

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC
COMPANY, et al

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

Docket No. 50-445
50-446

Deposition of: Darlene Stiner

Location: Glen Rose, Texas

Pages: 52,000-52,250

Date: Friday, July 13, 1984

TR 01011

*Original to E. Pleasant
H-1149*

See copy to E. Johnson, Region IV

TAYLOR ASSOCIATES

Court Reporters
1625 I Street, N.W. Suite 1004
Washington, D.C. 20006
(202) 293-1950

8407190123 840713
PDR ADOCK 05000445
T PDR

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

-----x
 In the matter of: :
 :
 TEXAS UTILITIES ELECTRIC :
 COMPANY, et al. : Docket Nos. 30-445
 : 30-446
 (Comanche Peak Steam Electric :
 Station, Units 1 and 2) :
 -----x

Glen Rose Motor Inn
Glen Rose, Texas

July 13 , 1984

Deposition of: DARLENE STINER,
called for examination by counsel for Intervenor,
taken before Marilyn Nations, Court Reporter,
beginning at 4:25 p.m., pursuant to agreement.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 APPEARANCES:

2
3 On behalf of Applicant:4 NICHOLAS S. REYNOLDS, ESQ.
5 Bishop, Liberman, Cook, Purcell & Reynolds
6 1200 Seventeenth St., N.W.
7 Washington, D. C. 20555

8 On behalf of NRC Staff:

9 GEARY MIZUNO, ESQ.
10 Office of teh Executive Legal Director
11 U.S. Nuclear Regulatory Commission
12 Washington, D. C. 20555

13 On behalf of CASE:

14 CHARLES J. SOSNICK, ESQ.
15 Cotchett & Illston
16 California First Bank Building
17 San Mateo, California 94402

18 * * *

19
20
21
22
23
24
25

mgc-1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS:

DARLENE STINER

EXAMINATION BY:

MR. REYNOLDS:	52,003
MR. SOSNICK	52,066
MR. MIZUNO:	52,174
MR. REYNOLDS:	52,238
MR. MIZUNO:	52,247
MR. SOSNICK:	52,248

E X H I B I T S

D. Stiner Deposition Exhibit No. 1	52,136
------------------------------------	--------

mnlpbl

P R O C E E D I N G S

Whereupon,

DARLENE STINER

a witness, called for examination and, having been first duly sworn was examined and testified as follows:

EXAMINATION

BY MR. SOSNICK:

Q Mrs. Stiner, I'll introduce myself. I'm Charles Sosnick and I represent Intervenor in this action. And just as a few preliminaries I'd just like to tell you about a deposition.

As you know, everything that's said here today is transcribed onto a written record. And because of that it's necessary that we all respond audibly. When a question's put to you, please answer out loud. The court reporter can't pick up a nod or a shake of the head.

Also, when someone asks a question, please wait until they finish the question and that way you can fully understand the question, and no one will be talking over each other or interrupting.

Do you understand all these instructions?

A Yes.

Q Mrs. Stiner, I'll ask you what you understand the reason why you appear here today.

A I'll believe I'm here to give testimony as to

1pb2

1 any type harassment and intimidation I might have incurred
2 while I worked at Comanche Peak.

3 Q Mrs. Stiner, were you ever employed by Texas
4 Utilities Company?

5 A I was employed by Brown & Root.

6 Q And where did you work? Where was the place of
7 employment for Brown & Root?

8 A Comanche Peak.

9 Q Now then, Mrs. Stiner, could you describe to us
10 the first incident that you regard as acts of intimidation and
11 harassment -- strike that.

12 What was your position at Comanche Peak when you
13 first went to work there?

14 A When I first went to work I was a file clerk, and
15 I worked for welding engineering department.

16 Q And when did you first go to work at Comanche Peak?

17 A August of 1977.

18 Q And for how long were you a welder at Comanche Peak?

19 A Approximately -- I was a welder approximately a
20 year and a half, I think.

21 Q And following that, what position did you hold?

22 A Quality control inspector, mechanical.

23 Q And for how long did you hold that position at
24 Comanche Peak?

25 A Approximately three years.

1pb3

1 Q And do you -- what time did you leave your
2 employment at Comanche Peak?

3 A December 15th, 1982.

4 Q Mrs. Stiner, could you describe for us the first
5 incident of intimidation and harassment you experienced while
6 you were an inspector at Comanche Peak?

7 A Yes. The first thing would be I worked for Harry
8 Williams, who was my gold hat, and we were doing some
9 inspections and I inspected the polar crane. What I did, I
10 noticed there was a hole that was burned by an accident, and
11 I was present at the time. The polar crane was not actually
12 in my realm of inspection, I just happened to be present when
13 this was done.

14 I called the supervisor. I believe it was -- I
15 don't remember the guy's name. Anyway, he was a quality
16 control superintendent and told him about the problem. He
17 told me since I was there to go ahead and write an NCR. So
18 I did so, and the NCR was sent back to me voided. They told
19 me that, for me to just pull my hold tags. Harry Williams
20 told me to pull my hold tags, that it was outside the realm
21 of QA/QC program.

22 This took approximately a day, which usually an
23 NCR takes longer. Sometimes they don't. But from the time
24 I wrote it, I had to put the hold tags on the instrument
25 panel in the polar crane. And the man that ran the polar

1pb4

1 crane told me when I put them on there, he said, you can't
2 just shut the polar crane down. He said, you just can't shut
3 it down like that. We have to run this polar crane.

4 And I said, I told him that it was my job to make
5 sure that safety was maintained out there. And that if it
6 was something that I was, you know, aware of and that I had
7 been told to go ahead and write the NCR myself. So that I
8 definitely was stopping work with the polar crane, and for
9 him not to operate it anymore, until further notice. And
10 not to remove my hold tags.

11 It wasn't -- I would hate to say exactly how
12 many minutes -- but I got back over to the office and I was
13 called, the general foreman, this man whoever the operator
14 was, his general foreman was calling to want to know how long
15 it would be before I was going to pull those hold tags. He
16 said there was nothing wrong with the polar crane.

17 And I told him I had written an NCR and I would
18 definitely not pull the hold tags. So he told me that he
19 would call my gold hat that I was not authorized to write an
20 NCR on a polar crane. That I was a mechanical inspector, and
21 that I didn't know what I was talking about. That there was
22 nothing wrong with it, and that the best thing for me to do
23 if I wanted to keep my job was go pull the hold tags off, so
24 they could run the polar crane.

25 I told him that if he wanted to call Harry Williams

lpb5

1 to go ahead and call him. That I was not going to pull the
2 hold tags until I was told to by Harry Williams or until
3 I got a disposition on that NCR. I would say it wasn't more
4 than a couple hours before Harry Williams called me into his
5 office and told me to go pull the hold tags. He told me that
6 my NCR had been voided. He didn't tell me exactly why except
7 that it was outside the realm of the QA program. And I did
8 not sign it. He just told me to go pull them. That he was
9 instructing me that I would go pull them. So I did so.

end 1

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 (Discussion off the record.)

2 THE WITNESS: The only thing that I would like to
3 add to that particular question is that at the time of the
4 NCR I tried to get ahold of somebody that took care of that
5 sort of thing, because it wasn't in my type of inspection
6 because I felt that it was a very serious problem. And I
7 felt that it was a definitely safety-related thing.

8 When the operator told me that I didn't know what
9 I was doing and that I'd better pull the hold tags, I felt
10 like he wanted to get production, he wanted to get the polar
11 crane running and he didn't, you know, actually care --
12 neither did his supervisors, if the polar crane was safer.

13 MR. REYNOLDS: Mr. Sosnick, may I interrupt the
14 witness for a moment?

15 It seems to me that what we have here is a story that
16 is not being responsive to your specific questions. I would
17 prefer that counsel ask specific questions, and then the
18 witness would respond. I think it would be more efficient
19 and more helpful to the Board. A lot of what has come in
20 here, as you well recognize, is irrelevant. And I think if
21 counsel focused the witness on the facts and the materials
22 of what we're trying to get at here, it would make for a more
23 efficient record.

24 MR. SOSNICK: I am in favor of an efficient record,
25 also. And I'm sure Mrs. Stiner was trying to respond to my

1 question in relating that incident.

2 BY MR. SOSNICK:

3 Q Mrs. Stiner, if you could just go through the
4 facts, as you know, to describe that incident, that would be
5 fine.

6 And while I've interrupted you, I will ask you,
7 Mrs. Stiner, you mentioned that a craftsperson talked to you
8 about the NCR that you wrote. Now, when he spoke to you, can
9 you describe his attitude towards you and the incident?

10 A He just acted like -- that I didn't know what I
11 was doing, that I had no reason to be there to start with, to
12 even be in that area and saying anything at all about the
13 polar crane.

14 He acted like he felt that I should just pull the
15 hold tags right back off and go about my business and get
16 on with whatever they do.

17 Q Mrs. Stiner, what was the -- what was the result
18 of the NCR stay on that particular item, or what particular --
19 what happened?

20 A No, they voided it.

21 Q Who voided it?

22 A Harry Williams voided it, so far as I know. There
23 may have been other people involved, too, but it came down
24 through him -- the word came to me through him that it was
25 voided.

1 Q Okay.

2 Did you have any part in voiding it?

3 A No, I did not.

4 Q Mrs. Stiner, can you -- can you tell us when this
5 event occurred?

6 A It was -- it was in mid-summer. I would say June
7 or early July.

8 I am not positive about that, but I believe that's
9 about right, June or July.

10 Q Of what year?

11 A '84, I think.

12 Q Now, Mrs. Stiner, could you -- could you relate to
13 us the next incident where you understand you were --

14 A Yes. It involved a pipe support, 790 level, in the
15 auxiliary building, and I had been called for an inspection.
16 I had found weave welds on the hanger, and I had told the
17 craftspeople to cut the hanger down. They told me they would.

18 And then, when I went back, the faces had been
19 ground off. So, I put a hold tag on the hanger. This was
20 for an NCR. And the foreman went and got the general foreman.

21 The foreman told me that it had been cut down to
22 bare metal and repaired correctly. But I looked at the
23 package, and according to the memory rods they had drawn,
24 there was no way it could be done correctly.

25 So, I told him that I was writing an NCR that it

1 had not been done correctly, that I was writing an NCR.

2 So, he told me that he was going to go get his
3 general foreman and that they would straighten out that
4 problem right away.

5 Q Mrs. Stiner, who was this person that came to you
6 here?

7 A Don Fields was the foreman, and he went and got
8 Forest Dendy, who was the general foreman. And Forest Dendy
9 called my superintendent, and he came down in the hallway and
10 asked me what was going on. And I told him that I was
11 writing an NCR, that they had said that it was corrected
12 correctly, and there was no way it could have been.

13 -- I explained the situation to him, and he -- at
14 first, Forest Dendy asked him -- was tell him that there was
15 nothing wrong with the hanger, that it had been corrected,
16 and he said, "What did my inspector say?"

17 And he said -- Harry Williams said, "Well, I will
18 go with what my inspector says."

19 Then, a little while later -- I would say 30
20 minutes, something like that, later -- I was called into the
21 office and told that I would buy it off.

22 Q Who told you that?

23 A Harry Williams told me I'd buy the hanger off.

24 Q Now, when you say "buy off," do you mean --

25 A Sign off, as being acceptable.

1 Q Acceptable?

2 A Uh-huh.

3 Q Not just --

4 A No, signing off.

5 Q -- disposition, but --

6 A No, just sign it off as being acceptable.

7 Q Okay.

8 A I told him at the time that it wasn't right, that
9 I'd show him that there was no way they could have welded it
10 correctly, cut it all out and rewelded it.

11 And I asked him if we couldn't have an X-ray
12 performed on it, to find out, positively. And he said that
13 it might show the interior beams, but he wouldn't order it
14 anyway.

15 So, I told him -- he said, "You just go ahead and
16 sign it off," and I told him I was not going to sign it off,
17 that if he wanted to sign it off, he could sign it off
18 himself.

19 At that point, when he told me that I would sign
20 it off, he let me know that I would be -- that he could find
21 somebody else to sign it off, that I would be picking up the
22 beer cans out of the cattle chute, and if I didn't, it would
23 be signed off.

24 I don't remember ever signing it off.

25 But I do know that it was not corrected -- while

1 I was out there, it was not corrected. And I felt intimidated
2 with the fact that -- that Harry Williams was making me do
3 something against the procedures, knowing -- with me knowing
4 that it was still wrong.

5 Q Mrs. Stiner, can you describe what Mr. Williams'
6 attitude was to you with regards to your writing up the NCR
7 on that item?

8 A Yes, he just acted like that it didn't make any
9 difference, that I couldn't prove it, and that -- just go
10 right ahead and sign it off, that -- let the craftsmen get
11 on their way. He didn't want me to hold the crafts up at
12 all.

13 Q Mrs. Stiner, do you recall when this -- can you
14 tell us when this event occurred?

15 A Yes, it was the third month of '81, I believe.

16 Q You mentioned Mr. Williams was involved. Were
17 there any craftspeople involved in this incident?

18 A Yes. Don Fields was the foreman involved. Forest
19 Dendy was the general foreman. And the welder that was
20 involved in it was -- let me think -- he was a Mexican-looking
21 guy -- Armand Bromula.

22 Q Mrs. Stiner, would you tell us what, if anything,
23 any of these craftspersons told you regarding this NCR that
24 you wrote?

25 A Yes. Don Fields told me that it had been done

1 correctly. He also told me that he would cut it down. When
2 I told him to cut it down, he said he would cut it down.

3 MR. MIZUNO: Would cut it down?

4 THE WITNESS: Yes, would cut it down.

5 And then he told me, when I was called back for
6 reinspection, he told me that it had been corrected and that
7 he had been told that he didn't have to cut it down -- that
8 it had been corrected, that it had been cut down to bare
9 metal and rewelded.

10 And also, Forest Dendy told me -- he also told me
11 that he was going to get in touch with Forest Dendy, and then
12 Forest Dendy told me that he was -- that I should pull the
13 tags because there was nothing wrong with the hanger. And I
14 talked to Mr. Williams about it.

15 (Discussion off the record.

16 (Recess

17

18

19

20

21

22

23

24

25

end 2

mgc 3-1

BY MR. SOSNICK:

1
2 Q Mrs. Stiner, could you describe specifically
3 the acts of intimidation and harassment with respect to the
4 welding incident you have described?

5 A Yes. The craft, when I put the hold-tag on
6 it, first seemed like they were going to cooperate. They
7 said they'd cut it down. And then when I put the hold-
8 tag on, they started putting pressure on me, like I didn't
9 know what I was doing, and why was I putting a hold-tag
10 on when they were trying to tell me that they had been
11 corrected all the way and there was no problem with that
12 hanger at all, and I must be a stupid inspector for even
13 putting a hold-tag on.

14 Then, you know, it wasn't good enough that
15 I was qualified to tell them, you know, I'm writing an
16 NCR. They went to my boss, my gold hat, and I told him,
17 you know, the same thing as telling me I didn't know what
18 I was doing and to take the hold-tag off, and they just --
19 they kept pressuring me to try to make me feel that I,
20 you know, just didn't have a leg to stand on.

21 And then my boss proceeded to tell me that
22 I didn't have a leg to stand on.

23 Q And did you understand that your boss was
24 also trying to pressure you?

25 A Most definitely.

mgc 3-2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. REYNOLDS: Leading question. I object to it.

THE WITNESS: Harry Williams told me --

MR. REYNOLDS: There is no question pending.

THE WITNESS: Oh. I'm sorry.

(Pause.)

BY MR. SOSNICK:

Q Now approximately when did this incident occur?

A It was the third month of 1981.

Q What area, if any, did the next incident of intimidation and harassment concern?

A (No response.)

Q Let me ask you, what kind of work item did it concern?

A The next thing was involving some work I did on the diesel generators.

Q And when did that occur?

A I would think in May.

MR. REYNOLDS: Counsel, may I just ask you if you are familiar with Mrs. Stiner's previous testimony in this case, in which she has related the specifics of the two instances she has just discussed.

MR. SOSNICK: Yes.

MR. REYNOLDS: And also the incident

mgc 3-3

1 involving the diesel generators.

2 Perhaps we could save time if you would
3 ask Mrs. Stiner if there is anything she would like to
4 add to what is already the record on that subject.

5 MR. SOSNICK: My purpose, Counsel -- and
6 I recognize your concern about that -- is just to relate
7 the work item as a point of identification and then get
8 specifically to whatever Mrs. Stiner believes is an
9 act of intimidation or harassment concerning that.

10 If it's all right with you, I will just do
11 that preliminary --

12 MR. REYNOLDS: Of course.

13 MR. SOSNICK: Okay.

14 (Pause.)

15 BY MR. SOSNICK:

16 Q Now with reference to that, Mrs. Stiner,
17 could you tell us what, if any, were the acts of
18 intimidation or harassment that occurred?

19 A Yes. From the minute I was told to
20 inspect the diesel generators, I was not -- I did not feel
21 that I was qualified, because I was a mechanical
22 inspector --

23 MR. REYNOLDS: Objection.

24 THE WITNESS: -- not for diesel generators.
25 I had never inspected diesel generators.

mgc 3-4

1 MR. REYNOLDS: Counsel, how does inspector
2 qualification relate to the subject for this phase of
3 the hearing?

4 MR. SOSNICK: I recognize -- please,
5 Mrs. Stiner, please relate to us what, if any, were the
6 particular acts of intimidation or harassment concerning
7 the diesel generators?

8 THE WITNESS: I was told to inspect them,
9 after I told them I was not qualified. I was told that
10 I would inspect them to the best of my abilities.

11 BY MR. SOSNICK:

12 Q And who told you this?

13 A Harry Williams told me that. And I told him
14 when he told me that, I said, "I'm not qualified. I don't
15 feel comfortable with the inspections. Can't you find
16 somebody else?" And he told me that I would just have to
17 do the best I could. He said, "We've got to get all of
18 these diesel generators inspected, reinspected, the
19 vendor welds, and you'll just have to do the best you can."

20 I told him every day, every day, to take
21 me off, and every day he told me that he would not take
22 me off, for me to just do the best I could.

23 When I told him I didn't understand the
24 drawings or anything, any problem that I had with the
25 inspections, he became extremely irritated with me, and

mgc 3-5

1 as a matter of fact, he slammed out of the office two
2 or three times because I might ask a question or
3 something that he would think that I should have already
4 known about the diesel generators. And all this time,
5 I was telling him that I did not want to do these
6 inspections because of the fact that I wasn't qualified.

7 This went on, and finally he was so
8 agitated that he finally took me off of it. But it got
9 to the point where he was -- he was agitated with me
10 every day. He would ask me how my production was on my
11 inspections, and because I didn't understand the drawings
12 extremely well, I wasn't making a lot of production,
13 because my job was to ensure quality, not quantity, and
14 it seemed to me that they were concerned with getting
15 them inspected quick. They weren't concerned with whether
16 they were done right or not. They were concerned with the
17 fact that I did them fast.

18 So when I would tell him that I was having
19 a problem with this or that, he just became very upset
20 with me to the point where I thought I was going to be
21 fired over these diesel generators.

22 Q Now what, if anything, did you do about
23 inspecting these generators when you felt that you
24 shouldn't?

25 A I did what I was told. I inspected them,

mgc 3-6

1 because of the fact that I felt like I'd lose me job,
2 and at the time, I couldn't afford to lose my job, so
3 I inspected them, what I would consider to be not the
4 way they needed to be inspected.

5 Q Mrs. Stiner, could you tell us what particular
6 item at Comanche Peak was involved in the following
7 incident of intimidation or harassment?

8 A Yes. After I worked on the diesel generators,
9 Harry Williams was so --

10 Q Look, Mrs. Stiner -- I'm sorry -- what was
11 the particular work item involved in the next incident?

12 A Well, I was moved to a different area. I was
13 moved to the structural fab shop, so it was actually a
14 whole fab shop involved. It wasn't one particular item.

15 Q And what specifically were the acts of
16 intimidation or harassment regarding your inspection of
17 the fab shop?

18 A Okay. I inspected some doors that were
19 fabricated up there, and the weld symbols were wrong on
20 the drawing. I called and informed the supervisors that
21 the weld symbols were wrong.

22 Now somewhere in among this time -- I don't
23 know exactly to the date when it was that Brandt took over
24 and Williams was not my supervisor anymore; I don't know
25 exactly when they switched it over -- but anyway, at this

mgc 3-7

1 particular time, Thomas Brandt was my supervisor. When
2 I inspected these doors and found that they were -- the
3 weld symbols was wrong, I let Randall Smith know they
4 were wrong, and I was not going to buy them that way, that
5 they needed to switch them.

6 The crafts people told me that definitely
7 would not reweld them, that they were right. They acted
8 like I didn't know anything. As a matter of fact, the
9 general foreman and the welding foreman in the fab shop
10 came out there where I was doing an inspection and told
11 me -- I put hold-tags on the doors -- and they told me
12 that the weld symbol -- gave me a complete 'nother
13 interpretation of the weld symbol, which they made me --
14 they were trying to make me think that they knew more than
15 I did, and I didn't even know what I was doing. But I knew
16 exactly what the weld symbol meant.

17 Q Now, Mrs. Stiner, what happened to the hold-
18 tags that you put on there?

19 A Thomas Brandt was called. They called him
20 and told him that I was trying to write them all up NCRs
21 on a bunch of doors, and that's the way it was told to
22 me, as they said, "a bunch of doors," and that I was trying
23 to put hold-tags on all of them and stop their production,
24 and they had to get those things down to the reactors, and
25 they could not be messing around. Somebody needed --

mgc 3-8

1 somebody needed to tell them.

2 MR. REYNOLDS: I'm going to object to this
3 as hearsay, Counsel. She's telling us what Brandt told
4 her. Let's get Brandt and ask him, if you want to hear
5 what Brandt told her.

6 MR. SOSNICK: Well, Counsel, I don't know
7 if it really is hearsay. I think it's an admission.

8 MR. REYNOLDS: An admission? An admission
9 of what?

10 MR. SOSNICK: An admission that Brandt
11 may be authorized to speak for Comanche Peak, and she's
12 certainly relating what she was told.

13 THE WITNESS: Anyway -- can I go ahead.

14 MR. SOSNICK: Yes.

15 THE WITNESS: Anyway, they called Tom
16 Brandt, which the way I understand at the time, they
17 couldn't get Brandt when they first tried, so they got
18 Randall Smith, which he came up there, and he agreed with
19 the fact that they -- he felt like the weld symbols were
20 wrong.

21 BY MR. SOSNICK:

22 Q Now, Mrs. Stiner, did anyone speak directly
23 to you about the holds that you put on the doors?

24 A Yes.

25 Q And who --

mgc 3-9

1 A Thomas Brandt told me that they were
2 right and that there wasn't a thing wrong with those
3 doors, for me to pull my hold-tags, and I told him that
4 they were wrong according to procedure, that they wrong,
5 and that I was not going to buy them off. I didn't want
6 to buy them off -- that they were wrong.

7 He said he would check into it and get back
8 to me. About an hour later, Randall Smith came back up
9 and told me that Brandt said that I would buy them off,
10 that they were buyable, that there was not one thing wrong
11 with those doors, and for me to pull my hold-tags or I
12 would be gone.

13 So at that point, I pulled the hold-tags.
14 I most definitely didn't want to be gone at that time.

15 Q Now the incident in the fab shop,
16 approximately when did that occur?

17 A That was in -- about October.

18 MR. MIZUNO: Of what year, please?

19 THE WITNESS: I'm sorry. Of '82.

20 MR. MIZUNO: Thank you.

End 3

21
22
23
24
25

4pbl

1 Q Mrs. Stiner, as I recall the diesel generator
2 incident occurred in 1981 and you described the incident to
3 us in October 1982. Was that the only incident in 1982?
4 Could you describe to us any others that might have occurred
5 before October 1982?

6 A Yes, but the reason I described that one first is
7 because that had to do with an inspection that I made. The
8 other intimidation and harassment that occurred was not
9 actually related to an inspection that I made. It was other
10 items.

11 Q Okay, why don't we just go then through chronological
12 order please, Mrs. Stiner, and tell us what was the first
13 one in 1982.

14 A Okay. I was moved.

15 Q What do you mean, you were moved?

16 A Well, I was subpoenaed to testify in July of 1982
17 at the hearings.

18 Q At which hearings, could you tell us?

19 A The Atomic Safety and Licensing hearings. They
20 didn't get to my testimony so I had to come back in September.
21 I'm not exactly sure just exactly when between those times,
22 July and September, but somewhere in between the time they
23 found out anyway that I was going to give testimony.

24 Q Excuse me, Mrs. Stiner, who do you refer to when
25 you mean they?

4pb2

1 A Thomas Brandt, my supervisors and Ron Tolson.

2 Q During that time, could you tell us about in
3 that time period you described, could you tell us the first
4 incident of intimidation and harassment?

5 A First of all, when I went back -- I think the
6 hearings were September 13th. I believe that's right. About
7 two weeks before the hearings or something like that I was
8 called into Ron Tolson's office. Until that point I had not
9 talked to him, he didn't know my name other than once he
10 called me in to tell me, or to inform me that I needed to
11 take a general education development test, because there
12 wasn't one in my record. I needed to take one. Other than
13 that did not even know who I was or anything.

14 I was called into his office and I was told that
15 he didn't care which side of the fence that I had chosen,
16 that it didn't make him any difference, but that he wanted
17 me to stick directly to my job. And he also told me that he
18 was very concerned about my health. He looked at me and he
19 said that he was concerned about my health, but I knew that
20 that man wanted me off the site. He didn't want me on the
21 site at all.

22 Q Mrs. Stiner, why did you believe that what Mr.
23 Tolson told you was an intimidating or harassing act?

24 A Because until I was subpoenaed to testify against
25 Brown & Root, he never talked to me, he never had anything

4pb3

1 to say to me. And then when he called me in, the way he
2 looked at me, he had never been concerned about my health
3 before, why would he be concerned about my health then? He
4 looked at me as if anyone would look at somebody that they
5 had contempt for. He had contempt in his eyes and in his
6 voice.

7 He wanted me off the site. I have no doubt in my
8 mind that he wanted me off the site. He told me not just
9 once, but he told me three or four times that he was very
10 concerned about my health and that he told me, like I said,
11 to stick directly to my job. He said, I don't know -- you
12 know, he said, I don't know -- he said, he said, I'm going
13 to have fun in September. That's what he said.

14 He said, now I don't know if you're going to have
15 any fun or not. But he said, I'm going to have some fun.

16 Q Mrs. Stiner, what did you understand those
17 statements to mean, that somebody was going to have fun in
18 September?

19 A I felt like that he was trying to harass me and
20 make me feel like he was, you know, going to punish me or
21 something for choosing to tell the truth.

22 Q Now when you say punish you for telling --

23 A Or maybe make my job hard or something.

24 Q Okay. Please let me finish my question.

25 A I'm sorry.

4pb4

1 Q When you say punish you for telling the truth,
2 telling the truth about what, Mrs. Stiner?

3 A About defects at Comanche Peak.

4 Q And under what circumstances were you going to
5 tell somebody about defects at Comanche Peak?

6 A Well, I was subpoenaed to testify. So therefore,
7 I was going to tell them the truth about anything I knew.

8 Q All right, Mrs. Stiner, after that incident in
9 Mr. Tolson's office, could you tell us of the next incident
10 of intimidation and harrassment if there was one?

11 A Yes.

12 Q Specifically, what was the intimidating or
13 harassing act?

14 A They moved me four times in a two-day span. And
15 the same truck driver moved me every time. I think that poor
16 man thought I was crazy.

17 Q All right. When you say they moved you, who are
18 you referring to when you say they?

19 A Thomas Brandt gave instruction for me to be moved.

20 Q And who was Thomas Brandt at that time?

21 A At that time he was my supervisor. I had what
22 would be considered a foreman, which was Randall Smith. And
23 then Thomas Brandt was his supervisor. And then there would
24 be, I guess, Tolson.

25 Q And when did this occur? This moving you've

4pb5

1 related?

2 A All right. I was moved sometime between the
3 July hearings and the September hearings.

4 Q And when you say moved, could you tell us what
5 you mean? Were you moved in a work area or what?

6 A At the time I was moved I was working in the
7 radwaste trailer and I was doing filing and answering the
8 phone and all that sort of thing, plus my inspections. I
9 was moved up on top of the hill where I had no place to put
10 my procedural books. I had no filing cabinets. I had no
11 drawers. The drawers were all kept locked. I was told to
12 use another man's desk. And the only part of it I could use
13 was the top.

14 So I ask him what I was supposed to do with my
15 procedures and nobody seemed to know. He worked at night and
16 he kept his desk locked.

17 Q Okay, excuse me, could we go off just one second?
18 (Discussion off the record.)

19 MR. SOSNICK: Back on the record.

20 BY MR. SOSNICK:

21 Q You've described a move that was made. Why did
22 you consider this intimidating or harassing, can you tell us?

23 A Well, I didn't get in one spot for more than like
24 an hour. And I think the most I spent was the third move they
25 put me back -- they said at first I was being moved to save

4pb6

1 me some steps. You know, to make it closer to my work area.
2 And then the third move they put me way down by the guard
3 shack which was twice as far.

4 Q Over what time span did all these moves occur?

5 A It was all in one day. I mean, like they put me
6 in one place. They started moving me about 11:00 in the
7 morning and they moved me and they had me at one spot for
8 lunch and my lunch box still hadn't been moved. So I was
9 in one spot and my lunch box was in another spot.

10 And then right after lunch they moved me again.
11 And then about 3:30 or 4:00 they moved me again. And then
12 before they could move me the fourth time, just my stuff
13 stayed right there -- or part of it did. The truck driver
14 came to get it the fourth time and he moved part of it back
15 up on top of the hill, and then came back the next morning
16 and got the rest of it. So it was actually a two-day span
17 before it was finished up.

18 But I felt like a yo-yo. I felt like they were
19 putting, you know, any sort of pressure they could put on
20 me to get me off-site. To get me to quit, or to get me
21 off-site.

22 Q Mrs. Stiner, do you have any understanding, and
23 if you do could you tell us why anyone would want you off-site?

24 A Yes, because I gave testimony about defects at
25 Comanche Peak.

4pb7

1 Q And approximately when did this event with all
2 the moving in one day occur?

3 A This was, I'm not exactly sure what date, but it
4 was between the July and September hearings. And they were
5 September 13th.

6 Q And prior to all this moving, how long had you
7 been in your original spot?

8 A Ever since about two weeks after I found out I
9 was pregnant, which was -- I would say about five months.

10 Q And what reasons were given to you for the various
11 moves in that one particular day?

12 A The only reason I was given was that it would
13 make me closer to my work area. And then when they moved me
14 back way down the third time, way back down toward the guard
15 shack I ask them, I said, do you consider this closer to my
16 work area? And the supervisor, Randy Smith told me that
17 Brandt said that he just wanted me moved, and that as far
18 as it being closer to my work area, that besides it being
19 closer to my work area that one of the reasons they moved me
20 out of the other place up there was because they didn't have
21 enough room.

22 But there was only -- there was a total of four
23 or five inspectors in the whole building, so I knew that
24 wasn't fact.

25 MR. REYNOLDS: I'm sorry, I didn't hear. Was

4pb8

1 the word money? They didn't have enough money?

2 THE WITNESS: Enough room. Also Randall Smith told
3 me not to get comfortable. He said, don't get comfortable
4 -- this was the third time -- he said, don't get comfortable,
5 we're going to move you again. Or they're going to move you
6 again, I'm not sure which word he used.

7 BY MR. SOSNICK:

8 Q Mrs. Stiner, following the incident of your having
9 to move several times in one day, could you tell us
10 specifically the next incident where acts of intimidation and
11 harassment were directed to you?

12 A Yes. The fourth time they moved me, they told
13 me they had a nice little office up on top of the hill close
14 to my work. So when I got up there they said, it's got an
15 air conditioner in the window, and it's just what, you know,
16 just where you need to be.

17 I went up there and the place was knee-deep in
18 trash. I called them and told them I needed a laborer to
19 come up there and clean the shack out, that it was in awful
20 shape. There was no way I could get any furniture in there,
21 and I needed them to come up there and clean it up.

22 They didn't send anybody. It was very hot weather.
23 I was big as a barrel. I was pregnant as anybody could
24 possibly be. And I got down on my hands on knees and cleaned
25 the place myself, so that I could work out of it.

4pb9

1 Q Did you have any understanding, Mrs. Stiner, as
2 to why they moved you to the small office?

3 A They said that it would be, so that it would be
4 closer to my work area, and that would be the perfect place
5 for me. That's exactly the words they used. That'd be the
6 perfect place for me.

7 After I got my desk in there and my chair behind
8 it, I could barely walk around the desk. I had very little
9 room. And then also, like I said it was very, very hot
10 weather. Very hot. And it had one small window and the air
11 conditioner wouldn't work.

12 So I called them and told them the air conditioner
13 wouldn't work. Approximately three days later -- they told
14 me they would get right on it. Oh, we'll get you an air
15 conditioner right up there. Not only did they not get me an
16 air conditioner, they were not even concerned if I ever had
17 an air conditioner. They didn't care.

18 Three days later, I believe, I had a friend that
19 worked in the electrical department. And I called him and
20 told him that I was about to die. That I had to take care of
21 my work and take care of my paperwork and that I was just
22 about to suffocate in that little office. And he brought me
23 an air conditioner. If it hadn't been for that, the QA/QC
24 department didn't care.

25 Q Could you tell me or could you describe to us,

4pb10

1 Mrs. Stiner, the differences between the small office you
2 just described and the original office before all those
3 various moves on that day?

4 A Yes, the original office was air-conditioned. I
5 had, as a matter of fact, a brand new chair and desk that had
6 been specially got for me. And when they moved me the first
7 time I was told I couldn't even take my chair and my desk,
8 my own stuff. I couldn't even take them with me. And plus
9 I had a lot more floor area, move around area. I had a
10 file cabinet, shelves, that sort of thing for personal items.

11 In the new little place they put me there was
12 no room for any of that sort of thing. The flooring in the
13 place they moved me from was tile. It was walkable. And the
14 place they moved me to was actually plywood that the nails
15 were starting to come out of. And it was very, very shackled
16 [sic]. Plus, it was sitting approximately, I won't even say
17 one foot from the road. It was right -- the front door was
18 right on the edge of the road.

19 Therefore, I was definitely afraid. I was
20 frightened to death that somebody might just conveniently,
21 you know, leave the road and take my little shack out and
22 there would go Darlene, if they wanted to get me off-site
23 bad enough. And I felt like, I honestly believe, that they
24 wanted to get me off-site that bad that if I hadn't have left
25 when I did, something like that very might would have happened.

4pb11

1 Q How many other people were in that small office?

2 A Nobody, just me.

3 Q And how long did you remain in that small office?

4 A Till the time I left.

5 Q And following the incident of all the moves of
6 offices in the same day, could you tell us, if there was, the
7 next incident of intimidation or harassment directed at you?

8 A Yes. I was called into Ron Tolson's office.

9 Q Before you proceed, Mrs. Stiner, I'm sorry to
10 interrupt you. When did this event occur?

11 A This was the first part of December.

12 Q What year?

13 A Of '82. I was told, Randall Smith came to get me,
14 and I asked him what I was going for and he said he didn't
15 know. When I got in there, I was told that some men from
16 Houston were there to see me. I believe this was the first
17 of December. It may have been a week or two -- anyway, I
18 was told there were some men from Houston there to see me
19 from the benefits department.

20 Q And what specifically, Mrs. Stiner, was the
21 act or incident of intimidation or harassment?

22 A They wanted to tell me what my options were. That
23 it was time for me to leave because I was going into my
24 eighth month. Thomas Brandt sent word to me by Randall Smith

25 Q Pardon me, Mrs. Stiner, I'm sorry. Just for

4pb12

1 clarification. What do you mean by eighth month?

2 A I was going to my eighth month of pregnancy, and
3 Thomas Brandt sent word to me by Randall Smith that I couldn't
4 work out there any longer. That I had to leave because I
5 was going into my eighth month and I could not work past my
6 eighth month.

7 So I was called in so that they could supposedly
8 tell me what my benefits were, and I was to tell them that
9 I was ready to go, which I did not, because I was not ready
10 to go.

11 Q Why did you understand that this particular incident
12 with somebody coming from Houston to tell you about your
13 benefits was an intimidating or harassing act?

14 A Because they never did that for anybody else.
15
16
17
18
19
20
21
22
23
24
25

end 4.

1 To my knowledge, the five years and
2 four months I worked out there, I do not ever remember
3 hearing about anybody else pregnant that had -- first
4 Ray Yockey talked to me about my benefits. Then they
5 had these people from Houston talk to me, and on an
6 average of three to four times a week, either Thomas
7 Brandt would send word by Randall Smith or Mr. Brandt
8 would say something to me, or Mike Foote would come and
9 give me a message that they were wondering when I was
10 ready to leave, when I was ready to go. They wanted me
11 to leave.

12 Q Mrs. Stiner, what did you understand that
13 the purpose of all these communications about your leaving
14 was directed at?

15 A They wanted me offsite. They wanted me
16 offsite for my fifth month.

17 Q Did you have any understanding why they
18 would want you offsite?

19 A Yes. Because I gave testimony in the
20 Atomic Safety & Licensing hearings.

21 Q And what leads you to believe that that
22 was the reason?

23 A Because they never -- they never treated
24 me that way before I gave testimony. They never -- they
25 never questioned my work that way; they never put so much

1 pressure on me. And I most certainly was not called
2 into Ron Tolson's office -- I would say I was called in
3 at least six or eight times into Ron Tolson's office
4 during all this time, and told, you know, I'm -- the
5 first time, "I'm concerned about your health," and right
6 on down the line, "Well, stick directly to your job."

7 One time I was called in and told by Ron
8 Tolson that he didn't want to catch me making copies of
9 anything, that I was not allowed to make copies, that if I
10 was caught making copies, I'd be terminated.

11 My job at that time was basically -- or a
12 large percentage of it was making copies. So how was I
13 going to stick to my job if I didn't make copies?

14 Q Now, the incident you described regarding
15 the communications regarding your health benefits and
16 questions about when you were leaving, could you tell us
17 if there was -- what the next incident of intimidation or
18 harassment was?

19 A Yes. On September -- I guess it would be
20 14th -- and I almost forgot about this one, but I want to
21 be sure that y'all get this one down. I would say it was
22 September the 14th in 1982 -- it may have been the 15th or
23 whatever, but it was right in those two or three days
24 there. I gave my testimony and the next day I started
25 to go to work, which I had been doing the very same

j1 5-3

1 routine for -- well, for years. I'd been riding the
2 buses and such things back and forth to work. That
3 morning I went out to get on the bus, and my husband took
4 me to the bus stop and I got on the bus, and the bus
5 driver -- the bus was fully loaded. There was four or
6 five people standing at the door, and the bus driver
7 told me that I couldn't ride any more, and it upset me
8 very deeply. I was -- I was shattered. I wanted to cry,
9 and yet I was mad. I was hurt, and the first thing I said
10 was, I said, "Why?"

11 And he looked at me and he said, "Well,"
12 he said, "my insurance won't cover you any more." He
13 said, "You just can't ride."

14 Q Did you want to finish? I'm sorry, I
15 didn't mean to cut you off.

16 A Yeah. He said I couldn't ride. At that
17 point the bus -- it was still -- everybody was listening
18 to what I said. I was embarrassed.

19 So, anyway, he told me I couldn't ride
20 because the insurance wouldn't cover me, and I just
21 couldn't ride any more.

22 Q Mrs. Stiner, was there any specific
23 reason relayed to you why his insurance would not cover
24 you?

25 A Yeah, he said because I was pregnant.

1 that's what he said.

2 Q Mrs. Stiner, at that time how many months
3 pregnant were you?

4 A About five and a half months. I was big
5 as a -- I was pretty big. I'm small-built and I was
6 huge. I would say huge.

7 Q For how long --

8 A I was definitely showing.

9 Q For how long were you -- for what period
10 of time were you showing enough so that other people,
11 when they looked at you, would know that you were pregnant?

12 A I started showing real good by my fourth
13 month.

14 Q And for how long had you been riding
15 that particular bus?

16 A Oh, I had been riding the bus since way
17 before I became pregnant.

18 Q And did you understand that the bus
19 driver knew that you were pregnant for some time before
20 this incident?

21 A Yes. I worked with -- that particular
22 bus driver worked in the fab shop where I worked and
23 did my inspections, so I came in contact with him every
24 day, all during the day, not only just did he drive me
25 back and forth to work, but I came in contact with him

1 all during the day, and he most definitely knew that I
2 was pregnant. He knew it all the time, and he told me
3 that I could not ride any more because of my pregnancy.

4 Q How soon after your testimony at the
5 Atomic Safety Licensing hearings did the bus driver, this
6 particular individual, tell you that you couldn't ride
7 on the bus?

8 A The next day. The very next day.
9 Can I go ahead?

10 Q Yes, if there's more to that incident,
11 please tell us about it.

12 A Anyway, he told me I couldn't ride any more.
13 Well, at that point I didn't cry, but I turned around
14 to leave the bus and there was four or five people
15 standing in the door ready to get on the bus, and somebody
16 sort of elbowed me or shoved me back into the door and
17 I almost fell down.

18 Well, I managed to get -- stay on my feet,
19 anyway, and I went to the truck and I just fell apart. I
20 just cried like a baby and I told my husband what had
21 happened.

22 Well, by this time the bus had pulled out
23 onto the road.

24 Q Could you tell us, Mrs. Stiner, what
25 kind of bus was this? Was this a public bus or what kind

1 of bus was it?

2 A Well, it was a -- I don't actually know
3 who does the financing and that sort of thing for the
4 buses, but they were for the workers at Comanche Peak to
5 ride.

6 Q Did any other people besides workers at
7 Comanche Peak use this bus?

8 A No. And --

9 Q And could you tell us how many of the
10 other individuals standing behind you in line got on the
11 bus?

12 A So far as I know, all of them got on, and
13 plus there was, I'd say, maybe 35 people already on the
14 bus, maybe 40, I don't know. But it was pretty well
15 loaded.

16 When I got back to the truck and told my
17 husband, he told me to get in the truck and that he would
18 take me to work.

19 Q And after you got to work, did anything
20 else happen that day? Was there any other act of
21 intimidation or --

22 A Yes.

23 Q -- harassment as far as you know?

24 A We pulled down to the guard shack because
25 my husband didn't want me to have to walk all the way

j1 5-7

1 down to the chute, so he pulled down to the guard shack
2 and just about the time we got out of the truck, well,
3 the bus pulled in up at the top where they unload the
4 passengers and they saw us, and they started hollering
5 at me and they flipped me the bird and they called me --
6 can I say what they called me into the record?

7 MF. REYNOLDS: You needn't.

8 THE WITNESS: They called me very dirty
9 names. They told me to go home and quit trying to take
10 money from their pockets and bread out of their families'
11 mouths and --

12 BY MR. SOSNICK:

13 Q Mrs. Stiner, do you have any understanding
14 why people at the plant would be doing these things or
15 saying these things --

16 A Yes.

17 Q -- when you arrived.

18 And what might that be?

19 MR. REYNOLDS: Objection. How can she
20 possibly know why people do things.

21 BY MR. SOSNICK:

22 Q As far as you know, based on your knowledge.
23 You should only testify --

24 MR. REYNOLDS: First-hand knowledge.
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BY MR. SOSNICK:

Q First-hand knowledge.

A There was Circuit Breakers published --

Q Could you tell us what a Circuit Breaker is?

A Yes. It's like a small newsletter that's published. And the week of the hearings, there was one published every day.

Q And why is this? Could you tell us who publishes the Circuit Breaker?

A I'm not positive. I think TUSI publishes the Circuit Breaker. I'm not positive about that.

Q And who would read this Circuit Breaker?

A The Brown & Root employees. They were put in the end of every brass alley so that -- instacks so that every employee would be certain to have access and would get these and read them. They were published every day of the hearings. So far as I can remember, in the time I was employed, I never -- I never saw them published out there before that. Maybe on one occasion, and I don't even recall that, but there might have been once or something where they put some kind of letters or something. They did put Brown Builders and that sort of thing, but never these newsletters.

Q And what was the connection, Mrs. Stiner, based on your understanding, between what happened, the

1 name-calling that you described at the plant and the
2 publishing of the Circuit Breaker?

3 A They -- the newsletters were published
4 and they stated things that the craft would read to the
5 point of saying that Darlene and Henry Stiner were
6 testifying against their co-workers and they were telling
7 the crafts people that we were saying things about all
8 of the crafts persons, so it made the crafts people violent.
9 They were -- those people were violent. I was frightened
10 to death.

11 Q And do you have any understanding as to
12 why the Circuit Breaker would print the things that you
13 have described, as far as you recall?

14 A Yeah. They wanted to mislead the craft.
15 They wanted to mislead their people and make them think
16 that we --

17 MR. REYNOLDS: Counsel, how could she
18 possibly know the motive of the company publishing the
19 Circuit Breaker?

20 BY MR. SOSNICK:

21 Q Now, then, Mrs. Stiner, following the
22 incident where crafts people engaged in name-calling
23 and so forth, could you describe to us if there was a
24 next following act of intimidation or harrassment directed
25 against you?

1 A Yes. When I got home that afternoon, I
2 was very upset, anyway, but I got home and my father-in-law
3 called me down -- they lived right beside of us and he
4 called me down, my husband and myself, and he told me
5 that he was real worried about me.

6 Q And what specifically was the act of
7 intimidation or harassment when you got --

8 A Two girls out at Brown & Root, according
9 to what we had heard, there were two black girls that
10 had told Jerry Lamb, which was a labor foreman, that
11 they were going to get me, they were going to beat me to a
12 pulp because I had a big mouth and that they were going to
13 beat me up. And of course that scared me to death.

14 Q Mrs. Stiner, do you have any understanding
15 why these two people would want to beat you up?

16 A No. I really don't. Because I never said
17 anything, I never named anybody's names in my testimony
18 where they would be concerned, and as a matter of fact,
19 one of the girls, I got her her job. So why would she
20 want to beat me up? But I was very upset and very
21 concerned. I was carrying a baby and I didn't want to
22 lose it.

23 MR. REYNOLDS: Counsel, I have let this
24 go on and on. Now surely you will concede that the fact
25 that two girls may or may not have threatened Mrs. Stiner

1 offsite cannot in any way be connected up with management
2 inattention to potential harassment or intimidation of
3 QC inspectors? I would move that this entire line be
4 stricken.

5 MR. SOSNICK: Well, I think it's already
6 in and I think that the witness just really answered
7 according to what she felt was an act of intimidation or
8 harassment. I will leave this now and go on to something
9 else.

10 MR. REYNOLDS: For the record, I just
11 submit that it's irrelevant to the issue.

12 MR. SOSNICK: I note your objection.

13 BY MR. SOSNICK:

14 Q Mrs. Stiner, tell us who, if anyone, you
15 related this threat you described to at Comanche Peak?

16 A Yes.

17 Q Who would that be?

18 A I thought that it would had to have been
19 Phyllis May and a girl named Sanchez.

20 Q I'm sorry, Mrs. Stiner, I think you mis-
21 understood my question. Did you tell anyone at
22 Comanche Peak, anyone in management, any of your
23 superiors, of this threat? And if you did, who were they?

24 A Yes, I did. I told Randall Smith; I told
25 Thomas Brandt; and also Gordon Purdy.

1 Q And after you had informed them, did
2 these individuals or did the management at Comanche Peak
3 take any action? If they did, could you tell us what it
4 was?

5 A Yes. They called a man named Chapman,
6 David Chapman, I believe -- Dave Chapman -- I believe
7 that's who it was -- in, and talked with me about this
8 and I explained what I knew about it. They put out some
9 kind of a -- published some kind of a little report on
10 this thing later, and it was a bunch of hogwash, it was a
11 bunch of lies. They said I withdrew my allegations, that
12 somebody had supposedly threatened to beat me up. I didn't
13 withdraw anything. All I said was they asked me if I had
14 any idea why that those two girls would want to beat me
15 up, and I told them that I had got the one girl a job
16 and that I didn't know why in the world she would want to
17 beat me up if I got her a job. And they messed the report
18 up and fixed it up to look like that I had withdrawn my
19 allegations.

20 Q Now what makes you think, Mrs. Stiner --
21 can you tell us your opinion why the action that was
22 taken regarding the threats may -- why that would be an
23 act of intimidation or harassment against you?

24 A They didn't care if I got beat up. Why
25 would they care? They wanted me offsite, anyway.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Mrs. Stiner, following this particular incident, could you tell us of any subsequent incident of intimidation or harassment at Comanche Peak that was directed at you?

end 5

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-12-2008 BY 60322 JRS/STW

mgc 6-1

1 A Yes. I would say approximately December the
2 5th, Randall Smith came in and informed me that I would
3 have to leave, that Mr. Brandt said I was in my eighth
4 month and I had to leave.

5 So by this point, the pressure -- I could
6 not -- I was going to work in the morning so upset and
7 so nervous and upset 'til I just -- I'd go home in the
8 evenings and just cry, because I was trying to go do my
9 job under such pressure.

10 Q And specifically, Mrs. Stiner, what was the
11 act of intimidation or harrassment?

12 A He came to me and told me that it was time
13 for me to leave, that I had to leave the site because I
14 couldn't work past my eighth month, and that I was already
15 into my eighth month, so --

16 Q Mrs. Stiner, did you have any understanding
17 at that time why he would request you to leave the site
18 at that time?

19 A He said that it was mandatory that you
20 couldn't work past your eighth month, that that was the
21 law, and I had already, prior to that, checked into it and
22 found out that you could work right on up until your
23 delivery date, so long as you were in good health, which
24 I had checked with my doctor and had been told I was in
25 perfect health. They had got to the point at Comanche

mgc 6-2

1 Peak, Thomas Brandt wanted me to leave, him and
2 Mr. Tolson, and all supervisors, I suppose, wanted me to
3 leave me so bad 'til I'd say about my fifth month, they
4 started telling me, when I brought in -- when I went to
5 see my doctor, I brought in my little release thing or
6 excuse form or whatever, and they told me that wasn't
7 good enough, that I had to bring one in every day. That
8 just once in awhile was not going to get it, that I had
9 to bring one -- not everyday; I'm sorry; excuse me --
10 every week -- I had to bring one every week.

11 So I told my doctor what they said, and he
12 acted like he really didn't understand that, like they
13 were trying to tell him his business, but he wrote me out
14 one every week, and he wrote the same thing on it every
15 week, that I was in fine health, that I was just doing
16 fine and I could work directly up to delivery if I wanted
17 to.

18 But anyway, by the time, approximately
19 December 10th rolled around, I was under so much pressure,
20 I had been told so many different things, that I was
21 ready to quit. I would have quite, or I was ready to
22 be fired. I was ready for anything that came. I was
23 just a nervous wreck, so I told Randall Smith to go back
24 and tell Tom Brandt that if he would give me an ROF, that
25 I would leave.

mgc 6-3

1 Q What is an ROF?

2 A Reduction of Force.

3 Q And following this incident where you were
4 told that you had to leave the site, was there any
5 subsequent incident of intimidation or harassment directed
6 at you at Comanche Peak?

7 A Would you repeat that. I'm sorry.

8 Q Following this incident that you just
9 described to us where you were told that you had to leave
10 the site, could you describe to us, if there was one,
11 a subsequent incident of intimidation or harassment at
12 Comanche Peak?

13 A Yes. I had told him that if he would give
14 me an ROF, that I would leave. But that if he wouldn't,
15 I just wouldn't go, because Christmas was coming up. We
16 had no money. My husband had lost his job. He could not
17 find a job. And I did not have any chance for unemployment
18 benefits unless I could get an ROF.

19 So I sent word by Randall Smith that I would
20 have to have an ROF or I just wouldn't go, as simple as
21 that. I'd stay. And I told him it was closer from the
22 hospital, from the plant to the hospital than it was from
23 my home to the hospital, and I would just stay until
24 delivery date.

25 Q Mrs. Stiner, why did you consider this to be

mgc 6-4

1 an act of intimidation or harassment?

2 A Because I hold told them over and over,
3 everytime they talked to me, I told them that I didn't
4 want to go, that I was going to stay until the very
5 last minute, just until I -- my doctor said I couldn't
6 work no more, because we needed the money, because
7 Christmas was coming up. My son expected a nice
8 Christmas, and I wanted to give him a nice Christmas. We
9 had bills to pay and food to put on the table and, of course,
10 the baby was coming, and I needed things -- to pay hospital
11 bills and things like that, and I felt like that I had
12 to stay as long as I could possibly stay. There was nobody
13 making money in our family except me.

14 Q And following this incident, Mrs. Stiner,
15 if there was, could you describe any subsequent incident
16 of intimidation or harassment at Comanche Peak that was
17 directed at you?

18 A The day I was supposed to leave -- everything
19 was set for me to leave, and Tom Brandt sent word that I
20 wasn't going to get my ROF, that I was going to have to quit.
21 So I sent back word that I would not leave if I couldn't
22 have the ROF.

23 I honestly believe that -- it took about an
24 hour for them to get it all straightened out, but I honestly
25 believe that the only reason I got the ROF was because

mgc 6-5

1 they wanted me off that site so bad. At that time, to
2 my knowledge, they were not giving ROFs -- I mean, they
3 were not ROFing anybody off site. And I honestly believe
4 they just wanted me off bad enough to just about do
5 anything I said to get me out of there.

6 Q Do you have any understanding why, as you
7 describe, they would want you off the site so badly at
8 that time?

9 A Yeah, because they didn't want me to see
10 any other defects. They didn't want me to say anything
11 else. They didn't want me on site at all, because of
12 my testimony in the hearings.

13 Q Now subsequent to your testimony at the
14 hearings that you describe, did you -- how many
15 Nonconformance Reports did you write between the time of
16 that hearing and the time you left your employment at
17 Comanche Peak?

18 A I'm going to guess eight or ten.

19 Q Please don't guess. Just as many as you
20 remember.

21 A I don't know exactly. Are you talking about
22 from the time of the hearings until the time I left?

23 Q Yes.

24 A There's three that I can remember.

25 Q Mrs. Stiner, of the three that you can

mgc 6-6

1 recall, were there any acts of intimidation or harassment
2 associated with any of those Nonconformance Reports? If
3 so, could you describe it?

4 A One of them was the thing with the doors.
5 I went into that one already for the record, I think.
6 But Mr. Brandt had told me that the doors were in perfect
7 shape and to go right ahead and buy them off.

8 Q All right. Were there any others that you
9 can describe? Could you describe another incident of
10 intimidation or harassment regarding the other two
11 Nonconformance Reports that you recall?

12 A Yes. For base metal defects. To the best
13 of my knowledge, it was on base metal defects.

14 Q And what specifically were the acts of
15 intimidation or harassment concerning the NCR you wrote
16 on the base metal defects?

17 A It was voided, and I was told to pull the
18 hold-tag because the defects were not serious enough.

19 Q How specifically were you intimidated or
20 harassed with regard to the NCR you wrote on the base
21 metal defects?

22 A Well, to begin with, I had been told, "Watch
23 every inspection." Mr. Tolson had told me to watch every
24 inspection, to be sure that my inspections were perfect.
25 And then when I went and made an inspection and did my job

mgc 6-7

1 to the best that I could do it, then they would come back
2 and void my NCR or tell me, "Well, this is fine," you
3 know, "No problem here," and it was in direct violation of
4 procedure.

5 MR. SOSNICK: Let's go off just one second.

6 (Discussion off the record.)

7 BY MR. SOSNICK:

8 Q Mrs. Stiner, you just described to us what
9 you consider an act of intimidation or harassment regarding
10 an NCR you wrote.

11 Regarding the remaining NCR that you wrote
12 following your testimony at the Atomic Safety Licensing
13 Hearings and the time that you left your employment at
14 Comanche Peak, could you describe any other acts of
15 intimidation or harassment concerning an NCR that you
16 had written?

17 A Well, another one was approximately the
18 same type thing as the second one, but it wasn't the
19 base metal defects. It was also a weld symbol, and it
20 was just the weld symbol was wrong, and they sent it back
21 to me to use as-is.

22 Q And, Mrs. Stiner, what specifically were the
23 acts of intimidation or harassment regarding this incident?

24 A I tried to tell them, to use it as it was
25 was not -- it was not right

6:00 PM

mgc 6-8

1 Q. Who did you tell this to?

2 A I told that to Randall Smith.

3 Q And what specifically was the intimidating
4 or harassing act?

5 A He came back to me and told me that Brandt
6 said to sign it off, to pull my hold-tag and sign it off
7 and forget about it, because it was all right, that there
8 wasn't anything wrong with it, and that it was right.

9 Q And did you have any understanding as to
10 why that was told to you after you had written the NCR?

11 A They wanted production. The General Foreman
12 came out -- every time I ever wrote an NCR in the fab shop
13 area or on any of the fab shop things, the General Foreman
14 just -- he acted like it was taking his life's breath away
15 or something. He was not concerned in any way, in my
16 opinion, with any type of quality.

17 MR. REYNOLDS: Objection, Counsel.

18 THE WITNESS: He wanted quantity.

19 MR. REYNOLDS: Objection.

20 Do you want my objection?

21 BY MR. SOSNICK:

22 Q Mrs. Stiner, were there any other acts --

23 MR. REYNOLDS: I move to strike the last
24 statement. Do you agree, Counsel, the part about her
25 foreman not wanting quality? How could she possibly know

mgc 6-9

1 that?

2 MR. SOSNICK: I'll ask the question.

3 BY MR. SOSNICK:

4 Q Mrs. Stiner, do you have any way of knowing
5 that your foreman did not want quality, as you describe?6 A I didn't say my foreman. What I said was,
7 the craft's General Foreman.

8 Q Do you have any way, Mrs. Stiner --

9 A Yes, because of the pressure. Because when
10 a quality control inspector puts a hold-tag on something,
11 they have to research the problem and find out if there --
12 you know, if it isn't nothing, that's fine. They would
13 be the first one to be ready to pull it off, because I
14 would want, as an inspector, I would want production as much
15 as anybody. But the minute you put a hold-tag on, they
16 were at your throat. They were ready -- they were ready
17 to kill. They wanted you to get those hold-tags off now.
18 They didn't want to wait for disposition, and they didn't
19 want to wait to find out anything. They wanted to go
20 about their business.21 As long as everything went smooth, nobody
22 put no hold-tags on nothing, they were fine. But when you
23 put a hold-tag on, the minute I put a hold-tag on anything --
24 that's the way it always was.

25 They called my boss. They wouldn't take my

mgc 6-10

1 word for anything. They called my boss and tried to go
2 over my head with everything. And then 90 percent of the
3 time, my boss would tell me, "Oh, go ahead, buy it off."

4 Q Could you tell us of any reasons that were
5 stated to you by that particular person from the craft
6 side that would lead you to believe that they were not
7 interested in quality?

8 A Yes. The Craft General Foreman told me
9 that the welding symbol that was indicated -- this one
10 particular time -- meant all the way around the object,
11 all the way around the piece. What actually was pointed
12 to, the symbol was indicating two sides, and he said that
13 what they had done was, they had welded it all the way
14 around, and there's no way that I could verify
15 penetration.

16 Q And what specifically did he say to you,
17 Mrs. Stiner, that led you to believe that he wasn't
18 interested in quality?

19 A He said that it was run-off tabs, that it
20 wasn't welded all the way around, that it was run-off
21 tabs, just where they started and stopped, which I had
22 been a welding, and I had welding expertise, and I knew
23 that that was definitely not fact, that was definitely not
24 run-off tabs.

25 So I tried to fight it, and it did me no good.

mgc 6-11 1

They told me to buy it off anyway.

2 Q Mrs. Stiner, do you recall any other incidents
3 of intimidation or harassment that were directed to you
4 at Comanche Peak while you were a QC inspector?

5 A Yes.

6 Q And could you describe it, please?

7 A I'm not sure of the date of the letter. I'm
8 sure it can be checked. But at one particular point,
9 after I decided to testify in the hearings, there was a
10 letter -- this was between July and September 13th, I
11 believe -- there was a letter sent out to Brown & Root
12 or to the attorneys for the Applicants, I really don't
13 know, but it stated something to the fact that they felt
14 like that I was being -- that I was taking documentation
15 from the site, and that I was copying documentation for
16 CASE, and it said something to the fact that if I was
17 caught doing this or something like that, I would be
18 terminated.

19 I never took anything from the site for
20 CASE.

21 Q How did you understand this to be an act
22 of intimidation or harassment?

23 A I was accused of stealing, for one thing,
24 and I was accused of lying along with the stealing, and
25 I definitely am not -- I don't try to be anything other

mgc 6-12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

than honest. I wasn't raised to be a liar, and I'm definitely not a thief.

Q Mrs. Stiner, you have related to us some various incident which you consider to be intimidation or harassment while you were a QC inspector at Comanche Peak.

Can you describe to us, please, what actions you took with regard to your supervisors when you felt that you had been intimidated or harassed?

End 6

WILLIAMS
FEBRUARY
COLUMBIA

mgc 7-1

1 A Yes. I went to them and told them each
2 and every time that I wasn't -- that I wasn't happy,
3 that I was being treated wrong, and that it wasn't right.

4 Q And what was the response of your superiors
5 when you reported that to them?

6 A They didn't care. They did not care. I
7 even sent, I would say, two or three three-part memos
8 to Tom Brandt about the different things that were
9 happening, and it did not do any good. They didn't care
10 one way or the other one. They denied me access to
11 documents, my own personal NCR copies, copies of my NCRs,
12 thing like that that I had always been given automatically.
13 They denied me access to those.

14 They treated me like a criminal. They
15 treated me like some kind of a common criminal, and all
16 I was trying to do was tell the truth. I was subpoenaed
17 to start with, and I was treated like a criminal.

18 Q And could you describe to us what the response
19 of the management at Comanche Peak was after you had
20 relayed your concerns about intimidation or harassment
21 directed to you to your supervisors?

22 MR. REYNOLDS: Counsel, are you suggesting
23 that she go through each of the thirteen instances that
24 she has outlined and tell us what the reaction was of
25 management, as far as she knows it?

mgc 7-2

1 MR. SOSNICK: I was thinking generically.

2 MR. REYNOLDS: How can she do that
3 generically? We've had thirteen instances of alleged
4 harassment. In order for it to be meaningful and probitive
5 evidence, she would have to go through and give us
6 management's reaction to each, wouldn't she?

7 MR. SOSNICK: Let's go off the record.

8 (Discussion off the record.)

9 (Brief recess.)

10 BY MR. SOSNICK:

11 Q Mrs. Stiner, you have described various
12 incidents to us where you felt, during the course of
13 your job as a QC inspector at Comanche Peak, that you
14 were intimidated or harassed.

15 Could you tell us of incidents where you
16 felt you were discouraged from doing your job as a QC
17 inspector at Comanche Peak by anyone?

18 A Would you repeat that, please?

19 Q While you were a QC inspector at Comanche
20 Peak, could you tell us of any incidents where you felt
21 you were discouraged from doing your job as a QC inspector?

22 A Yes.

23 Q And when was the first time that you felt
24 you were discouraged from doing your job at Comanche
25 Peak while you were a QC inspector?

mgc 7-3

1 A Basically every time you went out to do an
2 inspection, because the crafts people, they put so much
3 pressure on when you would write an NCR, even when you
4 just gave them a rejection for anything.

5 Q And what form would this pressure take?

6 A Well, they would tell you, you know, "You
7 don't know what you're talking about. You know, you're
8 going to get fired over this. You just better pull that
9 hold-tag off, or you better go ahead and sign this thing
10 off, because I know what I'm talking about. I've been
11 doing this for whatever many years. You need to just go
12 ahead and pull this thing off now, because we're going to
13 have to call your supervisor."

14 And they would. They would call my boss.

15 Q And if they would call your boss, what would
16 happen then?

17 A Most of the time, they would call him and
18 tell him their side of it, and if they could sway him to
19 believe that they were, you know, that they were right and
20 that the circumstances were different, he would tell me
21 to buy it off.

22 Q Now can you describe to us a specific
23 incident where something like that had happened to you?

24 A Yes. The incident on 790 that I gave
25 earlier with the weave welds. That was an incident like that.

mgc 7-4

1 Q And in that incident, you felt that you
2 were discouraged from doing your job?

3 A Yes, most definitely, because I knew the
4 welds were bad.

5 Q And specifically what form did that
6 discouragement take with regard to that incident?

7 A (No response.)

8 Q What form did that discouragement take with
9 regard to that incident?

10 A Well, I felt like I, you know, what was
11 the use of trying when you're batting your brains against
12 the wall. The crafts people, they're jumping at your
13 throat. You try to do your job, stick to the procedures,
14 and do what you're taught to do, and that's what I did,
15 and then they would go to my boss and put the pressure
16 on him; therefore, he would come to me and put the pressure
17 back on me and tell me, "You will buy it off."

18 Q And with regard to that welding incident,
19 did you -- would you tell us of any other individuals who
20 also discouraged you from doing your job properly?

21 A The individuals would be my supervisor.
22 Also I would have to say management in general, because
23 of their attitude, because of their -- the way they took
24 care of the problems if you came to them with a problem.
25 Ninety percent of the time, you had no problem, no matter

mgc 7-5

1 if there actually existed one or not.

2 Q But specifically with regard to that welding
3 incident, can you describe how management had discouraged
4 you from performing your job?

5 A Well, they didn't want anything to hold up
6 production. The craft -- Brown & Root --

7 Q Excuse me, Mrs. Stiner. Specifically with
8 regard to that particular incident, can you recall how
9 management had discouraged you from performing your job?

10 A They told me to buy it off. They told me
11 I didn't have a leg to stand on and to buy it.

12 Q Were there other incidents where you felt
13 you were receiving -- that discouragement was directed at
14 you to prevent you from performing your job?

15 A Well, all of these incidents that I described
16 discouraged me from performing my job, because of the
17 pressure and also because I knew that if I didn't do as
18 I was told, I'd be fired, because there was plenty of
19 people waiting out at the employment office there to take
20 my job. They didn't, you know, they didn't have to keep
21 me. They could always find somebody else to sign it off
22 if I wouldn't do it.

23 MR. SOSNICK: Can we go off just one second.

24 (Discussion off the record.)

25 MR. SOSNICK: I have nothing further right

mgc 7-6

1 now.

2 EXAMINATION

3 BY MR. REYNOLDS:

4 Q Mrs. Stiner, we have been talking here about
5 intimidation, and I think it is important to define our
6 terms. So I would like you to describe for me in your
7 words what the use of the word "intimidation" in this
8 context means.

9 A To me, intimidation 's any time that you
10 feel on the defensive when you're in the right.
11 Intimidation, to me, is pressure a d harassment of any
12 sort. That would be having to do with a job or anything.
13 But that's my definition of that.

14 MR. SOSNIC": May I interrupt? Mrs. Stiner,
15 I'm afraid you may have missed something. The question
16 was put to you, it was directed in the context of what
17 you testified to before.

18 Did you understand that?

19 THE WITNESS: No.

20 BY MR. REYNOLDS:

21 Q The question was, when you use the word
22 "intimidation" here today, what do you mean? And I took
23 your answer to be responsive to that.

24 Was it responsive?

25 A My answer is, that to be intimidated is for

mgc 7-7

1 someone to make you feel like you have to do it, you have
2 no choice to do it, or you would be fired.

3 Q What if an individual is incorrect in his
4 or her assumption and his or her boss tells him he's
5 incorrect? Is that intimidation?

6 A Would you repeat that, please?

7 Q Yes. What if an inspectors says that it's
8 black, and the supervisor says, "No, you're wrong; it's
9 white." They disagree. Is that intimidation?

10 A If the inspector can prove or has a
11 definite knowledge of the facts, that it's what the
12 inspector says, even if the supervisor is the supervisor
13 and they disagree, I feel like the inspector is in the
14 right.

15 Q But is it intimidation?

16 A Yes, sir, in my opinion, it is.

17 Q So a disagreement among parties is defined
18 by you as intimidation?

19 MR. SOSNICK: I object. I think you are
20 mischaracterizing her testimony.

21 THE WITNESS: No, sir, that's not my testimony
22 at all.

23 BY MR. REYNOLDS:

24 Q Is a disagreement between a supervisor and
25 an inspector intimidation?

mgc 7-8

1 A Not every disagreement, no, sir.

2 Q When would it be? When would it be?

3 A When the supervisor not only gives a

4 different instruction than the inspector believes is

5 correct, but there is so much pressure applied that there

6 is no choice there. It's either the supervisor saying,

7 "Do it my way or you're gone."

8 Q How else would disputes be resolved?

9 A Just a minute. I wasn't quite finished.

10 Q I'm sorry. I thought you were finished.

11 A That's all right. Also that would mean

12 supervisor or craftsmen, when the pressure is applied in

13 that nature where you have no choice. The pressure would

14 be coming from two or three directions at one time at

15 this particular one inspector. There wouldn't actually

16 be a choice. It's either down the road or "Do as I say,"

17 whether it's right or wrong.

18 Q Well, how do you believe that disputes between

19 supervisor and inspectors should be resolved?

20 A I feel like that what you're calling

21 disputes should be discussed, and if the supervisor can

22 prove by procedure and sit down and show the inspector by

23 their own procedure what he's talking about or she's

24 talking about, then the inspector should most certainly

25 listen and take that into consideration, and if the

mgc 7-9

1 supervisor's right, and they're wrong, I feel like
2 certainly if the inspector is wrong about something, I
3 would be the first one to stand up and say, "I'm wrong."
4 But also if I'm right, then I would -- I will not say I
5 would not do something, because I did do a lot of things
6 wrong, because my family needed the money and because
7 my family needed the food, the bills paid and that sort
8 of thing.

9 Q You are not being responsive to my question.
10 Let's assume that there is a dispute between
11 a supervisor and an inspector.

12 A Yes, sir.

13 Q They just don't agree.

14 A Uh-huh.

15 Q Someone has to make the decision as to
16 how to proceed.

17 A Uh-huh.

18 Q Who should make that decision?

19 A I feel like if the supervisor gives the
20 inspector a particular job to do and says, "This is your
21 job. You go by these procedures, and you perform it,"
22 if the inspector make a decision and they do not agree upon
23 it, if the supervisor cannot pull the procedures that prove
24 that the inspector is wrong by the procedures that they went
25 by or their decision was made by, then the supervisor should

mgc 7-10

1 stand behind his inspector and say, "If that's your
2 decision, I'm with you all the way."

3 Q To whom would the supervisor have to prove
4 this? To the inspector?

5 A To the inspector.

6 Q I see. So if the supervisor cannot satisfy
7 the inspector that the inspector is wrong and that the
8 supervisor is correct, then the supervisor should defer
9 to the inspector. Is that what you're saying?

10 A If the inspector can show -- I won't say
11 probably cause; that wouldn't really be right -- if the
12 inspector can show that they're right, I feel like that
13 the supervisor should say, "All right."

14 Q Okay, now --

15 MR. SOSNICK: Counsel, I just want to object
16 to the line of questioning, because I think it's so
17 generic in a way that it can't be placed in the context.

18 Are you referring to this interface between
19 superisors and their inspectors in the context of when
20 an inspector would write an NCR, or just when they would
21 disagree as to how strong the coffee should be at the work
22 station or what?

23 I just see it as becoming very esoteric.

24 MR. REYNOLDS: Well, I think it's very
25 important that we understand for this record what Mrs. Stiner

mgc 7-11

1 means when she uses the word "intimidation." There are
2 several definitions for intimidation, most of which are
3 not relevant to this case.

4 Intimidation in this case has a certain
5 meaning, and it's a fairly narrow meaning, and we have
6 to understand when Mrs. Stiner uses the word, whether
7 she's using it in the context of this proceeding or in
8 a broader sense.

9 And my understanding from what Mrs. Stiner
10 has said so far is that she felt intimidated -- for
11 example, Mrs. Stiner -- in the instance where you wrote
12 an NCR and it was voided. Obviously someone up the line,
13 your supervision, disagreed with your assessment that a
14 nonconforming condition existed.

15 BY MR. REYNOLDS:

16 Q Is that correct?

17 A That's correct.

18 Q So they voided the NCR, and that was an
19 action with which you disagreed; is that correct?

20 A Possibly that it wasn't -- that there wasn't
21 a nonconformance existing, but possibly that the -- that
22 the production level or that the production speed and
23 craft pressure determined their decision.

24 Q I understand your point in that regard.
25 That's clear on this record.

mgc 7-12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

My question is, if the supervisor disagrees with the NCR, he thinks it shouldn't have been written, doesn't he have the authority to void it?

End 7

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 05-11-2011 BY 60322
UCBAW/SMT/STP

1 MR. SOSNICK: Counsel, I think it can be --
2 MR. REYNOLDS: Let the witness answer, please.
3 MR. SOSNICK: No, I --
4 MR. REYNOLDS: I didn't interrupt you on your --
5 this is an important question and this is cross, so please
6 let me proceed.
7 MR. SOSNICK: Of course.
8 THE WITNESS: Could you repeat that, please.
9 MR. SOSNICK: Would you read that back, please.
10 (The reporter read the record as requested.)
11 THE WITNESS: Unless he has procedures to back up
12 his decisions in that regard, I wouldn't think he had
13 authority to just go out and void another inspector who had
14 been trained -- the same as maybe he had -- in that particular
15 field. I don't know what particular supervisor would have
16 what training, if you understand what I'm saying.
17 But I would feel like if he -- if he didn't have
18 the proper documentation, if he didn't have it looked up and
19 didn't have proof of such, that it did require and warrant to
20 be voided, that he didn't have any right at all to void it.
21 BY MR. REYNOLDS:
22 Q And your contention is that -- that proof should
23 be shown to the inspector --
24 A Yes, sir.
25 Q -- involved?

1 Now, when you use the word "harassment," do you
2 mean it to be synonymous with "intimidation"?

3 A Would you explain "synonymous." I'm sorry, I
4 don't understand.

5 Q Does it mean the same thing to you?

6 A As "intimidation"?

7 Q Yes.

8 A Not exactly, no, sir.

9 Q What's the difference?

10 A In my opinion, to be harassed is to be -- I
11 wouldn't exactly say bothered -- to be badgered, to be --
12 to be -- I guess "badgered" is a pretty good word -- over
13 and over and over, repeatedly, about the same things.

14 One thing would be to -- to be put through
15 definite unneeded stress for no apparent purpose except to
16 please the supervisor -- or whoever -- that might be doing
17 the harassing.

18 Q Would it be harassment to have an NCR voided?

19 (Pause.)

20 Or would that be intimidation?

21 A That would depend.

22 Q On what?

23 A That would depend if -- if they voided an NCR
24 every time you wrote one, or if they -- well, such things as
25 that. If it was an everytime-your-wrote-one thing or that

1 sort of thing. It would depend on whether it would be
2 harassment or intimidation.

3 Q Which would it be, in which instance?

4 A That is my answer.

5 Q If they voided it every time, what would that be,
6 harassment or intimidation?

7 A If -- in my opinion, if they void it every time
8 you wrote one, it would be harassment.

9 Q That would be harassment?

10 A Yes, sir.

11 Q What if they voided it once in a while, what would
12 that be?

13 A That would depend on how the inspector felt at
14 the time. If the inspector felt like they were being
15 harassed or if they felt like they were being intimidated
16 about this particular thing.

17 Q It's really the perception of the inspector, isn't
18 it?

19 A It would just depend on how serious the problem
20 was at that time, about what particular incident.

21 Q It would also depend on the inspector involved,
22 wouldn't it?

23 A I wouldn't think it would matter who it was.

24 Q It wouldn't?

25 A If they were having problems with that sort of

1 thing, no.

2 Q Isn't it really the reaction of the inspector to
3 the incident that gives rise to the harassment or the
4 intimidation?

5 It's a personal thing, isn't it?

6 A I don't understand what you mean.

7 Q Well, let me try to illustrate.

8 Let's assume that Mr. Mizuno is an inspector and
9 I'm his supervisor, and I void his NCR. It may not bother
10 him a bit.

11 That's Mr. Mizuno.

12 A Uh=huh.

13 Q You're also an inspector and I'm your supervisor,
14 and I void your NCR.

15 A Uh-huh.

16 Q That may bother you a lot.

17 You're different from Mr. Mizuno.

18 A That would depend on what you voided it for.

19 Q Sure. That's right.

20 A If you had a good reason for voiding it, it
21 wouldn't bother me a bit.

22 But if you didn't have a good reason -- just like
23 I stated earlier -- I would feel like that it shouldn't have
24 been voided.

25 Q And you think that I would have an obligation to

1 come to you and tell you why I voided the NCR?

2 A I would think that you would have an obligation
3 to come to me and show me what procedures you went by for
4 that sort of thing.

5 Q Let's change to use-as-is disposition --

6 A Okay.

7 Q -- of an NCR.

8 You know what I mean by that, don't you?

9 A Yes, sir.

10 Q Would you be intimidated if an NCR you wrote was
11 dispositioned "Use-as-Is"?

12 A If it wasn't satisfactory as it was, yes.

13 Q And who would make that judgment, the inspector?

14 A I beg your pardon?

15 Q Who would make the judgment -- who should make the
16 judgment as to whether it's satisfactory or not?

17 A Well, it should be according to procedure. The
18 procedure should make the judgment.

19 Q Whose job is it to interpret the procedure and
20 make the determination whether the existing condition is
21 acceptable or not?

22 A The inspector's job.

23 Q What is the engineer's job then?

24 A The engineer gets the NCRs when they're sent
25 through, to disposition the NCRs. But the first -- off the

1 first hand, when the initial inspection is done, the
2 inspector has -- is the one that has the -- the job to
3 determine.

4 Q Clearly.

5 I agree with that.

6 And when it goes to the engineer for disposition --
7 and if the engineer determines that it's acceptable as is,
8 he makes the disposition, does he not?

9 (Pause.)

10 Do you understand the question?

11 A Would you repeat it one more time, please?

12 Q Yes.

13 The nonconforming condition is brought to the
14 attention of the engineer by the inspector who issued an
15 NCR. The engineer evaluates it. He determines that the
16 condition, as it exists, is acceptable.

17 Now, whose job is it to determine that the
18 condition should exist as it is, used as is?

19 A Like I say, it's the procedure's job. Therefore,
20 if the engineer goes to a procedure to get his information to
21 use as is, that would be a different story. But for the
22 engineer to just sit down and say, "Well, that's no problem,"
23 that's different right there. That's not his job at all.

24 Q You don't agree with that?

25 A No, I do not.

1 Q I see.

2 A I don't think just because he thinks, out of his
3 mind, yes, that's fine -- I think he must have procedures,
4 just like the quality control inspectors, just like the
5 welders -- everybody else -- to go by, to say -- to back him
6 up in saying that's right.

7 And I feel like he should go take those and say,
8 "Here's what I'm saying, use it as it is."

9 Q Doesn't the term "use-as-is" imply that it may not
10 be accordance with procedure?

11 A Would you repeat that, please?

12 Q Doesn't the term "use-as-is" imply that the
13 condition may not be in accordance with procedure?

14 A I really don't believe that's correct. I'm not
15 sure about that. I really don't believe that's correct.

16 I believe that just means that there actually
17 isn't a problem at all.

18 Q Let's turn to the first incident that you
19 describe. That was the one involving a hole in the polar
20 crane?

21 A Yes, sir.

22 Q You recall that?

23 A In the rail, yes, sir.

24 Q In the what?

25 A In the rail.

1 Q In the rail.

2 A Yes, sir.

3 Q A hole in the polar crane rail?

4 A Yes, sir.

5 Q How was that hole caused?

6 A There was a man dropping a welding -- it looked
7 like a large welding lead line, some sort of large line, over
8 the side, some of -- a rail type thing or something -- it's
9 been a long time ago, but it was something he was standing on,
10 and he was dropping this thing down and it hooked under and
11 hit the rail.

12 Q Was it a live wire?

13 Is that what made the hole?

14 What made the hole?

15 A The hole was made by -- it was, like I said, like
16 a welding lead or something of that nature.

17 Q Which meant it was hot?

18 A It was hot, yes.

19 And it just sort of blew a hole in it, blew it up,
20 or whatever.

21 Q Now, you were an electrical inspector at that time?

22 A No, sir. Mechanical.

23 Q Mechanical.

24 You called your QC supervisor when you saw that;
25 is that correct?

1 A No, sir. I called a QC supervisor. He wasn't my
2 supervisor. He was -- his name was Jim something. He was
3 the night -- actually, the night QC supervisor. But he
4 worked sometimes in the daytime. I think they switched or
5 something. But he was the next man down from what Mr. Tolson
6 would be. He had plenty of authority.

7 Q And what did he tell you?

8 A He told me that since I was in that area at that
9 time and didn't witness what had happened, for me to go
10 ahead and write the NCR myself.

11 Q Did you write it?

12 A Yes, sir.

13 Q And you put a hold tag on the crane?

14 A I put four or five of them on the instrument
15 panel.

16 Q And that was according to procedure, wasn't it?

17 A Yes.

18 Q So, you did your job?

19 A Yes.

20 Q And then the NCR was voided?

21 A Yes, sir.

22 Q Do you know by whom?

23 (Pause.)

24 Do you know by whom?

25 A No, I really don't know exactly who initially

1 voided it. But to my understanding, Harry Williams voided it
2 before it went through his office. I don't know that for a
3 fact.

4 He told me that -- just pull my hold tags, that
5 they needed to get on with their work, and it was not in the
6 realm of the QA program.

7 Q Who was the Craft manager that told you not to
8 put the hold tag on the crane?

9 (Pause.)

10 If you recall -- do not guess.

11 A I don't remember. I'm sorry, I don't remember.

12 Q And you felt intimidated when he told you not to
13 put the hold tag on?

14 A When who told me?

15 Q When the Craft manager --

16 A The craftsman told me --

17 Q Told you not to put the hold --

18 A Yes.

19 Q -- tag on it?

20 A I felt intimidated.

21 Q Why?

22 A Because I felt like I knew my job, and I had been
23 told about the NCR, and I wouldn't have been there if I
24 hadn't, because that's why I called to start with, because
25 it wasn't in my stuff. And that's why I called. So, I felt

1 intimidated because I felt like he had no right to be telling
2 me where to put the hold tags and where not to put the hold
3 tags -- if I felt like there was an NCR condition there, that
4 he should have left me alone and kept his opinions to himself
5 until I found out, for definite sure, if those hold tages
6 were to be removed.

7 I was not going to remove them without a
8 disposition for the NCR or without authority from my boss.

9 Q If you don't know the reason -- do you know the
10 reason that the NCR was voided?

11 A No, sir, I don't. I still don't think it should
12 have been voided. I think it was very definitely -- should
13 have been in the scope of the QA program.

14 Q If you don't know the reason, how can you quarrel
15 with the reason?

16 A All I was told was it was voided. And the only
17 reason I was given was that it was outside the realm of the
18 QA program.

19 I always understood that every manner, every
20 aspect of the plant was under quality assurance inspection,
21 under their -- what would you say, watchful eye?

22 Obviously not.

23 Q So, you -- it's your understanding that the entire
24 plant is within the scope of the QA/QC program?

25 A In one way or the other. Maybe not some -- maybe

end 8

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

not to the extent as the others. but I would think everything
should be under some sort of check.

1 Q. Let's turn to the second incident
2 which was weave welds on the pipe support at
3 elevation 790 in the auxiliary building.

4 A. Yes.

5 Q. What is a weave weld?

6 A. In my opinion, it's a weld with
7 transverse oscillation. I might add--never
8 mind.

9 Q. Is a weave weld permissible at
10 Comanche Peak?

11 A. Unless it is in excess of four
12 core wire diameters of the electrode; that's
13 the way I understand it.

14 Q. It is acceptable unless it's in
15 excess of four core wire diameters?

16 A. That's the way I understand it, yes.

17 Q. Did you understand that to be the
18 case when this incident took place? Do you
19 understand my question?

20 A. No.

21 Q. When you were involved in this
22 incident at elevation 790 in the pipe support,
23 did you understand at that time that a weave
24 weld, that is a weld which has transverse
25 oscillation under four core wire diameters

1 was permissible at Comanche Peak?

2 A. I would have to answer that like
3 this: The welds were over four core wire
4 diameters by a long shot, so I didn't have
5 to worry about that.

6 Q. That is not responsive to my
7 question. Please respond to my question. Do
8 you want me to repeat it?

9 A. Please.

10 Q. When this incident took place, did
11 you know that transverse oscillation in a weld
12 under four core wire diameters was permissible
13 at Comanche Peak?

14 A. No.

15 Q. Do you know now that you were wrong?

16 A. About my belief about transverse
17 oscillation under four core wire diameters?

18 Q. Your understanding of what was a
19 permissible weave weld and what was an
20 impermissible weave weld.

21 A. I understand now that my interpretation
22 when the inspection was made of weave welding
23 under four core wire diameters was allowed. Did
24 that come out right?

25 Q. You will have to repeat it.

1 A. I understand now that we've welding
2 under four core wire diameters at the time of
3 inspection was allowed. But it was over, so
4 I did not have to worry about it anyway.

5 Q. Did you write an NCR on this matter?

6 A. I did.

7 Q. Did you place a hold tag?

8 A. I did.

9 Q. And both of those actions were
10 per your procedures?

11 A. Yes, sir.

12 Q. So you did your job?

13 A. Yes, sir.

14 Q. Then the craft disagreed with your
15 action, is that what you told us?

16 A. Not only did they disagree, they acted
17 like I didn't have enough sense to come in out
18 of the rain, and they went over my head, the foreman
19 lied to me, directly lied to me--

20 Q. Well, when you say they went over your
21 head--

22 MR. SOSNICK: I don't think she
23 finished her answer.

24 BY MR. REYNOLDS:

25 Q. I'm sorry.

1 A. They lied to me. The foreman told
2 me that it had been repaired correctly, that
3 it had been ground to base metal and rewelded
4 completely.

5 Q. That's a restatement of what you've
6 already told us today. Please do not repeat
7 yourself.

8 A. Okay. He told me that it was right.
9 I felt definitely intimidated because I did not--

10 Q. You're not responding to my questions.

11 A. I'm answering your questions.

12 Q. No, you're not. Just answer the
13 specific question I ask. We'll get to all of
14 that but do it my way, okay?

15 A. Ask me the question again.

16 Q. You've responded to my question. I
17 asked you if the craft disagreed and you said
18 yes, they did.

19 A. Yes, they did. They went over my
20 head.

21 Q. What do you mean by going over my
22 head?

23 A. They went to my gold hat and told my
24 gold hat that the hanger had been fixed, that I
25 didn't know what I was talking about that I'd

1 just gone down there and just put a hold tag
2 on that one and was writing an NCR and I just
3 didn't even know what I was doing.

4 Q. Okay. So let me understand you.
5 Craft supervision went to the QC supervision
6 because they disagreed with what you were doing.

7 A. The craft foreman went to his general
8 foreman and his general foreman in turn went
9 to my gold hat.

10 Q. So it was general foreman of craft
11 talking to a QC gold hat which is what, a foreman?

12 A. A superintendent.

13 Q. What do you find wrong with that action
14 by the craft?

15 A. First of all, they were in the wrong.
16 They lied. And they were trying to cover up
17 what they did. That they didn't do what they said
18 they were going to do and besides the fact that
19 they didn't do what they said they were going to do,
20 they cared less if that hanger fell down tomorrow
21 because they lied to me and told me it had been
22 cut down to base metal and rewelded correctly.
23 And if they lied about that, and it had not been
24 done, obviously they were not very concerned about
25 quality.

1 Q. Why was their approach to resolution
2 of the dispute inappropriate?

3 A. Would you repeat that please?

4 Q. Why do you think that the fact that
5 craft supervision went to QC supervision to
6 resolve this dispute was inappropriate?

7 A. Because they knew it was wrong to
8 start with. Why didn't they just fix it?

9 Q. They disagreed with you, didn't they?

10 A. No.

11 Q. They didn't disagree with you?

12 A. No. The craft foreman told me that
13 he would cut it down, he never said that it
14 wasn't weaved.

15 Q. Did you order him to come down?

16 A. I didn't order him to do anything.

17 Q. Did you instruct him to do it?

18 A. I instructed him to cut it down.

19 Q. Are you authorized to instruct the
20 craft to cut down hangers?

21 A. I was instructed to instruct him.

22 Q. By whom?

23 A. By a QC superintendent, George Willis.

24 Q. Is any QC person authorized to instruct
25 the craft to cut down a hanger? If you know.

1 A. I don't know. This was in my
2 old testimony. I really don't know.

3 Q. Mrs. Stiner, the only reason I'm
4 rehashing it here is because you raised it
5 again.

6 A. I don't know.

7 Q. You don't know.

8 A. In my opinion, I would think they would
9 be, to me, if the superintendent told me I was
10 a little peon inspector and they said do something
11 I would do it.

12 Q. Don't you distinguish between a QC
13 supervisor instructing an inspector and a QC
14 supervisor instructing the craft?

15 A. Repeat that please.

16 Q. Is there any difference between
17 a QC supervisor instructing an inspector to
18 do something and a QC supervisor instructing
19 the craft to do something?

20 A. I really don't know. I would think
21 that would depend on how the craft supervisors
22 felt about QC supervisors instrucing their
23 people or them.

24 Q. So who do they call, Harry Williams?

25 A. That's right.

1 Q. Did he come and look at the welding
2 question?

3 A. No, he didn't.

4 Q. Were you there the whole time?

5 A. From the time they called him, is
6 that what you're asking?

7 Q. Yes.

8 A. From the time they called him, I was
9 downstairs when they called him and I walked up
10 the next level and he was standing there when
11 I got there, yes.

12 Q. Where was the hanger, at 790?

13 A. At 790.

14 Q. And where were you standing?

15 A. I was on 790 level standing by
16 the hanger at first, and then when they went
17 to call him, I went on up on 810 level, I guess
18 I stayed on 790 a few minutes, I checked my
19 call board, and I don't know exactly how many
20 minutes elapsed or whatever, but I was up
21 there in a matter of a few minutes and Mr.
22 Williams was standing there. He had just
23 walked up on 810 level and I was standing
24 there talking to Forest Dendy.

25 Q. You said earlier that Mr. Williams

1 said, I believe your phrase was, I'll go with
2 the inspector.

3 A. What he said was, he asked--Forest
4 Dendy was telling him when I got there that
5 I'd stuck a hold tag on the hanger, and I was
6 writing an NCR and that they had fixed that
7 thing right, and that I was just--didn't even
8 know what I was doing, that I needed to go
9 down and pull those hold tags and let them get
10 on with their work. That this thing was holding
11 it up and it wasn't going to get it and that
12 he was tired of his QC people coming down there
13 holding up his men working all the time. That's
14 what he said. And he said she doesn't know what
15 she's doing because it was fixed correctly.

16 Q. Please, Mrs. Stiner, let me finish
17 my question.

18 I asked what Harry Williams said
19 not what the craft said.

20 A. That's what I was fixing to tell
21 you. Forest Dendy said those things to Harry
22 Williams. At that point, Harry said what did
23 my inspector say to you? What did she say?
24 And Don Fields was standing there, which was
25 the foreman, and Harry turned around and said

1 this to him. And he turned around and told
2 Harry Williams that she told me to cut it
3 down. And Harry said, well then I'll have to
4 go with what my inspector says.

5 Q. So he supported you?

6 A. He did support me in that instance
7 for thirty minutes, I would say, he supported me.

8 Q. What happened over the next thirty
9 minutes?

10 A. God only knows.

11 Q. You don't know?

12 A. I came over there thirty minutes
13 later and he was sitting behind his desk and
14 he instructed me that I would buy it off.

15 Q. Where did you go from that meeting
16 area?

17 A. I went back to my call board.

18 Q. Is it possible that Harry Williams
19 could have gone down to 790 and looked at the
20 welding question?

21 A. That's possible, yes.

22 Q. And so therefore, it is possible
23 that he could have found that you were wrong?

24 A. He wouldn't have found that I was
25 wrong.

1 Q. Oh, why not?

2 A. Because he couldn't have told
3 anything about it.

4 Q. Why?

5 A. Because the faces were ground off
6 the welds. There wouldn't have been anything
7 for him to find.

8 Q. Oh, I see. Now, it's coming clear
9 to me. There was a weld that you thought was
10 an excessive weave weld.

11 A. No, sir, I didn't think anything.
12 When I looked down, they were weaved, I showed
13 them--

14 Q. Okay. For sake of argument, you
15 wrote it up as an unacceptable weld.

16 A. Yes, sir.

17 Q. They ground it out.

18 A. No, sir.

19 Q. What happened?

20 A. They ground the face off.

21 Q. Ground the face off the weld?

22 A. Yes. All the welds. Not just one,
23 all of them.

24 Q. So it was ground out completely, just
25 the face of the weld was ground?

1 A. That's what they told me though.
2 That they ground them all completely out. But
3 with my welding experience that I had, I knew
4 better. There was no way they could have ground
5 them all out and replaced them with the amount
6 of rods that had been drawn.

7 Q. Okay. So Harry Williams may have
8 gone down there and seen--

9 A. He could have but he wouldn't have
10 seen anything except a shiny weld.

11 Q. Ground down. And then thirty minutes
12 later?

13 A. He called me to his office and told
14 me to sign it off and I couldn't prove a thing.

15 Q. Could you have been wrong?

16 A. No, sir. Absolutely not.

17 Q. Absolutely no possibility that you
18 could have been wrong?

19 A. No possibility.

20 Q. You didn't even understand what permissible
21 weave beading was at the time?

22 A. I knew and did most definitely under-
23 stand that over four core wire diameters was not
24 acceptable at Comanche Peak.

25 Q. But you didn't know that under four

1 core wire diameters was acceptable--

2 A. What difference does that make?

3 Q. May I finish my question, please?

4 Don't interrupt me. You didn't know that
5 under four core wire diameters was permissible,
6 did you?

7 MR. SOSNICK: We've been through
8 this.

9 MR. REYNOLDS: Let's not get into
10 an argument, please. We have done fine so far.

11 MR. SOSNICK: If you feel you don't
12 understand Mr. Reynolds' questions, please ask
13 it.

14 THE WITNESS: I just didn't want to
15 reask the same thing over again.

16 MR. REYNOLDS: I would be happy to
17 clarify any question. I think I've done that.

18 MR. SOSNICK: Yes.

19 MR. MIZUNO: I didn't think there
20 was a straight answer to the first time.

21 MR. REYNOLDS: I was thinking
22 clarification.

23 MR. MIZUNO: I thought this would
24 clarify it for me.

25 BY MR. REYNOLDS:

1 Q. Would you clarify?

2 A. Ask me again, please.

3 Q. At the time, you did not realize
4 that transverse oscillation under four core
5 wire diameters was permissible at Comanche
6 Peak?

7 A. That's correct.

8 Q. Why did you feel intimidated as
9 a result of this incident?

10 A. Because to start with the craft
11 lied to me.

12 Q. How did that intimidate you?

13 A. Because I don't like to be lied
14 to especially when I was trying to work with
15 them by not slapping a hold tag on it the first
16 time I looked at it. I was trying to work with
17 them because George Willis said just tell them
18 to cut it down.

19 Q. What effect did that have on you when
20 you say you were intimidated? Describe your
21 feeling.

22 A. Like they weren't trying to work
23 with me. I said if you don't want to work with
24 me, then fine. I'll go by the book, right straight
25 by the book. It calls for an NCR, so I'm going

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to give it an NCR.

Q. They were being uncooperative?

A. Most definitely.

mgc 10-1

1 Q Did you report your dissatisfaction to
2 anyone in QC supervision?

3 A I did.

4 Q To whom?

5 A Harry Williams. I also reported it to
6 Randall Smith. I don't remember at that time if he was
7 the supervisor or not, but I did tell him about it.

8 Q And let's establish the pecking order.
9 Would it be Darlene Stiner, Randall Smith,
10 Harry Williams, ascending order?

11 A Well, if he was the supervisor at that time,
12 yes. I don't remember if he had been made lead man at that
13 time or not.

14 Q He who?

15 A Randall Smith. I don't remember for sure
16 what date that he was made the lead man. I did tell
17 Harry Williams about it, and he was the supervisor.

18 Q I'd like to talk for a minute about the
19 technical aspect of the grinding of the weld.

20 A Okay.

21 Q And you are a former welder, so you certainly
22 can speak to that subject, I think.

23 MR. SOSNICK: Counsel, I have to object,
24 because I don't think we have to get too much into what
25 has been testified already as to the technical aspects

mgc 10-2

1 of the various incidents and so on and so forth. I have
2 no objection if we reference a particular incident that
3 Mrs. Stiner mentions when she talks about the problems she
4 had doing her job, but not, you know, the per se technical
5 aspects. I don't know that we have to get into that.

6 MR. REYNOLDS: Let me explain why it's
7 relevant, Counsel.

8 If Mrs. Stiner understood the disposition
9 that the craft performed on what she thought were illegal
10 weave welds, excessive weave welds -- let me rephrase it.

11 Mr. Stiner's understanding of the technical
12 aspect of the issue is critical to whether her reaction
13 was reasonable or not. If she understood that the craft
14 acted improperly, then her reaction may have been reasonable.
15 But if she didn't understand the technical aspects of what
16 was done, then her reaction may have been unreasonable.

17 And I think with a few questions, we can
18 make the point.

19 MR. SOSNICK: Counsel, my point, the basis
20 of my objection is that merely regardless of what she
21 understood at that time, if Mrs. Stiner felt that she was
22 doing her job and properly analyzed something and then saw
23 that craft persons were somehow exerting pressure on her
24 not to do her job properly or take off that NCR or whatever,
25 I mean, how does that go to the technical aspect?

mgc 10-3

1 MR. REYNOLDS: I think you will recall that
2 Mrs. Stiner's testimony indicates that the intimidation
3 that she felt from this situation was due to the fact that
4 her supervisor didn't support her. He voided her NCR.
5 She felt intimidated by that.

6 BY MR. REYNOLDS:

7 Q And that is correct, is it not, Mrs. Stiner?

8 A I felt intimidated by the whole --

9 Q Okay. But that was part of it, wasn't it?

10 A The fact that he voided my NCR?

11 Q Sure.

12 A Yeah, that was part of it.

13 Q Okay.

14 MR. REYNOLDS: Now, Counsel, if she was
15 incorrect of her understanding of the technical fix that
16 craft performed and her supervisor understood it, it's
17 clearly relevant to whether her reaction was reasonable
18 or not.

19 BY MR. REYNOLDS:

20 Q So, Mrs. Stiner --

21 MR. SOSNICK: Well, Counsel, I just --

22 MR. REYNOLDS: Counsel, this is cross. Now
23 what is the point?

24 MR. SOSNICK: The point is this. I think
25 in all these matters what technical aspects were understood

mgc 10-4

1 or what was required and what was reported, I think that's
2 all been testified to already.

3 MR. REYNOLDS: No, it hasn't, not in this
4 context.

5 You've made your point, so let me proceed.

6 BY MR. REYNOLDS:

7 Q Mrs. Stiner, when they ground down the welds,
8 what were they trying to accomplish?

9 A They were trying to accomplish --

10 (Pause.)

11 -- they were trying to gr'ad the face off so
12 I couldn't see them.

13 Q Were they trying to perhaps reduce the width
14 of the weld to under four-core wire diameters?

15 A I don't know. It wouldn't have made any
16 difference.

17 Q Did you gauge the ground-down welds?

18 A I did.

19 Q And what was the width?

20 A I don't recall right off the top of my head.

21 Q So you don't know, in other words, under
22 four-core wire diameters or over?

23 MR. SOSNICK: Well, Counsel, I think you are
24 mischaracterizing her testimony. She doesn't recall the
25 exact --

mgc 10-5 1

2 THE WITNESS: I don't remember right now
3 what it gauged. That's been years ago.

4 MR. REYNOLDS: Sure. I understand.

5 THE WITNESS: But it didn't change the
6 bead at all. The fact that it was ground down didn't
7 change it at all.

8 BY MR. REYNOLDS:

9 Q It didn't change the nature of the weld.
10 It was still a weave weld.

11 A Yes, sir.

12 Q Yes.

13 A Over four core wire diameters when it was
14 put in there.

15 Q When it was put in.

16 A Yes, sir.

17 Q So let's assume that they ground it down
18 to under four core wire diameters. Would it then be
19 permissible?

20 A No, sir.

21 Q Why not?

22 A In my opinion, it wouldn't have changed the
23 interior beads at all, the stresses that it would have
24 caused on the parent metal, or anything that would have
25 happened to the metal because of the way it was welded
in wouldn't have been changed at all.

mgc 10-6

1 Q Were you qualified at that time to make those
2 judgments?

3 A I feel like I was; yes, sir. I made them
4 directly per my procedure, I'll say that.

5 Q What procedure was that?

6 A At that time I worked to QI-QP 11-16-1.
7 I don't remember the revision.

8 Q Did it talk about transverse oscillation?

9 A I don't remember exactly what all was in it.
10 But that was our specific classified procedure.

11 Q Let's turn to Incident No. 3, which involved
12 the diesel generators. Do you recall your description of
13 that?

14 A I do.

15 Q You were inspecting welding at the diesel
16 gnerators?

17 A Yes.

18 Q Was that the welding on the skids?

19 A And the -- the skid and all the supports.

20 Q The supports.

21 A Yes.

22 Q And the instance which you related there
23 which you believe intimidated you --

24 A Yes?

25 Q -- was your supervision telling you to inspect

mgc 10-7 1

when you felt unqualified to inspect; is that correct?

2 A Would you repeat that, please?

3 Q Yes. I believe this is a fair summary of
4 your prior testimony.

5 You felt intimidated because your supervisor
6 instructed you to go inspect the skids, but you felt
7 unqualified to conduct the inspection; is that correct?

8 A I felt not only intimidated; I felt
9 harassed also in that particular instance, because I was
10 told over and over every day -- I was given drawings and
11 blueprints I did not even know how to read. I was not asked
12 when I went in QC if I knew how to read blueprints. I could
13 read small piping blueprints, but I was not even asked
14 if I could read three dimensional diesel generator blueprints.

15 Q How many days did you perform that work?

16 A I don't know exactly. Approximately three
17 weeks. I don't know just exactly.

18 Q Did you do it alone?

19 A Yes. We had another inspector that was
20 working on the same job, but he was working on a completely
21 different generator.

22 Q Who was that inspector?

23 A Randall Smith.

24 (Pause.)

25 Also, we were as-building the generators,

mgc 10-8

1 and I just most definitely felt like that was for the
2 engineers to do, not an inspector.

3 MR. SOSNICK: Just respond to the question,
4 please.

5 MR. REYNOLDS: Thank you.

6 BY MR. REYNOLDS:

7 Q Mr. Williams finally took you off this
8 inspection, you testified?

9 A Yes.

10 Q And you testified he did that because he
11 wanted quick inspections, rather than good inspections;
12 is that correct?

13 A I believe my testimony was that he was very
14 upset with me when I would tell him the results of my
15 day, how much production I had gotten or how many
16 inspections I had done. He was very upset, to the point
17 where he finally took me off, after I asked him every
18 day to do so.

19 Q Did you communicate your concern to higher
20 management?

21 A How higher can you get? He was my
22 superintendent.

23 Q Did you communicate your concern to anyone
24 above Harry Williams?

25 A (No response.)

mgc 10-9

- 1 Q Yes or no?
- 2 A Not in Brown & Root, no.
- 3 Q Well, anywhere else?
- 4 A I told the NRC about it.
- 5 Q Who did you talk to at the NRC?
- 6 A I believe -- I'm not even sure now, I'm not
7 even sure, if I did, but I believe it was Driscoll and
8 her. I'm not positive about that.
- 9 Q Did you see them at the time or later?
- 10 A No. No, no.
- 11 Q So you told them about it later.
- 12 A I believe when Henry and I talked to them
13 in our home. I don't remember what date the meeting was
14 that I told them about that. I'm not positive at all.
- 15 Q Okay. Incident No. 4, structural fab shop.
16 Did you get along with the people in the fab shop?
- 17 A Most of them.
- 18 Q Your concern there was that weld symbols were
19 not properly placed on doors; is that correct?
- 20 A No, sir, not that they were not properly
21 placed.
- 22 Q What was it?
- 23 A They were not properly welded per the
24 drawing.
- 25 Q Oh, the doors were not properly welded.

mgc 10-10¹

A Yes, sir, per the drawing.

Q And what did it have to do with weld symbols?

A Well, when I say per the drawing, you just don't understand what I'm saying. When I say per the drawing, I mean whatever the weld symbol showed on the drawing itself, the welder that had welded it had welded it completely different.

Q Did you write an NCR?

A I did.

Q Did you place a hold-tag?

A I did.

Q That was per procedure?

A Yes.

Q You did your job?

A That's right. I was --

Q Mrs. Stiner, --

A Can I finish that answer?

Q Yes.

A I tried to do my job. I did my job, in that I had my NCR voided and was told to pull the hold-tag, so it didn't do me any good to do my job.

Q What more could you have done? What did your job call for you to do, more than what you did?

A My job called for me to ensure plant safety in every way I knew how, in every way that a quality control

mgc 10-11¹

2 inspector could do their job. That meant, I don't see
3 why they would write up procedures if they didn't mean
4 for them to be followed, and I didn't feel like that they
5 meant for me to do my job. They wanted me to be out there
6 and do my job, and then when I did it, they were ready
7 to kick me in the teeth for doing it.

8 Q So the crux of this intimidation allegation
9 is that because they voided your NCR, you felt intimidated.

10 A Not only did they void my NCR to cause my
11 feeling of intimidation, Thomas Brandt told me, he said,
12 "Oh, that's all right. Go ahead and buy it off. That's
13 all right." But he didn't have anything to back him up.
14 And I said, "It's not welded per the drawing." And instead
15 of him getting a procedure and showing me, he just said,
16 "That's all right. That's just run-off tabs." He believed
17 what the craft told him, instead of what his inspector
18 said.

19 Q So we're back to the discussion that we
20 had earlier about the fact that your supervision didn't
21 come and explain to you why they voided your NCR.

22 A They didn't come and explain to me nothing.
23 They didn't even come and explain to me why they felt
24 like that weld symbol was acceptable. The weld symbol
25 was definitely wrong. I was a welder a long time. I can
tell when it points to two side or when it points to all

mgc 10-12¹

2 the way around. That's just as black and white as anything
3 can get.

4 Q And you testified that Mr. Brandt disagreed
5 with you on that question.

6 A He not only disagreed. He told me I would
7 buy it off, that it was all right, and that what I was
8 calling an all-the-way-around weld was simply run-off
9 tabs, as the craft had told him.

10 Q Could you have been wrong?

11 A No, sir.

12 Q Absolutely no chance?

13 A Absolutely no chance.

14 Q Did you communicate this to higher management?

15 A Than who?

16 Q Than whoever you talked to.

17 A Thomas Brandt was as high as -- he was my
18 boss. He had been -- Thomas Brandt had replaced Harry
19 Williams, so there wasn't any higher for me to go in
20 Brown & Root except Ron Tolson, and I wouldn't have gone
21 into his office if someone had paid me to.

22 Q Okay. Incident No. 5. You were subpoenaed
23 to testify in these proceedings in July of 1982. You were
24 then harassed for performing your job. That's what you
25 testified earlier, I believe.

A I don't understand --

mgc 10-13 1

Q I don't understand it either, and I'd like
2 you to explain it a little further.

3 You recall this incident that you described?

4 A I don't understand where you're getting to
5 or what you're saying, even.

6 Q Okay. You were called into Mr. Tolson's
7 office.

8 A Which time? I was called in a few times.

9 Q Well, when you were subpoenaed to testify.

10 A Yes.

11 Q The one where he talked about having fun
12 in September and so forth.

13 A Yes.

14 Q Okay. And you felt intimidated by that
15 contact with Mr. Tolson?

16 A Yes.

17 Q Did it relate to the performance of your
18 job or to the fact that you were testifying --

19 A Most definitely.

20 Q Most definitely what?

21 A He told me he didn't care which side of
22 the fence I chose, that it didn't make him any difference,
23 but one thing he could assure me was that he was going
24 to have fun in September. He said --

25 Q Why would that intimidate you?

mgc 10-14

1 A Let me finish my answer.

2 He said he didn't care -- he didn't know if
3 I was going to have any fun or not, but he most certainly
4 was going to have fun.

5 Now he told me to stick to my job, and we'd
6 get along fine. Now he looked at me and told me he
7 was concerned about my health. He looked at me like an
8 old dog that you would want to kick. He had contempt in
9 his eyes, and I knew, beyond a shadow of a doubt, that the
10 man wanted me off the site. He didn't want me to have no
11 part of no testimony. He wanted me to be gone.

12 Q How do you know?

13 A He wanted to get rid of me.

14 Q How do you know?

15 End 10
16
17
18
19
20
21
22
23
24
25

1 A I just could tell by looking at him
2 he wanted me out of his way. He wanted me gone.

3 Q That was your impression of what he
4 wanted. He didn't say anything that led you to conclude
5 that, did he?

6 A The thing that led me to believe me by
7 what he said was the fact that he never said anything
8 before. Why did he call me in, even? He said he called
9 me in to tell me he was concerned about my health and that,
10 you know, he just wanted to tell me which side of the
11 fence I chose, but he was concerned about my health. He
12 was never concerned about my health before. Why did he
13 pick before I was going to give testimony?

14 Q Could it be because you were never pregnant
15 in his presence before?

16 A There was a lot of pregnant women on the
17 jobsite, and I'm sure some of them were in QC.

18 Q You described yourself at that time as
19 being huge.

20 A I'm a very -- I'm fairly small-boned. I
21 was, in my opinion, I was very bulky and big and huge.

22 Q That was the fifth month?

23 A The fifth, about five and a half months,
24 approximately. I started showing about four months real
25 good.

1 Q Had you ever had any miscarriages?

2 A Had I ever any? Yes.

3 Q How many?

4 A I had had one miscarriage, I had had a
5 D&C, and my doctor had told me I had nothing to worry
6 about, though, because I was past my third month.

7 Q Could it be that Mr. Tolson was concerned
8 about your health because he knew of your history of
9 miscarriage?

10 MR. SOSNICK: I object, counsel. You are
11 asking her to speculate as to Mr. Tolson's concerns.

12 MR. REYNOLDS: That's a fair objection.

13 BY MR. REYNOLDS:

14 Q He told you to do your job.

15 A Yes.

16 Q Would it be fair to summarize this incident
17 as you feeling intimidated because of Mr. Tolson's
18 demeanor?

19 Do you know what "demeanor" means?

20 A No.

21 Q His mannerisms.

22 A I felt intimidated because he called me in
23 to start with and asked me how my health was, and I also
24 felt intimidated because he told me he didn't care which
25 side of the fence I chose and I most certainly felt

1 intimidated when he told me that he was going to have
2 fun in September, he didn't think I was going to be
3 having any -- or, you know, I felt very intimidated.

4 Q Why did that intimidate you, the part
5 about having fun in September?

6 A I felt like that he was telling me that
7 he was going to -- that Brown & Root was going to chew
8 me up and spit me out; that I had just really messed up
9 bad. I was just too stupid to realize it.

10 Q He didn't say that, did he?

11 A I felt -- you asked me how I felt.

12 Q Did he say that?

13 A No, sir.

14 Q Did he imply that?

15 A That was my feeling.

16 (Recess.)

end MN 11

17
18
19
20
21
22
23
24
25

1 BY MR. REYNOLDS:

2 Q Mrs. Stiner, when you were pregnant at that time,
3 do you think that you were more emotional than you are
4 normally?

5 A I don't know.

6 Q Let's take, for example, the bus incident --

7 A Okay.

8 Q -- and you broke into tears and so forth.

9 A Uh-huh.

10 Q Do you think the fact that you were pregnant may
11 have made you a little more susceptible to emotion, to that
12 kind of outburst?

13 A No, I think that would have got me -- that would
14 have got me whether I'd been pregnant or not.

15 Q Did you ever write a statement in which you said
16 that you felt that being pregnant made you more emotional?

17 A Possibly -- I probably put something to the
18 effect that it made it easier for you to cry. When I was
19 pregnant, it made my tear ducts easier to overflow, or
20 whatever. It made it easier for me to cry.

21 Q Do you mean that it was physical, not emotional?

22 A I don't know what you call it. Maybe it was
23 emotional. But it made it most definitely easier for me to
24 cry.

25 I got -- most definitely it made it easier to cry.

1 I will say that.

2 But I think the bus incident, if that wouldn't
3 have -- that would have upset anybody, unless they were made
4 out of stone.

5 Q Let's move to incident six, which I will summarize
6 as the office moving.

7 A Uh-huh.

8 Q Where were you assigned to work at the time -- and
9 I don't mean where was your office, but where were you
10 conducting your inspections?

11 A I was conducting my inspections in the structural
12 fab shop.

13 Q Is that the one up on the hill?

14 A Uh-huh.

15 Q And where was your office?

16 A It was down under the hill, across from Safety.

17 Q I'm trying to visualize in my mind where that is.

18 A Right out behind the Admin. Building.

19 Q Okay.

20 How far of a walk is that?

21 (Pause.)

22 It's a pretty long walk, isn't it?

23 A Yes.

24 Q Half a mile? A third of a mile maybe?

25 A Maybe.

1 Q Are there sidewalks from --

2 A There's one small sidewalk. It goes just up to
3 the top edge of the hill, and then it stops.

4 Q So, you could have walked on a sidewalk for part
5 of the way?

6 A Maybe a fourth of the way.

7 Q A fourth of the way.

8 And then what's the surface on which you walk?

9 A A dirt road.

10 Q Gravel and --

11 A Yeah.

12 Q -- rock and so forth?

13 And when you finally settled into your new office,
14 how far were you from the fab shop?

15 A After I moved the fourth time?

16 Q Uh-huh.

17 A Right across the street, right across the road.

18 Q 20 feet? 30 feet?

19 A I'd say 50 feet.

20 Q 50 feet.

21 (Pause.)

22 Was that a more convenient location for you?

23 A Other than the fact that I was right on the road --
24 I was afraid of being run over -- it was closer to my work, if
25 that's what you mean.

MNj1 12/4

1 Q Did Mr. Brandt talk to you about that move?

2 A Not extensively. He did talk to me, yes.

3 Q Did he say anything to you that intimidated you?

4 A He told me that he had decided to move me closer
5 to my work area. And then whenever I talked to him, I talked
6 to him a second time, because when they moved me the first
7 time and I had no place to put my things, I was unhappy about
8 it and I went back to him. And he said that there just
9 wasn't enough room.

10 I asked him if I could move back to where I was
11 at in the radwaste trailer, there was no room there. I mean,
12 they just didn't have anyplace for me to store anything or
13 anything. And he said there just was not room in the rad-
14 waste trailer, and he wanted to put me somewhere else.

15 I felt like that he wasn't being altogether
16 truthful with me, because there was plenty of room. I didn't
17 understand why he was moving me.

18 Q Did you feel intimidated?

19 (Pause.)

20 A I guess you could say that, yes.

21 Q Why?

22 A I didn't want to be moved up there, where there
23 was no place to put my documentation. I would have rather
24 walked a little further and had a space to put my things.

25 Q When did this incident occur?

1 In what month of 1982?

2 A Let's see.

3 I believe -- I believe that it was just before the
4 hearings, in September.

5 Q So you were --

6 A I'm not positive about that. I was trying to
7 remember, as comparing the move to the time when Mr. Tolson
8 called me in. And it's very difficult to remember exactly.
9 But I believe that's right.

10 Q You would have been six or seven months pregnant
11 at the time?

12 A Yeah.

13 Q And if you were huge at five months, you must have
14 been extra huge at six or seven.

15 A Yes. (Laughter.)

16 Q Don't you think it was better for you, personally,
17 to be 50 feet from your job place, rather than a quarter of a
18 mile?

19 A It would have been better, except for the fact that
20 I felt more frightened than if I had been down there in the
21 other office, because I felt like a truck driver, and I most
22 definitely felt like they wanted me off the site -- at any
23 cost. And I felt like they were -- most definitely accidents
24 happens, and sometimes they're not exactly accidents.

25 I just wasn't sure what might would happen with

1 me, right there on the road. I was very frightened.

2 Q Were you afraid of being run over when you
3 crossed the road to go to the fab shop?

4 A No. I was afraid of being run over sitting in
5 my desk, in my chair.

end 12

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBIT 12/6
MILLERS PATTS

mgc 13-1

1 My chair was made of plywood. It was
2 sitting right there on the road.

3 Q You were intimidated because your office
4 was on the edge of the road; is that your statement?

5 A I think I need to explain my answer to that.

6 Q Please.

7 A To start with, I never heard the word
8 "intimidate" in my life that I can recall until all this
9 came up with my working at Brown & Root and this sort of
10 thing. I did not understand the interpretation of
11 "intimidate," the word --

12 Q Mrs. --

13 A Let me finish.

14 Q Please.

15 A So therefore I would say -- I can't really
16 use "intimidate." I would rather say -- it would come --
17 a lot of it would come under the harassment part of it,
18 instead of "intimidate," because harassment, to me, would
19 be more fitting.

20 Q Well, to be clear, I'm not trying to put
21 words in your mouth.

22 A That's all right.

23 Q You were using the word "intimidate" in
24 your earlier testimony.

25 A That's true.

mgc 13-2

1 Q And that's why I used it here. If it's not
2 an appropriate description of the way you felt, then we
3 should clarify that.

4 A The reason I used it earlier is because
5 what I actually felt, as far as intimidation, was as per
6 my inspections. Why would I go out there time after time
7 and have the supervisors say -- do the same thing to me over
8 and over -- let me finish --

9 Q I don't want the record to reflect that I'm
10 interrupting you.

11 A That's all right.

12 Q You have a way of pausing, and I think you're
13 done, and I'm not trying to interrupt you.

14 A No, that's okay.

15 Q You understand that.

16 A I just want to explain this. Definitely.
17 After I would go out in the field and have
18 somebody the same thing as slap me in the face over and
19 over on every inspection, I would just feel like, why --
20 why in the hell should I try? Why should I keep doing
21 the same thing when I'm not getting anywhere? I'm getting
22 no cooperation from the supervisors, the craft or nobody.

23 Q The record is clear on that.

24 A Okay. So that is my interpretation of
25 harassment.

mgc 13-3

1 Q Would you accept, then --

2 A I mean intimidation. I'm sorry.

3 Q Would you accept, then, a better word to
4 describe your feeling as discouraged, frustrated, rather
5 than intimidated? Would it be discouraged and frustrated?

6 A On some of the instances you're talking about,
7 such as sitting in the little shack?

8 Q Or the NCR being voided. That discouraged
9 you, didn't it?

10 MR. SOSNICK: Well, Counsel, I think now
11 you are lending your interpretation to her feelings.

12 MR. REYNOLDS: Counsel, this is cross-
13 examination, and it's a legitimate question. Please.

14 MR. SOSNICK: I think now --

15 MR. REYNOLDS: State your objection.

16 MR. SOSNICK: My objection is now, I think
17 that you are not posing questions; you're stating your
18 interpretation of what she has related.

19 MR. REYNOLDS: This is cross-examination,
20 Counsel. I am simply trying to elicit from the witness
21 what her true feelings were. She has raised on her own
22 the fact that "intimidation" is the wrong word to be using.
23 I am trying to probe to find out the right word.

24 MR. SOSNICK: No, Counsel, I will have to
25 object to that comment also. I think that may

mgc 13-4

1 mischaracterize her testimony. She said in a particular
2 instance, "intimidation" was an improper word, and she
3 also qualified, and she said she had not heard the word
4 until these proceedings had come up, and she described
5 that "intimidation" was her -- what had happened as per
6 her various inspections and the interference with her job
7 as to those inspections.

8 BY MR. REYNOLDS:

9 Q Mrs. Stiner, would "discouragement" or
10 "frustration" be a better way to describe your feeling in
11 the situation where the NCR was voided?

12 A (No response.)

13 Q Please, I don't intend to put words in your
14 mouth. I just want to understand your true feelings.

15 (Pause.)

16 A To my belief, that was my interpretation of
17 intimidation. I think that's being intimidated, when
18 they don't work with you. And if there was a different
19 meaning, or if there is a different meaning, I've never
20 known it. That, to me, is being intimidated and harassed,
21 all in the same time.

22 Q I understand.

23 (Pause.)

24 Let's move to Incident No. 7. This I'll
25 call the air conditioning story.

mgc 13-5 1

A Okay.

2 Q Who did you call and found out that your
3 air conditioner didn't work correctly?

4 A I called Randall Smith first. Then I
5 called Mike Foote. And then I called Tom Brandt.

6 Q What did they tell you?

7 A Randall Smith told me to call Mike Foote.
8 Mike Foote told me to call Tom Brandt. So I called
9 Tom Brandt. Tom Brandt told me that he would get with
10 Mike Foote and see what they could do, that they'd get
11 me an air conditioner right up there.

12 So I waited about three days, and I got
13 ahold of Mike Foote back. Mike Foote said, "We'll get
14 one right up there." And they had not gotten me one
15 right up there. I didn't hear anything else about it.
16 I was about to burn up.

17 So I called David Dyer in Electrical.

18 Q Okay. As part of the air conditioner story,
19 you said that they wouldn't let you take your desk and
20 chair from your old office to this new office.

21 A On the first move.

22 Q Right. And that that led to your feeling
23 of frustration; is that correct?

24 A On the first move, yes.

25 Q Why was it necessary for you to take your

mgc 13-6

1 desk and chair with you?

2 A Because I would have had some drawers and
3 places to put my procedure books and my notebooks and
4 that sort of thing, and they was to lock them up at
5 night. Where they had sent me to, I had no -- nothing
6 except a desk top, and I had control documents, things
7 that couldn't be lost, couldn't be just laid out on top
8 of a desk.

9 Q You testified also that there was a tile
10 floor in your old office and a plywood floor in your new
11 office.

12 A Yes.

13 Q Why was it important that you didn't have
14 a tile floor anymore?

15 A It wasn't important other than the fact that
16 the nails were extremely loose, and it wouldn't have been
17 at all surprising to me for it to have fallen through.

18 Q Was it unsafe?

19 A I felt that it was.

20 Q Did you call the Plant Safety people?

21 A I called my supervisors and told them the
22 air conditioner was messed up. I told them the shack
23 was in a shambles. I needed laborers to come and clean
24 the shack up.

25 My supervisors had picked the shack out for

mgc 13-7

1 me, so they must obviously have thought it was safe enough
2 for me.

3 Q Were you actually afraid that someone would
4 hit the shack with an automobile?

5 A Yes. With a truck. The trucks came from up
6 behind where my shack was, right down that same road, and
7 I definitely was frightened.

8 Q Were you concerned that it would be
9 intentional or accidental?

10 A I was concerned that it would be accidentally
11 intentional.

12 (Laughter.)

13 Q Now you'll have to clarify that one for me.

14 A That's the best I can do.

15 Q That's not good enough. I don't understand
16 what it means.

17 MR. SOSNICK: Well, Counsel, your understanding
18 is irrelevant.

19 THE WITNESS: That's my answer. That's the
20 best I can give you.

21 BY MR. REYNOLDS:

22 Q What was the answer?

23 A Accidentally intentional.

24 Q I'll have to think about that -- accidentally
25 intentional.

mgc 13-8

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Pause.)

I'm sorry, Mrs. Stiner, I don't understand
what that means. Would you clarify it?

(Pause.)

End 13

COMMUNICATIONS
RESEARCH
MILITARY FILLS

mgc 14-1

1 A I will try. The way I would define that
2 would be, did you -- well, it's sorta like this.

3 One kid trips another one and says, "Oh,
4 mama, I didn't mean to do that," but you know that they
5 stuck their foot out there on purpose. It's about the
6 same thing.

7 Q That sounds intentional.

8 A That's accidentally intentional. They said
9 it was accidental.

10 Q I think I understand.

11 Incident 8. You were called into Mr. Tolson's
12 office to speak with Brown & Root representatives from
13 Houston --

14 A Yes.

15 Q -- about benefits.

16 A Yes.

17 Q Health benefits?

18 A No. Not exactly health benefits. Just my
19 options about leave of absence.

20 Q I see.

21 A But that had been approximately the third
22 or fourth or fifth time, something like that. Just about
23 every time I was called in, I was told my options on leave
24 of absence, so I already knew them. I don't know why they
25 called me in.

mgc 14-2

1 Q What were they?

2 A They said I could take a leave of absence
3 for as much as -- I believe they said six months. I may
4 be wrong about that. And then they also told me that
5 I could keep my insurance for an extra month.

6 Q Who was the man from Houston?

7 A I don't recall the man's name. I also
8 talked to Mr. Yockey about it on an earlier occasion.

9 Q Does leave of absence mean to you that you
10 can come back to your old job?

11 A It did at first, until Mr. Tolson explained
12 that it most definitely did not ensure that I would have
13 a job when I came back.

14 Q What did it mean?

15 A He said it just meant that I would be off,
16 and there would be nothing held against my record.

17 Q How were you intimidated by that
18 conversation?

19 A Well, that wasn't the total conversation.
20 That was just that particular section you were asking
21 me about.

22 Q Were you intimidated or were you frustrated
23 by that part of the conversation?

24 A I was -- I was, because of the fact that I
25 had already been called in to Mr. Tolson's office in

mgc 14-3

1 Mr. Yockey's presence, in Mr. Brandt's presence, in
2 Mr. Randall Smith's presence, for the same purpose, to
3 explain my options, and this was about my five and a half
4 month mark, when I was about five and a half months
5 along, right after the bus incident occurred. The next
6 meeting with Mr. Tolson, that's when Mr. Yockey was in
7 there. They told me the very same thing, what my options
8 were. And then we had the meeting with -- I had the
9 meeting with the man in Houston -- from Houston. I don't
10 remember his name. And also when I talked with David
11 Chapman about the incident with the two black girls, he
12 also told me that he felt like that my options were
13 leave of absence and blah-blah, gave me the same
14 information, so therefore when the man from Houston talked
15 with me and all the others talked with me, I felt very
16 frustrated and very upset about that, because they kept
17 telling me the same thing over and over and over, and I
18 kept telling them I wasn't going, I wasn't ready to go,
19 I was in fine health. I kept bringing them statements
20 from my doctor saying such, and they just kept coming and
21 asking me on an average of two or three times a week,
22 "When are you leaving? Are you ready to go? What do you
23 want -- are you ready to go? We're ready to give you a
24 leave of absence. How long do you want to take it for?,"
25 and that sort of thing, and I wasn't even ready to go.

mgc 14-4

1 Q And during what month was this meeting with
2 the man from Houston?

3 A I'm not sure. I believe I said the 1st of
4 December, but I'm not positive about that. It may have
5 been November. But I did have a meeting with him, and I
6 had the first meeting about the benefits part of it with
7 Mr. Yockey, Mr. Tolson, Mr. Brandt and Mr. Smith.

8 Q I think you described your condition as
9 being at that time "big as a barrel"?

10 A Yes, sir.

11 Q You were what -- eight months pregnant at
12 that time?

13 A In December, the 1st of December.

14 Q And you testified that Randy Smith told you
15 that you couldn't work past the eighth month.

16 A He said that Mr. Brandt had sent him up
17 there to tell me that I had to leave the job site, that
18 I was well into my eighth month, and that I could not
19 work on site, that it was -- I believe he said it was
20 "not policy."

21 Q Were you discouraged by that information?

22 A I felt harassed. By that point, I felt
23 very harassed at the fact that they were trying to get
24 rid of me, and I kept telling them that I did not want to
25 quit, I did not want to leave, that I needed my job.

mgc 14-5

1 Q You stated that they had never done this
2 for anyone else before.

3 A To my knowledge, they never did.

4 Q Would you have known if they had done it?

5 A I feel like the women in QC, that I very
6 probably would have heard about it if they had. There's
7 not that many women in QC, not a lot, pregnant ones
8 anyway. Field inspectors, most definitely.

9 Q What do you mean by that?

10 A Well, there wasn't that many women inspectors
11 that worked in the field. They probably did have some
12 in the offices, in the Admin Building or something, that
13 wore a copper hat, but --

14 Q Is there any reason why they should have
15 treated field inspectors who were pregnant any different
16 from clerks who were pregnant?

17 A Not to my knowledge.

18 Q Is the rigor of each job the same?

19 A So far as I know. It should be anyway.

20 Q Don't inspectors have to do physical things
21 that clerks don't have to do?

22 A Like climb?

23 Q Sure, for one.

24 A Yeah. They do. But --

25 Q Lift things?

mgc 14-6

1 A That's true, but it depends on what area
2 you work in, what your discipline is. As it turned out,
3 about two or three weeks, about three weeks before I found
4 out I was pregnant, because of my seniority, only because
5 of my seniority, I was transferred to the fab shop
6 inspection rather than inspecting in the field in the
7 reactors and that sort of thing, because of my seniority,
8 and the job was open. They wanted to put somebody up
9 there. So I requested to go, because I knew it would be
10 an easier job.

11 Q It was a less strenuous job?

12 A Of course. No climbing at all. Then three
13 weeks later I found out I was pregnant, and, you know,
14 that was great. I didn't have to worry about climbing.

15 MR. REYNOLDS: I will ask the reporter to
16 mark for identification as Stiner Exhibit 1 a document that
17 appears to be a disability certificate from the Brazos
18 Medical and Surgical Clinic, dated July 7, 1982, and I
19 will show it to your counsel.

20 (Document proffered to counsel.)

21 (The document referred to
22 was marked Stiner Exhibit No. 1
23 for identification.)

24 End 14
25

1 BY MR. REYNOLDS:

2 Q Do you recognize that document?

3 A Yes, that is a medical excuse you would take back
4 to work after visiting the doctor.

5 Q And does it -- and does it contain any restrictions
6 which the doctor who signed the note instructed you to be
7 limited to?

8 A Yes.

9 MR. SOSNICK: Counsel, may she see it --

10 MR. REYNOLDS: Sure.

11 MR. SOSNICK: -- if you're going to ask --

12 BY MR. REYNOLDS:

13 Q Please read the restrictions.

14 A Yes.

15 It says: "No heavy lifting or strain climbing --
16 pregnancy."

17 Now --

18 Q That's all right. That's all I want.

19 A Is that all you want?

20 Q Yes.

21 A Okay.

22 MR. REYNOLDS: Counsel, I would ask that that
23 would be received into evidence.

24 MR. SOSNICK: No objection.
25

BY MR. REYNOLDS:

1
2 Q Wouldn't it be reasonable for your supervisor to
3 be concerned about your health when he received a note like
4 that?

5 A My supervisor, maybe. But it says "regular
6 duties" on there.

7 And my job, as "regular duty," was in the fab shop.
8 It was not climbing any longer. And there was no lifting.
9 All I had to do was walk from table to table and do my
10 inspections.

11 So, there was no -- no need for my supervisor to
12 worry about any restrictions.

13 Also, at the time that was written, the doctor
14 that examined me was not my regular doctor, he was not there.
15 The next time I went back to the doctor, I was reexamined by
16 my regular doctor, and he gave me a clean bill of health. He
17 said I was fine and that the heavy lifting and climbing --
18 just not to, you know, running and that sort of thing.

19 So, he just sent me a clean of health right behind
20 that.

21 Q Are you saying that this doctor who was not your
22 regular doctor was not competent to render his professional
23 services?

24 MR. SOSNICK: I object to that. That is
25 misstating her testimony.

1 MR. REYNOLDS: Well, I don't understand the point
2 of -- of regular doctor or not regular doctor.

3 MR. SOSNICK: Well, Counsel, I think it's very
4 clear, someone you visit regularly or someone you don't.

5 And she's not going to testify as to someone's
6 medical competence.

7 BY MR. REYNOLDS:

8 Q Well, what did you mean by the statement,
9 Mrs. Stiner? I'm confused by it.

10 A What was it that I said you don't understand?

11 Q Well, you said that -- that this was your regular
12 doctor.

13 A I meant that it wasn't the doctor that I regularly
14 visited, that my family used all the time, and that sort of
15 thing.

16 Q Okay.

17 A It wasn't my regular obstetrician.

18 Q But this is the note that you presented to your
19 supervisor at Comanche Peak?

20 A Any time you took off to go to a doctor for any
21 reason, you had to bring your excuse back to him, yes.

22 Q You said, as part of this incident, that you were
23 instructed not to make copies of documents.

24 A That's true.

25 Q But then you said that your job was -- your job

1 included copying documents.

2 A That's true.

3 Q Did you continue to perform your job, in the
4 copying of documents.

5 A I didn't make any more copies.

6 Q Didn't make any copies.

7 A I discontinued all the work I was doing for
8 radwaste and went strictly to inspections for the structural
9 fab shop and also for the iron bolt shed, which is right
10 behind the fab shop. It's just another little area. It's
11 right there beside it.

12 Q And you inspected in there, also?

13 A Yes.

14 I also did a few inspections in the millwright
15 shop.

16 Actually, the regular area was the iron fab shop.
17 That was just alternate things when I had the time.

18 Q Incident number nine I will call the bus story.

19 A Okay.

20 Q Do you know to what I'm referring --

21 A Yes.

22 Q -- when I say "the bus story"?

23 From your description of the crowd on the bus, is
24 it safe to conclude that you would have had to stand had you
25 ridden the bus to the site?

1 A No.

2 Q Why is that not reasonable?

3 A Because they only had a certain amount of people
4 that rode the bus. They had I don't know exactly how many
5 rode, but they had, in Walnut Springs, probably -- I guess
6 maybe six people that they picked up in Walnut Springs. I'm
7 only guessing at that. I really don't know. But there was
8 four or five standing at the door to get on. I was -- always
9 tried to get on so I would get a seat, because if you didn't
10 a seat, you did end up standing. I always ended up sitting
11 down.

12 The men were usually -- before this happened --
13 very nice. And if I didn't have a seat, they'd always get up
14 and let you sit down anyway.

15 Q Walnut Springs is the last stop before the plant;
16 is that correct?

17 A No. Glen Rose -- they stop at a little store.

18 Q Let's go back, just for one question, to the
19 relocation of your office up to within 50 feet of the fab
20 shop.

21 A Yes.

22 Q Did this indicate to you that you were being
23 afforded special treatment?

24 A When they moved me up there?

25 Q Yes.

1 MR. SOSNICK: Counsel, maybe I don't understand
2 that question, when -- do you -- is that a special term that
3 you're using, "special treatment," or is that the --

4 MR. REYNOLDS: Yes. Was she treated differently?
5 Was she treated more favorably than other inspectors? A
6 fair question.

7 THE WITNESS: No, I don't believe I was, because
8 there was another inspector that worked the same area.

9 BY MR. REYNOLDS:

10 Q I don't understand that response.

11 A There was other inspectors that had offices. In
12 other words, I wasn't the only one that had -- was being given
13 an office, if that's what you mean.

14 Q No, that isn't what I mean.

15 The relocation aspect is what I was referring to
16 as special treatment.

17 A Well, I thought at the time, when they first said,
18 "We want to give you a different location so you'll be closer
19 to your work," I thought that was a very nice thing, until
20 they moved me four times in two days and turned me around
21 like a yo-yo.

22 And then, when I finally got to the fourth place,
23 I had trash up to my knees and filth and no air conditioner,
24 and was sitting right on the middle of the road. That really--
25 that changed my mind.

1 I got right back to the same feeling I had had
2 before, that they didn't give a darn.

3 Q Why were you so embarrassed when the bus driver
4 told you that you couldn't ride anymore?

5 A Because there were people sitting there. They
6 were all listening. It was as if they had talked about it
7 earlier or something. They were all just as quiet as a
8 mouse when he said, "You can't ride anymore." Boom. It was
9 as if a pin dropped. Everybody got quiet, and they were
10 listening. And it just hurt my feelings something terrible.

11 Q Could it be that you were just imagining these
12 things?

13 A Oh, no.

14 Q Could it be that because you were pregnant, you
15 were more sensitive to that sort of thing?

16 A I was sensitive, but I wasn't more sensitive than
17 any other time.

18 Anytime somebody would do something like that to
19 me, it would hurt my feelings, and I would most definitely cry.

20 Q Did he speak to you with disrespect?

21 A He spoke to me like a liar. He looked at me like
22 somebody that couldn't look you right in the fact. He
23 couldn't even look me in the eyes. He just -- he just looked
24 at me.

25 And after I finally got to work, I was also told

1 that he had made the statement the day before that I had a
2 big mouth.

3 Q Who told you that?

4 A James McCloud. He was one of the workers up in
5 the fab shop. And he came in the little office and told me
6 that he overheard James Compton say that I had a big mouth
7 the day before, which was the day I gave my testimony -- or
8 that afternoon or whatever -- anyway, before the bus incident
9 occurred -- that I had a big mouth.

10 Q Did you ride that bus routinely?

11 A Every day.

12 Q You rode it every day?

13 A Every day. Unless I worked just 40 hours or
14 something, and then I wouldn't ride it on Friday. But
15 every day that I worked, I rode, yes.

16 Q Did your husband threaten to hit someone with a
17 claw hammer as a result of that incident?

18 A No. Actually, what happened was, when we got to
19 Brown & Root, we got down to the guard shack, and when they
20 started yelling and flipping me the finger and telling me to
21 take myself home and quit trying to take the food out of their
22 mouths and all the cussing that they did at me, the guard
23 that was there, my husband told him that he wanted Mr. Fortune
24 or somebody to come and escort me in, that the people were
25 crazy, and they -- they needed -- that I needed somebody to

1 escort me in, that I most definitely was not -- let me finish
2 my answer.

3 Q Mr. Stiner, your answer is not responsive. I
4 asked you simply if your husband threatened someone with a
5 claw hammer. Yes or no?

6 A Let me finish the answer. I said --

7 MR. SOSNICK: She answered "no."

8 MR. REYNOLDS: She didn't answer "no."

9 THE WITNESS: -- "no." I said "no."

10 MR. REYNOLDS: Well, I didn't hear your answer.

11 THE WITNESS: And I was explaining the "no."

12 BY MR. REYNOLDS:

13 Q I don't need an explanation. Just a yes or no
14 answer is fine.

15 A No, he did not.

16 Q Okay.

17 Do you know who owns the bus?

18 A I don't.

19 Q Do you know whether it's operated by Texas
20 Utilities?

21 A No, I don't know that for sure.

22 Q Do you know whether it's operated by Brown & Root?

23 A No.

24 Q Do you know --

25 A I know it's for Brown & Root. I don't know --

1 Q What do you mean by "for Brown & Root"?

2 A In other words, only Brown & Root personnel rode
3 it.

4 Q So, it is for a single purpose and that is to
5 take workers to Comanche Peak?

6 A So far as I know, yes.

7 Q Do you know a Mr. James Compton?

8 A Yes, I do. I had known him for years. That's one
9 reason why I couldn't understand why he was being so hostile
10 toward me.

11 Q Who was he?

12 A He was one of the workers in the fab shop.

13 Q Did he drive the bus?

14 A Yes, he did.

15 I had known him ever since I first became a welder.

16 Q Do you think that this incident on the bus had some
17 connection to Comanche Peak management?

18 A Yes, I do.

19 Q Why?

20 A I feel like that it all connects back to my
21 testimony, because the fact that they put out the circuit
22 breakers, and I also feel like it connects to the fact that
23 Mr. Compton was aware that I gave testimony, because he said
24 I had a big mouth.

25 And I also think that they might have very possibly

1 just decided they didn't want me on the bus because I was
2 a whistleblower.

3 Q Now, how does that connect up to management at
4 Comanche Peak?

5 A When my husband took me out there after the bus
6 incident was -- when it was occurring -- management was not
7 even concerned. They could have cared less.

8 Q Who, in particular?

9 A Mr. Frankum, for one.

10 My husband walked me down the cow chute with the
11 claw hammer.

12 You asked me. Now, this is my answer, and this
13 is directly to the point.

14 Q You're getting ahead of the point. The point is --

15 A You asked about --

16 Q -- you were refused access to the bus.

17 A Right.

18 Q Not what happened going down the cow chute.

19 A You were asking about management, being connected
20 to management; is that right?

21 Q The refusal to let you ride the bus being connected
22 to management, yes.

23 A Yes, that's what I'm trying to explain. This is
24 connected.

25 Q All right.

1 A Okay. My husband walked me down the cow chute,
2 with the hammer in his pocket, because we were afraid -- and
3 we had to walk down the same chute as the other people.

4 When we got down the chute to the time office, he
5 called Mr. Frankum on the phone and was going to ask him if
6 he would send someone to escort me inside, that he was
7 frightened for his wife. And Mr. Frankum was very rude, and
8 he told him if he was afraid for my safety, for him to just
9 take me home.

10 And my husband told him that I was there,
11 willing and able to work, but that the workers at Comanche
12 Peak wouldn't allow it because of whatever -- circuit breakers
13 or whatever they had been publicized and told about or had
14 found out about -- the hearings and my testimony -- and that
15 it was up to the company, that he felt like they needed to
16 send somebody to help me get into my workplace. It wasn't
17 my fault.

18 Q How do you know that Mr. Frankum was rude?

19 A Because my husband told me so.

20 MR. REYNOLDS: Counsel, I would move to strike
21 that statement as being incompetent evidence, rank hearsay.

22 MR. SOCNICK: Well, if that's what her husband
23 told her.

24 MR. REYNOLDS: It's hearsay, pure hearsay.

25 We will move on.

1 Q. Would your impression that somehow
2 Comanche Peak management was involved in the
3 denial of access to the bus, it'd be different
4 if I told you that the bus was owned by Mr.
5 Compton?

6 A. Let me explain something to you.
7 I think you understand me. I'm not saying that
8 my denial to access was directly connected
9 with the management, exactly. I am saying that
10 the fact that they even knew about my testimony
11 or the fact that they were hostile toward me,
12 in any way, that was directly connected with
13 management. Because of the circuit breakers
14 and because of the fact that they were aware
15 that I gave testimony.

16 Q. Let's jump ahead to that circuit
17 brecker question.

18 A. They thought I was a whistle blower.

19 Q. You were concerned about the fact
20 that the events of the ASLB hearings were
21 reported in the circuit breaker?

22 A. You were concerned that the events
23 at the ASLB hearing, at the licensing board
24 hearing, were reported in the circuit breaker;
25 is that correct?

1 A. I was concerned that anything was
2 reported in the circuit breaker that might
3 would cause the workers to feel hostile
4 toward me for deciding to give testimony
5 in the hearings.

6 Q. In other words, you didn't approve
7 of the fact that the company would tell the
8 workers that you had testified in the hearings?

9 A. I didn't approve of the words they
10 used and the way they told them, because they
11 didn't tell them exactly what happened in
12 here. They put in the parts that they wanted
13 put so that it would sound like Henry and
14 Darlene Stiner were testifying against the
15 co-workers.

16 Q. Do you remember what words in a
17 circuit breaker gave you that impression?

18 A. No, I do not. I just remember that
19 our names were both in there, and they said
20 we were giving testimony.

21 Q. I would like to show you copy of
22 a circuit breaker dated September 14, 1982.
23 It is marked as Intervenor's Exhibit No. 2
24 to the evidentiary deposition of Thomas Ruel
25 Locke, Jr. and ask you to read the paragraph

1 I have marked.

2 A. Do we also have the other circuit
3 breakers for other days?

4 Q. No.

5 A. That's the only one? Which one do
6 you want me to read now?

7 MR. REYNOLDS: Do you see it,
8 Counsel?

9 MR. SOSNICK: Yes.

10 BY MR. REYNOLDS:

11 Q. Please read the entire circuit
12 breaker.

13 A. (Witness perusing document.)

14 (Discussion off the record.)

15 Q. Mrs. Stiner, have you read that
16 document?

17 A. Yes.

18 Q. Would you read to us that paragraph?

19 A. Yes. Says, "Cross examination of
20 a former employer, Henry Stiner and his wife
21 Darlene, presently a quality control inspector
22 at the plant about allegations they have made
23 concerning welding and the adequacy of NRC
24 investigations.

25 Q. Is there any other reference to you

1 in that Circuit Breaker?

2 MR. SOSNICK: I don't believe she
3 has read the entire thing.

4 THE WITNESS: I don't see anything
5 else.

6 MR. SOSNICK: Why don't we just go
7 off for a second and take a look.

8 (Discussion off the record.)

9 BY MR. REYNOLDS:

10 Q. Mrs. Stiner, do you see any other
11 reference to you in that Circuit Breaker?

12 A. No.

13 MR. SOSNICK: Counsel, do you mean
14 by name?

15 MR. REYNOLDS: Or by reference
16 or the inspector, any such reference.

17 THE WITNESS: The only thing I do
18 see where it is talking about testimony of
19 the witnesses for the Intervenors, says
20 Association for Sound Energy.

21 Q. With regard to the paragraph that
22 you read into the record, do you find that to
23 be offensive to you?

24 A. Yes.

25 Q. Why?

1 A. I wouldn't exactly call it
2 offensive; what I would call it is--I would
3 call it harassment. That's a good word.
4 Because the allegations that I made concerning
5 the adequacy of the NRC investigation and the
6 welding at the plant, every employee got one
7 of these. The welders and the people that I
8 inspected for every day, when they looked at
9 that, they said, "Huh. Where does she get
10 off? Who does she think she is?"

11 Q. Is it not factual?

12 A. What is said in here is not factual,
13 is that what you're asking?

14 Q. Yes.

15 A. I was subpoenaed to tell the truth,
16 which I did, and for telling the truth, I got
17 called every name in the book. I got thrown
18 off of a bus.

19 Q. Mrs. Stiner, we're talking about
20 the Circuit Breaker.

21 A. I'm talking about the Circuit
22 Breaker.

23 Q. I'm talking about the words used--

24 A. The words used in the Circuit Breaker
25 according to my beliefs, helped to cause all

1 these problems because they let the workers
2 know that I was giving testimony about welding
3 defects and that sort of thing.

4 Q. Is this the only way that the welders
5 would have learned that you had given testimony
6 is through the Circuit Breaker?

7 A. Unless they watched television or
8 unless some kind of radio news or some kind
9 of TV or something. Nothing that I would--
10 the only thing that I would know of, yes.
11 I don't know how they could have found out
12 other than that I certainly wasn't going to
13 go running down and telling them I had been
14 subpoenaed to testify in the hearings.

15 Q. So your principal thrust then is
16 but for this Circuit Breaker, your co-workers
17 never would have known that you testified,
18 is that correct?

19 A. Like I say, I was subpoenaed, I
20 wasn't proud of the fact. I just went in
21 and did what I was subpoenaed to do.

22 Q. My question is: But for the
23 Circuit Breaker, your co-workers would have
24 never known that you testified?

25 A. So far as I know, they would not. No.

1 Q. Were there any television reports
2 of your testimony?

3 A. Not of mine, that I know of.

4 Q. Were there any radio reports of your
5 testimony that you heard?

6 A. Not that I heard, no.

7 Q. Were there any newspaper articles
8 of your testimony?

9 A. I don't recall there being any about
10 mine, but there was some about some of the
11 other witnesses but I don't think there was
12 anything about mine. If there was, I'm not
13 aware of it.

14 MR. REYNOLDS: Let's go off the
15 record.

16 (Discussion off the record.)

17 MR. REYNOLDS: For clarification on the
18 record, I will note that the Circuit Breaker
19 dated September 14, 1982, which is attached to
20 the affidavit of Mr. Locke, should be designated
21 properly as Intervenor's Exhibit No. 2. And now
22 I'm going to show the witness Applicants' Exhibit
23 No. 2. Attached to that same Locke deposition.
24 And I'm going to invite your attention, Mrs.
25 Stiner, to the part of the article that I marked.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

This is a newspaper article from the Fort Worth
Star Telegram, a Thursday, September 9, 1982 at
Page 18A. Mrs. Stiner, I would ask you to read
the part that I have marked in the margin.

(Witness proffered document.)

mgc 17-1

(Discussion off the record.)

BY MR. REYNOLDS:

Q Mrs. Stiner, after having read what I've handed you, do you know that you were reported in the newspapers --

A I do now.

Q -- to have testified.

A I do now. That I was going to testify. That's what it says, yes.

Q Correct.

A Yes.

Q And did you notice the date in this newspaper article?

A Yes.

Q Is it before or after the publication of the Circuit Breaker we just looked at?

A It's dated September 9th.

Q And what is the date of the Circuit Breaker?

A September 14th.

Q Digressing for one minute, you said that you requested an ROF?

A Yes.

Q Did you receive an ROF?

A Yes.

Q Did that confer some special benefit on you?

mgc 17-2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A Yes.

Q What was that?

A I was able to draw unemployment benefits.

Q And what would have been the option that Brown & Root had? If they hadn't given you an ROF, what would they have done?

A They would have either fired me, or I would have stayed. I really don't know.

Q So that was a favor they did for you, wasn't it?

MR. SOSNICK: Counsel, I object. That calls for speculation of what was a favor.

BY MR. REYNOLDS:

Q Did you think it was a favor, Mrs. Stiner?

A No, I did not.

Q You didn't?

A I felt like that it was the easiest way they could find to get rid of me, because they came to me and told me, "We're ready for you to go." And after so many time of telling me, "We're ready for you to go. You've got to go. You've got to go. You're too far along. You've got to go," if they would do it the way I wanted them to do it, so that I could draw unemployment benefits, then I would go. But otherwise I wouldn't have gone at all. I wouldn't have consented to go. They would have had to

mgc 17-3 1

fire me.

2

Q When was your baby delivered?

3

A The 24th day of January.

4

Q You said earlier that your husband called

5

Mr. Frankum and asked for an escort.

6

A Yes, he did.

7

Q Did you receive an escort?

8

A Yes, I did.

9

Q What kind of escort?

10

A I have no idea who it was. He was a gold

11

hat, is all I know.

12

Q How did he escort you?

13

A He drove up in a truck behind the time office.

14

He came into the time office and walked me all the way

15

out, walked me to the truck, took me to my office back

16

to the door.

17

Q Did Mr. Frankum arrange for that?

18

a After my husband told him that I was

19

very willing to work, and that unless he wanted to pay

20

my salary for me to go home, that I would be there willing

21

to work, and he did expect an escort, since he felt like

22

it was partly their fault, since I was being endangered

23

as I was.

24

Q Now is that a yes or a no to my question?

25

A I really don't know who arranged it. I don't

mgc 17-4 1

know.

2

Q That's fair.

3

Were you authorized to leave work at the
4 first whistle before the crowd?

5

A After I gave my testimony at the hearings,
6 yes.

7

Q Why?

8

A Because I was very frightened of the crowd.

9

Q Of the crowd?

10

A That's right.

11

Q Did you ask for this to happen?

12

A I did.

13

Q Who did you ask?

14

A I asked -- let me think who I did ask.

15

(Pause.)

16

I do not even remember who I contacted about
17 it.

18

Q Would it have been your line supervision
19 or someone else?

20

A Actually I can tell you. It was Sam
21 Hogard.

22

Q Sam Hogard?

23

A Yes.

24

Q Would you spell that, please?

25

A I have no idea how to spell it. He is a

mgc 17-5

1 Safety --

2 MR. REYNOLDS: We'll let the reporter do
3 the best she can.

4 THE WITNESS: He is a Safety Chief, I think.

5 BY MR. REYNOLDS:

6 Q How many whistles are there?

7 A Two.

8 Q And how far apart are they?

9 A Five minutes.

10 Q So it gave you a little bit --

11 A A little bit of a headstart.

12 Q A little headstart on the crowd.

13 A Yes.

14 Q Mrs. Stiner, did Mr Purdy obtain authoriza-
15 tion for you to ride the Texas Utilities bus from the
16 parking lot down into the job site?

17 A He did.

18 Q Did you ask him to do that?

19 A I believe that he suggested it because he
20 was having to have someone pick me up, and it was a bit
21 of a burden.

22 Q Someone was picking you up where? Up in
23 the parking lot?

24 A Yes.

25 Q Oh, so this escort that you got, driving you

mgc 17-6

1 down into your office was not just the one day.

2 A No, sir.

3 Q Oh, I see.

4 A No, sir. I was frightened. I was totally
5 frightened, and I did not -- I didn't feel it was safe for
6 me to walk down the cow chute, with those people -- I don't
7 know exactly how many are employed out there now, but I
8 felt they were hostile toward me, and I didn't want to be
9 clustered up in among three or four thousand people walking
10 down a cow chute.

11 Q Is the cow chute where you pick up your brass?

12 A No. Well, it joins onto it. It's the
13 beginning of the cow chute.

14 Q Did you then have to go through the cow
15 chute when they brought you from the parking lot down
16 to the site, or did you just bypass the cow chute?

17 A No. We bypassed the cow chute, went through
18 the guard shack, and then whoever picked me up would take
19 me to the time office, so I could go in the time office
20 and pick up my brass.

21 Q I see. For how long did the escorted service
22 last?

23 A I'm going to guess about --

24 MR. SOSNICK: Don't guess. If you don't
25 really know --

mgc 17-7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE WITNESS: I don't know.

BY MR. REYNOLDS:

Q Did it last until you left?

A No.

Q When did it stop? Do you know that?

A I cannot remember exactly how long it lasted.

Q Do you believe today that the two girls that you described had threatened to beat you up?

A Yes, I do. I believe that, because after that happened, it was really hard for me to believe, since one of the girls, I got her her job. I couldn't imagine why she would want to beat me up anyway. So I called her on the phone down at her shack. I called her, and I was going to ask her, "Hey, what have you got against me," you know, "What have I done? Are you mad at me about something?" And she wouldn't even talk to me.

So I felt like that very probably, maybe she was just upset about something else. I felt like very probably she had threatened to beat me up.

Q For what reason?

A Because she felt like I was testifying against her and trying to take her job away.

Q Didn't one of those girls later throw a baby shower for you?

A No.

mgc 17-8

1 Q When you testified earlier, you stated that
2 you talked to a Mr. Chapman, who I am taking to be
3 David Chapman, the Manager of Quality Assurance at Texas
4 Utilities. Is that the same person?

5 A David Chapman. I'm not sure what his
6 function is.

7 Q Are you aware that it was Mr. Chapman that
8 initiated the investigation into your allegations of
9 harassment?

10 A No, I don't know who did.

11 Q You are aware that an investigation was
12 conducted.

13 A I testified that earlier that there was
14 some report drawn up, but it said that I withdrew my
15 allegations, and I never did.

16 Q Were you interviewed by someone in the context
17 of that investigation?

18 A Would you repeat that?

19 Q Yes. Did someone interview you in the
20 performance of that investigation into your allegations
21 of harassment?

22 A Before they wrote that report. I never saw --
23 they never showed me that report.

24 Q That isn't my question. Did someone interview
25 you during the course of the investigation?

mgc 17-9 1

A Yes.

2

Q Do you know who that was?

3

A I don't recall.

4

Q Was it more than one person?

5

A I believe it was two men.

6

Q Two men.

7

A Yes.

8

Q Do you recall what was said during that

9

interview?

10

A No, not exactly. It's been a long time ago.

11

Q Do you happen to recall telling the person

12

with whom you spoke that people were saying things behind

13

your back?

14

(Pause.)

15

A No, I don't recall telling that people were

16

saying things behind my back. I do recall telling that

17

people were staring at me and sniggering, and I'm not --

18

I may have said that --

19

Q May have said what?

20

A That they did talk behind my back. I don't

21

recall.

22

Q How do you know they were talking behind

23

your back?

24

MR. SOSNICK: Counsel, she just said she

25

doesn't recall whether she said that.

mgc 17-101

1 THE WITNESS: I don't remember. I'm not
2 for sure.

3 MR. REYNOLDS: She said she may have said it.

4 THE WITNESS: Well, the same way you would
5 know if someone was talking. That's the only thing I can
6 tell you.

7 BY MR. REYNOLDS:

8 Q I don't know how I would know that someone
9 was talking behind my back.

10 A Well, if someone was setting in the corner
11 or something, and there was two, three other people a
12 few feet away, and they were talking, and then when you
13 came in the room or when you walked up to them, they just
14 hushed -- there are definite ways of telling that someone
15 is talking about you, and that's just the way I would tell,
16 different ways.

17 Q Did you later concede to the person with
18 whom you spoke in this investigation that this may have
19 been your imagination at work?

20 A No, I never said that.

21 Q You never said that.

22 Were you calm and relaxed during this
23 interview with this person?

24 A I was tired, after I had worked all day.
25 It was in the evening, late, but I feel like that I was

mgc 17-11 1

very relaxed. I don't remember exactly how I felt at that
time. It's been a long time ago.

2

3

Q Did you appreciate the opportunity to be
interviewed?

4

5

A If they had done something about it. I felt
like it was just right that they do some sort of
investigation.

6

7

8

Q Did you state that no one at Comanche Peak
had ever threatened you?

9

End 17

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MN/Sim18-1

- 1 A I don't remember.
- 2 Q Do you remember whether you felt at that time
- 3 that no one at Comanche Peak had ever threatened you?
- 4 A No, I don't remember.
- 5 Q Did you state that your allegations about
- 6 harassment were flimsy?
- 7 A Most definitely not.
- 8 Q Did you state that they were based on rumors?
- 9 A I didn't state that.
- 10 Q Did you state that you felt that Brown and Root
- 11 management had gone out of its way to treat you fairly?
- 12 A I don't think I said that either.
- 13 Q Would you recall if you had said it?
- 14 A I think I would have remembered if I had said
- 15 Brown and Root had always treated me fairly, because I
- 16 definitely don't think they had.
- 17 Q At the conclusion of that interview were you
- 18 asked to contact the people with whom you were talking
- 19 if you ever had any concerns in the future about harassment?
- 20 A One of the men gave me his card.
- 21 Q Did it have a 24-hour answering service
- 22 telephone number on it?
- 23 A I don't even remember.
- 24 Q Did you ever call that man?
- 25 A No, I did not, not after that interview.

MN/Sim18-2

1 Q Did you ever experience further feelings of
2 harassment at Comanche Peak?

3 A Most definitely.

4 Q Why didn't you call the man?

5 A I didn't think they were going to do anything
6 anyway. They had never done anything about anything else.

7 Q You stated earlier that you got a general
8 educational educational development certificate?

9 A Yes.

10 Q What was the last grade of formal schooling
11 that you attended?

12 A Ninth.

13 Q Why did you go for your GED at the time that
14 you did?

15 A Because Mr. Tolson asked me if I would take
16 a general education test because he said that to be a QC
17 inspector that I had to have a GED or a high school education,
18 that their inspectors were required to have a high school
19 education and I do not have one. I had been inspecting
20 for a long time, and I was supposed to clarify my file.

21 I don't know what you want, my previous
22 inspections, I really don't know. He went ahead and asked
23 me to take one and I did so.

24 Q Are you glad you did?

25 A Yes, I am glad I did.

mgc 18-3

1 Q Would you have done it, but for Mr. Tolson's
2 suggestion that you do it?

3 MR. SOSNICK: Counsel, I object.

4 THE WITNESS: I don't know.

5 MR. REYNOLDS: What's objectionable about
6 that, Counsel?

7 MR. SOSNICK: You are asking her whether she
8 would have done something at one time --

9 MR. REYNOLDS: No, at that time.

10 BY MR. REYNOLDS:

11 Q At that time, did you have any intention of
12 taking a GED test, but for Mr. Tolson's suggestion?

13 MR. SOSNICK: Do you understand the question.

14 THE WITNESS: Yes. I'll answer it.

15 MR. SOSNICK: Sure.

16 THE WITNESS: I didn't even know that it was
17 required for me to have a high school education, because
18 I'd been inspecting for awhile, and nobody ever said a word
19 until then. So I really don't whether I would or not.

20 BY MR. REYNOLDS:

21 Q That's not responsive, Mrs. Stiner. That's
22 not responsive to my question.

23 Do you remember the question?

24 A I think so. Go ahead and ask me again.

25 (The reporter read the record as requested.)

mgc 18-4

1 THE WITNESS: My answer to that is, if he
2 had not suggested it at that particular time, I really
3 don't know if I would have taken one or not, because it
4 might not have come to mind. But I don't know.

5 MR. SOSNICK: Is that your answer? You don't
6 know whether you would or not?

7 THE WITNESS: That is my answer.

8 MR. REYNOLDS: That is also a fair answer.

9 (Whereupon, at 9:05 p.m., the deposition
10 was recessed for dinner to reconvene at 9:50 p.m. this
11 same day.)

End 18

12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 MR. MIZUNO: On the record.
2 Mrs. Stiner, how long have you been on the road
3 today?
4 THE WITNESS: Since about eight
5 o'clock this morning.
6 MR. MIZUNO: Do you feel that you're
7 able to go forward? You don't feel tired?
8 THE WITNESS: I'm fine. I think I
9 can go forward.
10 MR. MIZUNO: If at any time, you feel
11 that you're feeling tired or you can't recall
12 things from the past, just indicate it.
13 THE WITNESS: Yes.
14 MR. SOSNICK: Mr. Mizuno, I appreciate
15 your concern.
16 MR. MIZUNO: The reason staff Counsel
17 brought it up was that we had a similar situation
18 in a hearing when we went rather late, and Mrs.
19 Stiner indicated the next day that it went past
20 her endurance level.
21 MR. SOSNICK: I understand and we
22 do appreciate your concern.
23 BY MR. REYNOLDS:
24 Q. Mrs. Stiner, I think I asked you
25 this before, but due to the lateness of the hour,

1 I am forgetting some things too, and I just want
2 to make sure that it is clear on the record.
3 You expressed one of your concerns as being that
4 when your supervisor was contacted by craft
5 supervision, regarding one of your inspections,
6 do you recall that line of testimony earlier
7 this evening? I think it came up in the
8 context--

9 A. We were discussing the writing of
10 NCR's and that sort of thing?

11 Q. Yes.

12 A. Yes.

13 Q. And when craft disputed your NCR
14 the craftsmen went to his foreman who then
15 called your foreman, and then talked to you.

16 A. Who then told me to buy it or whatever.
17 Yes, sir, I remember.

18 Q. Why do you think that is an
19 inappropriate way for the craft to communicate
20 with you?

21 A. I think it's inappropriate way for
22 anyone to communicate when they're trying to get
23 a job done because I know as far as I'm concerned
24 anyway, the way that worked, it gave me--it made
25 me feel that I would hesitate when I came upon

1 a situation where I needed to write an NCR
2 because I felt like I was just butting my head
3 against a brick wall. Why write one when
4 they're just going to go over your head? They're
5 going to go against you and your supervisor's
6 going to go around and tell you to buy it
7 anyway, so why try? I got to the point where
8 I just really hesitated to try to do my job
9 to the fullest because of that.

10 Q. So the way they communicated with
11 you through the management chain back down to
12 your QA organization was part of the basis for
13 your frustration?

14 A. The way that it ended up and that I
15 was, I would say, harassed, brought me to the
16 point where I just got to where I just didn't
17 feel like I had a point. There was no point
18 to try to do a good job.

19 MR. REYNOLDS: No further questions.

20 Mr. Mizuno, your witness.

21 BY MR. MIZUNO:

22 Q. Mrs. Stiner, do you recall your
23 testimony regarding your definition of
24 intimidation?

25 A. Yes.

1 Q. Let us suppose that you wrote an
2 NCR on an item and a craft person disagreed
3 with your writing that NCR. And he contacted
4 his foreman and his foreman contacted your
5 foreman and your supervisor disagreed with you
6 on your writing the NCR and he explained to
7 you why he disagreed with you. Suppose you
8 disagreed with his explanation, in your mind
9 would that still be intimidation if he went
10 ahead and voided the NCR even though he gave
11 you an explanation?

12 A. In my opinion, he would have to
13 present proof such by procedure of such as that.

14 Q. Okay. And suppose he did that.

15 A. If he could show me the procedure that
16 I was wrong, I'd be the first one to step up
17 and say hey, I'm wrong.

18 Q. Okay. Are there some other kinds of
19 NCR's situations in the field which require you
20 writing an NCR in which the resolution of the
21 problem need be by something other than a
22 referenced procedure?

23 A. I don't think I understand your
24 question.

25 Q. Okay. Let's suppose there was a

1 situation where you found a weld which you think
2 was incorrect, perhaps didn't have enough
3 linear length on it or something to that effect
4 and you identified it on an NCR, and somehow
5 it got reported to your supervisor and your
6 supervisor sent this NCR to a weld engineering.
7 Weld engineering came back and said, "Use as is."
8 The reason for it is because they said that the
9 weld, even though it may be less than called for
10 in the drawing is still acceptable. In that
11 situation, then your supervisor in turn told you
12 that this is the way it was dispositioned and
13 so therefore, your writing out the NCR, the
14 condition you found was not necessarily bad.
15 Would you disagree with that kind of a
16 disposition?

17 A. If the engineer found documentation
18 of a procedure, whatever they needed to find in
19 the procedures, and they showed that structurally
20 this was enough weld for that particular item,
21 if they put down the procedure they used, if they
22 could tell me the procedure they used to define
23 that, and they didn't just say according to me,
24 I think that's enough.

25 Q. In other words, let's suppose that weld

1 engineering made a calculation or something,
2 would it be sufficient that they said that they
3 have a calculation that showed that it was
4 all right?

5 A. Not just that they said they did one,
6 no.

7 Q. Let's suppose that they did show you
8 a calculation, would you have the qualifications
9 necessary to evaluate whether the calculation
10 was done correctly or not?

11 A. I would know that some flunky didn't
12 just sit at his desk and say yes, that looks
13 good to me and sign it right off. I would know
14 that much or I would feel better about that part
15 of this situation. However, I would also--I might
16 not agree totally with it but if they showed me
17 what they brought the information from, I
18 probably would sign it off if my supervisor said
19 sign it off, but he would have to tell me you
20 sign it off.

21 Q. Can you conceive of situations where
22 the reasons for the voiding of an NCR or its
23 disposition may be such that you cannot understand
24 the reason for it and when I say, not understand,
25 I'm saying you would not have the professional

1 capability or skills to evaluate whether the
2 disposition was correct or not?

3 A. Would you repeat that one more time,
4 please?

5 MR. SOSNICK: Are you asking whether
6 she would have the qualifications to form an
7 opinion whether NCR was properly dispositioned?

8 MR. MIZUNO: Properly voided.

9 MR. SOSNICK: Whether something was
10 properly voided?

11 MR. MIZUNO: Either properly voided
12 or disposition either use as is or infactual that
13 the NCR was properly written.

14 THE WITNESS: That would depend on a
15 lot of things.

16 BY MR. MIZUNO:

17 Q. You were a QC inspector for welding,
18 were you not?

19 A. Yes.

20 Q. Do you have the professional
21 qualifications to determine a particular weld
22 in its as-built condition was structurally
23 adequate or not?

24 MR. SOSNICK: Counsel, are you asking
25 if she knew how to conduct a test on the weld?

1 Is that what you're getting at?

2 MR. MIZUNO: No. Let me rephrase
3 that question.

4 BY MR. MIZUNO:

5 Q. Let me try this: Are you a weld
6 engineer?

7 A. No.

8 Q. Do you know anything about the
9 structural capabilities of welds?

10 A. I've read things, but I'm not
11 professionally a welding engineer, no.

12 Q. Then what good would it do for one
13 of your supervisors to come to you and say that
14 an NCR was voided for this reason and for him
15 to explain it when you possibly do not have the
16 qualifications to evaluate whether the reasons
17 that he has given you are true or not?

18 A. If he gave me a specific procedure
19 that he used, and said I took it out of this
20 procedure, it says whatever, I would feel like
21 he didn't just take it out of his own mind and
22 refer to his own memory.

23 Q. Mrs. Stiner, can you define--

24 A. May I give you an answer please?

25 Q. Okay. I'm sorry.

1 A. That's all right. Also, as far as
2 taking it from a procedure book, that's the
3 way it's supposed to be done. The engineers
4 cannot remember everything, so if they don't
5 look in the books to find what they need to
6 know, how are they going to disposition
7 anything?

8 Q. Okay. Can you define what you mean
9 by procedure? I think this might be the
10 problem that we're having.

11 A. The on-site documents they go by
12 to build the plant. That's the best I can do.

13
14
15
16
17
18
19
20
21
22
23
24
25

1 Q. Do you recall any situation when
2 you wrote an NCR and a craft person took issue
3 with it and your supervisor backed you up in
4 terms of supporting your writing of the NCR?

5 A. I have written quite a few NCR's
6 that I didn't have a problem with if that is
7 what you're getting at. I don't recall exactly
8 which ones. I was out there a long time.

9 Q. So it wasn't a situation that whenever
10 you wrote an NCR, no one would back you up and
11 when I mean no one, I mean your supervision on
12 the QA/QC?

13 A. If you're asking me was it an every
14 occasion type of thing--

15 Q. Not every occasion, but the majority
16 of situations.

17 A. I really wouldn't know how to answer
18 that. There's no way I could answer it. It'd
19 just be every once in awhile, it happened. There's
20 no way to tell you.

21 Q. Do you think your supervisors tended to
22 support you when there was a challenge to your
23 writing an NCR, or they tended not to support
24 you fifty-fifty? Which way did it fall?

25 A. Let me say this to answer that. When

1 there was a challenge to my NCR, those were the
2 times and the only times I had the problems I
3 wrote an awful lot of NCR's that I had no
4 challenge to.

5 Q. I'm asking for those times when you
6 had a challenge, did your supervisors tend to
7 back you up or they tend to disagree with you?
8 Or you just can't tell?

9 A. Most of the time they disagreed.

10 Q. And how many times did you have
11 NCR's challenged by the craft?

12 A. I really cannot remember.

13 Q. Ten?

14 A. I would have--I don't know.

15 Q. Okay. Let's talk about the first
16 incident with the hole in the polar crane rail.
17 Can you describe what the polar crane rail is?

18 A. It's the rail the polar crane runs
19 on.

20 Q. Can you tell me at what elevation
21 the hole was located in?

22 A. Would you repeat that? Did you say
23 location or elevation?

24 Q. I said elevation but I actually
25 meant location.

1 A. Okay. Well, it was in the bottom
2 of the rail, is all I can tell you.

3 Q. It's in the bottom of the rail?

4 A. Yes. That's the only way I can
5 explain it. It's like a tray type thing.
6 It goes around.

7 Q. Okay. Do you recall when you did
8 this, what date this occurred when you first
9 saw this hole being created, I guess, by the
10 live wire?

11 A. Not off the top of my head, I don't
12 recall the date. I know I have an NCR in my
13 testimony, I think, that has the date on it,
14 but I don't know for sure.

15 Q. I don't recall that NCR number, can
16 you tell us?

17 A. I don't know.

18 Q. Which NCR was it? Was it referenced
19 in your testimony?

20 A. Yes, I believe it is.

21 Q. Let's assume that we cannot find this
22 NCR, if you were taken to the plant, could you
23 show someone the location of that hole where
24 you thought it was?

25 A. I could probably get within twenty or

1 thirty feet, but it has been repaired now.

2 Q. So there's no problem with the
3 rail now?

4 A. I don't know if there's a problem
5 with that now or not.

6 Q. But you did state that you believed
7 that the rail was repaired?

8 A. I don't believe I said that. I
9 don't know if it was repaired or not, I just
10 know they voided my NCR.

11 Q. I thought I understood that when
12 I asked if you could point out the condition
13 of the plant, you indicated that you could
14 get within twenty or thirty feet but it had
15 been repaired already?

16 A. They're running the polar crane
17 everyday. I feel sure that it's been fixed
18 by now. I really don't know. It's been a long
19 time.

20 Q. Now, you indicated that you called
21 a QC supervisor and he was actually the night
22 QC supervisor. What was his name, again?

23 A. Jim something or other. I cannot
24 recall his last name. His name was Jim and
25 he was the QC superintendent for nights.

1 Q. Calicut?

2 A. No.

3 Q. I was a little bit confused here.

4 A. Jim Reagan. I'm sorry. I didn't
5 mean to interrupt you.

6 Q. Now there's a little confusion.
7 Once you saw the hole being created, did you
8 immediately go and write up--I'm sorry. You
9 saw the hole, you talked to Jim Reagan,
10 he told you that you were the person who saw
11 this problem and that you should write up an
12 NCR and then you did write up an NCR and place
13 hold tags; is that correct?

14 A. Yes. But first I didn't actually
15 see the defected area. I was a level down below
16 the polar crane.

17 Q. So what did you see?

18 A. What I saw first was the line coming
19 over the side and hanging down, then it just
20 sort of crooked it and made smoke all over the
21 place and explosion.

22 Q. You saw wire coming down--

23 MR. SOSNICK: I think I should object
24 here. I think we're going too far into the
25 technical matters. I think she testified to.

1 1 MR. MIZUNO: I have a little bit
2 of a problem seeing a wire hanging down turning
3 at the end and going under a rail.

4 MR. SOSNICK: I understand that's
5 what you're getting at. You want to find out
6 about that, but my objection is, here I don't
7 think it's relevant to the nature of the
8 testimony that's been given here about
9 intimidation and harassment.

10 MR. MIZUNO: I think it is. If
11 the incident did not occur or we cannot confirm
12 what Mrs. Stiner said occurred about the polar
13 crane, then it tends to question her credibility
14 regarding the alleged harassment or intimidation
15 that she received.

16 MR. SOSNICK: I recognize that. The
17 testimony is to technical things and things that
18 Mrs. Stiner has seen and reported as defective
19 conditions they've been testified to. There's
20 still been a chance for people to go and reach
21 the credibilities to those issues too. My
22 objection is really that we're just getting into
23 things that have been testified to on another
24 occasion and we're starting to repeat.

25 MR. MIZUNO: My recollection of the

1 record is that the polar crane incident was
2 not gone into in detail at the hearings.
3 But I'll withdraw the question. I think that
4 Mrs. Stiner's statement speaks for itself.
5 However, I will indicate that under the NRC's
6 staff position, the definition of intimidation
7 and scope of issues in this proceeding that it
8 is important that the specific problem, hardware
9 problem or construction problem, be identified
10 for the record. And an assessment be made as
11 to whether the alleged intimidation or harassment
12 resulted in unsafe conditions. So therefore,
13 it is essential that these matters be gone into
14 for each incident where applicable. Obviously,
15 some of these incidents do not involve hardware
16 such as the bus incident.

17 MR. SOSNICK: I would like to object.
18 I would like to voice a statute too but if it
19 goes too far, I would have to. I just don't see
20 where we have to get into depth as to all these
21 technical issues that have been testified to
22 already.

23 MR. MIZUNO: Fine. Your objection
24 is noted.

25 BY MR. MIZUNO:

1 Q. Do you know Mrs. Stiner--I'm sorry,
2 I was asking about the sequence of events
3 about your writing the NCR and I believe you
4 stated that you saw the condition or you saw
5 wire coming down and this is what you indicated.
6 Then you went to the night QC supervisor, Jim
7 Reagan, he told you to write an NCR and you did
8 so. And you also placed hold tages, is that
9 correct?

10 A. Not exactly. What it looked like
11 was a large welding weave. Now whether that
12 was exactly what it was, I don't know, but that's
13 what it looked like. And I called Jim Reagan,
14 I didn't go to him.

15

16

17

18

19

20

21

22

23

24

25

mgc 21-1'

Q Then you did write the NCR?

A Yes.

Q Then you placed the hold-tag?

A No, I placed the hold-tag first.

Q I guess a craft person started arguing with you about placing the hold-tags?

A As a matter of fact, I placed five or six hold-tags, and it was at that time he told me there was no need to put them there. I was putting them on his instrument panel.

Q Okay.

A And he told me had to run the polar crane. They had things -- they had to get things done, and he couldn't set around and wait for me to get some paperwork back.

Q Okay. What was that person's name, do you recall?

A I don't remember. I sure don't.

Q Okay. I really have to ask you again this. Do you know what time that this occurred?

A It was sometime in the morning, I believe, by -- before I went home that afternoon, I had pulled the hold-tags.

Q Okay. Now after you placed the hold-tags and then wrote the NCR, I understand that the NCR was

mgc 21-2 1

voided or came back down to you voided; is that correct?

2

A What was that?

3

Q The NCR came back down to you --

4

A Would you repeat all of that again? I'm sorry, because I sure don't --

6

Q Okay. After you placed the hold-tags and wrote the NCR, some time later the NCR came back down through Harry Williams to you with the NCR being voided.

8

9

A I don't think it ever left Harry Williams.

10

I'm not sure of that. I believe he just voided it himself.

11

I'm not positive of that. But it did come back to me through him voided; yes, sir.

12

13

Q Okay. And then did Mr. Williams indicate to you why he voided it?

14

15

A He told me that it was not within the scope of the QA program.

16

17

Q Okay. On this second incident -- I'm sorry -- we're going to skip the second incident, which is the weave welding on the piping, pipe support.

18

19

20

Now let's go to the third incident involving the diesel generators.

21

22

A Yes.

23

Q Okay. First, which unit were these diesel generators for, Unit 1 or Unit 2?

24

25

A This one was for Unit 1.

mgc 21-3

1 Q Okay. Now at that time, were you qualified
2 as a welding QC inspector?

3 A Yes.

4 Q What is the difference between welding on
5 pipe supports and welding on skids and supports for the
6 diesel generator that made you believe that you were
7 unqualified to inspect the welds on the diesel generator
8 skids and supports?

9 A I was only qualified for Class V pipe supports
10 or for -- actually, other than Class I, II and III, which
11 was what they called Q, I was qualified to do Class V --
12 IV, V and VI.

13 Also the diesel generators were vendor welds,
14 and it was my understanding that they had been previously
15 inspected prior to coming on site and were just a minimum
16 bought off as being able to make the trip, but I didn't
17 feel that I was capable of inspecting those, because they
18 were vendor welds and because of the density and the --
19 I guess that would be the right word -- of the blueprints.
20 I was not familiar with that type of blueprints, and I wasn't
21 able to read them very well.

22 Q Okay. I heard several different reasons for
23 why you felt you weren't qualified. I think I heard three,
24 and let me repeat these to you, separate them out, and see
25 if you agree with me.

mgc 21-4 1

2 The first reason was that you were
3 qualified to Class V, and other than Class I, II and III,
4 is that one reason?

5 A Yes.

6 Q Okay. And the second reason was because
7 these were vendor welds?

8 A Yes.

9 Q And the third reason was because you could
10 not read blueprints?

11 MR. SOSNICK: I have to object, Counsel.
12 That is not her testimony.

13 MR. MIZUNO: Well, I'm asking her if I'm
14 accurately summarizing or not. If she doesn't agree --

15 THE WITNESS: No, it's not accurate.

16 BY MR. MIZUNO:

17 Q Okay, then what is it?

18 A I said I could not -- I was not familiar with
19 the density -- I wasn't even sure if that was the right
20 word. The blueprints were very complex. I guess that's
21 right. They were very hard to read. That's the only thing
22 I can say. I was not trained to read blueprints. I could
23 read piping blueprints, very simple piping blueprints, and
24 I was never asked when I went into QC if I could read
25 blueprints. So I didn't feel qualified for that reason
also.

mgc 21-5

1 Q Okay. Let's start with blueprints first.
2 How do blueprints, other than their complexity, who do
3 blueprints for pipe supports differ from the blueprints
4 for the diesel generators?

5 MR. SOSNICK: Counsel, I have to object
6 to this line of questioning. I mean, I don't see all the
7 relevance of piping blueprints to allegations of
8 intimidation and harassment.

9 MR. MIZUNO: I believe that part of the
10 measure of whether a person has been intimidated or not
11 is whether that person's belief is reasonable or not, and
12 I'm trying to ascertain whether Mrs. Stiner's belief that
13 she was unqualified to conduct the inspection of the welds
14 on diesel generators was a reasonable one or not.

15 MR. SOSNICK: Well, Counsel, that is what
16 she believed at that time. The testimony is what she
17 believed at that time. Now we're here to discuss
18 allegations of intimidation and harassment, and you are
19 talking about blueprints. I think -- are we going to go
20 through every technical detail of every incident that
21 was mentioned during Mrs. Stiner's testimony?

22 MR. MIZUNO: I think they are two different
23 things.

24 One thing, you are talking about the level
25 of detail that we're going to go into, and I would say yes.

mgc 21-6

1 Second of all, the question is Mrs. Stiner's
2 beliefs. Now we've established her belief that she
3 believed that she was unqualified.

4 Now what I'm trying to establish is whether
5 her belief was reasonable or not. They are two separate --

6 MR. SOSNICK: Well, maybe we.

7 MR. MIZUNO: Okay?

8 MR. SOSNICK: Go ahead. I'm sorry.

9 MR. MIZUNO: Maybe we could set some
10 parameters here if we could just go off the record for
11 one second and discuss this. Is that all right?

12 MR. SOSNICK: Fine.

End 21

13
14
15
16
17
18
19
20
21
22
23
24
25

mgc 22-1 1

MR. MIZUNO: Back on the record.

2

BY MR. MIZUNO:

3

Q

What is the difference between welds that are done by vendors versus welds which are done on site that would make you unqualified to determine whether the vendor welds were acceptable or not?

7

MR. SOSNICK: Do you understand the question,

8

Mrs. Stiner?

9

THE WITNESS: Yeah, I understand.

10

It simply was not my job to inspect vendor

11

welds.

12

MR. MIZUNO: That's not responsive to my

13

question.

14

THE WITNESS: That's the answer. That's

15

the only way I can answer it that I know of.

16

MR. MIZUNO: Okay.

17

BY MR. MIZUNO:

18

Q

Did you communicate the fact that you felt -- okay, you did not communicate the fact that you felt unqualified to perform these weld inspections to people who were higher than -- to supervisors higher than Harry Williams; is that not true?

23

A

He was as high as it went. I worked directly for my superintendent, so I didn't have anybody higher to go to, except Mr. Tolson or somebody, which I would not

25

mgc 22-2 1

have done.

2

Q What about Mr. Brandt?

3

A Mr. Brandt was not even -- he was not even --

4

Q He was not there?

5

A -- over me at that time at all.

6

Q Okay. So the next highest person after

7

Harry Williams was Mr. Tolson?

8

A Or Mr. Purdy. I -- really, I'm not sure.

9

Q Okay. Why don't you --

10

A I don't believe Mr. Purdy --

11

Q -- talk to people --

12

A Sorry. Go ahead.

13

Q Why didn't you talk to people higher than

14

Harry Williams about your belief that you were unqualified
15 to conduct these welds?

16

A In the first place, you just don't go over

17

your superintendent's head, unless you want to be kicking

18

beer cans up the cow chute. You don't do that. He wasn't

19

just a foreman; he was a gold hat. And he was supposed

20

to know what he was doing.

21

Q Well, you indicated, in talking about the

22

incident at the fab shop, that you talked to Mr. Brandt.

23

Why couldn't you -- I still don't understand why you

24

couldn't have gone up higher, since you did it in another

25

case.

mgc 22-3

1 A When did I did it? I don't understand
2 what you're referring there to.

3 Q What was the basis for your belief that
4 going up higher than Harry Williams would result in you --
5 what? -- kicking beer cans?

6 A Being terminated is what I'm talking about.

7 Q Being terminated. What was the basis for
8 that?

9 A Well, in the first place, who would I go to?
10 There was no one to go to except Ron Tolson or Gordon
11 Purdy, and Gordon Purdy, he didn't have anything to do
12 with our stuff. He was ASME. Ron Tolson, you just -- I would
13 have had to told Harry Williams that I was going to see
14 Ron Tolson about the same problem that I had just discussed
15 with him.

16 Q And what's the problem with that?

17 A He would have told me the same thing he
18 already told me.

19 Q Okay. And then you could have gone to
20 Mr. Tolson. What would have prevented you from going to
21 Mr. Tolson?

22 A I would have probably been fired.

23 Q And what is your basis for your belief
24 that you would have been fired?

25 A I just believe I would have been fired.

mgc 22-4

1 Q You have no basis?

2 A He was made at me anyway, because I had told
3 him that I did not want to do the inspections on the diesel
4 generators because I didn't feel qualified.

5 Q But you told that to Harry Williams. You
6 didn't tell that to Ron Tolson. So how could Ron Tolson
7 have been angry at you?

8 A No. Harry Williams was already angry at
9 me. So if I had gone to him and said, "I want to go and
10 talk with Ron Tolson about this problem, because I don't
11 feel like you're doing anything about it," I feel like he
12 would have fired me. If not then, he would have fired me
13 the next day or the next week or the next fifteen minutes
14 for anything he could find.

15 MR. SOSNICK: May I ask a clarifying question.
16 I think I can get your answer for you.

17 MR. MIZUNO: Okay.

18 MR. SOSNICK: Is it your testimony,
19 Mrs. Steiner, that if you go over somebody's head, you risk
20 being fired?

21 THE WITNESS: Yes.

22 MR. REYNOLDS: Objection. That's a leading
23 question, Counsel.

24 MR. SOSNICK: Just for purposes of
25 clarification; that's all.

mgc 22-5

1 MR. MIZUNO: Well, she stated that already
2 on the record, and I'm just trying to find the basis for
3 that. And I still haven't gotten anything which -- I'm
4 going to end right now, because there doesn't seem to be
5 any basis --

6 THE WITNESS: It's something like the Army.
7 You don't go over anybody's head.

8 MR. MIZUNO: Stop. Stop. I don't want to
9 hear that.

10 BY MR. MIZUNO:

11 Q Okay. The fourth incident in the fab shop,
12 what NCR documents -- what was the NCR number that you wrote
13 up for this, the doors not being properly welded?

14 A I don't recall the number.

15 Q You have a little notebook, don't you, that --

16 A Yes, I do.

17 Q Is that -- would that NCR be listed within
18 your -- one of your notebooks?

19 A No, because that was prior to the time that
20 I went to the fab shop.

21 Q When did you start keeping those books?

22 A When I first went in QC.

23 Q Didn't this occur after you were in QC?

24 A Yes.

25 Q Did you keep these books to the date of your

mgc 22-6

1 leaving Brown & Root?

2 A I kept the, but I think you misunderstand
3 "kept." I only kept them on my regular inspections, such
4 as Class V inspections when I was in the field. When
5 I transferred to a different type inspection in the fab
6 shop, in a totally different job, --

7 Q You didn't --

8 A -- I did not add anything else in the books.

9 Q Okay. Do you recall where these doors were
10 located?

11 A They were to be put in the reactors, I believe,
12 one in Reactor 1 and one in Reactor 2, or maybe more than --
13 I'm not sure exactly where in the reactors, but they were
14 supposed to be put in the reactors.

15 Q Do you know what kind of doors they were?

16 A No, I don't.

17 Q And you're positive you can't remember the
18 NCR number?

19 A No.

20 Q Is there any other documentation that you
21 can think of that would allow someone to determine which
22 doors these were?

23 A Yeah. When I worked out there in the fab
24 shop, I had a spiral notebook, a big spiral notebook that
25 I kept the information from the fab shop inspections in,

mgc 22-7

1 rather than my little orange book.

2 Q Okay.

3 A But when I left there, I left it in the desk
4 that was there, and whoever took over, I'm sure probably
5 still has it.

6 Q Okay. Anything other than that spiral
7 notebook.

8 A Not anything I can think of, no.

9 Q Okay.

10 A You might be able to check with Donna LuEllen
11 on an NCR number or something like that, or whoever's out
12 there now. I'm not even sure she's still out there. I don't
13 know.

14 Q Okay. Do you recall the date and the time
15 of day that this -- that you wrote up this NCR?

16 A No, I don't.

17 Q Do you recall the year and the --

18 A Oh, yeah, it was in '82.

19 Q What month, or even what week?

20 A I want to say -- I'm not going to say either,
21 because I'm not sure.

22 Q Okay.

23 A It was in '82.

24 Q Okay. Can you identify the procedure or
25 the requirement for which these doors were not properly

m gc 22-81

welded to?

2 MR. SOSNICK: Counsel, I think there's a
3 little problem there with the structure. You are asking
4 her for a procedure for something that's not proper.

5 BY MR. MIZUNO:

6 Q That these doors were not properly welded to.
7 I assume there was some sort of specification or --

8 A There was the drawing itself --

9 Q The drawing itself.

10 A -- that they were not welded correctly to.

11 Q Okay. Do you recall the drawing number?

12 MR. SOSNICK: Counsel, I'll object. This is
13 really just totally irrelevant, the drawing number.

14 MR. MIZUNO: As I indicated earlier, the
15 Staff's view of the scope of the issues regarding
16 intimidation involves looking to see whether the hardware --
17 whether intimidation resulted in hardware being left in
18 an unsafe condition. This line of questioning intends to
19 elicit that information.

20 MR. SOSNICK: Mrs. Stiner, do you the number
21 of --

22 THE WITNESS: I don't know anyway (laughing).

23 BY MR. MIZUNO:

24 Q Okay. Going to the fifth incident on the
25 meeting with Mr. Tolson, did you ever indicate to anyone

mgc 22-9

1 that you had a history of miscarriage?

2 A I don't think anybody ever asked me.

3 Q Did you ever talk to some people on the site.

4 MR. SOSNICK: Talk to them about what,
5 Counsel?

6 BY MR. MIZUNO :

7 Q About your history of miscarriages or
8 difficulties with pregnancies?

9 MR. SOSNICK: Go ahead and answer the question.

10 THE WITNESS: Would you repeat it? I'm sorry.

11 MR. MIZUNO: Yes.

12 BY MR. MIZUNO:

13 Q Do you recall speaking with anyone on the
14 site about your history of miscarriages?

15 A No.

16 Q Is it contained on any medical forms that
17 you might have filled out when entering Comanche Peak?

18 A Not that I know of.

19 Q Perhaps some application forms for employment
20 with Brown & Root?

21 A No, because all my problems, all the female
22 problems I ever had was after I started working at Brown &
23 Root.

24 Q Okay.

End 22

25

1 Q Let's go on to the sixth incident, the one
2 regarding the office movement.

3 When they first moved your office, you indicated
4 that it was on the hill -- the office was on the hill?

5 A Yes.

6 Q Was that office closer -- that office was closer to
7 your area of work?

8 A Yes.

9 Q Okay.

10 Then they moved your office a second time, and
11 that was back down to the original --

12 A One I just came from.

13 Q -- one you just came from?

14 A Yes.

15 Q And then they moved it a third time.

16 A Yes.

17 Q And where was that?

18 A Way down by the front guard shack.

19 Q Okay.

20 Was that closer to your area of work, than your
21 original --

22 A No, about three times as far.

23 Q Did this -- okay.

24 How long did you -- you didn't stay there very
25 long, did you?

1 A All night. (Laughter.)

2 I stayed there the rest of that afternoon, and
3 then they moved me -- the rest of my stuff -- the next
4 morning.

5 Q Right. Okay.

6 That fourth office, that you finally were located
7 to, were there windows in the office?

8 A There was one.

9 Q One window.

10 Did he face toward the road?

11 A No.

12 Q How much time did you spend in the office, as
13 opposed to spending time in the fab shop?

14 A 90 percent of the time was spent in the office.

15 Q Okay.

16 That fourth office, what was it made -- what was
17 it constructed of?

18 A Plywood.

19 Q Let's suppose that a person in a truck drove into
20 -- strike that.

21 I may have heard you inaccurately.

22 You indicated that you didn't know about the word
23 "intimidation" until we began the proceedings on -- focusing
24 on intimidation.

25 What were your words on -- what did you testify

1 with regards to that?

2 A I believe what I waid I was not familiar with the
3 term, the word -- meaning of the word "intimidation," the
4 actual definition of "intimidation," until all the hearings
5 and this sort of thing came up.

6 Q "All the hearings" being back in '82, when you
7 first appeared?

8 A No.

9 Q When?

10 Just recently, the last month or so?

11 A Yes.

12 Q Who explained the definition, the word
13 "intimidation" to you?

14 MR. SOSNICK: Counsel, we establish it anyway --
15 as explained it to her?

16 MR. MIZUNO: Yes, okay.

17 Withdraw the question.

18 BY MR. MIZUNO:

19 Q How did you -- how did you come to understand the
20 definition of "intimidation"?

21 MR. SOSNICK: Do you understand the question?

22 THE WITNESS: Yes, I understand the question.

23 MR. SOSNICK: Okay.

24 THE WITNESS: Actually, I didn't understand
25 exactly the definition of that word until about three hours

1 ago.

2 BY MR. MIZUNO:

3 Q Three hours ago.

4 A Wouldn't that be right, three hours? Two hours?

5 When I left out of here, it was explained

6 exactly what the definition actually is -- to me.

7 MR. REYNOLDS: Explained by whom?

8 MR. SOSNICK: I object.

9 BY MR. MIZUNO:

10 Q Now I can ask my question.

11 Who explained to you that -- the definition of

12 "intimidation"?

13 A The definition was explained to me by -- oh, I

14 don't even know his name.

15 Q That's fine.

16 A Sorry. I don't know.

17 MR. REYNOLDS: Can you describe him?

18 MR. SOSNICK: Now, Counsel, I object.

19 MR. MIZUNO: That's -- at this point, I will just

20 leave that out.

21 THE WITNESS: Anyway, I did explain into the

22 record what it meant to me.

23 So, if that's --

24 BY MR. MIZUNO:

25 Q Okay.

1 Okay, let's go on to the seventh incident, which
2 I think is still really quite related to the sixth incident.

3 Was anyone else sharing the office, your fourth
4 office?

5 A No.

6 Q Okay.

7 Was anyone using them at the time --

8 A No.

9 Q -- immediately prior to your moving there?

10 A No.

11 They moved it there for me. It was somewhere else.

12 Q Okay.

13 You indicated that the flooring was unsafe at this
14 new office.

15 Was it eventually fixed?

16 A I have no idea.

17 Q It wasn't fixed when you were there?

18 A No.

19 Q Okay.

20 Did the utility finally move your chair and desk
21 to your office, the fourth office?

22 A Yes, the truck driver did.

23 Q Okay.

24 Okay, the eighth incident -- do you recall the
25 names of the people who came to talk to you -- the Brown & Root

1 people who came to talk to you about your benefits?

2 A I talked with Ray Yockey.

3 Q Well, besides Ray Yockey.

4 You indicated two people from Houston came. Do
5 you recall --

6 A I don't recall their names, other than I did talk
7 to Mr. Chapman. I don't know who he's with, other than I
8 know Mr. Chapman talked to me.

9 Q Okay. Do you recall when this occurred, what
10 date this occurred?

11 A No, I don't.

12 Q Was some sort of counseling form or some other --
13 memorandum made of this meeting?

14 A Which meeting is that now? Is --

15 Q This meeting that you had with the two Brown & Root
16 employees from Houston.

17 A They took notes. Other than that, I don't know.

18 I know there was a -- there was a report filed.
19 That's what I stated earlier. But it didn't reflect the
20 right thing. It said I withdrew my allegations.

21 Q No, I'm not talking about that. I'm not talking
22 about Mr. Chapman's investigation.

23 A No, that's not what I'm talking about either.

24 Q Okay.

25 MR. REYNOLDS: I think there is confusion. I

1 think -- maybe I'm confused.

2 THE WITNESS: Do you think there's one meeting or
3 two meetings?

4 BY MR. MIZUNO:

5 Q I understand there are two meetings. I only want
6 to talk about the one where the Brown & Root employees from
7 Houston came to explain --

8 A Okay.

9 Q -- your benefits to you.

10 A As far as I know, the only thing there was, as
11 far as that goes, was notes.

12 MR. MIZUNO: Mrs. Stiner, you stated that
13 Mr. Chapman was the name of one of those.

14 THE WITNESS: No, I didn't mean that.

15 MR. REYNOLDS: Oh, I didn't think you did.

16 THE WITNESS: Mr. Chapman was the other -- I had
17 a meeting with Mr. Chapman, but it wasn't at the same time
18 period.

19 BY MR. MIZUNO:

20 Q Right. Let's forget about all the meetings,
21 except for the specific meeting that I want to talk about,
22 which is the -- where the two Brown & Root employees came to
23 talk to you about your benefits.

24 A Yes.

25 Q Okay.

1 And you indicated that no counseling form was
2 given to you or any other type of form given to you?

3 A No, not that I recall.

4 Q Okay.

5 Is it -- do you know whether it is a practice to
6 give to give out a form or --

7 A I don't know.

8 MR. SOSNICK: Well, Counsel, I object. How does
9 she know what someone's practice is?

10 MR. MIZUNO: Why? How does she know?

11 MR. SOSNICK: Yes.

12 MR. MIZUNO: She speaks to people at the site. I
13 mean, she knows -- she apparently knows what -- what is and
14 isn't procedure as far as handing out and giving copies of
15 NCRs or getting copies of training files.

16 MR. SOSNICK: Do you know the answer to his
17 specific question?

18 THE WITNESS: I don't know.

19 BY MR. MIZUNO:

20 Q Okay.

21 Okay, and you then -- you don't recall the date
22 when this meeting with the Brown & Root people from Houston
23 occurred?

24 A No.

25 Q Even a month?

1 A No.

2 Q You don't recall.

3 Okay. Now, prior to this meeting with Brown & Root
4 employees from Houston, you said you also talked with
5 Mr. Yockey; right?

6 A I talked to Mr. Yockey at one of the meetings --
7 in Mr. Tolson's office.

8 Q Mr. Tolson's office.

9 A Mr. Brandt and Mr. Smith were also there.

10 Q Okay.

11 And can you spell Mr. Schmidt's (sic) name? And
12 do you know what his.

13 A It's Randall Smith.

14 Q Oh, Randall Smith.

15 A Uh-huh.

16 Q I see.

17 Okay.

18

19

20

21

22

23

24

25

end 23

mgc 24-1

1 Q Did you know of other pregnant women who
2 worked in QC?

3 MR. SOSNICK: Well, Counsel, I object. I
4 really don't see the relevance in this at all.

5 MR. MIZUNO: Okay. The relevance isn't
6 clear now, but I'm --

7 MR. SOSNICK: It isn't clear now. You are
8 exactly right.

9 MR. MIZUNO: I'm trying to --

10 MR. SOSNICK: It's not clear now. So please
11 move on.

12 MR. MIZUNO: No. I would like to explain
13 where I want to go with this question, and depending --

14 MR. SOSNICK: All right. Sure.

15 MR. MIZUNO: Okay. I would like to know
16 whether she knew of a practice with other pregnant women
17 being asked to leave or to take a leave of absence from
18 Brown & Root when they reach their eighth months of
19 pregnancy.

20 MR. SOSNICK: Why don't you just ask her,
21 then?

22 MR. MIZUNO: Well, first I want to know
23 whether she had --

24 THE WITNESS: There was probably some in the
25 Admin Building, but I was the only female inspector in the

mgc 24-2

1 field in QC in my area. So I really didn't know any out
2 there.

3 MR. SOSNICK: Excuse me. It's about five
4 to eleven. Why don't we take a five-minute break?

5 MR. MIZUNO: Sure.

6 (Brief recess.)

7 MR. MIZUNO: Back on the record.

8 BY MR. MIZUNO:

9 Q Going back to the diesel generators, do
10 you know what procedures -- do you know whether there's
11 a procedural requirement that sets forth the qualifications
12 for a weld inspector for the diesel generators?

13 A I do not know.

14 Q Okay. Whether there was a Brown & Root
15 policy to encourage pregnant women who were workers to
16 take leave of absences when they reached their eighth
17 month of pregnancy?

18 MR. SOSNICK: Counsel, I object. You are
19 asking her to testify as to someone else's procedure.

20 MR. MIZUNO: I'm asking about her knowledge.

21 MR. SOSNICK: All right.

22 MR. MIZUNO: That's what I asked her.

23 THE WITNESS: That's just what I was told.

24 BY MR. MIZUNO:

25 Q And who were you told that by?

mgc 24-3 1

2 A Randall Smith told me that Mr. Brandt, Tom
Brandt, said that it was policy.

3 Q Did you have any reason to doubt his word
4 that that was the policy?

5 A Yes.

6 Q And what was that?

7 A Because there was a couple of people, a
8 couple women that worked in the Admin Building. One of them
9 had just had a baby. She worked in DCC, I believe, and
10 the other one, I'm not sure what department she worked in,
11 she had just had a baby, and they both worked -- one worked
12 right up until a week before she delivered, and the other
13 one just a few days, three or four days.

14 Q Do you recall the names of those two women?

15 A No, I don't, but I checked on it to be sure.

16 Q Okay. You indicated that you felt harassed
17 because you had to bring in a doctor's statement weekly
18 saying that you were fit to work; is that correct?

19 A Yes.

20 Q Were you aware of any Brown & Root policy
21 that required pregnant women to obtain weekly doctor's
22 statements saying that they were fit to work?

23 A No.

24 Q Who told you that you had to bring a weekly
25 doctor's statement in?

mgc 24-4 1

(Pause.)

2 A Mr. Brandt.

3 Q Did Mr. Brandt tell you why you had to bring
4 in a statement weekly?

5 A No.

6 Q He didn't offer you any explanation?

7 A Not that I recall, no.

8 Q What is it in your job as a QC inspector,
9 a welder QC inspector, that requires you to have copies of
10 NCRs?11 A Well, nothing requires you to have them. It
12 was just sort of like keeping my little orange book. All
13 the inspectors in my group, we always got copies of our
14 NCRs. They were delivered to us, but now it's kept on a --15 Q But was it an informal thing. And when I
16 say "informal," it wasn't written down in any site
17 procedure.

18 A Not to my knowledge, no.

19 Q Did you report the fact that James McCloud
20 told you that you had a big mouth?

21 A (No response.)

22 Q Well, let me take that back first.

23 When Mr. McCloud told you that you had a big
24 mouth, did you consider that incident to be intimidating
25 or harassing?

mgc 24-5 1

2 A That isn't what I testified to. What I
3 said was that he told me that Mr. Compton said that I
4 had a big mouth.

5 Q Oh, I see. Okay. And Mr. Compton was the
6 driver of the bus?

7 A Yes.

8 Q Okay. Did you report to I guess your
9 higher management that Mr. Compton refused to let you on
10 his bus?

11 A I did.

12 Q And who did you tell that to?

13 A Randall Smith.

14 Q Okay. And do you know whether Randy Smith
15 followed up on your complaint?

16 A I have no idea.

17 Q Did Randy Smith or anyone else tell you that
18 they did something regarding that?

19 A No, he didn't tell me that he did anything
20 or did not.

21 Q Okay. Did you tell any of your supervisors
22 or higher management in the QA/QC organization that
23 Mr. Compton said that you had a big mouth?

24 A I don't remember.

25 Q Okay. Do you believe that someone in the
utility or Brown & Root told Mr. Compton to not let you

pgc 24-6¹

on the bus?

2 A Would you repeat that, please?

3 Q Okay. Do you believe that -- well, let's
4 split this.

5 Do you believe that one of your supervisors
6 in the QA/QC Department told Mr. Compton to deny you access
7 to that bus, to his bus?

8 (Pause.)

9 A I don't know if somebody from the QA/QC
10 Department told him not to let me ride or not.

11 Q Okay. Do you know whether anyone working at
12 Comanche Peak -- okay -- I should say any management person
13 working at Comanche Peak specifically told Mr. Compton to
14 not let you on the bus? And I am referring to people
15 like Mr. Tolson, Mr. Chapman, some of the higher supervisors.

16 A I wouldn't have any way of knowing that.

17 Q You don't know.

18 A No.

19 MR . SOSNICK: Would you have any way of
20 knowing that?

21 THE WITNESS: No, I would have no way of
22 knowing that.

23
24
25
End 24

1 BY MR. MIZUNO:

2 Q My notes say that there was an incident -- or, I
3 guess, three incidents, where -- I believe it was you were
4 asked by your counsel the number of the NCRs written from
5 the time of the September hearings to the time that you
6 ended employment at Comanche Peak.

7 A Yes.

8 Q And you indicated that there were three NCRs that
9 you could remember.

10 A Yes.

11 Q One of which you discussed was with the doors; is
12 that correct?

13 A Yes.

14 Q Okay.

15 Now, there were two other NCRs, one involving
16 base metal defects.

17 I would like to pursue that first.

18 Okay. Do you recall which NCR that was?

19 A No. No.

20 Q But you have a record, either in your -- in one
21 of your little books as to --

22 A No.

23 Q -- what NCR this would be.

24 A This was after I was in the fab shop.

25 Q Okay.

1 Do you recall where this -- where these base metal
2 defects were located, what type of hanger and where the
3 hanger was -- the hanger number?

4 MR. SOSNICK: What's the question?

5 BY MR. MIZUNO:

6 Q Anything to identify the hanger or the location
7 of these base metal defects.

8 MR. SOSNICK: Okay.

9 THE WITNESS: They weren't on a pipe support.

10 BY MR. MIZUNO:

11 Q They weren't on a pipe support?

12 A No. They were just on a sheet of metal.

13 Q And was the sheet of metal used in the fabrication
14 of some component at Comanche Peak?

15 A I have no idea what it was used for. It was just
16 in sheet form.

17 Q Okay.

18 You wrote the NCR, and you said -- you indicated
19 it was voided.

20 Who voided it?

21 A I assume Tom Brandt voided it. I really don't
22 know.

23 Q You don't recall?

24 A I don't know who actually did the voiding, no.

25 Q Who returned the NCR to you?

1 A Randall Smith.

2 Q Okay.

3 And did he -- did the NCR -- or -- indicated why
4 he -- why it was voided? The reason for it being voided?

5 A I don't recall what it said, but he just told me
6 it had been voided.

7 Q Okay.

8 You believe that that was improper -- an improper
9 disposition.

10 A Yes.

11 Q Why?

12 A Because the base metal defects were deep enough
13 to warrant an NCR.

14 Q Okay. Let's go on to the third NCR.

15 I believe this is one -- this is an example where
16 the weld symbol was incorrect?

17 A Yes.

18 Q Okay.

19 Okay, can you describe that in a little greater
20 detail for me? I don't have a clear picture as to what was
21 the problem.

22 A I don't remember a lot about it except that it
23 was something involving welding, that the welding symbols
24 were incorrect.

25 Q Okay.

1 And this was the welding symbol on the drawing?

2 A Yes. On the traveller.

3 Q On the traveller.

4 A Uh-huh.

5 Q Okay.

6 Do you recall what drawing or what traveller that

7 was?

8 A No.

9 Q Do you recall what component that drawing was for?

10 A No.

11 Q And you can't recall precisely what the problem

12 was?

13 A No, it was welded -- not according the drawing.

14 Q So, the problem was that the -- the weld did not

15 conform to what the drawing said should be there?

16 A Yes.

17 Q So, it wasn't actually a problem with the drawing

18 itself you're saying; right?

19 A It was a problem with part of the drawing, the

20 welding aspect, because of the welding symbol was not -- the

21 welding was not per the symbol.

22 Q Okay. Thank you.

23 Now, did you write an NCR on this?

24 A Yes.

25 Q And can you recall the NCR number for that?

1 A No.

2 Q Okay.

3 Okay, you reported this to Randy Smith?

4 A Yes.

5 Q Is that right?

6 And what did he -- did he indicate to you why he

7 -- he voided the NCR?

8 A He didn't say he voided it.

9 Q Okay.

10 A He just returned it to me.

11 Q He just returned it to you.

12 A Uh-huh.

13 Q Do you know who voided it?

14 A I believe Thomas Brandt did.

15 Q Okay.

16 Did Randy Smith indicate to you why the NCR was

17 voided?

18 A No.

19 Q Could you tell, from reading the NCR, why he --

20 why it was voided?

21 A It probably said -- on the back page -- something.

22 I don't know. I don't remember it now.

23 Q Okay.

24 MR. MIZUNO: That is it.

25 (Short recess.)

1 BY MR. MIZUNO:

2 Q Did you personally observe or hear any instances
3 where a QC inspector or any other person working for the
4 QA/QC Department were told to do their job in violation of
5 procedure, guidelines, or other documents or instructions
6 which were officially issued?

7 A Yes.

8 Q You personally saw this happen?

9 A You said did I ever hear of it or actually see it;
10 is that correct?

11 Q Okay. Personally hear.

12 A Yes.

13 Q Okay. But you didn't -- okay.

14 MR. REYNOLDS: Mr. Mizuno, your question is
15 ambiguous.

16 Did she personally hear other people say that it
17 had happened? Or did she personally hear it happen?

18 MR. MIZUNO: Yes, I realize that.

19 Right. I'm going to try to clarify that.

20 BY MR. MIZUNO:

21 Q I guess, when I say "personally hear," did you hear
22 a person tell another person at the time to do something in
23 violation of procedure?

24 A Yes.

25 Q You were there and you heard it?

1 A Let me ask a question first.

2 Are you talking about strictly QC people?

3 Q QA/QC person.

4 A Any craftsmen?

5 Q Not craftsmen, just QA people or QC inspectors,

6 audit people.

7 And just to be very clear, I want to know whether

8 you were there, either saw it happen or you saw and heard it

9 happen.

10 I am not interested in someone telling you about

11 an incident.

12 A You're talking about including myself or excluding

13 myself?

14 Q Excluding yourself.

15 A Okay.

16 (Pause.)

17 It sounds crazy, but would you repeat that one

18 more time? I want --

19 Q Sure.

20 A -- to be sure I've got it exactly right.

21 Q Sure. Okay.

22 Did you personally observe or personally hear an

23 instance where a QC inspector or other person working for the

24 QA/QC Department was told to do their job in violation of an

25 established procedure, guideline, or requirement?

1 A Yes.

2 Q And I wanted to make clear that when I meant
3 personally observing here, I meant that you were there when
4 the incident occurred and did not -- I was not referring to
5 instances that you heard someone talk about.

6 A Yes.

7 Q Okay.

8 Can you describe that -- or how many incidents
9 were there?

10 A I have seen things happen a number of times. I
11 would -- I don't want to give an estimate. It would be
12 awfully hard to do.

13 (Discussion off the record.)
14
15
16
17
18
19
20
21
22
23
24
25

jonl

#26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BY MR. MIZUNO:

Q Mrs. Stiner, do you feel that you can still go on despite the lateness of the hour?

A Right now? Yes. Fifteen minutes from now I don't know. We will discuss it then.

Q If you can't, please interrupt me.

A All right.

Q You indicated that you did personally observe and personally hear instances of where QC inspectors or some other persons working for the QA/QC department were told to do their job incorrectly. Can you describe those incidents with specificity? And by that I mean the time, the date and CR numbers, procedures, that sort of detail?

MR. SOSNICK; I am going to object to this entire line of questioning. You are on a fishing trip here. This is discovery. This has been testified to. I do not want to go into it now.

MR. MIZUNO: It has been testified to?

THE WITNESS: It is in my first testimony.

MR. REYNOLDS: I think we need to clarify something here for the record for the intimidation phase is self contained in the evidence we are taking here. So if Mrs. Stiner or counsel for intervenors is suggesting that somehow the testimony of

1 Mrs. Stiner in her first prepared testimony is in
2 the record of this phase of the case, I have not
3 prepared my case on that. I have not cross-examined
4 the witness on that. So I think your question is
5 appropriate if that evidence is to come into this
6 phase of the case.

7 MR. MIZUNO: I don't know if we should
8 have this discussion on or off the record.

9 MR. SOSNICK: Let's go off the record.

10 (Discussion off the record.)

11 MR. REYNOLDS: On the record.

12 MR. MIZUNO: I asked my question --
13 Mrs. Stiner -- off the record Mrs. Stiner indicated
14 that the incident that she was about to refer to,
15 it was only one incident. The incident that she
16 was about to refer to was one involving liquid
17 penetrant testing of the fuel pool liner. That
18 issue has already been disposed of by Judge Block.
19 Therefore I have no further questions.

20 (Discussion off the record.)

21 MR. SOSNICK: On the record.

22 FURTHER EXAMINATION

23 BY MR. SOSNICK:

24 Q Mrs. Stiner, for the entire evening we have
25 been talking around what intimidation means. I want

XXXXXX

1 to know now, as you understand it, that when you
2 think in your mind about intimidation what effect
3 does it have on your job as a QC inspector, your
4 eagerness to do your job right?

5 A It makes me not want to do my job, or
6 that is what it made me feel like because I just
7 felt like it didn't do me any good to try.

8 Q Why didn't you feel that it didn't do you
9 any good to try?

10 A Because I always ended up where they
11 would tell me to buy it off anyway, so why did I
12 go through all the trouble and worry and research
13 to find the NCR condition, do the research on it
14 and take care of my job the way it was supposed to
15 be done if I had to turn right around and be told to
16 buy it anyway.

17 Q Based on your experience and personal
18 knowledge what do you think the reasons were for
19 these things that you understand to be intimidation?

20 A I think they wanted me off the site
21 after I gave my testimony. I believe they would
22 have done just about anything to get me off.

23 Q Prior to the time that you gave your
24 testimony do you have any opinion as to what
25 reasons there were for the things that you

1 understood to be intimidation?

2 A Yes.

3 Q What would that be?

4 A They were interested in production. They
5 wanted to get the production. They wanted to make as
6 much production as possible. They didn't want to be
7 held up in any way.

8 Q How do you know this?

9 A Because when you wrote NCRs they would tell
10 you "You can't hold my people up. We can't wait
11 around for this kind of thing."

12 Q Who is "they" that you are referring to?

13 A The crafts personnel, the supervisors,
14 and even the craftsmen themselves would tell you "We
15 don't have time to wait around for this kind of thing.
16 We have to finish it up."

17 Q Any other supervisory personnel besides
18 the crafts supervisors who would exert that kind of
19 intimidation?

20 MR. REYNOLDS: Objection. You are
21 characterizing the character of behavior. I think
22 you can ask the question without doing that.

23 MR. SOSNICK: All right.

24 BY MR. SOSNICK:

25 Q In addition to the craft supervisors that

1 you mentioned were there other supervisory people who
2 would act in that way?

3 A The QA/QC supervisors also did that.

4 Q Do you have, based on your experience, do
5 you have an opinion as to why they might act in a
6 similar fashion?

7 A Because they did not care. They wanted me
8 off site after I gave my testimony. They would have
9 gone to any lengths to get me off and beforehand
10 they were working right along with Brown & Root
11 crafts people. They were just interested in getting
12 it done.

13 Q What do you mean by beforehand?

14 A Before I gave my testimony.

15 Q You also testified as to an experience you
16 had where you were moved between several offices and
17 you described one of those offices, a small office
18 near the road near the fab shop. Can you describe
19 that office in terms of comfort?

20 A Yes. It was very small. There were
21 cracks between the floor and the walls approximately
22 one inch wide. This is approximate. You could see
23 outside with no problem and the floor was very
24 shackety.

25 MR. REYNOLDS: Shackety?

1 THE WITNESS: Yes.

2 MR. REYNOLDS: What does that mean?

3 THE WITNESS: When you walked across it
4 shook and shimmied. And, as I said, the air
5 conditioner was out when I got into it and it was
6 very uncomfortable. Also there was no lock on the
7 door when I got the shack. I had to make arrangements
8 for that myself.

9 BY MR. SOSNICK:

10 Q So if you had to describe that and you
11 referred to it as a shack, how would you describe it;
12 a nice shack not a nice shack? I mean how would you
13 describe it?

14 MR. REYNOLDS: We will stipulate that it
15 was not a palace, counsel.

16 THE WITNESS: It was a pitiful place.

17 BY MR. SOSNICK:

18 Q How many other people worked with you in
19 that shack?

20 A Nobody. Just me.

21 Q You also recall that you testified as to
22 certain incidents and one of these involved the
23 circuit breaker newsletter, and you described that.
24 What in your opinion was the effect of your employer
25 writing up a newsletter naming you as someone who

1 had testified before a judge about defects in work
2 performed by those people whose work you inspected?

3 MR. REYNOLDS: Objection. You are asking
4 Mrs. Stiner to speculate as to the effect on a work
5 force of 3,000 people to something published in the
6 Circuit Breaker. There has been no foundation laid
7 here that this witness is in any way competent to
8 testify to such matters. So the probative value of
9 anything she might say in this regard is just nil.

10 MR. SOSNICK: Well, I think it is very
11 appropriate and I don't think it is speculation.

12 MR. REYNOLDS: She can answer, but my
13 position is on the record.

14 THE WITNESS: I feel like they hated me,
15 these people hated me after they thought I was trying
16 to take their jobs away and take their paychecks away.
17 And a lot of them were people I had known for years.
18 They absolutely didn't want anything to do with me
19 at all.

20 BY MR. SOSNICK:

21 Q And, Mrs. Stiner, how much did that
22 Circuit Breaker newsletter cost someone if they
23 wanted to pick one up and take it when they and
24 read it?

25 A Nothing. They were in stacks at each

enJ26

1 brass alley. So every person that went out would
2 be sure and get one. As a matter of fact, a lot of
3 people would, you know, take a whole bunch of them.
4 They did have plenty at every brass aliey, stacks and
5 stacks of them.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Q Mrs. Stiner, you also described an incident
2 regarding a polar crane and an NCR you had written on the
3 polar crane.

4 And you also related to us that someone had told
5 you that when you wrote the NCR it was not within the scope
6 of the QA program.

7 What do you understand your function to be when
8 you see something that you consider to be a nonconforming
9 condition?

10 A We're supposed to write an NCR.

11 Q And does that -- what you believe to be your
12 duty as a QC inspector, does that in any way change when you
13 think that an item might be safety-related and you suspect
14 that it has a nonconforming condition?

15 A Well, if -- if it looks to be unsafe, it would be
16 a thing that would be top priority, to write an NCR on it --
17 immediately -- and see that they -- its disposition and taken
18 care of because of that fact, because that's what we were
19 there for, was supposed to be for the quality control of the
20 plant, the safety of the plant.

21 Q Now, Mrs. Stiner, what prohibitions are there for
22 a QC inspector which directs them not to write an NCR on a
23 safety-related item that is not within their particular
24 assigned work area?

25 A Would you explain that a little better?

1 Q Are there any prohibitions to doing that?

2 (Pause.)

3 What's your answer?

4 A No, I don't think so.

5 Q Okay.

6 You testified this afternoon and this evening about
7 acts of intimidation.

8 When you came to this deposition today, did you
9 understand that everything that you had testified to were
10 what you regarded to be intimidation?

11 A They're what I understood to be intimidation, yes.

12 Q Now, then, I think you also recall testimony about
13 certain visits you had with Mr. Tolson, and there was also
14 one where a person from Houston came discussing benefits you
15 might receive.

16 A Yes.

17 Q And you related to us that, within that context,
18 one of the things you might have felt was frustratino or
19 intimidation.

20 Now, tell me, keeping those meetings in mind,
21 what did you perceive the purpose of the actions of those
22 individuals during those meetings were?

23 A They were trying to find a way -- some way to get
24 me off-site, to get me to -- if not -- if nothing elee, to
25 get me to take a leave of absence or to get me to quit.

1 MR. REYNOLDS: Counsel, this is repetitious. We've
2 had that testimony.

3 Also, it is beyond the scope of cross. No one
4 asked her a question on that. So, it's not really fair
5 redirect.

6 MR. SOSNICK: I thought it was brought up on
7 cross. I might be mistaken.

8 MR. REYNOLDS: It's in the record, in any event.

9 MR. SOSNICK: All right.

10 (Pause.)

11 Do you have any objection to a follow-up on that?

12 MR. REYNOLDS: No.

13 BY MR. SOSNICK:

14 Q Do you know of any reason why they want you off
15 the site with regards to your last answer about the meetings?

16 A Yes.

17 Q What might that be?

18 A Because I gave testimony in the Atomic Safety and
19 Licensing hearings. They didn't want me to see anything
20 that I hadn't already seen or get copies of anything I hadn't
21 already -- you know, they didn't want me to be out there,
22 because they would have to watch what I was doing and what
23 I was seeing.

24 Q Just for the purposes of clarity here, Mrs. Stiner,
25 when you -- you describe various incidents where QC -- QA/QC

1 supervisors might talk to you about NCRs you had written,
2 and that was within the context of intimidation.

3 Was there ever an occasion where someone from the
4 Craft side -- Craft person, Craft supervisor -- might also
5 talk to you about an NCR you had written?

6 A Yes.

7 MR. REYNOLDS: Counsel, she has already testified
8 on that.

9 MR. SOSNICK: All right, just for clarification.

10 THE WITNESS: Yes, they have, a number of times.

11 More than anything, the Craft would put pressure
12 on as to why, you know, it was even written and there was
13 no such need for that, it was actually not a nonconforming
14 condition, told me I didn't know what I was doing, that sort
15 of thing.

16 BY MR. SOSNICK:

17 Q And there was something else -- and maybe I'm the
18 only one who was confused about it -- but it was during
19 Mr. Mizuno's cross-examination, and we were discussing an
20 NCR regarding a welding symbol.

21 Now, could you tell us where the nonconforming
22 condition was, specifically? Where was that nonconforming
23 condition?

24 A Where it occurred? What area?

25 Q Not what area, on what -- what item or what --

1 what was the particular nonconforming condition?

2 A The one on the weld symbol that was wrong?

3 Q Yes.

4 A I don't remember.

5 Q Mrs. Stiner, can you tell me of any policy you
6 know of which prohibits QC inspectors to obtain copies of
7 their NCRs?

8 A No. As a matter of fact, all the people that
9 worked in our group were -- we were brought copies of every
10 NCR we every wrote. I've got a copy of every one of them
11 I ever wrote, except one.

12 And when I asked for it, I was told I couldn't
13 have it.

14 MR. SOSNICK: I have nothing further right now.

15 FURTHER EXAMINATION

16 BY MR. REYNOLDS:

17 Q Mrs. Stiner, you've used the word "safety" on
18 numerous occasions tonight. And I would like to know what you
19 mean by using the word "safety" when you talk about your
20 activities at Comanche Peak?

21 For example, are we talking about safe working
22 conditions?

23 MR. SOSNICK: Counsel, just a point here, are we
24 using this as a term of art or --

25 MR. REYNOLDS: I'm just trying to understand how

XXXXX

1 she used the word.

2 She has referred to "safety" several times. For
3 example, when she discussed polar cranes, she talked about
4 the safety implications of what she found.

5 BY MR. REYNOLDS:

6 Q Do you recall that testimony?

7 A Yes.

8 Q And my question to you is: What do you mean by
9 "safety" in the context of what you found on the polar crane?

10 A I was concerned about the safety of the workers,
11 the safety of the polar crane itself, as far as being able
12 to operate without some sort of permanent damage, or maybe --
13 I didn't know anything about it, maybe it had fallen off the
14 rail. I don't know.

15 Q You thought it might fall off the rail because
16 there was a hole with a wire?

17 A Well, I was not familiar with the way a polar
18 crane works or any -- any such thing about it. So, I had
19 no idea if -- you know, if it would -- what did you say,
20 jump the track? Or what? You know, I actually did not know
21 what the damage could -- could do to the polar crane. But
22 I felt like it was very safety-related.

23 Q Do you know the basis for distinguishing between
24 safety-related equipment in a nuclear plant and non-safety-
25 related equipment?

1 MR. SOSNICK: Well, Counselor, now are we talking
2 about a term of art? Is that what you're getting at?

3 MR. REYNOLDS: Yes.

4 MR. SOSNICK: Do you understand the question?

5 THE WITNESS: I'm not sure.

6 BY MR. REYNOLDS:

7 Q Safety-related equipment as it relates to reactor
8 operations, as opposed to is the scaffolding safe to work on?

9 A I don't know all there is, you know, about all of
10 it, to know. The only thing I'd be familiar with would be
11 like support things, like that. I know that's done by the
12 classification. I can tell that by the classification.

13 Q Do you know how equipment and components are
14 classified as within the scope of the Quality Assurance
15 program versus the other equipment that's outside the scope
16 of the Quality Assurance program?

17 A I don't understand why any of it would be
18 considered outside the QA/QC program.

19 Q So, you think that all equipment in the plant
20 should be subject to the Quality Assurance program?

21 A In some way, yes. Maybe -- I'm not saying that
22 all of it, in the same inspection manner, no. I'm not saying
23 that. But I do think it all should have some type of quality
24 control over it, yes; I do.

25 Q You stated that you know that the Circuitbreaker

1 caused the people to hate you when it reported that you had
2 testified in the hearings.

3 Do you recall that statement?

4 A Yes.

5 Q What's the basis for that statement?

6 A Because every person at the plant was able to
7 read those Circuitbreakers, and I feel like that an awful
8 large percentage of those people I had known for a very long
9 time.

10 And after my testimony and I read those Circuit-
11 breakers, they weren't my friends anymore.

12 Q How do you know they didn't read about it in the
13 newspaper one week before the Circuitbreaker was printed?

14 A Well, because the newspapers were there for all
15 the people to get. And the Ft. Worth Star Telegram all the
16 people don't read.

17 So, I would feel like they would come a lot nearer
18 reading it in the Circuitbreakers, which are there, and
19 they're free for the personnel to get.

20 Q How much does a newspaper cost?

21 A I have no idea, probably 25, 35 cents. I don't
22 know.

23 A lot of people probably wouldn't just particularly
24 buy the Ft. Worth Star Telegram, I don't know.

25 I think an awful lot larger percentage would read

1 the Circuitbreaker that's put out by the company itself.

2 Q You had never read a Circuitbreaker -- or seen a
3 Circuitbreaker before the one that had your name in it; is
4 that correct?

5 A No, sir, I don't think that's what I said. I
6 thought I said maybe once or twice they had put them out,
7 but not -- not very often.

8 Q Could there have been other times when Circuit-
9 breakers were there and available but you just didn't pick
10 one up?

11 A If they had them there at the brass alley, on a
12 stack, I would have gotten one.

13

14

15

16

17

18

19

20

21

22

23

24

25

mgc 28-1 1

2 Q Turning to your relocation above the
3 fab shop, in view of your concerns that people were
4 snickering and so forth, why didn't you prefer the
5 isolation of your own office?

6 A I didn't particularly mind. It wasn't the
7 biggest factor that I minded the isolation. The biggest
8 factor was that I was frightened because I was sitting
9 right almost in the road. Also the little office that
10 they gave me was about to fall to pieces. The door
11 wouldn't even lock, and it wasn't only the isolation.
12 It was among a number of other things, too.

13 Q You have stated that with regard to the
14 incidents involving the writing of NCRs and the subsequent
15 voiding or dispositioning "Use-As-Is," --

16 A Yes.

17 Q -- that the real concern you had, the
18 frustration you had, was the fact that they were voided
19 or dispositioned "Use-As-Is;" is that correct?

20 A No.

21 Q What is the summary of those incidents?

22 MR. SOSNICK: I don't think I grasp that.

23 MR. REYNOLDS: All right. Let me try it
24 another way.

25 THE WITNESS: I don't grasp it either.

mgc 28-2 1

BY MR. REYNOLDS:

2 Q You have given us a recitation of a few
3 instances where you wrote NCRs, and they were subsequently
4 either voided or dispositioned "Use-As-Is," and I believe
5 it's fair to characterize your testimony as stating that
6 those facts were the principal bases for what we will call
7 intimidation, what you might call frustration or
8 disappointment.

9 Is that a fair summary of your testimony?

10 MR. SOSNICK: Counsel, I think that might
11 mischaracterize --

12 MR. REYNOLDS: Well, I'm asking her if that's
13 wrong.

14 THE WITNESS: I still don't understand what
15 you're saying. Just repeat one more time. I'm sorry, I'm
16 just tired.

17 MR. REYNOLDS: I know. It's late for all of
18 us.

19 THE WITNESS: That's right.

20 BY MR. REYNOLDS:

21 Q As I recall your testimony, and I'm not trying
22 to trick you or misstate your testimony, --

23 A No, that's all right.

24 Q -- my understanding was that there was a sense
25 of frustration that you experience because you went out

mgc 28-3

1 and did your job. You found what you thought was a
2 nonconforming condition. You wrote it up. You put a
3 hold-tag on it, and then subsequently the NCR was voided
4 and the hold-tag removed. And you were frustrated, and
5 we'll use the word "intimidated," by that.

6 A Yes.

7 Q Now I also recall your testimony to the
8 effect that you wrote many NCRs while you were on site.

9 A Yes.

10 Q But that only a few of them were voided or
11 dispositioned "Use-As-Is;" is that correct?

12 A I don't think that was my testimony either.

13 Q Would you clarify that, please?

14 A I believe what I said was, not every one of
15 them was voided in that manner, that I wrote an awful lot
16 of NCRs while I was there, and that a lot of them went
17 through with no problem at all.

18 Q Do you have any way to judge what percentage
19 went through and were fixed, as opposed to those which were
20 either voided or dispositions "Use-As-Is"?

21 A No, I don't know.

22 Q You testified in response to your counsel's
23 redirect, that there had been no follow-up on your
24 complaint to your management about the bus incident; is
25 that correct?

mgc 28-4 1

A I said not to my knowledge.

2

MR. SOSNICK: Counsel, I will just put this in here. I did not bring up the follow-up of the bus incident in my redirect. You have it in your notes, though.

3

4

5

6

MR. REYNOLDS: Yes, I do. It's a short question, and I think it's --

7

8

MR. SOSNICK: Sure.

9

10

MR. REYNOLDS: -- really self-evident, but I didn't want the record to be inconsistent.

11

BY MR. REYNOLDS:

12

13

14

15

Q I believe your earlier testimony was that the bus incident was addressed in the investigation that Mr. Chapman initiated into several of your concerns and allegations; isn't that correct?

16

A Do what, now?

17

18

19

20

Q Wasn't the bus incident investigated in the investigation that Mr. Chapman initiated when you came forward and expressed your concerns about that incident and some of the other incidents?

21

22

23

A I don't believe that I said that. I believe what I said was that we talked about the two girls that were going to beat me up.

24

25

Q You didn't talk about the bus incident with Mr. Chapman and the other gentleman?

m gc 28-5 1

2 A I don't remember. I don't think so, but
I don't remember.

3 MR. REYNOLDS: No further questions.

4 MR. MIZUNO: One question only.

5 FURTHER EXAMINATION

6 BY MR. MIZUNO:

7 Q You indicated that because of various
8 incidents you either felt intimidated or harassed, since
9 they made you feel that you shouldn't do your job; is
10 that correct?

11 A Not exactly. It made me feel like when
12 I came up on an NCR condition, it made me have second
13 thoughts about writing it up. Why would I want to write
14 it up when it didn't do me any good?

15 Q Okay. And I guess this would also include
16 writing up IRs, too, inspection reports?

17 A Well, that's a totally different thing.

18 Q Okay. Well, let's stick with NCRs. Despite
19 the fact that it made you think a second time about that,
20 did you ever not write an NCR when you felt you really
21 should have?

22 A No.

23 MR. MIZUNO: Thank you very much. No
24 further questions.

25 MR. REYNOLDS: For Judge Bloch's benefit,

mgc 28-6

1 he does permit counsel to ask questions until everyone has
2 finished asking questions. He's not a great stickler for
3 finishing cross and that's the end of it. So I'm sure
4 if he were here, he would let you ask questions.

5 MR. SOSNICK: And I appreciate that, so I'll
6 be very, very brief.

7 FURTHER EXAMINATION

8 BY MR. SOSNICK:

9 Q The Circuit Breakers which we were referring
10 to at one point or another, the ones that had your name
11 in it and related that you had testified about defective
12 work, where were those distributed from?

13 MR. REYNOLDS: Counsel, you've already asked
14 that question, and it's been answered.

15 THE WITNESS: The brass alleys.

16 MR. REYNOLDS: Six hours ago, I will grant
17 you that, but it was asked and answered.

18 BY MR. SOSNICK:

19 Q Concerning the voiding of the NCRs, and
20 we had some general questions about that and whether those,
21 the voiding of them, if that's what you consider being
22 intimidation or whatever, was it the voiding alone that
23 you consider to be the intimidation, or were there other
24 factors involved?

25 MR. REYNOLDS: Counsel, wait, wait, wait.

mgc 28-7

1 I thought this was going to be a few --

2 MR. SOSNICK: I've only asked one.

3 MR. REYNOLDS: -- clean-up questions.

4 This has been asked and answered three times by this
5 witness. I think the record is really very clear.

6 Mr. Mizuno, what do you think?

7 BY MR. SOSNICK:

8 Q Were there other factors?

9 MR. REYNOLDS: No. I object. I object.

10 We've been around and around on this, and if you get into
11 it, I'm going to have to get into it. I think the
12 record is very clear, don't you?

13 MR. SOSNICK: Well, I didn't think so.

14 That's why I just had that one.

15 MR. REYNOLDS: You should have asked it
16 on redirect.

17 Have you said all you care to say about it
18 (addressing the witness)?

19 THE WITNESS: No. The only thing I would
20 like to say is that I'm tired, and NCRs, I got to the
21 point where I didn't want to write them. I felt, when
22 I found them, that I would think two or three times
23 before I wrote them, because I knew they wouldn't be
24 anything done about them.

25 MR. REYNOLDS: That's not consistent with

mgc 28-8

1 your response to Mr. Mizuno's question five minutes ago.
2 You said that you always wrote NCRs when you thought you
3 should have.

4 THE WITNESS: But I didn't say I didn't
5 think two or three times before I wrote them.

6 MR. REYNOLDS: There is nothing wrong with
7 thinking before you act.

8 THE WITNESS: That's right. And saying
9 I wish to hell (laughing) --

10 MR. SOSNICK: I think we're done.

11 (Whereupon, at 12:42 a.m., Saturday,
12 July 14, 1984, the taking of the deposition was
13 concluded.)

14
15
16
17
18
19
20
21
22
23
24
25

DARLENE STINER

CERTIFICATE OF PROCEEDINGS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

In the matter of:

Date of Proceeding:

Place of Proceeding:

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

Marilynn Nations

Official Reporter - Typed

Marilynn Nations

Official Reporter - Signature

Stiner Ex No. 1
7/13/87
MN

BRAZOS MEDICAL & SURGICAL CLINIC
305 W. PEARL • GRANBURY, TEXAS 76048
OFFICE (817) 573-2601 FORT WORTH (817) 443-0381

DR. L. A. WILLS RES. (817) 573-2777
DR. WM. R. WEST RES. (817) 573-2849
DR. R. D. HAMILTON RES. (817) 573-9693
DR. R. S. WILSON RES. (817) 573-6020

DISABILITY CERTIFICATE

Date 7/7/87

Name Dan Stiner

Address _____

Employer _____

To Whom It May Concern:

This is to certify that the above patient was under my professional care from 7/7 to 7/7 inclusive and was totally incapacitated during this time.

This is to further certify that the above patient has now recovered sufficiently to be able to return to light work duties on 7/8
regular

Restrictions: No heavy lifting or strain
climbing - pregnancy
Dr. W. R. West

