

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: Larry Gene Wilkerson

Location: Glen Rose, Texas

Pages: 37,500-37,560

Date: Monday, July 9, 1984

Original to E. Pleasant

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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)    :
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Glen Rose Motor Inn
Glen Rose, Texas

July 9, 1984

Deposition of: LARRY GENE WILKERSON,
called by examination by counsel for Intervenors
taken before TERRI L. HAGUE, Court Reporter,
beginning at 10:00a.m., pursuant to agreement.

1 Appearances:

2 FOR THE APPLICANT:

3 MARK L. DAVIDSON, ESQ.
4 Bishop, Liberman, Cook, Purcell & Reynolds
5 1200 Seventeenth Street NW
6 Washington, D.C. 20037

7 FOR THE NRC STAFF:

8 ROY VOEGELI, ESQ.
9 Office of the Executive Legal Director
10 U.S. Nuclear Regulatory Commission
11 Washington, D.C. 20555

12 FOR THE INTERVENOR:

13 LES COCHRAN, ESQ.
14 Barnhart, Mallia, Cochran & Luther
15 16th Floor, 806 Main Building
16 Houston, Texas 77002

17 FOR WITNESS LARRY WILKERSON:

18 D. FERGUSON McNIEL, ESQ.
19 Vinson & Elkins
20 First National Bank Building
21 Houston, Texas 77002

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C O N T E N T S

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WITNESS:	EXAMINATION BY:	PAGE
LARRY WILKERSON	Mr. Cochran	37,506
	Mr. Voegeli	37,545
	Mr. Davidson	37,548
	Mr. Cochran	37,553

P R O C E E D I N G S

Whereupon,

LARRY GENE WILKERSON

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

MR. DAVIDSON: Ms. Reporter, my name
is Mark L. Davidson. I am a member of the law
firm of Bishop, Liberman, Cook, Purcell & Reynolds,
counsel for Texas Utilities Electric Company,
Applicant in this proceeding.

I appear here today in that capacity
and in conjunction with Mr. Ferguson McNeil
as attorney for Larry Wilkerson, a Brown & Root
employee.

Before proceeding further, I wish to
point out that Mr. Wilkerson, who has just been
sworn, is appearing voluntarily, and that he isn't
under subpoena.

Mr. Wilkerson's testimony has been
requested from the Applicant by CASE, Intervenor
in this proceeding, on the topics specified in
CASE's letter to Leonard W. Belter dated
June 27, 1984, a copy of which has been marked for
identification by the reporter and appended to the

ja-1-2

1 transcript of Mr. Antonio Vega's deposition as
2 Exhibit A. I would like to ask that that letter
3 be incorporated by reference here.

4 The Applicant has already noted its
5 objections to the deposition procedure and
6 schedules ordered by the Board, and intends no
7 waiver of those objections by Mr. Wilkerson's answers
8 today.

9 At this time I would like to establish
10 the guidelines established by the Board for this
11 proceeding and the taking of this deposition.
12 Under the order issued by the Board on March 15
13 as modified by a series of subsequent telephone
14 conference rulings, the scope of this deposition
15 is limited to the taking of evidence and the making
16 of discovery on harassment, intimidation, or
17 threatening of quality assurance/quality control,
18 that is QA/QC personnel.

19 With one exception, allegations regarding
20 any claimed harassment or intimidation of
21 craft personnel have been specifically ruled
22 by the Board to be beyond the scope of this
23 examination and these proceedings.

24 The Board also has ruled that only
25 evidence based on personal knowledge may be adduced

1 and that hearsay, rumor, innuendo and the like
2 aren't proper subjects of the evidentiary portion
3 of this deposition.

4 Finally, the Board has instructed the
5 parties to separate the evidentiary and discovery
6 portions of their examination of the witness to give
7 effect to the rulings as well as to insure
8 expeditious completion of this deposition.

9 We now offer Mr. Wilkerson as a witness
10 for the evidentiary portion of his deposition.
11 The issues for this portion of the deposition
12 are defined by CASE's letter of June 27, a
13 copy of which I already made mention was annexed
14 as Exhibit A to Mr. Vega's deposition and which
15 we have here incorporated by reference.

16 At the conclusion of that evidentiary
17 deposition, the evidentiary report would be
18 closed and with the opening of a new transcript
19 to be separately bound, the discovery deposition
20 of Mr. Wilkerson would commence should CASE
21 decide to conduct such deposition.

22 When the transcripts are available,
23 the witness will sign the original of each of his
24 depositions on the understanding that should the
25 executed originals not be filed with the Board

1 within seven days of the conclusion of the
2 deposition, a copy of either of the transcripts may
3 be used to the same extent and effect as the
4 original.

5 MR. McNIEL: My name is Ferguson McNiel.
6 I'm with the law firm of Vinson & Elkins of
7 Houston, Texas, and I'm here representing Lar.y
8 Wilkerson. Mr. Wilkerson stated or -- excuse me,
9 Mr. Davidson stated Mr. Wilkerson is appearing here
10 today to cooperate with the Board and with TUGCO
11 in their efforts to license the Comanche Peak project.

12 MR. VOEGELI: My name is Roy Voegeli.
13 I'm here representing the Nuclear Regulatory
14 Commission and I'm with the Office of the Executive
15 Legal Director of the Commission.

16 MR. COCHRAN: My name is Les Cochran.
17 I'm here on behalf of the Intervenors. By
18 way of response to the opening statement by Mr.
19 Davidson, Intervenors don't, by going forward
20 with the deposition of Mr. Wilkerson, acknowledge
21 that the summary which he has given is a correct
22 characterization of prior rulings of the Nuclear
23 Regulatory Commission or the Board, and in any
24 further response, we'll make it at a later time.

25 I will say that it isn't the intention

1 nor the purpose of the Intervenors to ask any
2 questions that aren't of an evidentiary nature.

3 Are we ready to proceed?

4 EXAMINATION

5 BY MR. COCHRAN:

6 Q Mr. Wilkerson, would you state your
7 full name for the record, please, sir.

8 A Larry Gene Wilkerson.

9 Q Can I have your date of birth, sir?

10 A July 21st, 1941.

11 Q Where do you live, sir?

12 A I live at Lakewood in Texas.

13 MR. McNIEL: Larry, why don't you take
14 your hand away from your mouth so we can hear you.

15 BY MR. COCHRAN:

16 Q By whom are you presently employed, sir?

17 A Brown & Root.

18 Q And in what capacity?

19 A Quality control inspector, lead
20 inspector.

21 Q How long have you held that position,
22 sir?

23 A Lead about a year.

24 Q When did you first go to work for Brown &
25 Root?

1 A In 1976.

2 Q In what capacity?

3 A I first went to work for them in the
4 craft.

5 Q What craft, sir?

6 A Rebar, because there wasn't an opening
7 as far as QC at that moment.

8 Q Okay, sir.

9 Before we go any further, let me introduce
10 myself on the record. My name is Les Cochran,
11 and as you have heard, I am representing the
12 Intervenors in a Nuclear Regulatory Commission
13 proceeding. We are here in rather informal
14 surroundings today taking testimony which will be
15 presented to the Commission.

16 Do you understand that, sir?

17 A Yes.

18 Q You have been given an oath to tell
19 the truth. Do you understand that it's the same
20 oath that you would be given if you were on the
21 stand in front of a judge?

22 A Yes, sir.

23 Q And do you understand that the testimony
24 which you are going to give today is going to be
25 shown to that judge and that he will consider it

1 as fully as if you were on the stand in front
2 of him?

3 A Yes.

4 Q Now, as we go along taking this testimony,
5 you and I have an agreement that if you don't
6 understand any questions which I ask of you
7 that you will stop me right then and tell me
8 that you don't understand. Do you understand that?

9 A Yes.

10 Q We have that agreement?

11 A Yes.

12 Q It isn't my purpose to confuse you or
13 trick you, but simply to find out what facts you
14 know, okay, sir?

15 A Yes.

16 Q Now, how long were you in the rebar
17 section?

18 A Approximately six months.

19 Q Did you then go over to quality control?

20 A Yes.

21 Q In what position?

22 A Just as an inspector.

23 Q QC inspector?

24 A Yes, QCI.

25 Q Give me a little bit -- I will try to

1 shorten this -- give me a litt'e bit of summary,
2 if you will, on your background prior to going to
3 work for Brown & Root.

4 A Okay. Graduated from high school in
5 1959, Clifton High School. First job was with
6 a grocery store there in Clifton, Shop Roads Grocery.
7 Worked there about a year and a half. Went to
8 work for Walls Manufacturing Company, shipping
9 and receiving. Worked there approximately four
10 years.

11 My first quality job was with
12 Rocketdyne & MacGregor in Texas. I worked in
13 radiology there.

14 Q What year was that, sir?

15 A I think about '65, to the best of my
16 memory.

17 Q Okay.

18 A Worked there about two and a half
19 years. Then I went to work for General Dynamics.

20 Q How long did you work for General Dynamics?

21 A Approximately three years.

22 Q Quality control?

23 A Quality control, and I also worked some
24 in craft as an assembler.

25 Q In rebar?

1 A No.

2 Q What trade?

3 A No, I --

4 Q Oh, as an assembler?

5 A Yes, working on B-58's.

6 Q Sure.

7 A And F-111 aircraft.

8 Q What then?

9 A After that, I went to work for Texas
10 Milling Company in Clifton, clerical work, for
11 approximately four years. Then I came to Brown
12 & Root.

13 Q So you weren't in quality control at Texas
14 Milling?

15 A No, sir.

16 Q You got back into it then six months
17 after first joining Brown & Root?

18 A Right.

19 Q Does Brown & Root have any sort of
20 training program for its quality control people?

21 A Yes.

22 Q Where is it and what does it consist of?
23 Is it at the headquarters in Houston or some other
24 location?

25 A No, it's at the job site. They have

1 level 3's out there.

2 Q What is a level 3?

3 A It's just a person that's qualified to
4 give training.

5 Q Okay. And it's training?

6 A Right.

7 Q So your training with Brown & Root
8 is strictly on the job as opposed to going to formal
9 eight-hour-a-day training school, right?

10 MR. DAVIDSON: Objection. I think
11 that's a leading question. Moreover, I think
12 it happens to have a fundamental mistaken assumption.

13 I think you may wish to rephrase it, and
14 I'll object to the form of the question.

15 MR. COCHRAN: I was under the impression
16 that all objections as to form were being retained
17 to a later date.

18 Am I under a misconception?

19 MR. DAVIDSON: I believe you are.
20 I believe all objections are reserved except
21 those as to form.

22 MR. COCHRAN: Okay.

23 BY MR. COCHRAN:

24 Q Would you just explain to us, please,
25 sir, what the nature of the formal quality control

1 training which you received was as opposed to
2 on the job.

3 A Okay. You have classroom training.

4 Q For how long did your classroom
5 training continue?

6 A This varies on different certifications
7 that you get.

8 Q What certifications did you get?

9 A Okay. My certification first was
10 CAT weld inspection.

11 MR. VOEGELI: What was that?

12 THE WITNESS: CAT weld inspection,
13 mechanical rebar splicing. Visual weld testing.

14 BY MR. COCHRAN:

15 Q Now, that's weld, w-e-l-d?

16 A Yes. Liquid penetrant.

17 MR. VOEGELI: I'm sorry. I couldn't
18 hear that.

19 THE WITNESS: Liquid penetrant.

20 MR. McNIEL: You're going to have to
21 keep your voice up. She's having trouble hearing
22 and I can't hear what you're saying.

23 THE WITNESS: I'm sorry. Magnetic
24 particle.

25

1 BY MR. COCHRAN:

2 Q Now, let me interrupt you a minute.
3 When you say --

4 MR. DAVIDSON: Excuse me. I would
5 appreciate it, since the witness was in the process
6 of answering the question, if you wouldn't interrupt
7 him. I don't believe that he was through. Am
8 I correct, sir?

9 THE WITNESS: Yes.

10 MR. COCHRAN: Were you through?

11 THE WITNESS: No.

12 BY MR. COCHRAN:

13 Q Go ahead and finish.

14 A Vacuum box or leak test and MIFI
15 mechanical inspection, fabrication inspection.

16 Q Anything else?

17 A I think that's it.

18 Q Now, when you say classroom work was
19 involved in all of these, can you just explain to
20 me the nature of the classroom work.

21 A Well, it was training sessions.

22 Q Well, there's some confusion in my mind
23 and I'm sure there would be in the judge's mind;
24 was this eight hours a day for a certain number
25 of hours or was it, say, one hour a day, and then

1 on the job, or just explain to me how it was.

2 A No. It generally ran, I'd say, if
3 you had to have 20 hours of classroom, it would
4 generally be like two ten-hour days.

5 Q So if you were -- I'll just pick one
6 of these -- if you were to begin to become qualified
7 in liquid penetrant quality control, for instance,
8 you would initiate that training with two ten-hour
9 days of classroom? Do I understand that correctly?

10 MR. DAVIDSON: I'm going to object to
11 the form of the question as leading.

12 BY MR. COCHRAN:

13 Q Okay. Just go ahead and answer it,
14 please.

15 A Yes.

16 Q Okay. And then wha- are the facts in
17 regard to any further classroom training after
18 that initial two ten-hour day?

19 MR. DAVIDSON: Is this question, sir,
20 in respect to liquid penetrant certifications?

21 MR. COCHRAN: I think the witness
22 understands my question.

23 MR. DAVIDSON: I would instruct him not
24 to answer until you explain.

25 MR. COCHRAN: In regard to liquid penetrant

1 MR. DAVIDSON: Thank you.

2 BY MR. COCHRAN:

3 Q Would you explain whether or not there
4 is any further classroom training after the initial
5 two ten-hour days?

6 A No. After you get your classroom
7 training in, then you have on-the-job training.

8 Q Okay.

9 A Well, no, I take that back. Of
10 course, then you take your test.

11 Q You take your test with that?

12 A Sure.

13 Q Okay. Then does that same scenario
14 apply to all of the other areas of expertise
15 that you described for us?

16 MR. DAVIDSON: Excuse me a minute. I
17 would like a clarification.

18 When you say "same scenario" do you mean
19 only 20 hours of training, or do you mean classroom
20 training followed by testing followed by on the
21 job?

22 BY MR. COCHRAN:

23 Q Followed by on-the-job training?

24 A Testing and then on-the-job training.
25

1 Q Okay. You have some period of classroom
2 training. Then you have a test and then you have
3 on-the-job training?

4 A Yes, sir.

5 Q Is that an accurate characterization?

6 A Yes.

7 Q Now, does the classroom training vary
8 in number of hours depending on the nature of the area
9 of expertise?

10 A Yes.

11 Q In other words, visual inspection might
12 be a different number of classrooms from vacuum box?

13 A Yes.

14 Q And MIFI might be different than CAT weld
15 inspection?

16 A Yes.

17 Q Now, you started out in quality control
18 at what level?

19 A At Brown and Root?

20 Q Yes.

21 A As level 2 CAT weld inspector.

22 Q What are the various levels in the QC
23 department at Brown and Root?

24 A One, two, and three.

25 Q One being what?

ion2

1 A You are more or less a one as you are
2 doing your on-the-job training. After you have passed
3 your examination and took your classroom training.

4 Q For what period of time does one --
5 for instance, in the liquid penetrant field as an example,
6 for what period of time does one do on-the-job training?

7 A If I remember exactly, I believe you have
8 to have something like 112 hours on the job training
9 before you can be a Level 2.

10 Q So using liquid penetrant as an example
11 again, are the facts that you start out with two 10 hours
12 of training -- I mean of classroom?

13 A Yes.

14 Q -- that you then have an example and
15 then you have approximately 120 to 125 -- did you say
16 120 to 125 hours?

17 A I believe that's right.

18 Q Okay. Of on the job training and then at
19 that point you have -- if you have successfully completed
20 those you are promoted to Level 2?

21 A I don't know exactly how many hours you have
22 to have in classroom training, but that is the way it works;
23 yes.

24 Q Okay. That is the general scenario?

25 A Yes.

1 Q And variations as to either classroom
2 hours or on the job requirements? Would that same
3 scenario be true as to all of the QC areas of expertise?

4 A Yes.

5 Q How long were you a Level 2 QC man?

6 A In what area?

7 Q Okay. That is a bad question.

8 Are you presently a Level 3 QC
9 inspector in any area?

10 A No.

11 Q re you presently a level 2 QC inspector in
12 all of the areas which you have listed?

13 A Yes.

14 Q What are the general differences in job
15 responsibilities between a level 2 and a level 3 QC inspector
16 in any area?

17 A A level 3 just has more expertise and has the
18 capabilities of giving training for level 2s or 1s.

19 Q Is that the primary distinction is the level 3
20 person is able to train those below him?

21 A I don't know if that is the only thing, but
22 that is the main thing, yes.

23 Q That is what in your mind is the main
24 distinctions?

25 A YEs.

1 Q Now, part of the responsibilities of a
2 quality control inspector -- let me ask it this way:
3 What is your understanding with Brown and Root of what
4 a quality control inspector is supposed to do.

5 A He is supposed to make sure that everything
6 is built to the drawings and specifications and performed
7 correctly, the procedures that we use.

8 Q Are there designated procedures that a
9 quality control inspector carries out his responsibilities?

10 A Yes.

11 Q Give me just a broad overview, if you will,
12 of how those procedures will work.

13 MR DAVIDSON. I would just like to note
14 an objection, Mr. Cochran, and that is there have been
15 extensive proceedings heretofore with respect to the
16 full scope of the quality control/quality assurance
17 program in the Comanche Peak site and there has been
18 extensive and intensive discussions not only by NRC
19 staff and the Applicant, but also participated in by
20 Intervenor. There have been briefings of these issues
21 and the matter has been resolved and put before the
22 Board and it seems to me that this is neither
23 particularly relevant and certainly cumulative here.

24 I certainly will allow this witness to
25 answer the question, but I do wish to note this objection

1 and make it a standing objection.

2 MR. COCHRAN: I am aware of all that
3 background. Let me narrow the question down to
4 Mr. Wilkerson's understanding of the mechanics of how
5 it works on a day to day basis, because that is really
6 what I am trying to get to.

7 MR. DAVIDSON: I understand.

8 MR. COCHRAN: All right.

9 BY MR. COCHRAN

10 Q With that modification, as you go about your
11 day to day job as a level 2 quality control inspector
12 what are your perceptions or understanding of how --
13 just a broad overview of how you perform your job. That
14 is, if you find a nonconforming item, for instance, what
15 do you do?

16 A If you find a nonconforming item you
17 write a nonconformance report.

18 Q What forms are used within Brown and Root --
19 strike that question. Let me back up a minute.

20 In performing your quality control functions
21 with Brown & Root where have you been actually on the job
22 site throughout your employment. You are out here at
23 Comanche Peak right now, aren't you?

24 A Right.

25 Q How long have you been out here?

1 A Nine years in December.

2 Q Have you always been at Comanche Peak since
3 being hired by Brown & Root?

4 A I left one time for a short time but
5 basically have been there all the time.

6 Q Basically been at Comanche Peak the whole
7 time?

8 A Right.

9 Q So when I ask you questions about Brown &
10 Roots performance or Brown & Root's procedures, may we
11 have the understanding that I recognize that your
12 knowledge is limited to your work at Comanche Peak?
13 That is what I am asking you about, okay?

14 A Okay.

15 Q Now, back to the question. What forms are
16 used to report nonconforming items at Comanche Peak?

17 A Unsat IR's and NCR's, nonconformance reports.

18 Q I am sorry. What was the first one?

19 A Unsatisfactory hours - unsatisfactory
20 inspection report. I am sorry.

21 Q Un -- what is the word you are using?

22 A Unsatisfactory inspection report.

23 MR. DAVIDSON. If I may, there are a
24 number of acronyms and shorthand expressions that are
25 used by those in the quality control department. They will

1 often use the word unsat for unsatisfactory and they
2 will -- the abbreviation IR for the inspection report, so
3 an unsat IR is an unsatisfactory report.

4 MR. COCHRAN. All right.

5 BY MR. COCHRAN:

6 Q Can you just distinguish for me your
7 understanding of between an unsat IR and an NCR on
8 the other hand?

9 A An unsat IR is sometimes written on
10 in-process work.

11 Q What do you mean by in process work?

12 A That is before the system is final, before
13 the final acceptance of the system.

14 Q Tell me what your perception or your
15 understanding of whether an NCR is to be used?

16 A An NCR is used when it is enough of a
17 problem that it can't be taken care of with an
18 unsatisfactory inspection report.

19 Q We can use the acronym. It is fine with
20 me. I understand that now.

21 A Okay.

22 Q Is it a fair characterization then as you
23 understand it that an unsatisfactory IR is a lower level
24 response to a problem than an NCR

25 MR. DAVIDSON: I am going to object again

1 to the form of the question as being leading.

2 BY MR. COCHRAN:

3 Q Okay. Go ahead and answer.

4 A Ask that question again.

5 MR. COCHRAN? Can you read it back?

6 (The reporter read the record as requested.)

7 BY MR. COCHRAN:

8 Q What are the facts in regard to the
9 distinctions between the usages of an unsat IR and an NCR?

10 A An unsat IR is written on a minor problem.

11 Q Okay.

12 A An NCR is written on a more major problem.

13 Q That really needs to be looked at closer,
14 I guess you would say.

15 Okay. When a QC inspector writes an
16 unsat IR, what happens to it as you know?

17 A Its disposition is just the same as an NCR.

18 Q Okay. Taking the two of them together,
19 then, what is the disposition, where do the pieces of
20 paper go as you have seen it actually operate?

21 A Well, I am not that much into the
22 philosophy of NCRs.

23 Q Well, I am trying to find out your knowledge.

24 A Okay. The disposition, it is according to
25

1 what the problem is as to who disposes of it. Sometimes
2 engineering, mechanical engineering; sometimes the -- it
3 just goes to different places according to the nature of
4 the problem.

5 Q If it was a design problem I guess it would
6 go to the design engineering problem?

7 A That's right.

8 Q If it was a welding problem it would go to the
9 crafts?

10 A Welding engineering.

11 Q If it is a pressure valve problem I guess
12 it would go to whoever is in charge of those?

13 A Yes.

14 Q Okay. I see. At some point in the paper flow
15 somebody is the -- decides if it is correct and what the
16 facts in regard to whether or not a decision is made to
17 follow up on that NCR or that unsat IR.

18 MR. DAVIDSON. I will object to the form of
19 that question. It was a little bit hard to follow.

20 MR. COCHRAN. It was a bad question, wasn't
21 it?

22 Mr. DAVIDSON. Yes. Would you like to
23 rephrase it?

24 MR. COCHRAN. Yes.
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BY MR. COCHRAN:

Q Does somebody make a decision on whether or not to take remedial actions on an unsat ir or an NCR?

A There is always a disposition to an NCR.

Q That disposition may be to do nothing; is that correct?

A The disposition, yes, is sometimes used as is.

Q Okay. By the phrase "used as is" do you mean to do nothing in regard to the NCR?

A That is true.

(Discussion off the record.)

BY MR. COCHRAN:

Q What is your understanding of who makes the decision as to "as is" or whether to do something about it?

A Whoever the disposition is sent to, engineering or welding engineering.

Q Well, when you make, as you have seen it operate, when you send an NCR forward or an unsat IR, who do you send it to?

A It goes to the NCR coordinator.

Q Okay. That is what I am looking for. Who is that with you in your job?

A Who is that?

Q Yes,

jon11

1 A Ted Neeley.

2 Q Has he always been in that position with
3 you?

4 A No. There have been various people.

5 Q In other words, you don't make the
6 determination of whether to funnel it to mechanical
7 engineering versus welding engineering versus pressure
8 vessels or anything of that nature?

9 A No, sir.

10 Q After the NCR coordinator takes a look at it
11 is there somebody else within quality control department
12 that handles it or does it then go to engineering or
13 whatever?

14 A It goes to engineering or whatever for
15 disposition

16 Q Now, what is your understanding as you have
17 actually seen it operate of Brown & Root and I guess in
18 Comanche Peak we are all actually talking about TUGCO also
19 aren't we?, Texas Utility Generating Company; isn't that
20 who Brown & Root is working for there?

21 A That is who they are working for, yes.

22 Q And you work together closely with TUGCO
23 people, don't you?

24 A Mainly I just work with Brown & Root.
25

1 Q Well, you are all there on the same plant
2 on the same site, aren't you?

3 A We are there together, yes.

4 Q You don't snarl at each other as you walk
5 down the hallway, do you?

6 A No.

7 Q You are there working in a cooperative
8 atmosphere trying to get along with each other and make
9 the operation work; isn't that correct?

10 A Yes.

11 Q Now, you would agree, or would you agree
12 that it is important that a quality control inspector feel
13 free to report whatever nonconforming items he finds
14 without any fear of any reprisal or anything of that nature?

15 MR. DAVIDSON. I object to the form of the
16 question as leading, but I certainly would permit the
17 witness to answer it if he can.

18 A Y s. I feel like it is very important.

19 Q and would you agree that it is important to
20 know that interference with the job that the quality
21 control inspector is trying to perform can take a lot of
22 subtle rules, can't it? I mean it can be done in a lot of
23 subtle ways, or would you agree with that?

24 MR. DAVIDSON. Same objections, same
25 instructions.

1 BY MR. COCHRAN.

2 Q You can answer.

3 MR. DAVIDSON. I also suggest that this
4 question is also in some respects argumentative as well
5 as being leading.

6 BY MR. COCHRAN.

7 Q I think you can answer that.

8 A Repeat the question.

9 MR. COCHRAN. I don't know whether I can
10 or not.

11 Can you read it back?

12 (The reporter read the record as requested.)

13 MR. DAVIDSON. Having heard the question
14 repeated, I am afraid I must instruct the witness not to
15 answer questions which contain argumentative terms which
16 counsel for the case has not defined.

17 MR. COCHRAN. Let me get at this -- well,
18 that was a bad question. I agree with you.

19 MR. DAVIDSON. Thank you.

20 BY MR. COCHRAN:

21 Q Do you agree that one of the purposes of a
22 quality control department as far as design is concerned
23 to verify that the design is correct? Do you agree with
24 that?

25 MR. DAVIDSON: Objection first to the

1 form of the question because it is leading. I also
2 suspect that there is a fundamental mistaken assumption
3 in the description and characterization of the role of
4 quality control personnel.

5 BY MR. COCHRAN:

6 Q Go ahead and answer the question.

7 A Repeat the question.

8 (The reporter read the record as requested.)

9 THEWITNESS: Yes.

10 MR. DAVIDSON: I would just like to note,
11 Mr. Cochran, that I would be able to object less often
12 if you do not preface your question with "Do you agree"
13 and "State your understanding" and elicit only by the
14 direct understanding of the witness. I don't mean to
15 restrict you to your questioning, but I don't want to
16 constantly object to the form.

17 MR. COCHRAN. I will grant you a running
18 objection.

19 BY MR. COCHRAN:

20 Q Would you agree that deficiencies in
21 design , construction and installation must be identified
22 and properly remedied?

23 MR. DAVIDSON: Objection, and I must really
24 say, Mr. Cochran, that I can't really accept this approach
25 to the questioning of the witness. I do not believe it is

jon

1 proper for you to propound questions with your
2 characterization of facts and ask for his agreement or
3 disagreement. This is an evidentiary hearing. That is
4 not a proper means of questioning. I don't want to continue
5 to have to object. I don't want to have to state it is a
6 standing objection. IN order to discourage you from doing
7 this I will instruct the witness not to answer questions of
8 that character.

9 BY MR. COCHRAN:

10 Q What the facts in regard to what a quality
11 control inspector should do upon finding deficiencies.

12 A He should report them.

13 Q Should those reports be audited; is that
14 part of quality control?

15 A I don't understand that question.

16 MR. DAVIDSON. Objection. He asked should
17 they be audited which is asking for the opinion of the
18 witness. Uou didn't ask a faCtual question of wrehter
19 they are audited or whether he knows they are audited. I
20 must again object to this line of questioning. Would you
21 rephrase, please?

22 BY MR. COCHRAN:

23 Q Is it your understanding as far as your
24 perception of what you and those in your quality control
25

1 department are supposed to do that an audit process is
2 part of that function?

3 A I don't think I understand what you mean by
4 audit?

5 Q Somebody looking over the NCRs and the --
6 I can't remember that other term -- and determine whether
7 or not there has been handling in an unsatisfactory
8 manner? Unsat IRs?

9 A They are looked over for legibility,
10 clarity.

11 Q Is that the way they are looked over,
12 that is to see whether they are readable, whether the
13 wording makes sense?

14 MR. DAVIDSON. I don't wish to interrupt
15 at this point because I think the question is probably
16 not an improper one. However, I think the witness isn't
17 clear as to what it is you are asking, Mr. Cochran.

18 MR. COCHRAN: I just want to know what he
19 knows about what happens with the reports.

20 MR. DAVIDSON. I think the problem is you have
21 in mind review processes with respect to disposition of the
22 NCRs and I think he is talking about just the mechanics
23 of what he does after he has written up an NCR and what it
24 is that is done before forwarding.

25 MR. COCHRAN. I just want to know what

1 this witness knows.

2 BY MR. COCHRAN:

3 Q What do you know about review functions
4 or what audit function is done on your NCRs or any NCRs?

5 A Just what I told you. It goes to the NCR
6 Coordinator. He decides where the disposition should
7 go and that is where it goes.

8 Q You have read the -- in going over and
9 preparing for this deposition with your lawyer you have
10 read the areas that were -- I am not going to ask him what
11 you all told him. I just want to know what he is familiar
12 with.

13 BY MR. COCHRAN:

14 Q Are you familiar with --

15 MR. DAVIDSON: Mr. Cochran, I am going to
16 object to the prefatory comment as well.

17 BY MR. COCHRAN:

18 Q Are you familiar with the areas that you were
19 to be examined about today? Have you looked at documents
20 that told you what areas you would be examined about today?

21 A I haven't looked at any documents, no.

22 Q You have had general discussions about what
23 areas you were or could expect to be examined about,
24 though?

25 A Yes.

1 Q I presume that is correct. Okay.
2 Termination of Robbie Robinson was one of those
3 areas, wasn't it?

4 A Yes.

5 Q you know Robbie Robinson?

6 A Yes.

7 Q Tell me how you know him. When did you first
8 meet him and in what capacity?

9 A I first met Robbie I think possibly -- I'm
10 not sure of this. I think he had worked in welding
11 engineering for a short time or for a while, but when I
12 really got to know him was when he was general forman of
13 the iron fab shop.

14 MR. DAVIDSON. Ms. Reporter, when
15 Mr. Wilkerson says the fab shop, he means the
16 fabrication shop.

17 BY MR. COCHRAN:

18 Q How closely did you work with Robbie
19 Robinson?

20 MR. DAVIDSON: Objection to the form of the
21 question as leading. I think it would properly be --

22 MR. COCHRAN: It isn't leading.

23 MR. DAVIDSON. I am sorry. The question should
24 have been "Did you work closely with him," not "How
25 closely did you work with him." It is plainly leading and

1 this is an evidentiary deposition and I am afraid I must
2 hold you to the standard of a lawyer questioning in court
3 and that would not be an appropriate question.

4 I am sorry to interrupt.

5 BY MR. COCHRAN:

6 Q Can you answer that question?

7 A What was the question, how did I know
8 Robbie or how close did I work with him?

9 A How close did you work with him?

10 A I worked with him fairly close. He was
11 a general foreman. I worked closely with his foreman
12 that worked under him.

13 MR. COCHRAN: That is the same question I
14 just asked.

15 BY MR. COCHRAN:

16 Q Okay. Tell me again -- I am sorry. My
17 train of thought was broken there.

18 A Robbie was there all the time but I
19 mostly worked with the foreman that worked for Robbie
20 because he was the general foreman.

21 Q Who was that foreman?

22 A It is been various people. I am afraid
23 that I have changed a lot out there.

24 Q How closely were you working with Robbie when
25 he was terminated? I mean did you see him on a day to day

1 basis or just what was it?

2 A Not when he was terminated, no.

3 Q Describe if you will for me your perception
4 of your working relationship with Robbie at the time he
5 was terminated.

6 A I wasn't working with Robbie when he was
7 terminated. I was working in the field at the time.

8 Q When you say in the field, tell me what you
9 mean by that.

10 A Okay. I mean not in the fab shp but
11 actually down in the buildings, installation.

12 Q Tell me what you know about Robbie's
13 termination.

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end2

1 A The way things are out there, I imagine
2 the day he got terminated is when I learned about it.

3 Q Tell me what you mean by the "way things
4 are out there."

5 A If something happens, you hear it
6 pretty quick.

7 Q Rumors fly pretty fast, don't they;
8 isn't that what you're saying?

9 MR. DAVIDSON: Objection to that question.
10 BY MR. COCHRAN:

11 Q Do rumors fly pretty fast out there?

12 A No more than any other job, I wouldn't
13 think.

14 Q Okay. At any rate, you think you heard
15 about it the very day it happened?

16 A The day or day after, yes.

17 Q Do you remember who you heard about it
18 from?

19 A No, I don't.

20 Q Do you remember who you had any discussions
21 about it with?

22 A No.

23 Q Did you have any discussions about it
24 with your supervisors?

25 A No, not that I remember.

1 Q Did Robbie talk to you about any of
2 his work or about any of the NCR's that he was
3 turning in or any of the complaints that he was
4 making?

5 A No.

6 Q Did Robbie discuss with you any of his
7 charges about make work or misuse of materials,
8 or anything of that nature?

9 MR. DAVIDSON: I will object again to
10 the form of the question. It really would be a lot
11 more efficient, Mr. Cochran, if you would ask him
12 whether he had any discussions with Mr. Robinson
13 with respect to --

14 MR. COCHRAN: That's what it is.

15 MR. DAVIDSON: No, there is an assumption
16 in your question, sir. I can't believe I can't
17 make it clear that there were charges. We have no
18 evidence and no foundation, and you certainly
19 haven't established whether this witness knew it.

20 MR. COCHRAN: That's just what I asked
21 him, whether he knew it. Go ahead and answer it.

22 THE WITNESS: Robbie didn't discuss any
23 of this with me, no.

24 BY MR. COCHRAN:

25 Q Do you have any knowledge based on your
inspections or what you observed in the course of

1 your job of any misuse of materials, for instance,
2 at Comanche Peak site?

3 MR. DAVIDSON: Sir, I will object to
4 the form of that question because it seeks to elicit
5 testimony on subject matters other than the
6 alleged harassment, intimidation of quality
7 control personnel. Information such as earlier
8 matters as I earlier noted is beyond the scope of
9 this deposition, and therefore, I instruct the
10 witness not to answer the question in its present
11 form.

12 MR. COCHRAN: We don't agree that that's
13 beyond the scope of this deposition, don't concur,
14 and I would instruct the witness to answer.

15 MR. DAVIDSON: The witness is instructed
16 not to answer, sir.

17 BY MR. COCHRAN:

18 Q Do you have any knowledge based upon
19 what you have observed of any ordering or use of
20 rebar heaters or theft of materials?

21 A No.

22 Q Do you have any knowledge --

23 MR. DAVIDSON: Excuse me. I would like
24 to confer with the witness to explain to him the
25 nature of the instruction, and I would like to

1 repeat at this time that this deposition is limited
2 in scope, and I would like to point out to Mr.
3 Cochran that at the June 14 hearing, the Board
4 ruled expressly that the scope of these depositions,
5 discovery as well as evidentiary, would be
6 limited to CASE's claims alleged harassment,
7 intimidation and threatening of QA/QC personnel.
8 And I would draw Mr. Cochran's attention to the
9 transcript of that hearing at pages 13,915 to 13,920.

10 I would like to also point out to
11 Mr. Cochran that the Board declared that to be
12 relevant, the question and testimony sought
13 thereby must be, quote, tied to QC intimidation,
14 closed quote.

15 That quote appears, sir, on transcript
16 page 13,920. Alleged harassment, intimidation, and
17 threatening of craft has been specifically ruled to
18 be beyond the scope of these proceedings as well,
19 and I would point to transcript pages 13,915 to 920.
20 In addition, I would like to quote Judge Bloch's
21 objections during that hearing that, quote,
22 direct knowledge of an issue that's related to
23 QC intimidation is relevant.

24 That appears at pages 13,922 and 923.
25 I would also add, for your information, Mr. Cochran,

1 that Mr. Roisman agreed to this limitation of the
2 issue at transcript page 13,919, and therefore,
3 I instruct the witness not to answer this question
4 or any other questions that deal with matters
5 that are beyond the scope of this hearing.

6 MR. COCHRAN: And the response is that
7 there is simply disagreement as to the interpretation
8 of that language, and what is or what is not
9 beyond the scope of this hearing, and we don't
10 concur that the interpretation placed upon that order
11 by Mr. Davidson is correct at all.

12 BY MR. COCHRAN:

13 Q Now, let me ask you this, Mr. Wilkerson.
14 When a quality control inspector goes about his
15 job of inspecting work, what have you observed
16 to be the response of the craft whose work is being
17 questioned, say, a welder, for instance, and you're
18 questioning one of his welds. What type of response
19 have you observed to be typical?

20 A Typically a positive response.

21 Q Okay. Is that always the case?

22 A No, that's not always the case.

23 Q Do you occasionally have -- just
24 generally to use an example of a weld, do you
25 occasionally have a welder who reacts in a negative

1 fashion to a QC inspector's NCR of his weld?

2 A Sometimes.

3 Q In a situation such as that, that
4 negative response, what actions does Brown & Root
5 or TUGCO, either one, have to cope with that sort
6 of negative response?

7 A On just a normal basis, nothing is
8 done. I mean, if it's written up, it goes ahead
9 and it's dispositioned and whatever.

10 Q Suppose a welder says, "Look, if you
11 NCR my weld, I'm going to punch you out," what
12 does management do in a situation like that?

13 MR. DAVIDSON: I'm going to object to
14 the form of that question, because it's a hypothetical
15 and you're asking for opinion and speculation
16 of the witness, and I don't think that's appropriate
17 testimony.

18 MR. COCHRAN: I'm asking for what the
19 witness observed.

20 MR. DAVIDSON: You didn't ask if he
21 was ever threatened to be punched in the nose,
22 if that's what your question is. I'm asking you to
23 rephrase your question and make it such.

24 BY MR. COCHRAN:

25 Q I'm asking you, Mr. Wilkerson, based on

1 your observations, what management's response to
2 that type of situation would be.

3 MR. DAVIDSON: Objection. I will not
4 permit the witness to answer a hypothetical where
5 there's been no foundation laid that there has been
6 a threat made to anyone in his presence or at
7 what time.

8 BY MR. COCHRAN:

9 Q Have you observed pressure by inspectors
10 to not write NCR's in order to get the job done?

11 MR. DAVIDSON: I will object to that
12 question, sir, because you don't define the term
13 "pressure," nor do you indicate from whence said
14 pressures were alleged to come.

15 I would instruct the witness not to
16 answer the question in that form.

17 BY MR. COCHRAN:

18 Q Have you observed pressure from the
19 carft members themselves to influence a QC
20 inspector or to not write an NCR or other derogatory
21 report?

22 MR. DAVIDSON: What do you mean by
23 "pressure," Mr. Cochran?

24 MR. COCHRAN: Well, I think the word
25 is self-evident.

1 MR. DAVIDSON: Well, I would suggest
2 to the witness that unless he is absolutely certain
3 that he knows what Mr. Cochran means by "pressure" --
4 and I don't know how he could since you refused to
5 define it -- that he not answer it. Perhaps you
6 should just ask him whether members of the craft
7 have attempted or suggested or requested that
8 an NCR not be written.

9 BY MR. COCHRAN:

10 Q Can you answer the question that was
11 asked?

12 A I can, but I don't know exactly what you
13 mean by "pressure."

14 Q Okay. Can you answer his question
15 the way he phrased it?

16 A I think the answer is that, no, QC is
17 not pressured into not writing something up because
18 somebody in the craft becomes irate about something.

19 Q Okay. Is that your testimony here
20 under oath in regard to your nine years that
21 you have been with Brown & Root, are you telling us
22 under oath that you have never observed any
23 attempt being made to prevent a QC inspector from
24 writing an NCR report because a craft member was
25 unhappy about that report?

1 A That's right.

2 Q When you first went to work for Brown
3 & Root and reached the level 2 area, what was
4 your -- who was your -- I'm looking for the word --
5 NCR coordinator, who was your NCR coordinator at
6 that time?

7 A I don't remember.

8 Q Do you know the -- if you don't, that's
9 fine, I'm just curious. Do you know the amount
10 of money that it takes to write an NCR -- that
11 results from the writing of an NCR report? That
12 is, how much it takes to process that report?

13 A I wouldn't have the slightest idea.

14 Q Okay. Nobody has ever mentioned that
15 to you?

16 A No.

17 MR. COCHRAN: Okay. I don't have any
18 further questions.

19 MR. DAVIDSON: I'm sorry, sir. I didn't
20 hear you.

21 MR. COCHRAN: I have no further questions.

22 MR. VOEGELI: I have just a few.

23 EXAMINATION

24 BY MR. VOEGELI:

25 Q I'm not clear of the relationship between

1 you and Robbie Robinson. In reference to
2 unsat. IR's and NCR's, was Mr. Robinson someone
3 who was responsible to either you directly or to
4 someone under you?

5 A I don't think I understand what you're
6 saying. I'm sorry.

7 Q If you had an unsat. IR, if there were
8 an unsat. IR or an NCR and it involved Mr. Robinson --
9 I'm trying to establish what relationship you had
10 with Mr. Robinson. Were you his supervisor?

11 A No, Mr. Robinson was the general foreman
12 in the craft. I inspected in the shop where he
13 was the general foreman.

14 Q So he was in no way in the chain of
15 command either under you or over you?

16 A No.

17 Q During this time you were in a supervisory
18 capacity, were you ever told to do your job in
19 violation of procedures, guidelines, rules,
20 handbooks, memoranda, or other documents or
21 oral instructions which were officially issued by
22 the QC department?

23 MR. DAVIDSON: Mr. Voegeli, I don't mean
24 to interrupt. However, I think in your question
25 that you indicated that Mr. Wilkerson was in a

1 supervisory position. I don't believe we have had
2 any testimony to that effect, and I think his
3 current position is lead QC inspector, and it's
4 a quite recent one. So during most of the nine
5 years he's been employed by Brown & Root, he hasn't
6 been in a supervisory position.

7 MR. VOEGELI: Are you talking about
8 when I was asking him about his relationship with
9 Mr. Robinson?

10 MR. DAVIDSON: Yes. He wasn't a supervisor
11 at that time.

12 MR. VOEGELI: Whatever period of time
13 that was.

14 MR. DAVIDSON: He wasn't a supervisor.
15 You only became a supervisor in the last
16 few months; is that correct?

17 THE WITNESS: In the last year, yes.
18 BY MR. VOEGELI:

19 Q So this question goes to -- would you
20 like that repeated to you?

21 A Yes, please.

22 (The reporter read the record as requested.)

23 BY MR. VOEGELI:

24 Q And I would ask the same question during
25 the period before you were a QC inspector.

1 MR. DAVIDSON: A lead QC inspector.

2 THE WITNESS: No.

3 BY MR. VOEGELI:

4 Q Have you ever been threatened with some
5 actions or were any actions actually taken against
6 you for doing your job correctly?

7 A No, sir.

8 Q And based upon your own personal knowledge,
9 have you ever witnessed any other violations by
10 other persons of procedures, guidelines, rules,
11 handbooks, memorandum?

12 A No.

13 MR. VOEGELI: I have no further questions.

14 MR. McNIEL: I would just like to pose
15 a few brief questions to Mr. Wilkerson.

16 EXAMINATION

17 BY MR. DAVIDSON:

18 Q Mr. Wilkerson, during the recital of
19 your employment list, you mentioned that you were
20 a quality control inspector at General Dynamics;
21 is that correct?

22 A Yes.

23 Q I don't believe that you gave the year of
24 your employment -- that you began employment with
25 General Dynamics. Do you recollect it?

1 A In '67 or '68.

2 Q Mr. Wilkerson, did you receive any training
3 for your quality control work at General Dynamics?

4 A Yes.

5 Q Did you receive some classroom training?

6 A Yes.

7 Q Do you know how much time you received
8 in classroom training?

9 A In radiology it was 80 hours of classroom.

10 Q Did you take an examination at the
11 conclusion of that classroom training?

12 A Yes.

13 Q Did you pass that examination?

14 A Yes.

15 Q Did you pass it on the first attempt?

16 A Yes.

17 Q Did you thereafter receive any further
18 training such as on-the-job training?

19 A On-the-job training, yes, sir.

20 Q Mr. Wilkerson, in your testimony here
21 today, you described what you termed an unsat. IR,
22 meaning an unsatisfactory inspection report,
23 and an NCR, which I understand to be a nonconforming
24 report. You stated, and I wish you would correct
25 me, that you would initiate an unsat. IR in the case

1 of in-process work; is that correct?

2 A Yes, sir.

j-4-1 3 Q You stated that in-process work was work
4 that wasn't yet in final presentation form; is
5 that true, sir?

6 A Yes.

7 Q Does work that is, as you call it,
8 in process receive a subsequent inspection when
9 it is in final presentation form?

10 A Yes.

11 Q What is the term used for that inspection?

12 A Repeat that one.

13 Q What is the term used for the inspection
14 that occurs subsequent to final presentation?

15 A Reinspection per the unsat. IR.

16 Q It's called a reinspection per the unsat.
17 IR, not a final inspection?

18 A Let me clear the air here.

19 Q Good.

20 A There's several, as you say, final
21 inspections.

22 Q Thank you.

23 A You come down to -- there is a difference
24 between a final inspection on a hanger and a final
25 inspection on a system. Final inspection on a system

1 is NF, is when you're actually turning the system
2 over to the client. And as far as when you write
3 IR's or NCR's, it's just according to the situation.

4 Q In other words, there are a number of
5 stages at which inspections are made?

6 A That's true.

7 Q If you have in-process work, you make
8 an inspection.

9 A Yes.

10 Q You may or may not initiate an un-
11 satisfactory report?

12 MR. COCHRAN: Objection. It's leading.

13 BY MR. DAVIDSON:

14 Q Are there several stages of inspection?

15 A Yes.

16 Q If work is in process and you issue an
17 unsat. IR, will there be a subsequent inspection?

18 A Yes.

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

20 BY MR. DAVIDSON:

21 Q In any subsequent inspection, will you
22 look to see whether the unsat. IR condition has been
23 corrected?

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

25 THE WITNESS: Definitely, yes.

1 Q Mr. Wilkerson, when you initiate an
2 NCR, could you describe -- excuse me. Could you
3 describe the process by which you initiate an NCR.

4 A Call the NCR coordinator, get an NCR
5 number, write the NCR, send it to the NCR coordinator.

6 Q Do you take your NCR and show it to
7 your supervisor?

8 A I as a lead wouldn't.

9 Q Of course not.

10 Let me ask this question. Would
11 quality control inspectors who work under your
12 supervision show you their NCR's?

13 A They might show it to me. They don't have
14 to.

15 Q Mr. Cochran asked you earlier whether
16 you had ever seen or witnessed an instance where a
17 craft person was unhappy with a decision by a QC
18 inspector to initiate an NCR. Do you remember that,
19 sir?

20 A Yes.

21 Q And just to be certain I understand and
22 heard your answer, have you ever witnessed -- that
23 is, have you ever seen or participated in an
24 incident in which a craft person expressed unhappiness
25 at the initiation of an NCR by you or the quality

1 control inspector?

2 A Sure.

3 Q Have you participated in such a situation?
4 Have you been confronted by an unhappy craft person?

5 A Sure.

6 Q Did this individual craft person's
7 unhappiness dissuade you from initiating the
8 NCR you had decided to write up?

9 A No way.

10 Q Have you ever been so dissuaded?

11 A No.

12 MR. DAVIDSON: I have no further questions.

13 EXAMINATION

14 BY MR. COCHRAN:

15 Q What happens if a QC inspector writes an
16 NCR report, shows it to his lead QC inspecto.,
17 and the lead man disagrees? Say it's one of
18 your inspectors.

19 A It goes right to the NCR coordinator
20 whether I disagree or not.

21 Q What happens if the NCR coordinator
22 disagrees?

23 A It gets dispositioned, as far as I know.

24 Q Would you define what you mean by
25 "dispositioned."

1 A It goes to engineering for an answer, or
2 welding, engineering, or whoever it needs to
3 go to.

4 Q So your testimony is that you as a lead
5 QC inspector and the NCR coordinator are merely
6 conduits through which the paperwork passes?

7 A Yes.

8 Q And that neither of you exercises any --
9 or let me state it this way. What are the facts
10 in regard to whether or not either the lead QC
11 inspector or the NCR coordinator exercises any
12 review authority over the merits of the NCR?

13 A I think we are all just kind of talking
14 around here. I know what you're trying to ask.

15 Q I wish you would tell me.

16 A If a guy brings an NCR to me, which
17 if he does -- like I say, he doesn't have to --
18 he can send it right on, but normally they will bring
19 it to me to check for spelling or whatever. Okay.

20 If I think it's a nonconformance --
21 I mean, not a nonconformance, I'll mention it
22 to him. But that doesn't stop the NCR. The NCR
23 goes on through.

24 Q Okay.

25 A Whether it's a nonconformance or not is

1 decided by somebody way above me.

2 Q Okay. If you don't agree with him, you
3 don't stop it, is what you're saying?

4 A No, I can't do that.

5 Q Well, what do you do -- what happens
6 when you get a man that repeatedly sends in -- one
7 of your subordinates under you as lead QC
8 inspector, what happens when you get a QC inspector
9 who repeatedly sends NCR's through that you don't
10 agree with? Not just a single incident, but just
11 time after time?

12 A Nothing, I guess. I guess I talk them
13 into writing a little faster so they can get back
14 to work. There's nothing that I can do.

15 Q Okay.

16 Well, is it accurate, then, that your
17 perception of him is that he's not -- that he's to
18 write faster to he can get back to work; is that
19 what you said?

20 A Well, I was bulling there. But, really,
21 just let him talk about it. If he writes an NCR,
22 it goes through. Whether I agree with or disagree
23 with it, it doesn't make any difference.

24 Q But if a man continues to write NCR's
25 that his supervisors don't agree with --

1 A If a man continues to write NCR's on
2 conditions that are not nonconforming, he is
3 definitely going to get counseled about not knowing
4 his procedures.

5 Q And that counseling is a step toward
6 termination; is that correct?

7 A Not necessarily.

8 Q I'm going to the facts with regard to --
9 the status of counseling in regards to a man's
10 personnel file or his continuation as an employee.

11 A I don't think I understand that question.

12 MR. DAVIDSON: Mr. Cochran, would you
13 like to ask him whether counseling is a step in
14 the termination of an employee?

15 MR. COCHRAN: That's a good question.
16 Can you answer that?

17 THE WITNESS: That counseling is a step --

18 BY MR. COCHRAN:

19 Q -- in the termination process.

20 A Not necessarily, no.

21 Q Okay. Not necessarily, but can it be?

22 A Sure it can be.

23 Q What would determine whether it was a
24 step in the termination of an employee versus whether
25 it wasn't?

1 A Probably continued counseling.

2 Q So if there was a disagreement between
3 a QC inspector and his supervisors over whether
4 the NCR's which they were writing were in fact
5 nonconforming items, and that inspector was counseled
6 on multiple occasions, is it your understanding,
7 then, that that could very well lead to his
8 termination?

9 MR. DAVIDSON: I think, sir, there is a
10 fundamental missing assumption in the question
11 which you have propounded, which I think is rather
12 compounded to start with.

13 MR. COCHRAN: Probably true.

14 MR. DAVIDSON: That is, he makes repeated
15 NCR's which are dispositioned to have been
16 shown that they were not in fact initiated for
17 nonconforming conditions, that he does not clearly
18 understand these procedures, that he has been
19 counseled to learn these procedures, and that he
20 apparently has not benefitted from the counseling.

21 That's the situation you're describing.

22 MR. COCHRAN: Can you answer the question
23 that I asked?

24 MR. DAVIDSON: I'm going to instruct
25 the witness not to answer that question.

1 BY MR. COCHRAN:

2 Q Well, Mr. Wilkerson, it seems to me --
3 and I'm asking you if I've understood what you
4 said right -- it seems to me that there is an
5 assumption in your answer, and that is, that in
6 the situation we've been describing, it would
7 be the inspector who, quote, doesn't understand his
8 procedures as opposed to the possibility that the
9 inspector could be right?

10 MR. DAVIDSON: Objection to that, sir.
11 That's not at all what he was stating. All --

12 MR. COCHRAN: Let me ask him --

13 MR. DAVIDSON: I'm going to instruct
14 the witness not to answer, and I would appreciate,
15 Mr. Cochran, if when I try to speak, you don't
16 interrupt me. All I want to say is, we had a
17 discussion here. You asked Mr. Wilkerson a question
18 about when a QC inspector under his supervision
19 who repeatedly initiates NCR's, which when
20 dispositioned, are shown to be erroneous. Then --

21 MR. COCHRAN: No, I didn't ask that.
22 That was your interpretation of it.

23 MR. DAVIDSON: That was the question.
24 I don't think we should debate what's on the record.

25 Why don't you ask the question and make

1 it simple and direct.

2 BY MR. COCHRAN:

3 Q Let me ask you this question. Based
4 upon your experience, would it be possible that a QC
5 inspector could simply be right in his writing of
6 NCR's which were dispositioned of improper procedures?

7 A I find that very doubtful.

8 Q But it's possible.

9 MR. DAVIDSON: Objection. We are not
10 asking for speculation.

11 BY MR. COCHRAN:

12 Q Is it possible?

13 MR. DAVIDSON: I'm not going to let
14 the witness give speculations and guesses. Just
15 ask his knowledge.

16 BY MR. COCHRAN:

17 Q Have you understood the questions
18 that I've asked of you throughout this deposition?

19 MR. DAVIDSON: I object to that question.

20 THE WITNESS: Most of them, yes.

21 BY MR. COCHRAN:

22 Q Have you understood the answers that
23 you have given?

24 A Well, I hope I've understood the answers
25 that I gave.

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Q Okay. Are those answers true and correct to the best of your knowledge?

A Yes.

Q Do you wish to change any of them at this time?

A No.

MR. COCHRAN: Pass the witness.

MR. VOEGELI: I have no further questions.

MR. McNIEL: I have none.

MR. DAVIDSON: I have no further questions.

At this time, now that all parties to this evidentiary deposition have indicated that they have no further questions, I would like to close this evidentiary record.

MR. COCHRAN: I don't want to make a response. I don't want to acknowledge that that's proper procedure.

(Whereupon, at 11:15 a.m., the deposition was concluded.)

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CERTIFICATE OF PROCEEDINGS

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

In the matter of: Comanche Peak Steam Electric Station

Date of Proceeding: July 9, 1984

Place of Proceeding: Glen Rose, Texas

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

TERRI L. HAGUE
Official Reporter - Typed

Terri L. Hague
Official Reporter - Signature