting?

14 A Would you repeat that again, please?

15 MR. COCHRAN: Could you repeat that?

16 (The reporter read the record as requested.)

17 THE WITNESS: WC inspectors are urged to
18 write nonconformance reports on any item that they
19 feel are nonconforming.

20 BY MR. COCHRAN:

21 Q Whether it is something they went out
22 specifically to inspect or not?

23 MR. DAVIDSON. Excuse me. But I think you may
24 have interrupted the witness who was in the middle of
25 answering a question.

1 Mr. COCHRAN: I am sorry. I thought you
2 were through.

3 MR. DAVIDSON. Were you through?

4 THE WITNESS: No, I was going to continue with
5 a little explanation.

6 BY MR. COCHRAN:

7 Q Please do. I want the explanation.

8 A Quality control inspectors again are urged
9 to write nonconformance reports on any item that is
10 nonconforming. It may be and it has in the past --
11 personnel will ask inspectors who felt they had a
12 nonconforming or within the nonconforming condition on
13 an unrelated item that they were inspecting because they
14 were familiar with all the procedures with all the
15 special distinctions and with the code of that particular
16 item, I have asked them to contact the lead inspector over
17 that area and to turn the problem over to him if a non-
18 conformance existed, then the inspector that -- inspectors
19 that were familiar with these activities, with these
20 items, they would generate the nonconformance report.
21 There would be very, very high possibility that a component
22 modifications card or a design to change authorization
23 would accept the condition that the inspector felt was
24 nonconforming. The inspector wasn't familiar with this area
25 would have no way of knowing if such a document existed.

1 Q So if Mr. Bronson felt like he had been
2 forbidden to write NCR's on any item other than
3 what he was directly inspecting, are you telling me
4 that's correct? Are you telling me that's
5 correct?

6 MR. DAVIDSON: I'm going to object to
7 the form of that question. I think that that's
8 unfair.

9 MR. COCHRAN: I don't think that's in the
10 rules of evidence.

11 MR. DAVIDSON: It may not be in the rules
12 of evidence, but I don't think an unfair question
13 is more than this witness can be asked to answer.
14 I think if I understood correctly what he was
15 trying to say is that the procedure as he
16 understands it is that a quality control inspector
17 is free at any time to observe nonconforming
18 conditions in any part of the plant.

19 Normally, however, it is the procedure
20 that if he observes nonconforming conditions in
21 items which are not within his discipline, and on
22 which he is not certified for inspection for him to --

23 MR. COCHRAN: I'm going to object to
24 your speech, because that's not what the witness
25 said, and you're off making a speech that the witness

1 didn't say anything about.

2 MR. DAVIDSON: Perhaps I misspoke, but I
3 believe I spoke what the witness would intend.

4 BY MR. COCHRAN:

5 Q Is it true that -- is it correct that
6 a quality control inspector is qualified and
7 competent to write NCR's in any area that he is
8 certified in?

9 A Yes, that would be correct.

10 Q And is it proper procedure for him to
11 do so?

12 A Yes.

13 Q And did you modify that procedure in any
14 manner in your instructions to your subordinates on
15 what procedure they were to follow if they observed
16 a nonconforming item in an area that they were not
17 directly inspecting?

18 A No.

19 Q It would have been improper for you to
20 have done so, would it not?

21 A Yes.

22 Q Speaking of welds, I assume there are
23 various types of welds that are required to be
24 inspected; is this correct?

25 A Yes.

1 Q I'm not going to ask you to educate me
2 on welding, but when it comes time for a QC inspector
3 to go look at a weld, is it correct the weld is to
4 be cleaned, for one thing --

5 A Yes.

6 Q -- prior to inspection? Would it be
7 improper for the welds to be rusted over?

8 A It would be unlikely that the welds
9 would be rusted over.

10 Q If they were, would it be improper and
11 a violation of procedures?

12 A There would be no violation of procedures.
13 The inspector at that time should ask that the welds
14 be cleaned from rust.

15 Q Okay. And would it be a violation of
16 procedures for the lead inspector in response to
17 the inspector saying or asking that they be cleaned,
18 for the lead inspector to kind of wing, and say,
19 you don't have to be so critical, kind of back off
20 and give the people a break out there?

21 MR. DAVIDSON: I'm going to object to
22 that as a hypothetical question, and I don't think
23 we should have the witness speculate or guess.

24 If you have a question which you wish
25 to ask directly, he would be glad to answer.

1 Q I asked a direct question. Based on
2 your personal knowledge, would such a statement by an
3 inspector to a lead inspector be a violation of
4 procedures?

5 MR. DAVIDSON: I'm going to object again.
6 If you want to ask him if it was made in his presence,
7 he'll respond.

8 MR. COCHRAN: I don't have to be limited
9 to that. I don't have to be limited to statements
10 as --

11 MR. DAVIDSON: If you're going to ask a
12 hypothetical question, I'm going to instruct the
13 witness not to answer it.

14 MR. COCHRAN: Let's go off the record a
15 minute.

16 (Discussion off the record.)

17 BY MR. COCHRAN:

18 Q I'll represent that in subsequent
19 testimony of other depositions to be taken at a later
20 time, there will be testimony that a lead inspector --
21 I'm sorry, that an inspector was told by his lead
22 inspector in relation to requiring the crafts to
23 clean the welds before they're inspected, you
24 don't have to be so critical, kind of back off, give
25 the people a break out there.

1 Now, my question of you, sir, is, in
2 your position as QA superintendent, would that
3 statement by the lead inspector have been proper
4 within procedures or improper?

5 A First off, there is not a procedure at
6 Comanche Peak that says per se exactly what you said,
7 so a procedure violation, no, it would not be a
8 procedure violation. There is no way for me to
9 answer the question, actually.

10 Q Well, based upon your understanding
11 of the freedom that the QA inspector is to have
12 to charge all violations which he sees and to
13 insist on proper compliance with procedures, is it
14 your understanding that that attitude expressed
15 by his supervisor would be proper or improper?

16 MR. DAVIDSON: Objection. I don't know
17 that he can comment on the attitude, since he
18 doesn't know whether the remark was made and he
19 doesn't know the spirit in which it was made, the
20 tone, whether it was made seriously or jocularly
21 or whether or not it was made in terms alleged to
22 have been reported.

23 I don't see how you can ask him to give
24 an answer on that. Do you understand what he is
25 asking?

1 A I have no knowledge of any such questioning
2 as we are going through these last couple of
3 questions.

4 Q Sir, I didn't ask you whether you had
5 knowledge of it. I said if such a statement were
6 made, I'm asking you whether or not that would
7 have been a proper function for a QA or QC supervisor.

8 A The statement as read would not be an
9 appropriate statement, as far as the minor details
10 or the lack of details that I have here.

11 Q Do I understand your testimony to be
12 that you would not have approved, if you were QA
13 superintendent, you would not approve of your lead
14 QA man telling his subordinates that?

15 A Being a QC superintendent requires the
16 knowledge of happenings being within his command,
17 so to speak. Keep in mind that five days a week,
18 ten hours a day job requires that some people --
19 or allows that some people possibly to be carrying
20 on in a joking manner, to carry on in a friendship
21 type manner, to expressedly voice opinions that
22 one may have, whether this be a QC inspector,
23 whether it be a QC superintendent, whether it might
24 be a QC lead inspector. Not knowing all aspects
25 of any particular time frame that probably might

1 be going on at that time, not knowing the type of
2 conversation that led up to a particular statement
3 of such nature, it would be impossible for me to
4 answer the question.

5 Q Would you agree that it certainly sounds
6 as if it's a supervisor chastising his subordinate?

7 MR. DAVIDSON: I'm going to object to
8 that question. That's totally improper.

9 He just told you he couldn't answer the
10 question. He didn't know the circumstances in
11 which it was made.

12 I instruct you not to answer.

13 BY MR. COCHRAN:

14 Q Tell me the difference between a
15 butt weld procedure and a flare bevel weld.

16 A I don't understand the question. A
17 flared bevel weld and a butt weld procedure?

18 Q Yes, or just a butt weld and a flare
19 bevel weld.

20 A A flare bevel weld is exactly that.
21 It's not butted directly on material. It has a
22 groove that has the shape of a flare.

23 A butt weld is a particular weld
24 joint that is exactly that, two pieces of metal
25 tied end to end and then welded.

Q Is it technically possible to substitute

1 one type of weld for the other?

2 By technically, I mean physically.
3 I'm not asking you whether it's proper at this point.
4 I'm just asking you, physically could a welder
5 in-tead of a flare bevel weld use a butt weld?

6 A At Comanche Peak, a flare bevel weld
7 is generally used to show the weld symbol to
8 a piece of plate or a piece of tube steel to
9 another piece of tube steel. And the configuration
10 of that particular tube steel is the reason that
11 the flare bevel weld symbol or flare bevel weld --
12 that's why that's called that.

13 Q Where would you use a butt weld?

14 A A butt weld could be used on the tube
15 steel to tube steel in a different configuration.
16 It could be used to plate. It could be used in
17 piping.

18 Q Are the two interchangeable? Can you
19 use one as well as the other in any -- in all
20 circumstances?

21 A I'm not really qualified to say that,
22 because I do not hold an engineering degree, and
23 I do not work for welding engineering. They're
24 the individuals that do make that determination.

25 Q Okay.

1 Q Would you agree that if the two are not
2 interchangeably for all purposes, then that it
3 would be improper to interchange them, that is,
4 to use one instead of the other?

5 MR. DAVIDSON: I'll object to that
6 question on the grounds that the witness has stated
7 that he can't because of his background and experience
8 tell you whether in all circumstances they're
9 interchangeable, so he can't now take your
10 assumption and give you a response.

11 MR. COCHRAN: Oh, he could.

12 MR. DAVIDSON: No, sir, he could not.

13 BY MR. COCHRAN:

14 Q Were you in a position with Mr. Bronson
15 to -- were you in the rating chain?

16 A I'm sorry.

17 Q Were you in Mr. Bronson's performance
18 rating chain, chain of command?

19 A Yes.

20 Q Were you aware of the circumstances under
21 which he quit his employment?

22 A No, sir, not first-hand. At that particular
23 time, Mr. Bronson did not work for me. Mr. Bronson
24 only worked for me approximately three to four months.

25 Q That's when Billy Snellgrove was his

1 lead inspector?

2 A Yes, sir, at that same time Mr. Snellgrove
3 was the lead inspector.

4 Q Who did he work for at the time he
5 terminated?

6 A I'm not sure.

7 Q What department was he in?

8 A He was in the quality control department.

9 Q A different lead inspector and a different
10 QC superintendent?

11 A Can I confer with my lawyer for a short
12 moment?

13 Q Certainly.

14 (Discussion off the record.)

15 THE WITNESS: Per the last question,
16 I don't know exactly who he was working for at the
17 time he terminated, no.

18 BY MR. COCHRAN:

19 Q Well, my question was, do you know what
20 department he was in? He was in the QC department,
21 you testified. And let me get at it this way: In
22 the organization of the QC department during this
23 time frame, time period, you've indicated there were
24 several or at least more than one QC superintendent
25 who in turn had lead inspectors under him and
 various inspectors.

1 Were those divided up by functional
2 area or just what was the criteria for division of
3 responsibility between one QC superintendent and
4 another QC superintendent?

5 A At this particular time when Mr. Bronson
6 had not -- had left me and went to work at another
7 QC discipline, yes, there was myself being over
8 the unit 2 activities at this particular time.

9 Q What is unit 2?

10 A Unit 2 being Comanche Peak 2, the second
11 unit of Comanche Peak?

12 Q Oh, okay.

13 A And there was another gentleman that had
14 the same function that basically I did, but he had
15 only unit 1 side and they call that QC completions.

16 Q Okay.

17 A The functions of that was being the unit 1 --
18 was coming to an end, was becoming completed, that
19 he had the responsibility for the QC inspectors as
20 I did, on the unit 2 side. But his was unit 1
21 completions to complete that particular portion of
22 the plant.

23 Q Did Mr. Bronson transfer, are you telling
24 me, from unit 1 to unit 2?

25 A He transferred from me on the unit 2 so

1 unit 1 completions area.

2 MR. DAVIDSON: Just so the record is
3 clear, you have used the active voice of the verb,
4 Mr. Bronson transferred from 1 to the other. I
5 don't think we have had any testimony that he
6 transferred which would suggest his transfer or he
7 was transferred, which would mean he transferred him.

8 MR. COCHRAN: That was going to be my
9 next question.

10 BY MR. COCHRAN:

11 Q What were the circumstances toward the
12 transfer?

13 A At this particular time frame, Unit 1
14 activity was a major activity at that time. Unit 2
15 activity took second place as far as the scope of
16 work, the amount of work. The push to have Unit 1
17 completed, there was lots of work going on.

18 The reason for Mr. Bronson's transfer from
19 my group to the other group is that the Unit 1
20 area, completions area needed quality control
21 inspectors.

22 Q Who initiated that transfer?

23 A It wasn't a transfer per se, as
24 initiation. It was a conference between myself
25 and the Unit 1 supervisors, being lead inspectors and

1 superintendent over the Unit 1 quality control side.
2 They would ask basically for a certain number of
3 individuals, certain name of individuals, and
4 they got those individuals.

5 It came to pass when time permitted
6 that instead of asking for certain named individuals
7 directly, they only asked for a total number of
8 individuals.

9 Mr. Bronson was one of these individuals
10 that went over when they asked for a total number of
11 individuals. So, per se, a transfer, is really not
12 applicable.

13 He's still in the quality control field.
14 He just had a different assigned area that he was
15 going to be inspecting in.

16 Q Who initiated that change?

17 A I was the one that sent him down there.

18 Q Did it initiate from you or did it
19 initiate from Mr. Bronson?

20 MR. DAVIDSON: Do you need some help with
21 that question? Do you understand it?

22 THE WITNESS: Yeah, I think I understand.

23 MR. DAVIDSON: Then answer the question.

24 MR. COCHRAN: I thought it was one of my
25 better questions.

1 MR. DAVIDSON: It's just the witness looked
2 puzzled.

3 THE WITNESS: Mr. Bronson did not ask
4 for the transfer.

5 BY MR. COCHRAN:

6 Q It's what you might call an involuntary
7 change of assignment.

8 A It was a necessary change of assignment,
9 as all inspectors were asked to do from time to time.

10 Q Did you consider Mr. Bronson a trouble-
11 maker?

12 A No.

13 Q Were you satisfied with Mr. Bronson's work?

14 A No.

15 Q What complaints did you have about
16 Mr. Bronson's work?

17 A Mr. Bronson, and I spoke with him on at
18 least one occasion personally, was overlooking
19 documentation as far as filling out the documentation.
20 He seemed to have a problem as far as understanding
21 the procedural requirements. He asked from time
22 to time of more than what the procedures required.

23 Mr. Bronson's documentation was inadequate.
24 There was frequent times that I personally have
25 went and reinspected an item that he had inspected

1 and found out the documentation was inaccurate,
2 which called for the documentation to be corrected.

3 Again, I have personally had -- personally
4 talked with Mr. Bronson and asked him to please
5 take his time, asked him to please follow the
6 procedures, don't do any more than the procedures
7 ask, don't do any less than the procedures ask.

8 Q Give me an example of what you mean.
9 I'm just asking for you to clarify your term
10 "asking for more than the procedures required."

11 That's your term. Can you define it
12 or clarify it for me?

13 A Yes, I can.

14 Q Okay.

15 A Mr. Bronson sometimes would ask that a
16 particular weld be recleaned, whereas the weld
17 was in a satisfactory condition for inspection at
18 that time.

19 Q Well, that would tie into that earlier
20 statement, we had that discussion about -- let
21 me get the statement. "You don't have to be so
22 critical, kind of back off, give the people a break
23 out there." That ties into that statement, doesn't
24 it?

25 MR. DAVIDSON: I'm going to object to the

1 form of that question.

2 If you wish to assert a connection
3 between that statement and this testimony, I
4 think you should do it by your own questioning.

5 BY MR. COCHRAN:

6 Q Does that statement express an attitude
7 you also had toward Mr. Bronson?

8 A I never --

9 MR. DAVIDSON: I object to that question
10 because we have not established any foundation as
11 to what attitude there was, if any, to that.

12 BY MR. COCHRAN:

13 Q Does that statement reflect your attitude
14 about Mr. Bronson?

15 A No.

16 Q Does that statement reflect your attitude
17 about Mr. Bronson's work with the crafts generally?

18 A No. My attitude to Mr. Bronson was to
19 have him follow procedures.

20 Q Is that the only example you have of
21 asking for more than the procedures required?

22 A I can't think of any additional at this time.

23 MR. COCHRAN: I believe that's all I
24 have right now.

25 MR. VOEGELI: I have no questions.

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THE WITNESS: Yes, sir.

You have no questions?

MR. VOEGELI: No.

EXAMINATION

BY MR. DAVIDSON:

Q Mr. Patton, do you recollect when
Mr. Bronson first became employed at Comanche Peak?

A Mr. Bronson first became employed
approimately 1982 at Comanche Peak.

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1 Q At the time of his employment -- or
2 at the commencement of his employment at Comanche
3 Peak, Mr. Patton, was Mr. Bronson assigned to
4 the quality control crew of which you exercised
5 supervisory authority as QC superintendent?

6 A Yes.

7 Q And at that time was the lead inspector
8 or who was your deputy in that crew, Mr. Billy
9 Snellgrove?

10 A Yes.

11 Q At the time that Mr. Bronson was assigned
12 to your crew, was it a rule of thumb that Mr.
13 Snellgrove and others would review inspection reports
14 prepared by the various QC inspectors that were
15 working in that discipline, in that group?

16 A It was, in fact, proper for an individual,
17 whether it be Mr. Snellgrove or another designated
18 individual, to review reports that inspectors
19 did prepare.

20 Q These are inspection reports, IR's?

21 A Inspection reports, hanger package.
22 more appropriately. The inspection report would
23 be a part of a hanger package.

24 Q Would you tell us, Mr. Patton, what
25 are the contents of a hanger package?

1 A There, of course, would be an inspection
2 report in the hanger package that the quality control
3 inspector would have responsibility of filling out.
4 There would be a drawing -- a control drawing in
5 the hanger packages which would contain a
6 bill of materials for that particular hanger.

7 There would be a material identification
8 log in that hanger package which is abbreviated
9 MIL. That is a listing of used materials from the
10 craft to particular components supports, hangers.

11 There would be possibly component modification
12 cards, CMC's, that would be in a hanger package.
13 There would be a weld data card in a hanger package.
14 There would be a weld filler material log in a
15 hanger package.

16 Q Would there also be an NDE report in
17 some such packages?

18 A If it was applicable that a hanger package
19 had nondestructive examination, an NDE report
20 would be in that package. Not all hanger packages
21 had nondestructive examination to be performed on
22 them. Therefore, it may or may not be a part of
23 the package.

24 Q Was a QC inspector in your crew -- well,
25 let me strike that for a moment. Your crew and

1 disciplines responsibility at the time that Mr.
2 Bronson was employed was to do what is known as hanger
3 inspections?

4 A This aspect, yes, was hanger inspections.

5 Q In fact, was Mr. -- no, I won't ask
6 you. What was Mr. Bronson's assignment as a QC
7 inspector?

8 A Mr. Bronson was assigned to inspect
9 NF component supports, hangers.

10 Q And as a part of that job, he would be
11 inspecting the fabrication, the hanger supports
12 to which you just made reference, and he would be
13 reviewing this hanger package which you have just
14 explained to us.

15 A Mr. Bronson or any inspector would
16 review a hanger package upon the craftsmen giving
17 him that package to do an inspection. That is one
18 of the first responsibilities of the hanger
19 inspector, is to review the package, and he would
20 make his inspections, yes.

21 Q Is the whole package what you refer to
22 as the documentation when you talk about documentation?

23 A Yes.

24 Q Now, when he reviews that package,
25 can you by item tell us what he is supposed to do in

1 terms of reviewing the documentation and preparing
2 it to the hanger support system that he's inspecting.

3 Can you do that item by item?

4 A Yes.

5 Q Let me try this. You mentioned that
6 included in there was a material identification
7 log, which you called an MIL. Would the inspector
8 do anything with the MIL, what would he check to
9 see on that?

10 A Yes, he would. The MIL contains information
11 for the fabrication of the hanger that the inspector
12 is inspecting. On it has a description of the
13 material used. On it also has the heat number
14 of the material that was used on the hanger.

15 For a given item on the MIL, the inspector
16 has to look at the material identification log, pick
17 out the particular item he was inspecting that time --
18 and I'll use an example of a 6 by 6 by 1/2 inch
19 tube steel, for example. He would find that item
20 number on the drawing, verify that it was 6 x 6 by 1/2
21 inch tube steel. He would look at that tube steel.
22 He would measure that tube steel to see that it
23 conformed to the drawing, that it also conformed
24 to the size noted on the MIL as the minimum size.

25 He would look at the heat number on the MIL.

1 the time on a weld data card for all visual
2 inspections.

3 There may be NDE hold points on weld
4 data cards. In essence, it contains the
5 necessary hold points that an inspector must
6 follow in making his inspections.

7 Q In other words, it tells him places he
8 must inspect?

9 A Yes, there's an inspection attribute
10 for visual that the hanger is acceptable visually
11 and that's visual weld inspections. There is
12 hold points on there that sway struts are
13 installed properly. There's a hold point for
14 snubbers to be installed properly.

15 In summary, generally, the weld data
16 card has quality control hold points that need to
17 be verified.

18 Q Now, if NDE -- that's nondestructive
19 examination, as you defined it, if there are non-
20 destructive examination reports in there, what kind
21 of reports would they be? Those would be reports
22 prepared by the inspector?

23 A Quality control inspector would prepare
24 these reports. As an example of a nondestructive
25 examination point, is a liquid penetrant report. It

1 would be called out on the hanger what welds that
2 required liquid penetrant inspection, and
3 the inspector would accordingly perform those
4 inspections and --

5 Q Excuse me. Do you mean he would
6 perform a liquid penetrant test?

7 A Yes. He would perform a liquid penetrant
8 test. He would fill out the documentation
9 accordingly which one aspect of that documentation
10 is a PT report.

11 Q Are there other NDE tests that might be
12 performed on such identified weld data cards?

13 A A magnetic particle test could very well
14 possibly be performed on a hanger inspection.

15 Q Would the procedure be the same, that is,
16 he would perform that test on the indicated weld
17 point, and then prepare a report that he had
18 performed the test, and what the results were?

19 A That's right.

20 Q Now, you indicated earlier that included
21 within this hanger package is what is known as an
22 inspection report, an IR?

23 A Yes.

24 Q Now, what would the inspector do with
25 the inspection report?

1 that time, then the documentation would then be
2 transferred, would be routed accordingly to the
3 documentation review group.

4 Q Now, that's the procedure you told us
5 if the documentation is acceptable -- or --
6 excuse me, if the inspection report is acceptable.
7 Does the procedure for review differ if the
8 inspection report is unsatisfactory?

9 A At this time, inspections were performed,
10 and these people that did -- and a review of
11 documentation for myself, they did not have the
12 opportunity to see unsatisfactory documentation.

13 At that particular time frame, everything
14 presented to them should have been acceptable.

15 Q So, in other words, unsatisfactory
16 inspection reports were not brought back to your
17 office or your designee inspector's office for
18 review?

19 A That's correct, there was not.

20 Q At the time that Mr. Bronson was employed,
21 would his accepted or satisfactory inspection
22 reports, that is, with the whole hanger package,
23 be brought back to your office or the office of
24 the designee inspector for the purpose of the review
25 that you have described?

1 A Yes.

2 Q And you earlier stated, and I trust
3 this is appropriate for me to state, you earlier
4 stated that you had problems with Mr. Bronson's
5 documentation.

6 A Yes.

7 Q Are you saying that you had -- is
8 this a conclusion you reached based upon the review
9 of hanger packages with satisfactory inspection
10 reports?

11 MR. COCHRAN: Objection. Leading.

12 MR. DAVIDSON: Allow me to rephrase that
13 question.

14 BY MR. DAVIDSON:

15 Q Mr. Patton, did you ever as a part of
16 the review procedure you've just described
17 review hanger packages that Mr. bronson brought back
18 to your office for review?

19 A Yes, I did.

20 Q Mr. Patton, based on your review of
21 Mr. Bronson's packages, hanger packages, brought
22 back for review, did you reach a conclusion as to
23 Mr. Bronson's understanding of procedure?

24 A I felt that Mr. Bronson did not
25 understand totally the procedures that he was working

1 with because of his inaccurate documentation that
2 he produced.

3 Q Can you give us an example of the inaccurate
4 documentation that you found in review of his
5 packages?

6 A Yes. I personally inspected some of
7 the documentation that he has turned in, and I
8 have done a visual inspection of the hanger
9 itself after he had turned documentation in that
10 was inaccurate.

11 There existed on the material identification
12 log discrepancies for materials used. There
13 existed in the inspection reports failure of
14 his signatures on some inspection reports,
15 failure of dates on the inspection reports, inaccurate
16 locations of hangers as depicted on the inspection
17 reports.

18 In essence, most of the attributes that
19 an inspector had to fill out on an inspection report
20 at one time or another Mr. Bronson filled them out
21 inaccurately.

22 Q And these were inaccurate statements
23 as to material verifications and inaccurate
24 statements as to locations of the site inspected,
25 and failure to fill out NDE reports on hanger packages

1 which he had reported as being satisfactory.

2 MR. COCHRAN: Objection. Leading.

3 BY MR. DAVIDSON:

4 Q Were these mistakes or inaccuracies
5 that you found contained on hanger reports that
6 Mr. Bronson presented as being satisfactory?

7 MR. COCHRAN: Objection. Leading.

8 MR. DAVIDSON: You may answer the question.

9 THE WITNESS: Mr. Bronson's all --
10 or all documentation reviewed by myself and personnel
11 I had assigned to read packages were, yes, on
12 completed packages that should have been acceptable
13 at that particular time.

14 BY MR. DAVIDSON:

15 Q Mr. Patton, you stated that on at least
16 one occasion, perhaps more, that you not only
17 reviewed a hanger package that Mr. Bronson presented,
18 but actually went back to the hanger that had been
19 inspected by him to review the report against
20 the actual component. At any time that you undertook
21 that inspection besides the inaccuracies which
22 you have already told us about, did you ever find
23 that Mr. Bronson had marked as acceptable a hanger
24 or hanger component which, in your view, was in
25 fact not acceptable?

1 A I never run across that problem. Mr.
2 Bronson's inspections of the physical item
3 itself in all cases seemed satisfactory. The
4 documentation was where I had the problem.

5 Q Thank you.

6 Mr. Patton, did Mr. Snellgrove, who you
7 earlier identified as your lead quality inspector,
8 did he also review hanger packages brought back
9 by QC inspectors that were assigned in your crew
10 and discipline?

11 A Yes, he did.

12 Q To your knowledge, did he ever review
13 any such packages presented by Mr. Bronson?

14 A Yes.

15 Q To your knowledge, did Mr. Snellgrove
16 have -- did Mr. Snellgrove detect any of the same
17 inaccuracies with respect to documentation you have
18 testified to here today?

19 MR. COCHRAN: Objection. The question
20 necessarily calls for hearsay.

21 BY MR. DAVIDSON:

22 Q Did Mr. Snellgrove ever advise you that
23 he had difficulties with Mr. Bronson's documentation?

24 MR. COCHRAN: Objection. The question
25 calls for hearsay.

1 A Yes.

2 MR. COCHRAN: Objection. The answer is
3 hearsay, must be based on hearsay necessarily.

4 BY MR. DAVIDSON:

5 Q Did you ever have a discussion with
6 Billy Snellgrove about Mr. Bronson's inadequacies
7 in documentation?

8 MR. COCHRAN: Objection. The question
9 calls for hearsay.

10 MR. DAVIDSON: No, sir, I asked Mr. Patton
11 whether he had initiated a conversation with Mr.
12 Snellgrove about Mr. Bronson's documentation inadequacies.

13 MR. COCHRAN: To the extent it can be
14 answered yes or no, it's a proper question.
15 To the extent it goes any further and tends to
16 elaborate on that discussion, it calls for hearsay.

17 BY MR. DAVIDSON:

18 Q Did you have such a conversation, Mr. Patton?

19 A Yes.

20 Q And, Mr. Patton, you have testified
21 from your own knowledge, and based from your own
22 experience, Mr. Bronson did not seem to understand
23 procedures and you had problems with documentation.
24 You took this matter up with Mr. Snellgrove, did you
25 not?

1 MR. COCHRAN: Objection. That's leading.

2 BY MR. DAVIDSON:

3 Q Did you take up with Mr. Snellgrove
4 your concern about Mr. Bronson's documentation?

5 A Yes.

6 Q After your conversation with Mr. Snellgrove,
7 what did you decide to do about the problem of
8 Mr. Bronson's documentation?

9 MR. COCHRAN: Objection to any conclusions
10 or course of actions based upon that hearsay
11 conversation, because to recite that course
12 of action necessarily calls for hearsay.

13 MR. DAVIDSON: Well, I don't wish to
14 engage in bettenage, I think Mr. Cochran is
15 totally and utterly mistaken in his interpretation
16 of hearsay, and I suggest to him a review of the
17 Federal Rules of Evidence would be useful.

18 In any event, we have asked a question
19 about a discussion which Mr. Patton has admitted
20 initiating, and I asked only what Mr. Patton did
21 after he concluded that discussion.

22 We are only talking about those matters
23 in Mr. Patton's personal knowledge, as to his actions
24 and the actions he took based on his objections of
25 the inadequacies of Mr. Bronson as QC inspector.

1 Therefore, I think there is no hearsay,
2 and I would say to you, Mr. Patton, after you
3 spoke with Mr. Snellgrove, what actions did you
4 take with respect to the problem you perceived
5 with Mr. Bronson's inadequacies in documentation?

6 THE WITNESS: Mr. Snellgrove and myself
7 discussed Mr. Bronson's documentation errors that
8 he had procedure. These errors had been made
9 several times. I had personally talked with
10 Mr. Bronson on at least one occasion about correcting
11 these errors.

12 After these errors had seemed not to
13 have been corrected at all, Mr. Snellgrove and
14 myself had discussed on --

15 MR. COCHRAN: Objection to what you discussed
16 with Mr. Snellgrove. That's hearsay.

17 BY MR. DAVIDSON:

18 Q Mr. Patton, did Mr. Cochran interrupt
19 you? I think you were continuing with your answer.

20 A Yes, I was in the middle of a sentence.
21 But, again, it was decided by myself, Mr. Snellgrove
22 agreed, that Mr. Bronson --

23 MR. COCHRAN: Objection to what Mr.
24 Snellgrove agreed. It's hearsay. And I want it in
25 the record.

1 MR. DAVIDSON: If you wish to make the
2 objection, I think it's been noted, and I would
3 ask you not interrupt the witness. I think it's
4 common courtesy.

5 MR. COCHRAN: Counsel has to make those
6 objections, and you well know it.

7 MR. DAVIDSON: Please proceed.

8 THE WITNESS: That Mr. Bronson was to
9 receive a counseling and guidance report, and in
10 that counseling and guidance report was to spell
11 out the problems that was perceived by myself as
12 being problems with documentation that Mr. Bronson
13 was having at that time.

14 Q Thank you.

15 Mr. Patton, you've testified that
16 Mr. Bronson worked for you for a period of approximately
17 three and a half to four months.

18 A That's correct.

19 Q When did you first become aware of Mr.
20 Bronson's problems with documentation and his lack
21 of understanding of the procedures?

22 A The problem was first detected on his
23 becoming certified and actually performing inspections
24 in the field.

25

1 Q Mr. Patton, when was, to the best of
2 your recollection, Mr. Bronson first certified?

3 A Approximately May or June of 1982.

4 Q Was that -- how soon after he became
5 employed and assigned to your crew did he become
6 certified?

7 A That would be approximately six weeks.

8 Q Six weeks after he came on board?

9 A Yes.

10 Q And that was the first time that you
11 noticed or became aware of the problems that we have
12 discussed here today?

13 A That's correct.

14 Q Mr. Patton, you stated earlier that you
15 spoke with Mr. Bronson about his failure to
16 understand procedures and to follow them and his
17 inaccurate documentation.

18 A That's correct.

19 Q When did you first speak with him about
20 this problem?

21 A Approximately June of 1982, late May or
22 June of '82. I'm not exactly sure.

23 Q How soon after he became certified did
24 you have that conversation, if you recollect?

25 A Approximately two weeks.

1 (Outside interruption.)

2 MR. DAVIDSON: Could we go back on the
3 record. And I'm going to have to ask you if you
4 would, please, Terri, to read the last exchange.

5 (The reporter read the record as requested.)

6 BY MR. DAVIDSON:

7 Q Mr. Patton, you stated at some time
8 during the period that Mr. Bronson was employed
9 by you that you decided that -- and I hope I
10 have the terminology right -- a counseling and
11 guidance report, is that what you called it?

12 A Yes.

13 Q -- should be prepared with respect to
14 Mr. Bronson's inadequacies and failure to follow
15 procedures. Do you recollect when you prepared
16 this -- or decided to prepare this guidance and
17 counseling report?

18 A It was prepared approximately in June,
19 June or July, something of that nature.

20 Q How soon after your conversation with
21 Mr. Bronson did you decide to prepare this report?

22 A It would have to be in the neighborhood
23 of approximately a month, two weeks to a month,
24 approximately.

25 Q Between the time that you had your

1 discussion with Mr. Bronson in which you advised him
2 of the problem he was having, and asked him to
3 correct it and the time that you decided to prepare
4 a guidance and counseling report, did Mr. Bronson
5 cure his inadequacies?

6 A No.

7 Q Subsequent to the guidance and counseling
8 report -- strike that question.

9 Did you have any conversation with Mr.
10 Bronson about his failure to follow procedures
11 subsequent to the preparation of the guidance and
12 counseling report.

13 A Yes.

14 Q How soon after the preparation of the
15 guidance and counseling report did you have that
16 conversation?

17 A I don't recall exactly. Approximately
18 two weeks.

19 Q And between the time that you prepared
20 the guidance and counseling report, and the time
21 of this subsequent conversation, how much time
22 elapsed? Excuse me, strike that question.

23 I believe you already answered it.

24 I should say, in the period between
25 the preparation of that guidance and counseling

1 report and your subsequent conversation with
2 Mr. Bronson, did he correct his inaccurate documenta-
3 tion -- his problem with inaccurate documentation
4 and his failure to follow procedures?

5 A No.

6 Q Did you take any actions subsequent to
7 your conversation with Mr. Bronson with respect --
8 your second conversation now with Mr. Bronson --
9 with respect to his failure to follow procedures?

10 A The only actions that we had taken at
11 that time -- that I had taken at that time was to
12 counsel him on that. And as far as any other actions
13 that were taken, no other actions was taken by
14 myself other than sending him to QC completions
15 at approximately three and a half to four months
16 after Mr. Bronson came to work for me.

17 Q So you effected his transfer to the
18 other QC crew and discipline?

19 A Yes.

20 Q Mr. Patton, you were asked here earlier
21 today some questions about the cleaning of welds for
22 inspection. Do you recollect that?

23 A Yes.

24 Q Is there a procedure for the cleaning
25 of welds for presentation for inspection?

1 A Per se the procedures not for presentation
2 of the welds. The procedure -- there is a procedure
3 that exists for the craftsmen to clean welds
4 and the quality control inspection procedure is
5 the same, the requirements do exist, that the welds
6 would be cleaned prior to welding a certain distance.

7 Upon completion of that welding, then,
8 of course, for the QC inspector to inspect those
9 welds, the welds would have to be cleaned for him
10 to see the weld. That would entail the removal
11 of any slag that might be present, and if the
12 hanger was rusty, then any rust that would interfere
13 with the inspector's inspection of that weld
14 would have to be removed also.

15 Q Well, let me see if I understood. Are
16 you saying that there is a procedure for preparatory
17 cleaning before a weld is made and a procedure
18 for presentation of the weld for inspection?

19 A There is a procedure for the preparatory
20 work but prior to welding, yes. The procedures
21 only require that the weld upon inspection be
22 cleaned, and that is --

23 Q So, there is no specific procedure as
24 to cleaning for presentation?

25 A No, there was not.

1 Q Except that it be clean enough and
2 sufficient so that the inspection may be made?

3 MR. COCHRAN: Objection. That's leading.

4 MR. DAVIDSON: Forgive me.

5 BY MR. DAVIDSON:

6 Q Is there any requirement that the weld
7 be sufficiently cleaned so that an inspection may
8 be made?

9 A The weld would have to be made.
10 There is not a procedure that requires per se, as
11 an example, the weld has to be cleaned back three
12 inches, four inches, five inches. There is no
13 procedure that says that, no.

14 The weld has to be cleaned for the
15 inspector to perform sufficient inspections.
16 There is a procedure that says if NDE is going to
17 be performed, that the weld that receives the
18 visual inspection has to be cleaned sufficiently
19 to perform those NDE inspections or tests.

20 Q When you say cleaned sufficiently,
21 is there a specific parameter or specific amount
22 of clearance between the weld and the surrounding
23 area that is required to be cleaned for the purpose
24 of inspection, or is it merely that which -- or
25 is it merely left for that which is sufficient to

1 perform the test.

2 A Liquid penetrant inspection, I'll
3 use this as an example, requires that a weld be
4 liquid penetrant inspection plus a half-inch on
5 each side of the weld, if possible. Per se, the
6 procedure does not require the inspection --
7 visual inspection procedure does not require the
8 weld has to be cleaned a half-inch back upon the
9 acceptance of that weld. The visual weld inspection
10 procedure --

11 Q I'm sorry, Mr. Patton. I've got to be
12 honest with you. I'm not sure I quite understand it,
13 but I think maybe I've got an inkling of an idea.
14 Let me see if I can follow this through.

15 One of the inspections is an
16 inspection called a visual weld inspection; is that
17 correct?

18 MR. COCHRAN: Objection. That's leading.

19 THE WITNESS: Yes, that's correct.

20 BY MR. DAVIDSON:

21 Q Is there a procedure that requires some
22 specific cleaning operation before that visual weld
23 inspection is made?

24 A Yes.

25 Q And what does that procedure prescribe?

1 A There is a procedure. The craft has
2 the procedure. There is an inspection procedure
3 that requires -- and that procedure number is QIQAP11.1-28.

4 I have worked with that procedure very
5 closely for the last several years. That procedure
6 requires that if a fit-up inspection is performed
7 on a particular hanger, then the weld has to be --
8 or the material has to be cleaned back one-half inch
9 outside the weld zone mechanically, and that within
10 two inches of the weld that it has to be any moisture
11 removed, any chemicals removed.

12 In other words, chemical cleaning has
13 to be performed, if required.

14 The welders or the craftsmen's procedure
15 that required them to make those same welds contained
16 the same information.

17 Q In an unsigned affidavit presented in
18 these proceedings, Mr. Bronson states that there was
19 a requirement that welds be cleaned back at least
20 one inch from the weldment per code requirements.

21 To what does Mr. Bronson refer?

22 A I'm sorry. Would you repeat that again?

23 Q Mr. Bronson contends that weldments
24 must be cleaned back one inch from the weldment
25 per some unspecified code requirement. To what,
 if you know, does Mr. Bronson refer?

1 A I don't know.

2 Q Is his statement consistent with
3 QIQAP11.1-28 to which you earlier made reference
4 as the procedure governing the cleaning of welds
5 for inspection?

6 A No, it's not.

7 Q If Mr. Bronson were to insist that
8 there be cleaning to a standard which is not provided
9 by the procedures of the craft, would the craft,
10 to your knowledge, be concerned and upset?

11 A Any requirements that were more strict
12 than the procedure would definitely upset the
13 craftsman. They would be asking him to do more than
14 what he would have to do. Therefore, reductions
15 in time and more work.

16 Q If a quality inspector were to insist
17 that there be cleaning one inch from each side
18 of the weldment instead of the half-inch cleaning
19 requirement specified by the QIQAP11.1-28 to which
20 you earlier referred, would a craftsman believe
21 that to be a requirement more stringent than required
22 by the procedure?

23 A Yes.

24 MR. COCHRAN: Objection. That calls for
25 speculation.

1 Q If a craft had a complaint about the
2 inspection of the QC inspector, to whom would that
3 person make that complaint?

4 A That craftsman would follow the chain
5 of command for the quality control department
6 which would talk directly first-hand to the lead
7 inspector over a particular individual that had
8 made whatever statement he might have made.

9 If at that time a mutual understanding
10 wasn't agreed to, then he would proceed and talk
11 to myself. If they didn't agree with what I
12 said, we would go to my immediate supervisor, and
13 if they didn't agree with my immediate supervisor,
14 we would go to the QA manager.

15 Q Now, let me be sure I understand this.
16 A crafts person -- an aggrieved craftsperson would
17 go to the lead QC inspector of that crew, or would
18 he go to his foreman?

19 A The craftsman, if he did contact the
20 quality control department has having a disagreement
21 with the inspector, would contact the lead inspector
22 under quality control.

23 If he contacted anyone in his craft or his
24 department, it would be his foreman, his particular
25 foreman.

1 Q Could he do either, was there a
2 procedure for this?

3 A There is no procedure. It's just the
4 chain of command.

5 Q So he would either contact his foreman
6 and complain about what he believed to be overly
7 stringent requirements or he would contact the lead
8 inspector to have that inspector reported.

9 A More times -- most of the time, if it
10 wasn't a hanger foreman that was presenting these
11 particular hangers for acceptance, if it was his
12 craftsman, then the craftsman would go directly
13 to his foreman and that foreman would go directly
14 to the lead inspector in the quality control field.

15 Q Now, at the time of Mr. Bronson's
16 employment in your crew, the lead inspector was
17 Billy Ray Snellgrove?

18 A That's correct.

19 Q So that any such complaints would be
20 taken in at least the first instance to Billy Ray
21 Snellgrove?

22 A That's correct.

23 Q And if they were not satisfactorily
24 resolved with Mr. Snellgrove, then they would be
25 taken to you?

1 A That's correct.

2 Q At any time during Mr. Bronson's
3 tenure with your crew, was a complaint ever taken
4 to you regarding the imposition of overly stringent
5 requirements on cleaning involving Mr. Bronson?

6 A I don't recall any.

7 Q Thank you.

8 Mr. Patton, earlier today we had a discussion
9 of what I believe was called a flare bevel weld and
10 a butt weld. Do you remember that discussion?

11 A Yes.

12 Q And I must tell you, I was -- I found
13 the discussion a little hard to follow, but I
14 think that I -- what I might like to ask you to
15 do is to show me by preparing a diagram what a
16 flare bevel weld looks like, and what a butt weld
17 looks like. Can you prepare such a diagram simply?

18 A Yes.

19 MR. COCHRAN: Here. I will be glad to
20 donate some paper to that cause.

21 MR. DAVIDSON: Off the record.

22 (Discussion off the record.)

23 BY MR. DAVIDSON:

24 Q On the record.

25 A First, let me start off with the welding

1 symbol of the flare bevel weld. This is what it
2 would typically look like.

3 Q May I say for the record when Mr. Patton
4 completes his drawing, we will have it marked for
5 identification and entered as an exhibit to this
6 deposition.

7 Now, Mr. Patton, you have drawn a small
8 diagram here, and you say this represents
9 the sign for a flare bevel weld.

10 A Yes. This particular weld symbol represents
11 a flare bevel weld welding on one side and also on
12 the other side.

13 MR. COCHRAN: Might I suggest that over
14 here you put a label "welding symbol for flare
15 bevel weld."

16 THE WITNESS: Yes, I'm fixing to put
17 something else here.

18 BY MR. DAVIDSON:

19 Q On the drawings which are in the hanger
20 package, do they use -- I assume they do, but
21 do they use symbols such as this to indicate the
22 kind of weld that must be made on the component?

23 A Yes, they do.

24 Q Is this the kind of symbol that would
25 be on those drawings to indicate that a flare bevel

1 weld would be made?

2 A Yes.

3 Q Would those drawings also tell where
4 this particular symbol indicating the flare bevel
5 weld would be made?

6 A Yes.

7 MR. COCHRAN: We have got plenty of paper.
8 Let's leave some spaces between the various
9 symbols and diagrams.

10 MR. DAVIDSON: Please accommodate Mr.
11 Cochran's request so this is all laid out.

12 THE WITNESS: Sure.

13 This is a piece of tube steel. This
14 is a piece of plate.

15 BY MR. DAVIDSON:

16 Q Do you want to spell that out, please?

17 A Sorry.

18 Q I know they are familiar to you, but
19 it will be easier for us to follow.

20 A This flare belev symbol would be
21 applied -- it would be down here, pointing at this
22 location down here. This says -- if you look on
23 the top side of the arrow, that means per AWS to
24 weld the other side of where you're looking at.

25 Q Did you say per AWS?

1 A AWS.

2 Q What does that stand for?

3 A American Welding Society.

4 Q And that's a code?

5 A Yes. That's a code and I believe
6 it's -- I'm not exactly sure, but 2.1.4 is for
7 symbols, welding symbols. And, again, what this symbol
8 tells you is to weld arrow side and other side.
9 This is a weld arrow. This means weld here and weld
10 here. What is customarily done, this particular
11 flare bevel, and that's hence this weld symbol, and
12 here shows it, the tube steel is beveled on each
13 corner. To weld this accurately, you would fill
14 up whatever length of weld that you had --

15 Q Could you use my pen for the weldment,
16 the filler?

17 A You would fill up whatever flare you
18 had, whatever bevel was there, at least enough
19 reinforcement to be with the external or outside
20 portion of the tube steel on both sides, just like
21 this. Unfortunately, it's not a very good drawing.
22 I'm no draftsman, but I believe that graphically
23 would show it.

24 Q The weldment would fill the beveled side?

25 A Yes.

1 Q So what, with the --

2 A Flush with the external.

3 MR. COCHRAN: Let the record reflect
4 that counsel is adding to the drawing items which
5 the witness had not placed on the drawing.

6 BY MR. DAVIDSON:

7 Q Sorry. Did I in any way impair your
8 drawing?

9 A Did not change the intent at all.

10 Q Could you show us on this same sheet
11 of paper, if you would, what a butt weld would look
12 like?

13 A A butt weld symbol --

14 Q Okay. A butt weld symbol.

15 A -- again, would be an arrow, and for the
16 arrow and other side designations, you would
17 have something -- two lines that look very similar
18 to that, and that's exactly what it means. A butt
19 weld. In a case like this, it would be more
20 appropriate for the arrow to look something of
21 this nature, and I'll use this as a graphic portion.

22 We'll use plate, because typically
23 plate is butt welded. The joint geometry would
24 look something like this where the plate would be
25 butted up together. And in a case like this, this

1 arrow would be pointing here. That tells us
2 to do a butt weld.

3 Q And do you want to use my pen again
4 for the filler, the weldment?

5 A The weld when applied properly would
6 look something -- and would be laid in stringer
7 beads appropriately. And the reinforcement would
8 come up at least flush with the top of the plate.

9 Q Now, is there a procedure for making
10 these two kinds of welds? Is there a procedure
11 that describes the making of these two kinds of
12 welds?

13 A There is a weld procedure, WPS, which
14 stands for weld procedure specifications 11032
15 at Brown & Root that does cover welding of ASME
16 components at Comanche Peak.

17 Q When you say ASME, to what do you refer?

18 A ASME is American Society of Mechanical
19 Engineers, which is the designation that is given
20 to Class 1, 2, and 3 components that I have used.

21 Q Can I have that WPS number again?

22 A WPS 11032.

23 Q Now, in that procedure, is there a difference
24 between the butt weld procedure there specified
25 and the flare bevel weld procedure in WPS 11032?

1 A WPS 11032 on the weld geometry, on the
2 joint geometry, that is depicted by ASME section
3 9 as a nonessential variable. I do believe that
4 WPS 11032 probably does have some joint geometry
5 that at least addresses the welding of butt welds
6 and flare bevel welds, also.

7 Q Now, WPS 11032 states that joint geometries
8 are nonessential variables; is that what you're
9 saying?

10 A That's correct.

11 Q Now, --

12 A Well, WPS.

13 Q Can you tell me what you mean by --
14 MR. COCHRAN: That is not --

15 A WPS 11032 ASME Section 9 says joint
16 geometries are nonsessential variables, which, that
17 means --

18 Q What does that mean?

19 A That means, I guess, in laymen's terms
20 that it really doesn't matter what the geometries
21 are as long as engineering specifies or addresses
22 it as separate for a use.

23 Q All right. Thank you.

24 Now, I think I understood that, but
25 correct me if I am wrong. If engineering specifies the

1 use of one or the other of these two types of welds,
2 which is the flare bevel weld and the butt weld --

3 A First off, engineering doesn't specify.
4 The drawing specifies what's to be used.

5 Q Forgive me. In a hanger package, if
6 the drawing specifies either the use of the flare
7 bevel weld or the butt weld with respect to a
8 particular configuration, since 11032 provides
9 that joint geometrics are nonessential variables,
10 would an inspector be justified in believing the
11 drawing and the weld are NCR, that is,
12 nonconforming if one rather than the other weld were
13 used?

14 MR. COCHRAN: Objection. That calls for
15 conclusions and speculation.

16 THE WITNESS: No. 11032 is depicted in
17 the hanger package by welding engineering. Welding
18 engineering designates what weld procedure is
19 appropriate to perform welding. They look at these
20 drawings. They look at their welding procedures
21 and they designate appropriately. There would be
22 no reason for a nonconforming condition to exist
23 of one which welding engineering has evaluated that
24 their weld procedure would be appropriate for.

25 Q What circumstances, Mr. Patton, would be the

1 basis for initiating a CMC, which I think you earlier
2 defined as a component modification card, which is
3 one of the items in a hanger package.

4 A Any condition that -- first off, let
5 me begin by saying that these hanger drawings,
6 support drawings, were being drawn up from, like,
7 ITT Grinnell, pipe support engineering, NPSI,
8 pipe support engineering, which are two vendors for
9 component supports at Comanche Peak.

10 If there need to be a change in
11 the original intent or the engineering configuration
12 of the hanger itself, engineering on site could
13 very well possibly initiate a component modification
14 card to change the physical appearance for an item
15 or a component on a particular support because at
16 Comanche Peak a CMC may be generated because of
17 interference of other systems such as piping,
18 such as conduit supports, such as instrumentation
19 tubing. Accessibility of a project of this size
20 of the magnitude that it is has been a small concern,
21 has been a problem in the past. CMC's, yes, would
22 be needed to generate some type of change or
23 revision to the drawing in that respect.

24 Q Who may initiate a CMC?

25 A Engineers initiate CMC's. People can

1 address engineers that may say, "I've got a
2 particular problem with a hanger as far as we have
3 interference."

4 Some other aspects may be touched
5 base on. Engineering evaluates, and I speak of
6 engineering as hanger engineering, evaluates the
7 condition that exists. They take into account certain
8 analyses that they perform. If a component
9 modification card is warranted, they may possibly
10 generate one.

11 Q Is the CMC, that is the component
12 modification card, reviewed by anyone?

13 A Engineering initiates it. Someone in
14 engineering other than the initiator, the person
15 that initiates or initially starts the CMC,
16 they review it.

17 Q Does anyone responsible for design review
18 the CMC?

19 A The engineers are responsible for design.

20 Q I misunderstood. I thought a hanger
21 engineer would initiate the CMC.

22 A That's correct.

23 Q Now, would a hanger engineer be also
24 a different one be the reviewer of the CMC?

25 A There would be somebody else than the person

1 that initiated it would review it, also.

2 One has to keep in mind the analysis
3 that is performed on the system which one
4 system may have 20 hangers holding that system
5 up, supporting that system. And upon the completion
6 of all those hangers, the system entirety, then
7 engineering would be responsible for review of all
8 documentation, of all seismic analysis that would
9 need to be performed of that system.

10 Q If a CMC were to be issued, would that
11 result in a change in the drawing?

12 A A CMC --

13 Q In the hanger package?

14 A A CMC is a change in the drawing.

15 Q And are all -- to your knowledge, are
16 all CMC's supposed to be approved by engineering?

17 A Yes. Engineering approves the CMC's
18 upon the final completion of a hanger. There comes
19 a time that it's completed. There is an as-built
20 drawing that is generated that incorporates all
21 the CMC's at that particular point in time.

22 Q Is the CMC a formal document?

23 A Yes.

24 Q Are you familiar with an item called a
25 design change authorization?

1 A Yes.

2 Q Is that called a DCA?

3 A Yes.

4 Q What does -- who initiates a design
5 change authorization?

6 A Basically a design change authorization
7 is a document used to change specifications, to
8 revise them. Engineering initiates these DCA's.

9 Q Can a CMC change specifications?

10 A Nope.

11 Q Must a CMC make modifications only
12 within the established specifications?

13 A CMC won't change specifications.
14 A DCA changes specifications. CMC is an instrument
15 used for engineering to revise a drawing, and
16 that's the basic function of it, CMC.

17 Q Whereas a design change authorization
18 actually revises the specifications?

19 A Yes. First, you have a specification.
20 From those specification procedures are written
21 that cover those specifications. And, of course, you
22 have drawings that the DCA -- the DCA is design
23 change authorization, they change the specifications
24 themselves and revise those.

25 Q Who initiates a DCA?

1 A Engineering.

2 Q Also engineering?

3 A Yes.

4 Q Is a DCA reviewed?

5 A Yes.

6 Q Who reviews it?

7 A The person initiates the DCA, being an
8 engineer, another person reviews the DCA and if
9 I recall correctly, then a third person
10 being generally the supervisor will also review
11 the DCA.

12 Q When you say a person reviews the DCA,
13 who is this person?

14 A Engineering.

15 Q Someone in engineering?

16 A Yes.

17 Q Other than who initiated it?

18 A Yes.

19 Q And what supervisor do you refer to when
20 you say a supervisor then reviews the CDA?

21 A It would be a supervisor over the
22 discipline that a particular DCA would be written.

23 Q Would this also be an engineer?

24 A Yes.

25 Q So this would be an engineer from
whence the DCA was initiated?

1 A Yes. For example, a DCA may be written
2 against piping. In that case, a piping engineer
3 would initiate the DCA. The DCA would be reviewed
4 and the piping engineering supervisor over those
5 particular personnel that had previously reviewed
6 this DCA, he would review it also.

7 Q I see. And I take it a DCA is a formal
8 document?

9 A Yes.

10 Q And a CMC or a DCA would have the effect,
11 would it not, of changing the drawing or blueprint?

12 A Yes.

13 Q And both are initiated by engineering --

14 A That is correct.

15 Q -- upon an evaluation?

16 A That's correct.

17 Q And both are formal documents. Can
18 someone other than an engineer initiate a CMC?

19 A Someone can request a CMC, but no one
20 can initiate a CMC other than engineering.

21

22

23

24

25

1 Q Could a quality control inspector
2 initiate a CMC?

3 A They could not initiate a CMC, no.

4 Q If a quality control inspector found
5 a condition which he believed to be nonconforming,
6 for example, a component were to be prepared that
7 didn't have the clear answers specified in the
8 drawing because of the interference, could he
9 ask that an engineering evaluation be made
10 and a CMC be issued?

11 A If the hanger hasn't been at that
12 time accepted by QC, again, this would be an
13 in-process type activity, and yes, a hanger
14 inspector could confer with engineering. If
15 engineering approved, yes, a CMC could be generated.

16 Q If the hanger had had final inspection
17 and had been accepted by the QC department, could
18 someone initiate a CMC at that point?

19 A There would be an NCR generated if
20 the hanger had been finally accepted. It would
21 be addressed on the NCR as to what outcome --

22 Q And engineering would make the disposition
23 in that case?

24 A Yes.

25 Q Could a crafts person initiate a
CMC or DCA?

1 A They could confer with engineering.

2 Q I should say, could they call for an
3 engineering evaluation to initiate?

4 A Yes, they could confer with engineering
5 and engineering could initiate the CMC.

6 Q I see. If a quality control inspector
7 found a condition such as we have just referred
8 to, that is, an interference that didn't permit the
9 clearance provided for in the drawing, and
10 the crafts person called for an engineering
11 evaluation and the CMC were issued, could the
12 quality control inspector on the basis of the CMC
13 then perform his inspection and if it were satisfactory,
14 provide a complete hanger package acceptance?

15 A Yes.

16 Q Mr. Bronson has testified earlier in
17 this proceeding by an unsigned affidavit that he
18 was aggrieved because hanger engineers would
19 come along and change the drawings if he refused
20 to, as he puts it, go along with, quote, what
21 they wanted to do, closed quote.

22 Do you understand what it is of which
23 he is complaining?

24 A No, I don't.

25 Q From that comment, can you determine

1 whether or not Mr. Bronson understands the procedure
2 for the CMC?

3 A From that comment, it sounds as if
4 Mr. Bronson does not understand the procedures.

5 Q Mr. Patton, earlier in your examination
6 you testified as to your qualifications. You
7 stated that you had been certified in visual weld
8 inspection, mechanical equipment, liquid penetrant
9 and magnetic particle. Were you also certified
10 in vacuum box test?

11 A No.

12 Q You stated that you had been certified
13 in level 2 in all of the ones which I just mentioned,
14 the NDE's and the visual. Were you also certified
15 recently in MIFI?

16 A I was in MIFI, yes.

17 MIFI is that a Brown & Root inspector
18 would allow him to hold for the inspection of items
19 such as pipe supports, would allow him to perform
20 inspection on the piping system such as hydrostatic
21 testing inspections. I don't have the procedure
22 in front of me what an MIFI inspector can do, but
23 basically that's what it is.

24 Q And were you certified in level 2?

25 A Yes.

1 Q MIFI?

2 A Yes.

3 Q Were you certified in level 3 MIFI?

4 A No.

5 Q Are you in any level 3 certification?

6 A I presently hold some level 3 with
7 Texas Utilities.

8 Q You do, sir? Could you tell us in what
9 tests you are certified in level 3?

10 A I'm currently a level 3 inspector with
11 Texas Utilities as a visual weld inspector, as an
12 ASMEVT 1, 2, 3, 4 visual inspector.

13 Q Did you say VE?

14 A Yes.

15 Q What's VE?

16 A ASME section 11 VT visual 1, 2, 3, and
17 4 inspector is an inspector that can perform
18 inspections on in-service type equipment that we
19 are going to have at Comanche Peak, or at any
20 particular location. I'm currently a level 3
21 inspector in mechanical discipline and machine shop
22 discipline.

23 I would like to add that in the mechanical
24 discipline and machine shop discipline is basically
25 the same type of inspections performed as far as
Brown & Root mechanical inspector or mechanical

1 equipment inspector, and an MIFI inspector.

2 Q How many level 3 certified -- strike that.
3 Did you have to take a test for any of these level
4 3 certifications?

5 A Yes. All certifications require
6 testing.

7 Q And did you pass this test?

8 A Yes.

9 Q Did you pass it on the first attempt?

10 A Yes.

11 Q In each of these certifications for
12 level 3?

13 A Yes.

14 I would like to add here that also according
15 to procedures at Comanche Peak, in all cases that
16 a level 3 does not have to take a 3 with demonstrated
17 ability and the necessary education and qualification
18 and background, but at Comanche Peak, as far as I'm
19 aware, any level 3 certifications were given
20 tests were given for those certifications, also.
21 Even though it was not procedurally required.

22 Q All right, sir. And, Mr. Patton, do you
23 know how many level 3 certified quality technicians
24 are currently employed by Texas Utilities?

25 A Level 3 has to be broken down in different

1 aspects. There is an NDE-type level 3 which
2 has to do with a different certification which is
3 different requirements and again, is a different
4 procedure. We currently have for Texas Utilities
5 two individuals that are certified in at least
6 some capacities of NDE.

7 Q At level 3?

8 A At level 3. The other aspects of level 3
9 is a quality control aspect, which Texas Utility
10 basically does not have NDE level 3's in quality
11 control. We have one of those persons I mentioned
12 is in NDE level 3, and he is in quality
13 control, but Texas Utilities program quality control
14 does not do NDE at Comanche Peak.

15 Q Now, how many all together does that make?

16 A There is two NDE level 3 inspectors.

17 Q Right.

18 A There are -- besides those two NDE
19 level 3 inspectors, two additional inspectors
20 that are level 3 which I am presently one of them,
21 and another individual is level 3, and the quality
22 control discipline.

23 Q So that's five?

24 A No, that's actually four.

25 Q Who's the repeat?

1 A My supervisor, Mr. John Maxwell, is in
2 quality control. He does have NDE level 3
3 certification.

4 Q So there are four?

5 A Yes.

6 Q Now, how many people are employed
7 all together in this quality control group for
8 TUGCO, Texas Utilities?

9 A There is approximately 25 personnel in
10 the quality control assurance at Texas Utilities.

11 Q So it's four out of 25?

12 A One of these persons again is not in
13 quality control. It's actually three out of 25.

14 Q Thank you.

15 Now, at Brown & Root, do you know how many
16 level 3 certified quality control inspectors they have?

17 A Two.

18 Q And how many quality control inspectors
19 do they have at Brown & Root?

20 A Approximately 120.

21 Q So if we combine the two numbers,
22 that's six out of 145.

23 A Yes.

24 Q Was Mr. Bronson certified at any time
25 at level 3 during his employment?

1 A No.

2 Q Mr. Patton, did you at any time hold a
3 position as supervisor of the weld inspection and
4 surveillance or what -- I may not have the
5 right title of that.

6 A I was a lead inspector at one particular
7 time over welder qualification and welder surveillance.

8 Q Now, what is the job welder inspection
9 and welder surveillance?

10 A Welder qualifications is the qualifying of
11 candidates to become welders at Comanche Peak, the
12 surveillance of those type of people in that
13 it entails an inspector or a couple of inspectors
14 to monitor these particular candidates as far as
15 the parameters being maintained, travel speed,
16 et cetera, amps, volts being adhered to.

17 It also entails in welding engineering
18 things that a candidate is certifiable, then
19 the quality control welder qualifications personnel
20 will do a visual examination on the particular weld
21 coupon that the welder may generate and agree or
22 disagree to the acceptability of the welder's
23 performance at that time.

24 Q So when you say a weld coupon, by the
25 way, that's the kind of welding test?

1 A Yes.

2 Q So to summarize, you were the lead
3 inspector of that quality control group that was in
4 charge of making certain that the people who
5 were trained in welding met the necessary parameters
6 and could work at Comanche Peak?

7 A That is correct.

8 Q Now, Mr. Patton, in an unsigned affidavit
9 submitted in this proceeding, Mr. Bronson says
10 that you were an unqualified inspector and states
11 that he was more qualified than you. Do you think
12 that that's a fair statement?

13 A I have been in construction all my life.
14 I graduated from Texas A&M University in 1975.
15 Out of those four years that I went there, two of
16 those years I made the role of distinguished
17 students.

18 I've been fulfilling job activities.
19 I'm currently a qualified weld inspector
20 certified by AWS.

21 Q That's the American Welding Society?

22 A Yes. I believe my background is more
23 than sufficient to become a quality control
24 inspector at Comanche Peak.

25 Q To your knowledge, did Mr. Bronson -- or
has Mr Bronson ever alleged that any others of his

1 superiors were unqualified superiors were unqualified
2 to judge him.

3 A I personally have not heard Mr. Bronson
4 say that any personnel at Comanche Peak were
5 unqualified.

6 Q In testimony supplied in this
7 proceeding, Mr. Bronson contends that a Richard
8 Smith, who was a quality control inspector, was
9 unqualified. Do you know who Mr. Richard Smith
10 is?

11 A Yes, I do.

12 Q Who is Mr. Richard Smith?

13 A Richard Smith came to work approximately
14 at the same time that Mr. Bronson did at Comanche
15 Peak. Mr. Smith, as I recall his application
16 stating, and his resume stating that he was --

17 MR. COCHRAN: Objection. This is hearsay.
18 Also violates the best evidence rule.

19 THE WITNESS: Mr. Smith had held the
20 position of a lead inspector at South Texas project,
21 which is constructed by Brown & Root -- was
22 constructed by Brown & Root at that time.

23 MR. COCHRAN: Before they were kicked
24 off the job.

25 THE WITNESS: Before they lost the contract

1 on the job.

2 BY MR. DAVIDSON:

3 Q Was Mr. Smith in that position, Mr.
4 Bronson's supervisor in South Texas?

5 A Mr. Smith told me that he was Mr.
6 Bronson's supervisor at South Texas, yes.

7 MR. COCHRAN: Objection. That's hearsay.

8 Q Did Mr. Bronson ever tell you that
9 Mr. Smith was unqualified?

10 A No.

11 Q In testimony in this proceeding, Mr.
12 Bronson has alleged that a Ted Neeley was unqualified.
13 Do you know who Ted Neeley is, sir?

14 A Yes, I do.

15 Q Who is Ted Neeley?

16 A Ted Neeley is an employee of Brown & Root
17 at this present time. He is a quality control
18 inspector or is at least certified to that.

19 I'm not exactly sure what his job title
20 or duties are at this time, but he is certified,
21 qualified to perform inspection at Comanche Peak.
22 Ted has quite a considerable background in
23 construction and other activities, and this is what
24 led him to the position of quality control inspector
25 at Comanche Peak.

1 Q Did Mr. Neeley ever work for you?

2 A Yes, he did.

3 Q Based on your experience with Mr. Neeley
4 as a subordinate, did you form an opinion as
5 to his competence in the job?

6 A Mr. Neeley always performed quite
7 satisfactorily.

8 Q Did Mr. Richard Smith at any time ever
9 work for you?

10 A Yes, he did.

11 Q As a quality control inspector?

12 A Yes, he did.

13 Q Based on your experience with Mr. Smith
14 as a subordinate, did you form an opinion as to
15 his ability to perform the job?

16 A Mr. Smith also performed quite satisfactorily.

17 Q And in the test in this proceeding,
18 Mr. Bronson has alleged that Jeff McComas was not
19 properly qualified for his job.

20 Do you know who Jeff McComas is?

21 A Yes, I do.

22 Q Who is Jeff McComas?

23 A Mr. McComas is a quality control
24 inspector at Comanche Peak who did work for me.
25 Mr. McComas did become certified. In all cases, he

1 did receive testing. He did pass those tests.

2 Mr. McComas passed all tests that he did
3 receive which in his certification consists of
4 basically three tests, a general, specific and
5 a practical. Again, he passed all of those
6 tests the first time.

7 Mr. McComas received on-the-job training
8 in all disciplines that he subsequently became
9 certified in and again, Mr. McComas has performed
10 quite satisfactorily as a quality control inspector
11 under my jurisdiction.

12 Q Mr. Patton, do you know how old Mr.
13 Bronson is?

14 A I would estimate Mr. Bronson being
15 approximately --

16 MR. COCHRAN: Objection. That's not
17 responsive to the question. The question was,
18 does he know.

19 THE WITNESS: No, I don't.

20 BY MR. DAVIDSON:

21 Q How old do you believe him to be?

22 A I believe Mr. Bronson to be approximately
23 50 years old.

24 Q How old are you, Mr. Patton?

25 A I'm 31.

1 Q How old is Ted Neeley?

2 A I don't know right offhand.

3 Q What age do you believe him to be
4 approximately?

5 A He is approximately 35, 36.

6 Q Do you know how old Richard Smith is?

7 A Mr. Smith is approximately 42.

8 Q Do you know how old Jeff McComas is?

9 A Jeff McComas is approximately 30 years old.

10 Q Thank you.

11 Mr. Patton, are there any procedures at
12 Comanche Peak requiring or prohibiting the grinding
13 of weldments?

14 A There are not.

15 Q In prior testimony submitted in this
16 proceeding, Mr. Bronson asserts that on his inspections
17 he found excessive grinding of welds and complains
18 that he does not understand why craft grinds
19 the toe of weldments 360 degrees.

20 Is there any procedure prohibiting the
21 condition that he observed?

22 A There is not any procedure that prohibits
23 this. The craftsmen, as a general rule, always
24 ground their welds, ground out the ripples on the
25 basis to strive for better work, better quality of

1 work, cosmetic appearance.

2 It actually was done in the process of
3 making it simpler for the inspector to perform an
4 inspection. It took out any type of controversy
5 whereas an inspector may say that coarse ripples --
6 there are coarse ripples in the weld, and it was
7 basically done as an act to beautify the weld,
8 cosmetic appearance, but there were no procedures
9 that don't prohibit this.

10 Q Mr. Patton, during the period of time
11 that Mr. Bronson worked for, that is, was assigned
12 to your crew in your discipline, was his -- would
13 you describe his record of absenteeism for us.

14 A Mr. Bronson --

15 MR. COCHRAN: Objection. This has no
16 relevance whatever under the guidelines which
17 counsel himself elaborated upon.

18 MR. DAVIDSON: On the contrary. Mr.
19 Bronson has asserted that he was singled out for
20 harassment and intimidation because he was forced
21 to work under people who were unqualified and
22 that he was otherwise disturbed by the failure
23 of craft to listen to his dictates and that he
24 was intimidated because craft complained about him
25 to his supervisors and finally that he claims that

1 he left the job because he was disgusted, rather
2 than the fact which is that his absenteeism
3 was so gross -- he missed 137 hours in a four
4 and a half month period -- that he was about to be
5 terminated when he quit.

6 MR. COCHRAN: I object to the speech
7 by counsel.

8 MR. DAVIDSON: That speech, sir, is
9 obviously a proffer by me to show you this is a
10 relevant line of questioning because obviously
11 it is plain that if in fact Mr. Bronson was,
12 as I think the testimony will show, an incompetent
13 individual who could not withstand the fact that
14 he was being supervised by younger men, and who in
15 fact could not hold this job, that it will be clear
16 to this tribunal that his claims and assertions
17 not only have no merit, but are obviously animated
18 by a very serious problem he has reconciling his
19 job performance with the results.

20 I think that it's plainly relevant, and
21 I think that on the basis of that statement, on
22 that proffer, that I would like to ask Mr. Patton,
23 based on his experience, is Mr. Bronson's --

24 MR. COCHRAN: I object.
25

1 BY MR. DAVIDSON:

2 Q As Mr. Bronson's supervisor, whether he
3 had a good attendance record --

4 A Mr. Bronson missed more time than the
5 average inspector missed.

6 Q -- did he in fact miss more time than
7 any of the other inspectors under your
8 supervision during that period?

9 A I'm not sure.

10 Q Mr. Patton, at any time during the
11 period when Mr. Bronson was in your employ, were
12 you made aware of any complaint or disagreement
13 on his part with respect to procedures concerning
14 inspection of Hilte bolts?

15 A Yes. I can recall Mr. Bronson on
16 a conversation I heard that the particular procedure --
17 and I don't recall the number -- that required a
18 Hilte bolt inspection, that he obviously
19 didn't understand by his rapport of the way he
20 understood the procedure, of what the procedure
21 said.

22 The procedure stated something like a
23 Hilte bolt of a certain designation of length would
24 have on the top of that bolt a particular letter
25 designation that exactly said that, what that
particular length was.

1 Q Let me see if I can understand it.

2 Perhaps you can maybe walk me through
3 the procedure. Who normally inspects Hilte bolts,
4 the installation of Hilte bolts?

5 A At Comanche Peak, at this particular time,
6 we had personnel assigned to do Hilte bolt inspection.
7 They were in turn called Hilte bolt inspectors.

8 Q Now, can you describe the job of a
9 Hilte bolt inspector.

10 A The job of Hilte bolt inspector basically
11 required the inspection of Hilte bolts upon the
12 installation of Hilte bolts and if an NF support
13 did have Hilte bolts, the Hilte bolt would be inspected
14 by the Hilte bolt inspector.

15 The Hilte bolt inspector would look
16 at the Hilte bolt, would measure the physical
17 outside diameter of the Hilte bolt. If what
18 was called for on the drawing was the same as
19 listed on the material identification log, the
20 Hilte bolt inspector would also look at the letter
21 designation on the Hilte bolt, and if that letter
22 designation corresponded with a particular length
23 of Hilte bolt, and that length was correct as
24 per noted on the drawing were correct as material
25 being used on the material identification log, the

1 inspector would then sign and date for Hilte bolt
2 installation for the material being installed.

3 Q Now, what would he sign?

4 A He would sign the material identification
5 log.

6 Q That's the MIL?

7 A Yes.

8 Q And that would indicate that he had
9 seen -- had measured the Hilte bolt or that he had
10 seen it in place, and compared the letters to the
11 drawing requirements.

12 A He would measure the outside diameter
13 of the bolt.

14 Q But not the length?

15 A But not the length. The bolt would be
16 installed at that time. These particular Hilte
17 bolts, as in all safety-related materials at
18 Comanche Peak, go through a vendor surveillance,
19 and they go through a reset inspection to adequately
20 verify --

21 MR. COCHRAN: Objection. This is non-
22 responsive.

23 THE WITNESS: -- what was received.

24 BY MR. DAVIDSON:

25 Q I think, Mr. Patton, you're giving us

1 a little more about Hilte bolts than I have asked
2 for, although at some point maybe I will be
3 interested in this.

4 I guess what I was trying to find out is
5 exactly what the inspector does.

6 A That's sort of what they do. I'm not
7 finished either on the installation.

8 Q That's great. Could you let me walk
9 you through the steps? Only because I'm having a
10 little trouble understanding, and I want to make
11 sure we all understand the job of the Hilte bolt
12 inspector and how this relates to the complaint
13 Mr. Bronson has alleged.

14 Now, as I understand, the installation
15 of Hilte bolts are, generally speaking, assigned to
16 review or quality control to a Hilte bolt inspector;
17 is that correct?

18 A That's correct.

19 Q Now, when the Hilte bolt inspector
20 comes to a site for an inspection, is it your
21 testimony that the bolt is already installed?

22 A Yes.

23 Q Is it already installed and the nut placed
24 on it and all torqued up?

25 A It will be installed. The nut will be

1 on it. It will not be torqued at that time.
2 That's another duty of the Hilte bolt inspector
3 when they're called upon to make an inspection; they
4 also witness the torquing of these Hilte bolts.

5 Q When you say "torquing," what do you mean?

6 A The physical torque being applied to the
7 Hilte bolt -- to the nut on the Hilte bolt bringing
8 a base plate or a hanger component to the prescribed
9 torque as defined in the procedure that contains
10 a torque value of Hilte bolts.

11 Q And how does the inspector signify
12 that he has witnessed torquing? Does he file a
13 report on that?

14 A There is a sign-off on the particular
15 inspection report that they fill out, they being
16 the Hilte bolt inspector, that signifies that
17 torquing has been accomplished.

18 Q Is this part of the package that we talked
19 about earlier?

20 A It will subsequently be a part of the
21 package at a later date. At this time, the Hilte
22 bolt inspection reports are turned in separately and
23 are sent to the documentation personnel records vault
24 for retention.

25 Q What do they call that report, if you know?

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A I don't recall exactly. Hilte bolt
inspection report, something to that effect.

EXHIBIT A
MILITARY RECORDS

Terri arl

1 Q Is it ever called a torque report?

2 A I don't recall the exact words that is used
3 on it.

4 Q Does the inspector do anything else to the bolt to
5 indicate that he has witnessed its torquing?

6 A The procedure requires a torque seal, which
7 is a circular type sealng, be applied to the threads
8 of the Hilte bolt at the nut region, that is in order
9 that if the torque on the Hilte bolt is removed, that the
10 torque seal will be broken. If the torque seal is not
11 broken, therefore, the torque hasn't been tampered with
12 and will be the same as when it was first prescribed
13 and put in.

14 Q Now, in addition to witnessing the torque,
15 you mentioned that the Hilte bolt inspector has the
16 job of verifying material.

17 A Yes.

18 Q And I assume that that means verifying that
19 it is the proper Hilte bolt that has been installed?

20 A The Hilte bolt inspectors verify the Hilte bolt
21 material.

22 Q How does he verify that material? What does
23 he look at to determine what is first required?

24 A The first thing he will look at will be the
25 drawing, what is required on the drawing.

1 Q What will the drawing say?

2 A As an example, the building materials may call
3 for a Hilte bolt to be a half inch by 12 inch Hilte bolt
4 and at that particular time the inspector will also look
5 at the material log to verify that the material shown in
6 the log is the same material that the drawing requires.
7 This is material that should be issued.

8 Q Now, he could measure the diameter of the
9 bolt even though it's installed to determine that it's
10 the correct diameter?

11 A That's correct.

12 Q Would he remove the bolt after it's been
13 torqued to verify the length of the bolts that's been used?

14 A The letter designation on the end of the bolt
15 tells the length. It shouldn't be removed after
16 installation.

17 Q How does he know what length that letter
18 indicates?

19 A Hilte bolt procedure also designates all
20 letter designations in length of bolts in the procedure.

21 Q How does the Hilte bolt inspector know that
22 that's the proper letter on that bolt?

23 A They have a copy of the procedure to verify
24 this installation.

25 Q Does anyone verify at an earlier stage that the

1 length of the bolt and the letter assigned to it correspond?

2 A There's a surveillance that is required by the
3 procedure to be performed that at installation there will
4 be an inspection of this type made, yes, but this is
5 only done on a surveillance basis and it is not performed
6 on every bolt installed.

7 Q Is this called vendor surveillance?

8 A No, sir. This is a surveillance that the
9 procedures prescribe here. A vendor surveillance is
10 also performed on vendor-supplied material by any certified
11 vendor at Comanche Peak in which case a vendor personnel,
12 an auditor type personnel, will do exactly that. They
13 will survey for proper materials. There is a receipt
14 check performed at Comanche Peak where they confirm or
15 verify the materials order or in fact the type of
16 materials that are received also.

17 Q Now you said you became aware that Mr. Bronson
18 complained about Hilte bolt inspections.

19 A Yes.

20 Q What was his complaint?

21 A Mr. Bronson was advocating that he couldn't
22 tell what Hilte bolt was installed.

23 Q You mean the length?

24 A That's what he was saying.

25 I personally asked him if this Hilte bolt that

1 he was talking about had a letter designation on the end of
2 the bolt. He said it did. And at that time I instructed
3 him that it met the requirements and should be no problem
4 as to acceptability of the hanger.

5 Q And what did he contend? In other words,
6 what did he say in answer to your statement that all you
7 have to do is look at the letter and compare it to the
8 drawing?

9 A He didn't. It was obvious he didn't
10 understand exactly where I was coming from because he
11 continued to pursue the fact that he couldn't measure
12 the bolt, it was installed.

13 Q What did he want to do?

14 A I can't answer that. I don't know.

15 Q Did he suggest removing the bolt so he could
16 measure it?

17 MR. COCHRAN: Objection. The witness has
18 already said he didn't know.

19 BY MR. DAVIDSON:

20 Q Do you recollect that he might have said that?

21 A I don't recollect that he said that, no.

22 Q But you do recollect that he didn't understand
23 the procedure?

24 A He didn't understand the procedure. It was
25 obvious with conversation.

1 Q Mr. Patton, during the time that Mr. Bronson
2 was in your employee and you had an opportunity to
3 observe his performance and his work habits, as well as
4 attendance record, did you also observe his ability to
5 get along with the other quality control inspectors
6 under your supervision?

7 A Yes. Mr. Bronson seemed to be a loner type
8 person that didn't associate with any of the other
9 inspectors that was in the same office as he was.

10 Q To your knowledge, did he have any friends in
11 the work force?

12 A Not to my knowledge.

13 Q Would it be fair to say that he was in fact
14 unpopular?

15 MR. COCHRAN: Objection. That's leading.

16 MR. DAVIDSON: All right.

17 BY MR. DAVIDSON:

18 Q Mr. Patton, was he a popular individual?

19 MR. COCHRAN: Objection. That calls for
20 conclusions and speculation on the part of the witness.

21 BY MR. DAVIDSON:

22 Q Based on your observations of Mr. Bronson
23 and his interactions with the work force, both craft and
24 inspection, was he a popular individual?

25 A Mr. Bronson wasn't a popular individual.

1 Q Mr. Patton, did you ever see Mr. Bronson's
2 resume or his application for employment which listed
3 his qualifications?

4 A Yes, I did.

5 Q Mr. Patton, did Mr. Bronson at any time
6 during the time he was assigned to you in your work force
7 perform up to the level of those qualifications?

8 A It appeared that Mr. Bronson was not
9 performing to what his resume and application showed the
10 levels that he had obtained and performed at.

11 Q Mr. Patton, based on your observations of Mr.
12 Patton's work habits, would you say that he was easily
13 distracted?

14 A Yes. Mr. Bronson -- I have personally
15 seen him at locations that was outside his scope of hanger
16 inspection which he was performing at, and I --

17 Q You mean he wasn't on the site where he was
18 supposedly performing inspections at that time?

19 A He wasn't at the work location where the
20 inspections were at, this is correct.

21 Q Did he -- based on your observations of his
22 work habits and his performance, did you form any
23 impression as to his powers of concentration?

24 MR. COCHRAN: Objection. That calls for
25 speculation.

1 MR. DAVIDSON: No, sir. That calls for an
2 observation made by a supervisor.

3 You will answer the question, sir. Your
4 objection is noted.

5 THE WITNESS: Mr. Bronson appeared to me to be a
6 loafer.

7 BY MR. DAVIDSON:

8 Q Mr. Patton, I'm not sure that was my question,
9 but I will certainly accept your answer.

10 MR. COCHRAN: We are going to lodge the
11 objection that it's a nonresponsive answer.

12 BY MR. DAVIDSON:

13 Q Mr. Patton, during the time that Mr. Bronson
14 was assigned to your work crew, did you observe any incident
15 in which it could fairly be said that Mr. Bronson was
16 harrassed or --

17 A I don't know of any incident in which Mr. Bronson
18 was harassed.

19 Q Do you know of any incident or did you
20 personally witness any incident in which you believe
21 that a threat was made against Mr. Bronson of any
22 character?

23 A No.

24 Q In the conversations that you had with Mr.
25 Bronson counseling him about his inadequacies in the

1 performance and failure to comply with procedures, did
2 you ever threaten his employment?

3 A No.

4 Q Did you ever tell him that his failure to
5 correct these things would lead to his being terminated?

6 A No.

7 Q Did you ask him to study the procedures and
8 to learn them?

9 A Yes. I personally asked him to read the
10 procedures, study the procedures and adhere to all
11 procedure requirements.

12 Q Did you ever order Mr. Bronson at any time to
13 report what he believed to be a nonconforming condition?

14 A No.

15 Q Did you ever suggest to him by word, deed
16 or manner that he was at any time to refrain from filing
17 an unsatisfactory IR, that is an unsatisfactory
18 inspection report, or an NCR, nonconformance report?

19 A No.

20 Q Did he ever, during the time that he worked
21 for you, attempt to file an NCR or an unsatisfactory
22 inspection report and you forced him to withdraw it?

23 A No.

24 Q Did you ask him to ever withdraw any such
25 report?

1 A No.

2 Q Mr. Patton, do you know the circumstances
3 under which Mr. Bronson's employment was terminated at
4 Comanche Peak?

5 A I feel that I do. Mr. Bronson's --

6 MR. COCHRAN: Objection, unless you are
7 testifying from personal knowledge, since he wasn't
8 under your supervision at the time.

9 THE WITNESS: I don't know firsthand, no,
10 I don't.

11 MR. DAVIDSON: Then your objection is correct.
12 I think it is a little premature because he said he did
13 know.

14 BY MR. DAVIDSON:

15 Q But if you don't have personal knowledge --

16 A I don't have personal knowledge since he didn't
17 work with me. I have personal knowledge as conferring
18 with some of the personnel he was associated with at that
19 time.

20 MR. COCHRAN: You know what other people told
21 you is what you are saying?

22 MR. DAVIDSON: I'm afraid Mr. Cochran's
23 objections as to hearsay is going to have to stand. However,
24 Mr. Patton, what you are saying is you had conversations
25 in which the circumstances of the termination of the

1 employment of Mr. Bronson were discussed?

2 THE WITNESS: Yes.

3 MR. COCHRAN: Objection. That is leading.

4 BY MR. DAVIDSON:

5 Q Let me rephrase that for Mr. Cochran.

6 Did you have any discussion relatively
7 contemporaneously -- that means at about the same time --
8 as the termination of Mr. Bronson's employment about the
9 circumstances of that termination with anyone?

10 A Yes, I did.

11 Q Could you please tell us with whom you spoke?

12 A I spoke with Denny Leigh. He was the documenta-
13 tion supervisor at that particular time over at quality
14 control. Mr. Bronson, as I understand it --

15 MR. COCHRAN: Objection to any further
16 response as nonresponsive and it calls for hearsay.

17 THE WITNESS: Mr. Bronson, as I understand
18 it, was working for Mr. Leigh.

19 BY MR. DAVIDSON:

20 Q Did you know for a fact that he was
21 assigned to Mr. Leigh at the time of the termination
22 of his employment?

23 A Yes.

24 Q Now before you tell us the substance of that
25 conversation, would you just answer the rest of the

1 question about whom the people were with whom you spoke
2 about the circumstances of Mr. Bronson's termination?

3 A Denny Leigh was the most recent person.

4 Q Is there anybody else?

5 A Prior to that was Mr. Dwight Woodyard.

6 Q Who was Mr. Woodyard?

7 A Mr. Woodyard was qualify control superintendent
8 over completions at Comanche Peak.

9 Q Was this the same Dwight Woodyard who you earlier
10 testified was in charge of the unit at -- or, excuse me, the
11 work crew or discipline at Unit 1?

12 A Yes.

13 Q -- to whom you transferred Mr. Bronson?

14 A That's correct.

15 Q And let me get the sequence right. Was
16 Mr. Bronson, to your knowledge, transferred from Mr.
17 Woodyard's units to Mr. Leigh?

18 A Yes.

19 Q What did you say Mr. Leigh's responsibilities
20 were?

21 A Mr. Leigh's responsibilities was a documentation
22 review supervisor over quality control personnel that
23 performed documentation review on any type of safety-
24 related documentation.

25 Q Mr. Patton, if you were to rate each of the

1 quality control inspectors under your supervision during
2 the four-month period that Mr. Bronson was among them,
3 where among all of those inspectors would Mr. Bronson
4 rate?

5 MR. COCHRAN: I'm going to put an objection
6 on the record to that question. That calls for speculation
7 on the part of the witness. If there in fact was such
8 a rating at the time, let it be produced, but at this
9 time it is purely speculative.

10 MR. DAVIDSON: I think he's objecting to
11 logistics, but I don't think he listened to the question
12 because no speculation was called for.

13 Would you read the question back to Mr.
14 Cochran?

15 (The reporter read the record as requested.)

16 MR. COCHRAN: Not only does it call for
17 speculation, it is purely a hypothetical because I said if
18 there was in fact such a rating then let it be produced.

19 MR. DAVIDSON: Mr. Cochran, I realize
20 none of this testimony is particularly helpful to your
21 cause, but what has been asked for is the opinion of
22 the supervisor of one of the employees whose
23 responsibility it was for him to supervise. That is the
24 kind of opinion that is a part of his job. It is not
25 speculation in the slightest. It is merely evaluation

1 based upon his experience and the facts of Mr. Bronson's
2 employment. It is in fact the job he is required to
3 undertake in weighting for evaluation both for
4 continued employment and also for promotion and raises.
5 It is neither speculation nor hearsay nor any other kind
6 of objectionable testimony and indeed I suppose you have
7 elicited that testimony in many of the cases you have had
8 where you asked about people's employment. I'm
9 absolutely chagrined to your objection.

10 MR. COCHRAN: I object further to his speech.
11 He is cluttering up the record.

12 BY MR. DAVIDSON:

13 Q To eliminate some of the clutter, I will just
14 ask Mr. Patton if based upon his experience with Mr.
15 Bronson and his observations of his work habits, to tell
16 us whether his performance was satisfactory.

17 A His performance was not satisfactory.

18 Q I would ask, Mr. Patton, during that period
19 of time how many quality control inspectors did you
20 supervise?

21 A At this particular time I had approximately
22 50 inspectors working under my supervision.

23 Q How many of these, sir, were unsatisfactory
24 in performance during that period of time?

25 A Only Mr. Bronson.

1 Q Mr. Patton, among the quality control --
2 excuse me. Strike that.

3 Mr. Patton, did you ever supervise a
4 quality control inspector by the name of Larry Wilkerson?

5 A Yes.

6 Q How long have you known Larry Wilkerson?

7 A I've known Larry approximately eight years.

8 Q Do you feel you know him well?

9 A Yes.

10 Q When you first met Mr. Wilkerson or first
11 came to know him, were you then his supervisor?

12 A No.

13 Q What was your relationship with him?

14 A Larry and myself worked together as inspectors
15 at Comanche Peak.

16 Q What discipline were you then inspecting?

17 A It was a mechanical QC discipline. At that
18 particular point in time, I think job responsibilities
19 and duties that I had was the inspection of miscellaneous
20 structural steel inspections, NF component supports,
21 hanger fabrication and piping and weldments at that time,
22 I believe.

23 Q Fair enough.

24 How long did you continue to work with Mr.
25 Wilkerson?

1 A I worked basically with Mr. Wilkerson until
2 my termination with Brown & Root.

3 Q So, in other words, all the way up until the
4 time you took -- let me change that.

5 When did you terminate your association with
6 Brown & Root and begin your association with TUGCO,
7 that is Texas Utilities?

8 A I terminated with Brown & Root in March of
9 1974.

10 Q So you have worked with Larry Wilkerson for
11 all of the last eight years either in the capacity
12 of colleague or as supervisor?

13 A From time to time Larry didn't work for me,
14 and we might not have worked together, but of and on
15 the past eight years, yes, we have worked continuously
16 together.

17 Q During that time did you have an opportunity
18 to observe Mr. Wilkerson's work habits?

19 A Yes.

20 C Do you consider him to be a competent quality
21 control inspector?

22 MR. COCHRAN: Objection. That's certainly not
23 relevant. And furthermore, it's an improper attempt
24 to boost the credibility of another witness.

25 MR. DAVIDSON: You may answer the question.

1 THE WITNESS: Mr. Wilkerson has a satisfactory
2 above average record in my opinion as a quality control
3 inspector.

4 BY MR. DAVIDSON:

5 Q Let me ask you this. When you were his
6 supervisor, is that how you rated him?

7 A Yes, I did.

8 Q Did you recommend him for promotion?

9 A Yes.

10 Q Did you recommend him for salary increases?

11 A Yes.

12 Q Mr. Patton, when did you become Larry
13 Wilkerson's supervisor?

14 A Approximately March 1979. I became the lead
15 inspector at that time, and as I recall, Mr. Wilkerson
16 was in the same group that I was the supervisor over.
17 It was some time in '79, probably March '79 would be
18 inaccurate. It was more like the last of '79, the fall
19 of '79 some time.

20 Q And you remained the supervisor from March
21 '79 until -- what was it, March '84?

22 A Not totally. Off and on Larry worked for me
23 and at other times he worked for someone else. It was --

24 Q Who else?

25 A I can recall at least one point in time Larry

1 terminated from Brown & Root and went to work elsewhere.
2 He returned shortly thereafter and again was placed on a
3 quality control discipline.

4 Q Under your supervision?

5 A From time to time he was placed under my
6 supervision. I don't recall if he was placed immediately --
7 yes, I do. He was placed immediately when he returned
8 under me. The particular instance I'm thinking of,
9 the quality assurance manager did rehire Mr. Wilkerson
10 and did place him into the same position that he had
11 when he terminated a short time earlier.

12 Q Do you know where he went when he
13 terminated?

14 A I think -- yes, I do.

15 MR. COCHRAN: Objection. That calls
16 for hearsay.

17 THE WITNESS: I do know where he went.

18 MR. COCHRAN: Did he tell you, is that
19 how you know?

20 MR. DAVIDSON: I'm sorry. Did you ask
21 for voir dire, Mr. Cochran?

22 MR. COCHRAN: He's getting ready to relate
23 what somebody told him. That's the only way --

24 MR. DAVIDSON: I don't think that's obvious.

25 MR. COCHRAN: I'm -- yes, I will ask for

1 voir dire at this time.

2 A Mr. Wilkerson went --

3 MR. COCHRAN: Just a minute. I'm
4 entitled now, having asked that magic question,
5 to ask you some questions out of order.

6 Who told you where Mr. Wilkerson
7 worked?

8 THE WITNESS: Mr. Wilkerson.

9 MR. COCHRAN: Is that the only source
10 of your knowledge as to where he went?

11 THE WITNESS: Yes.

12 MR. COCHRAN: Okay. We renew our objection
13 that that is hearsay.

14 MR. DAVIDSON: Fair enough.

15 BY MR. DAVIDSON:

16 Q Mr. Patton, when you stated earlier that
17 Mr. Wilkerson worked for someone else other than
18 you, were you referring to this period of time when
19 he left Brown & Root?

20 A Yes.

21 Q Thank you.

22 Now, Mr. Patton, to your knowledge, did
23 Mr. Wilkerson at any time while he was employed by
24 Brown & Root and under your supervision refuse
25 to do his job?

1 A No.

2 Q To your knowledge, Mr. Patton, did
3 he ever refuse to undertake an inspection?

4 A No.

5 Q If Mr. Wilkerson had refused to
6 undertake an inspection, Mr. Patton, what would
7 you have done?

8 A He would have been terminated on refusal
9 to perform assigned job duties.

10 Q Do you have the authority to terminate
11 employees?

12 A Yes. I had at that time, yes. Since
13 I presently work for Texas Utilities, I don't have
14 that authority at this time.

15 Q If Mr. Wilkerson had a good reason for
16 refusing to perform this inspection, would you have
17 terminated him?

18 A No.

19 Q But the situation never came up because
20 he never refused to undertake an inspection?

21 A That's correct.

22 Q To your knowledge as a supervisor, did
23 he always perform inspections?

24 A Yes.

25 Q Did you review his hanger packages,

1 Mr. Patton?

2 A Yes.

3 Q Was his documentation correct or adequate?

4 A Satisfactory.

5 Q Did he ever make any mistakes or
6 inaccuracies on his documentation?

7 A Yes.

8 Q What did you do when that occurred?

9 A When an inspector would make a particular
10 mistake with a hanger package, it was handed back
11 to the inspector to see if indeed he had made a
12 mistake and if he had made a mistake, then the
13 inspector would correct the mistake and return the
14 package.

15 Q Mr. Patton, did you ever order Mr.
16 Wilkerson not to file an NCR?

17 A No.

18 Q Did you ever suggest to him that he
19 should not do so?

20 A No.

21 Q Did you ever suggest to him that he should
22 not file an unsatisfactory IR?

23 A No.

24 Q Did you ever suggest to him that he
25 should change his view or mind with respect to any

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unsatisfactory IR or NCR?

A No.

Q During the time that Mr. Wilkerson was your employeed, did he perform in satifactory fashion?

A Yes.

MR. DAVIDSON: Mr. Cochran, if you will just give me one moment, I'll review my notes, and see if I have any further questions for Mr. Patton.

(Short recess.)

1 MR. DAVIDSON: We're back on the record, Terri.
2 BY MR. DAVIDSON:

3 Q Mr. Patton, during the time that you were a
4 Brown & Root superintendent for quality control and,
5 likewise, during the time that Mr. Bronson was among
6 the inspectors assigned to your crew and discipline,
7 were you also the supervisor for Mr. Richard Smith?

8 A Yes.

9 Q And did you have an opportunity as Mr. Smith's
10 supervisor to observe his work habits and his
11 performance?

12 A Yes.

13 Q Was his performance satisfactory?

14 A Yes.

15 Q How did you rate Mr. Smith's performance?

16 A I would rate Mr. Smith's performance as
17 being above average.

18 Q Did Mr. Smith know the procedures?

19 A Yes, he did.

20 Q Was his documentation generally accurate or
21 adequate?

22 A Yes.

23 Q Did Mr. Smith ever refuse to make inspections?

24 A No.

25 Q To your knowledge, did he ever refuse to

1 perform his job as a quality control inspector?

2 A No.

3 Q What would you have doen if Mr. Smith had
4 refused to perform quality control inspections assigned
5 to him?

6 A Mr. Smith, as anyone, would be terminated if
7 they refused to perform inspections on not performing
8 specified or specific job functions.

9 Q Did you ever instruct Mr. Smith not to file
10 an NCR?

11 A No.

12 Q Did you ever instruct Mr. Smith to not prepare
13 an unsat IR?

14 A No.

15 Q Did you ever ask Mr. Smith to withdraw an
16 NCR?

17 A No.

18 Q Did you ever ask him to withdraw an unsat
19 IR?

20 A No.

21 Q Did you ever witness an incident in which
22 Mr. Smith was harrassed by anyone --

23 A No.

24 Q -- in the performance of his work?

25 A No.

1 Q During the time that Mr. Bronson was among
2 the inspectors under your supervision, Mr. Patton,
3 was Ted Neeley also under your supervision?

4 A Yes.

5 Q Based on your observation of Mr. Neeley's
6 work habits and his job performance, was he satisfactory?

7 A Yes.

8 Q Was his documentation normally accurate?

9 A Yes.

10 Q Did Mr. Neeley ever refuse to perform
11 inspections?

12 A No.

13 Q Did he ever refuse to perform his duties and
14 responsibilities as quality control inspector?

15 A No.

16 Q If he had refused to perform the inspections
17 or perform his responsibilities as quality control
18 inspector, what would you have done?

19 A Mr. Neeley would have been terminated if he
20 refused to perform inspections on the basis he would
21 not perform assigned duties.

22 Q Did you ever direct Mr. Neeley not to file
23 an NCR?

24 A No.

25 Q Did you ever direct Mr. Neeley not to prepare

1 an unsat IR?

2 A No.

3 Q Did you ever ask Mr. Neeley to withdraw an
4 NCR?

5 A No.

6 Q Did you ever ask Mr. Neeley or suggest to
7 Mr. Neeley he should not write up an unsat IR?

8 A No.

9 Q During the time that -- did you ever witness
10 Mr. Neeley being -- an incident in which Mr. Neeley was
11 harassed by anyone --

12 A No.

13 Q Excuse me. -- in respect to his performance
14 of his duties and responsibilities as a quality control
15 inspector?

16 A No.

17 Q During the time that Mr. Bronson was in your
18 employ or I should say you supervised Mr. Bronson, was
19 Jeff McComas also in your quality control group?

20 A Yes.

21 Q Based upon your observation of his work habits
22 and performance, would you say that Mr. McComas performed
23 satisfactorily?

24 A Yes.

25 Q To your knowledge, did Mr. McComas ever refuse

1 to perform an inspection?

2 A No.

3 Q To your knowledge, did Mr. McComas ever fail
4 to perform his responsibilities as a quality control
5 inspector?

6 A No.

7 Q Had he refused to perform inspections or his
8 duties as a quality control inspector, what would you
9 have done?

10 A If Mr. McComas refused to perform inspections
11 or duties as a QC inspector, he would have been
12 terminated on the basis of not following, as I described
13 earlier, the aforementioned.

14 Q Did you ever witness an incident in which
15 Mr. McComas was harassed in connection -- or in
16 performance of his duties --

17 A No.

18 Q -- as a quality control inspector?

19 A No.

20 Q Mr. Patton, was the reason you inspect --
21 Strike that. Mr. Patton, had Mr. Bronson continued in
22 your employ and not been transferred to Mr. Woodyard's
23 group and his performance continued to be unsatisfactory,
24 what would you have done?

25 A First thing that was done in situations of

1 unsatisfactory employments is an employee is counselled
2 verbally. The next step is a written counselling and
3 guidance report, and then the step following that is
4 action is not taken to prevent reoccurrence or take
5 care of the problem, an employee would be terminated.

6 Q Thank you.

7 If Mr. Bronson had continued to submit
8 inaccurate documentation and had continued to demon-
9 strate his lack of understanding of the procedures as
10 he had for four months during your supervision and
11 continued in your employ, continued in that manner,
12 would you have terminated him?

13 A Yes.

14 MR. DAVIDSON: I believe that concludes my
15 questions.

16 Mr. Voegeli, did you wish to pose any questions
17 to the witness?

18 MR. VOEGELI: No. I have no questions.

19 MR. COCHRAN: Let me ask just two or three
20 follow-up questions, Mr. Patton.

21 EXAMINATION

22 BY MR. COCHRAN:

23 Q From listening to the questions which your
24 attorney as asked of you, do I understand that Mr.
25 Bronson was not the only inspector who had mistakes in

1 his hanger package documentation?

2 A That's correct.

3 Q The fact is, as I listened to your responses,
4 it appeared to me that just about every inspector under
5 your supervision had mistakes from time to time in
6 his hanger documentation?

7 MR. DAVIDSON: I object to the question as
8 leading.

9 A I don't think I said that either.

10 BY MR. COCHRAN:

11 Q Well, what are the facts? Did most of the
12 inspectors from time to time have mistakes in their
13 documentation?

14 A Everyone makes mistakes from time to time, yes

15 Q So is your answer yes?

16 A Sometimes --

17 Q Is your answer yes?

18 MR. DAVIDSON: I believe you interrupted the
19 witness.

20 MR. COCHRAN: I'm entitled to have my question
21 answered first.

22 BY MR. COCHRAN:

23 Q Is your answer yes to my question?

24 MR. DAVIDSON: No, sir. You don't have to
25 interrupt the witness. If you don't like his answers,

1 then --

2 MR. COCHRAN: He has to answer it first.

3 MR. DAVIDSON: In that case we will ask the
4 reporter to read it back and then --

5 MR. COCHRAN: All right. Get to the point
6 where I asked, "Is that right?".

7 MR. DAVIDSON: No; the question.

8 MR. COCHRAN: That's the question.

9 MR. DAVIDSON: The question is not that. That
10 was your interruption, sir.

11 MR. COCHRAN: No, it wasn't. That was my
12 question I was trying to get answered.

13 (Record read by the reporter as requested.)

14 MR. COCHRAN: I want an answer to that
15 question, "Is your answer yes?"

16 MR. DAVIDSON: Mr. Cochran, I think your
17 behavior at this point is ludicrous. Let the man hear
18 the question.

19 MR. COCHRAN: That was the question.

20 MR. DAVIDSON: I instruct the witness not to
21 answer it, and I ask that you pose a question he can
22 answer.

23 BY MR. COCHRAN:

24 Q All right. Let me ask you some questions about
25 this butt weld versus flare bevel weld. If welding

1 engineering had specified that a butt weld be used,
2 would it then be improper to use a flare bevel weld?

3 A Welding engineering does not specify butt
4 welds to be used or if flare bevel weld is to be used.
5 The drawing depicts -- it tells you what weld is to be
6 used. That comes from not welding engineering, but
7 engineering itself.

8 Q Let me rephrase my question, then. If the
9 welding drawing itself specifies a butt weld, then would
10 it be improper to have actually installed a flare bevel
11 weld?

12 A Yes.

13 Q And if a quality control inspector observes
14 any flare bevel weld being installed where the drawing
15 calls for a butt weld, what would his responsibility
16 be?

17 A To take what necessary action that may be
18 appropriate in whatever situation it was to identify
19 this particular aspect.

20 Q Would an NCR be among the appropriate
21 responses?

22 A Yes.

23 Q Now, in relation to your own qualifications,
24 sir, being this present time a welding supervisor --

25 A No, sir. I'm not a welding supervisor.

1 Q What is your present status?

2 A I'm a quality control inspector.

3 Q All right. Being at this present time in
4 July of 1984, a quality control supervisor would not
5 in and of itself reflect one way or the other on your
6 status or your qualifications to be a supervisor in
7 1982, would it?

8 MR. DAVIDSON: I object to the form of the
9 question as both leading and argumentative.

10 MR. COCHRAN: Okay, sir. The objection is in
11 the record, so would you please answer?

12 A Would you restate the question? I'm not sure
13 I understand it.

14 BY MR. COCHRAN:

15 Q Well, my question is, in relation to Mr.
16 Bronson's complaints about your qualifications during
17 the period that he was under your supervision, you gave
18 a number of items that you felt reflected on those
19 qualifications, one of which was your present status.
20 And my question to you is, your present status, whatever
21 it is, would not in and of itself reflect on your
22 qualifications in 1982, would it?

23 MR. DAVIDSON: I think the answer to that, sir,
24 if I may, is that obviously his present attainment is
25 based upon his ability and his aptitude, obviously

1 reflecting they existed at the time in 1982. I think
2 everyone's present accomplishments is, obviously, a
3 product of their prior ability.

4 BY MR. COCHRAN:

5 Q Having now been coached by your attorney, do
6 you wish to make your own answer?

7 MR. DAVIDSON: I object to the form of the
8 question as leading. I also object on the grounds it's
9 argumentative, and, more significantly, I object because
10 it's premise is fundamentally specious.

11 BY MR. COCHRAN:

12 Q Now, may we have your answer for the record?

13 A I do not feel that my present qualifications
14 are any hindrance on my previous qualifications.

15 Q Okay. Don't really affect it one way or the
16 other?

17 MR. DAVIDSON: Objection.

18 A My present qualifications?

19 BY MR. COCHRAN:

20 Q Yes.

21 MR. DAVIDSON: I think that's a legal argument,
22 Mr. Cochran.

23 MR. COCHRAN: I need to have his answer so
24 somebody down the road can make that legal argument.

25 A Again, I don't feel that my present

1 qualifications has any bearing on my previous
2 qualifications per se.

3 BY MR. COCHRAN:

4 Q Okay, my point. Thank you, sir.

5 Although I congratulate you for being a
6 distinguished student at Texas A&M, that same question,
7 that does not bear one way or the other on your
8 qualifications to be Mr. Bronson's supervisor?

9 MR. DAVIDSON: I object to this question as I
10 have previously, and I object to the line of questioning
11 because I think the premise is fundamentally specious,
12 and, quite candidly, I think you are taking advantage
13 of this witness. And in order to avoid that, I instruct
14 him not to answer it.

15 MR. COCHRAN: Counsel, you asked for the
16 witness to give for the record his basis in his opinion
17 for his qualifications to supervise Mr. Bronson, and he
18 listed four items which he felt so qualified him. I am
19 entitled to explore those items with him, and I intend
20 to do so.

21 MR. DAVIDSON: Mr. Cochran, you have misstated
22 my questions and the record.

23 MR. COCHRAN: No, I haven't, and if you want to
24 stop right now and get a ruling, then let's do that.

25 MR. DAVIDSON: I guess we have to do that

1 because I am going to instruct the witness not to answer
2 this line of questioning. You have misrepresented the
3 record. I have never asked Mr. Patton at any time --
4 and the record will bear me out -- whether he had
5 qualifications that enabled him to be Mr. Bronson's
6 supervisor. I merely asked him for his qualifications,
7 and he gave them to me.

8 MR. COCHRAN: And I'm entitled to explore
9 them, and that's what I'm doing.

10 MR. DAVIDSON: If you wish to explore
11 qualifications, Mr. Cochran, you shall do so, but if you
12 ask Mr. Patton to make these kind of specious analogies
13 for you, I think that's best left to the kind of brief
14 you present, rather than through interrogation of the
15 witness.

16 And because of that and because of cluttering
17 the record, I do not intend to discuss this matter
18 further. However, if you wish to take it up with
19 Judge Bloch, we can do it.

20 BY MR. COCHRAN:

21 Q Mr. Patton, I mentioned two of them. What
22 were the other items that you said qualified you to be a
23 supervisor?

24 MR. DAVIDSON: I'm sorry. I didn't hear the
25 question.

1 BY MR. COCHRAN:

2 Q What were the other items which you earlier
3 testified to qualify you to be a supervisor?

4 MR. DAVIDSON: I'm sorry, Mr. Cochran. He
5 never testified what qualified him to be a supervisor.
6 He merely testified as to what his qualifications were.

7 BY MR. COCHRAN:

8 Q Was one of them, I believe, being a college
9 graduate; is that correct?

10 MR. DAVIDSON: That is not correct, sir. He
11 did not make that statement. I wish you would try to
12 just ask questions and not try to characterize the
13 record.

14 MR. COCHRAN: Okay. I'm going to drop the
15 line of questioning.

16 BY MR. COCHRAN:

17 Q Have you understood the questions that I've
18 asked of you during this deposition?

19 A Yes.

20 Q Have you understood your answers?

21 A Yes.

22 Q Do you wish at this time to change any of
23 those answers?

24 A No.

25 MR. COCHRAN: I pass the witness.

1 MR. DAVIDSON: I'm sorry. I didn't hear you,
2 sir.

3 MR. COCHRAN: I pass the witness.

4 MR. DAVIDSON: To whom or to where? Are you
5 saying that you have completed your interrogation of the
6 witness?

7 MR. COCHRAN: Yes.

8 MR. DAVIDSON: Mr. Voegeli, do you have
9 questions?

10 MR. VOEGELI: I have no questions.

11 MR. DAVIDSON: Ms. Reporter, Mr. Voegeli has
12 indicated he has no questions, and Mr. Cochran says he
13 has completed his interrogation of this evidentiary
14 deposition. I have no further questions, and the record
15 in this evidentiary deposition is now closed.

16 Mr. Cochran, if you wish, you may now open
17 a discovery deposition of the witness.

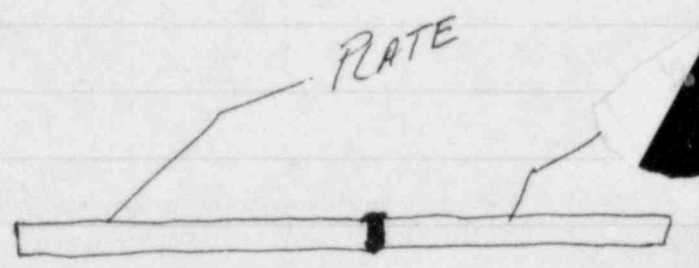
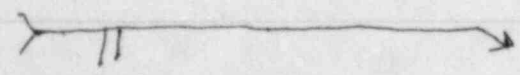
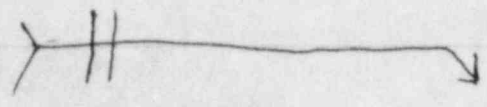
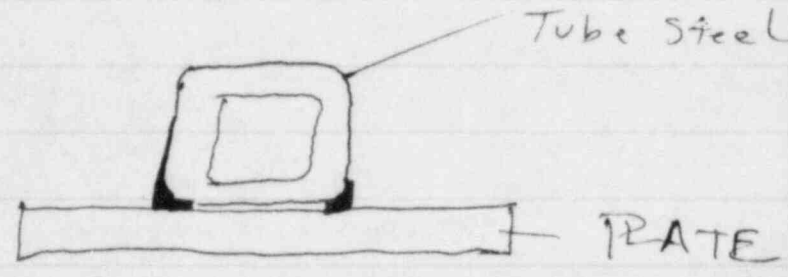
18 MR. COCHRAN: We are not taking discovery
19 depositions of the witnesses.

20 MR. DAVIDSON: The record is closed.

21 (The document herein referred
22 to was marked Patton Deposition
23 Exhibit A at this time.)

24 (Whereupon, at 4:45 p.m., taking of the
25 deposition was concluded.)

Weld symbol
FLARE bevel



Patton Depo. Ex. A
th 7-9-84