

# 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: Perry G. Brittain

Location: Glen Rose, Texas

Pages: 48,501-48,527

Date: Wednesday, July 11, 1984

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*Original to E. Pleasant  
H-1149*

*One copy to Eric Johnson, Region IV*

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

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

Glen Rose Motor Inn  
Glen Rose, Texas

July 11, 1984

Deposition of: PERRY G. BRITTAIN  
called by examination by counsel for Intervenor  
taken before Mary C. Simons Court Reporter,  
beginning at 11:50 a.m., pursuant to agreement.

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## APPEARANCES

On Behalf of the Intervenor:

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On Behalf of the Applicants:

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On Behalf of the NRC:

MYRON KARMAN, ESQ.  
Deputy Assistant Chief Hearing Counsel  
Office of the Executive Legal Director  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

WILLERS FALLS  
MAGAZINE

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<u>WITNESS</u>	<u>EXAMINATION BY</u>	<u>PAGE</u>
PERRY G. BRITTAIN		
	By Mr. Cochran	48,506
	By Mr. Karman	48,524

E X H I B I T S

<u>EXHIBIT NO.</u>	<u>IDENTIFIED</u>	<u>RECEIVED</u>
Brittain Deposition Exhibit No. 1	48,505	48,506

MILLERS FALLS  
FREEZER  
COTTON CONTENT

P R O C E E D I N G S

1  
2 Whereupon,

3 PERRY G. BRITTAIN

4 having been first duly sworn by the Notary Public, was  
5 examined and testified as follows:

6 MR. REYNOLDS: My name is Nicholas Reynolds.  
7 I am a member of the law firm of Bishop, Liberman, Cook,  
8 Purcell & Reynolds in Washington, D. C. I am counsel  
9 to Texas Utilities Electric Company in this proceeding. I  
10 appear here today in that capacity and as attorney for  
11 Mr. Perry G. Brittain who is Chairman of the Board and Chief  
12 Executive Officer of Texas Utilities Company.

13 Mr. Brittain is here voluntarily and he is  
14 not under subpoena.

15 When the transcripts of this deposition are  
16 available, Mr. Brittain will sign the original of his  
17 deposition on the understanding that should the executed  
18 originals not be filed with the Board within seven days  
19 after the conclusion of the deposition, a copy of either  
20 of the transcripts may be used to the same extent and effect  
21 as the original.

22 I would like to mark for identification as  
23 Brittain Exhibit 1 a document which appears to be  
24 Mr. Brittain's statement of educational and professional  
25 qualifications.

ERASE

Sim 1-5 1

(Brittain Deposition Exhibit No. 1

2

was marked for identification.)

INDEX 3

(Mr. Brittain's statement of professional qualifications

4

follows:)

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COTTON CONTENT

PERRY G. BRITTAIN

BRITTAIN Ex No 1

7/19/84

Chairman of the Board and Chief Executive of Texas Utilities Company, Texas Utilities Fuel Company, and Texas Utilities Mining Company, and Chairman of the Board of Basic Resources Inc. and Chaco Energy Company

Native Texan--from Center, Texas

Graduated from the University of Texas in 1949--BS in EE

Accepted employment with Dallas Power & Light Company immediately on graduation and worked successively as:

Junior Engineer, Operations Division, Distribution Department  
 Power Plant Project Engineer, Engineering Department  
 Staff Assistant to the Vice President of Engineering and System Operation  
 Manager of Engineering  
 Vice President - Engineering and Purchasing

Left Dallas Power & Light Company August 31, 1972, to become an Executive Vice President of Texas Utilities Services Inc. (TUSI), then President on June 1, 1973.

Elected Executive Vice President of Texas Utilities Company and President of Texas Utilities Fuel Company (TUFCO) and Texas Utilities Generating Company (TUGCO) in November, 1974, and remained President of TUSI.

Elected President of Texas Utilities Company and Chairman of the Board and Chief Executive of TUFCO, TUGCO, and TUSI May 15, 1981.

Elected Chairman of the Board and Chief Executive of Texas Utilities Company and Chairman of the Board of Basic Resources Inc. (BRI) and Chaco Energy Company, and re-elected Chairman of the Board and Chief Executive of TUFCO and TUGCO May 20, 1983.

The Texas Utilities Company System underwent a reorganization effective January 1, 1984. Mr. Brittain remained Chairman of the Board and Chief Executive of Texas Utilities Company and TUFCO and Chairman of the Board of BRI and Chaco, and became Chairman of the Board and Chief Executive of Texas Utilities Mining Company.

Registered Professional Engineer in the State of Texas and member of IEEE, TSPE, Eta Kappa Nu and Tau Beta Pi.

Member of the Policy Committee on Governmental Affairs of the Edison Electric Institute.

Member of the Dallas Citizens Council.

Involved in several educational activities, including membership on the Board of Trustees of Technical Education Research Center in Cambridge, Massachusetts, and the College of Engineering Foundation Advisory Council for the University of Texas at Austin.

Honored by the College of Engineering--the University of Texas at Austin, with a Distinguished Graduate Award on May 22, 1976. Designated Engineer of the Year in 1977 by the Dallas Chapter of the Texas Society of Professional Engineers.

Sim 1-6

1 MR. REYNOLDS: Mr. Brittain, I hand you  
2 Brittain Exhibit 1 and ask you if you recognize it?

3 THE WITNESS: Yes.

4 MR. REYNOLDS: Would you describe it, please,  
5 sir?

6 THE WITNESS: It is a resume that has been  
7 prepared that would describe the various capacities in  
8 which I have served in the Texas Utility System and my  
9 educational background.

10 MR. REYNOLDS: Is it true and correct?

11 THE WITNESS: Yes, it is.

12 MR. REYNOLDS: And do you adopt it as part  
13 of your testimony in this deposition?

14 THE WITNESS: Yes.

15 MR. REYNOLDS: We would ask that this be  
16 received into evidence, Counsel.

17 MR. REYNOLDS: There is no objection.

18 (Brittain Deposition Exhibit

19 No. 1 was received into evidence.)

20 MR. REYNOLDS: Your witness.

21 EXAMINATION

22 BY MR. COCHRAN:

23 Q Mr. Brittain, just to start off, would you  
24 state your name for the record, please?

25 A Yes. It is Perry G. Brittain.

XXXXXX

COTTON CONTENT

Sim 1-7

MR. COCHRAN: Mr. Brittain, I am Les

1 Cochran and I am here as an attorney on behalf of certain  
2 intervenors in a proceeding before the Nuclear Regulatory  
3 Commission involving Texas Utilities Company and TUGCO as  
4 it relates to the Comanche Peak Generating Plant.

BY MR. COCHRAN:

6 Q Are you familiar with the Comanche Peak  
7 Generating Plant?

8 A Yes, I am.

9 Q As Chairman of the Board of Texas Utilities  
10 Company can you just give us a very brief broad overview  
11 of the nature of your involvement and responsibilities on  
12 the Comanche Peak plant?

13 A Of course, as Chairman of Texas Utilities  
14 Company and Chief Executive, I have broad responsibilities  
15 for all of the physical assets of the Texas Utilities  
16 System, including plants in operation in general facilities  
17 and of course in facilities that are under construction.

18 I have been in a senior management responsibility  
19 throughout the period of the design and construction of  
20 Comanche Peak and as such have had responsibilities for  
21 that plant.

22 Q Understanding that as Chairman of the Board  
23 you have ultimate responsibility for everything that  
24 occurs in the company, what on a day-to-day basis or a  
25

sim 1-8

1 week-to-week basis, whatever the proper time frame is, what  
2 information do you receive about any problems which might  
3 be occurring at the plant and how do you receive it?

4 A I receive on a regular basis weekly verbal reports  
5 of the status of the project and significant events relating  
6 to the project. I receive on what I would say is an as  
7 required basis written reports of various natures.

8 Generally anything written that I would receive  
9 might be a summary that was a part of that weekly status  
10 report.

11 I participate on a bi-monthly basis, a regular  
12 bi-monthly basis, in a senior management meeting at the  
13 site which always includes visual inspection of activities  
14 that are involved in the report and discussions with all  
15 phases of management of the project, and I make occasional  
16 visits to the site to satisfy my own interest in it, but  
17 they would only be called occasional.

18 Q Okay. From whom do you receive the weekly  
19 verbal briefing?

20 A From Mr. Michael Spence and usually one or  
21 more of his associates. Mr. Spence is President of the  
22 Generating Company Division which he has the broad overall  
23 responsibility for.

24 Q He is President of what is sometimes known as  
25 TUGCO?

Sim 1-9

1 A TUGCO, that is correct.

2 Q Okay. During or as a result of these information  
3 gathering sessions which you have just described to us, did  
4 you at any time learn of allegations of harassment or  
5 intimidation or job interference in the quality assurance/  
6 quality control program at Comanche Peak?

7 A Yes, I have been made aware of such allegations.

8 Q When were you first made aware of such  
9 allegations, and I am not looking for a specific date, but  
10 just generally?

11 A I suppose one of the first occasions was sometime  
12 subsequent to the Charles Atchison matter in terms of a  
13 specific allegation of intimidation. I think that is one  
14 of the early occasions.

15 Q Would this information or this occasion after  
16 the Charles Atchison matter had surfaced be the first time  
17 that you recall learning or hearing of any allegations  
18 regarding intimidation or harassment?

19 A Yes, these specific ones, that is probably --  
20 I can't recall -- but, yes, I would say that was the first  
21 time.

22 Q There has been earlier testimony by Mr. Spence  
23 regarding his lack of knowledge of a series of reports  
24 which originated in October of 1979 which contained allega-  
25 tions by quality control and quality assurance inspectors

Sim 1-10

1 in the general area of harassment, intimidation and job  
2 interference. I am just going to show you a whole stack  
3 and ask you to very briefly look at it and tell me whether  
4 or not those series of reports had ever come to your  
5 attention.

6 (Pause while the witness reviews the documents.)

7 THE WITNESS: I don't think that I have seen  
8 these reports. I was aware of a review in about 1979. I  
9 was made aware of a review or a discussion or interviews  
10 with our QA/QC people relative to their progress and their  
11 job activities and got the impression that we did not  
12 have a problem. I did not associate that at that point in  
13 time with the concept of intimidation and allegations, and  
14 at the time I don't believe I had seen this report.

15 BY MR. COCHRAN:

16 Q How did you learn of this survey or series  
17 of interviews?

18 A I think probably during a weekly -- one of  
19 these meetings. I could not say with assurance. I just  
20 became aware of it.

21 Q Was it in the general time frame that the  
22 reports were generated, that is in the fall of 1979, or  
23 was it recent, after the Atchison ---

24 A It was in that time frame.

25 Q Okay.

OTTON CONTENT

Sim 1-11

1           A           It would have been in the context of an  
2 activity that was occurring on the plant site.

3           Q           Do you recall who brought that to your  
4 attention?

5           A           No, I really do not.

6           Q           Okay.

7           A           We started these weekly reports, and I cannot  
8 say the time frame in which they were started, but quite  
9 some years ago.

10          Q           Surely.

11          A           You will see from my resume that I became  
12 involved, directly involved in the project, I guess it  
13 is that first paragraph there when I left Dallas Power and  
14 Light Company to become Executive Vice President of Texas  
15 Utilities Services in 1972, and it would be in that time  
16 frame. Of course, this was prior to construction of the  
17 plant, and I could not tell you, but sometime between that  
18 point in time and the time in which my responsibilities  
19 broadened to the extent that I did not have any direct  
20 reporting relationship from the project site, and we  
21 instituted weekly status reports on that project. I am  
22 assuring that I would have become aware of the instance  
23 you are talking about.

24          Q           Well, do you at this time have a recollection  
25 of becoming aware of them in that time frame?

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A Yes.

Q Okay. But you don't recall, or do you recall whether there was any follow-up on the findings or the results of that interview?

A No, I do not. It is my impression that the discussions had been resolved in a satisfactory manner. I am sorry that I cannot give you any specific information.

Q That is fine.

After learning of the specific Atchison allegations, what has been your involvement with the resolution of those allegations or of the resolution of the problems generally relating to quality assurance?

A I have not had any direct involvement in the Atchison issue, and again I could not say with certainty whether I learned of the Atchison dismissal as a part of a weekly meeting or as a part of one of the summit meetings, but my impression of that is that it was an issue relating to job incompetence, and it was sometime subsequent to that that the tying of it as an intimidation issue came into focus. Those were informational issues and I had no direct action involvement. It was informational than anything else. So, to answer your question, I would say I was informed of it.

Q Were you aware of the late 1983, summer and fall of 1983 investigation into allegations of quality

Sim 1-13

1 assurance coverup problems?

2 MR. REYNOLDS: Can you be more specific,  
3 ccounsel?

4 MR. COCHRAN: I will pull the document if  
5 you want me to.

6 (Pause.)

7 MR. COCHRAN: I am handing you a document  
8 which is dated August 19th, 1983. It has not been marked  
9 as an exhibit. It contains a title of "Report on Allegations  
10 of Coverup and Intimidation by TUGCO Dallas Quality  
11 Assurance," and I will ask you if you have ever seen that  
12 document before?

13 (Pause while the witness examines the document.)

14 THE WITNESS: I do not recall having seen  
15 it.

16 BY MR. COCHRAN:

17 Q Okay. Speaking to the subject matter generally  
18 related in the title, that is, a report on allegations of  
19 coverup and intimidation by TUGCO Dallas Quality Assurance,  
20 do you have knowledge relating to this investigation which  
21 is evidenced by this report?

22 A I would have to answer no. I have general  
23 knowledge of an investigation that was conducted, or perhaps  
24 audit would have been the term, I don't know, made by QA  
25 in that time frame, and I know that it did relate to concerns

Sim 1-14 1 relating to allegations such as this.

2 Q Was that a subject of your periodic reporting  
3 issues?

4 A Yes, I am sure it was a matter discussed in  
5 one of those as an activity that was underway.

6 Q You had no input into initiating the  
7 investigation?

8 A No, I did not.

9 Q And you had no input into what the disposition  
10 of the allegations or the way the report was written or  
11 anything of that nature then?

12 A No.

13 Q You would not have reviewed the report and  
14 had editorial comments on it?

15 A That is right, I would not have.

16 Q Do you have any activity beyond what you have  
17 already described to us in regard to the quality assurance  
18 and quality control program of TUGCO or Texas Utilities  
19 Company?

20 A Yes, I think that I would consider that I  
21 have activities relating to it. I certainly had activities,  
22 if you would let me go back chronologically.

23 Q Certainly. I wish you would. Please explain  
24 them to us.

25 A At the point in time, as a matter of fact, I

Sim 1-15

1 guess we could track my resume, when I became the President  
2 of Texas Utilities Services, Texas Utilities Services had  
3 at that point in time the responsibility for engineering  
4 and construction of the Comanche Peak plant.

5 Of course certainly with direct management  
6 responsibilities for that activity, I was involved, and  
7 in fact had quality assurance reporting to me, and it was  
8 along in that point in time at which the QA Manual for  
9 Comanche Peak was accepted by the AEC, and I believe I am  
10 correct in that terminology. I believe it was AEC at that  
11 point in time.

12 MR. KARMAN: In 1972 or '73 it was.

13 (Laughter.)

14 THE WITNESS: I don't want to make a speech  
15 here.

16 MR. COCHRAN: Go right ahead.

17 THE WITNESS: I felt at that point in time  
18 and still feel very strongly that quality in general was  
19 a vital issue. I think we fully recognized at Comanche  
20 Peak that our entering into a nuclear activity was not a  
21 routine business for us.

22 I recall, and I could not give you dates or  
23 specific -- I probably could dredge up names, but I talked  
24 to many different nuclear companies who were involved in  
25 nuclear activities in examining how they structured their

Sim 1-16

1 quality assurance organizations and I talked to several  
2 consultants and got their perspective on it and was  
3 consciously involved in the final approval of our Quality  
4 Assurance Manual at that point in time.

5 So I do feel that I have had an impact at  
6 that stage upon our QA program. In fact, I made what I  
7 think was a little bit non-traditional decision to have  
8 QA report directly to me as President of the Company as  
9 opposed to reporting within the area with either design  
10 or construction responsibilities to give it an independence  
11 of action.

12 I brought on board very early and about at  
13 that same stage the first operating personnel. We put  
14 in Mr. Kuykendall and five other associates. I took a lot  
15 of heat, kidding probably from the industry for bringing  
16 operating personnel on board at that early stage. This was  
17 while we were still in design and they were specifically  
18 and explicitly charged with the responsibility of bringing  
19 the perspective of operations because the quality of that  
20 plant was something they would live with for the career  
21 of that plant. Their responsibilities would extend far  
22 beyond the construction period.

23 I guess -- let's see, I was made President  
24 of all three of what we call our service companies, and you  
25 will see they are sort of in the second paragraph. I was

Sim 1-17

1 elected Executive Vice President of Texas Utilities and  
2 President of TUFECO, TUGCO and TUSI, and that was in  
3 November of 1974. Now that was a substantial broadening  
4 of my responsibilities.

5 Incidentally, it was about that time that  
6 I got a construction permit for Comanche Peak, and of course  
7 the early stages of construction of Comanche Peak and QA's  
8 involvement was certainly not as heavy at that stage.

9 We probably had our first major construction,  
10 I would say the major placement of concrete six months  
11 later, or something like that, within that time frame. So  
12 I was directly responsible and the Manger of Quality  
13 Assurance reported to me until probably about '76, mid-'76  
14 I would say.

15 BY MR. COCHRAN:

16 Q When you say until mid-'76, are you saying  
17 that QA stopped reporting directly to you?

18 A They stopped reporting directly to me and I  
19 went through a very deliberate, and if I had to characterize  
20 it, I would say a difficult decision process of where to  
21 have it report and chose to have it report again a little  
22 bit non-traditionally to TUGCO, to operations, as opposed  
23 to TUSI which had the engineering and construction  
24 responsibility, again to give it an independence of  
25 perspective and to give it an insulation from cost and

Sim 1-18

1 scheduling responsibilities. I believe that was a very  
2 affirmative step in establishing a pattern for the importance  
3 of quality assurance.

4 Incidentally, about that time from an organiza-  
5 tional structure viewpoint we created the role of General  
6 Manager of each of those. I had some very broad  
7 responsibilities beginning about then, TUFECO with the pipeline  
8 operations, gas fuel exploration and development, TUGCO  
9 with lignite mining and the time which I could devote to  
10 direct discussions with the Manager of QA became obviously  
11 inadequate and that is when I went through the inner struggle  
12 of trying to decide do you let it report down into the  
13 construction organization and chose not to. I had it report  
14 to the Executive Vice President and General Manager of TUGCO.

15 And from that point in time I am afraid my  
16 direct knowledge of specific incidents and activities  
17 certainly were more limited than they had been up to that  
18 point in time.

19 That was a long answer about my involvement.

20 MR. COCHRAN: Well, thank you for your response,  
21 sir.

22 BY MR. COCHRAN:

23 Q Then you recognized then and I presume still  
24 recognize that for a quality assurance program to be  
25 meaningful it must be insulated from both cost and

Sim 1-20

1 scheduling?

2 A Absolutely. I felt that very strongly from the  
3 beginning.

4 Q And it would be essential to make such a program  
5 operate that the inspectors also be free of any fear of  
6 intimidation or harassment?

7 A Absolutely. I think that that is apparent,  
8 that it is implied and apparent and would assume that it  
9 was recognized as a policy of our company.

10 Q And if in day-to-day practice that policy were  
11 not followed, then it could very well negate the entire  
12 program itself, couldn't it?

13 A I would consider it a violation of company  
14 policy if there were intimidation, and a policy that has  
15 existed since we started the plant.

16 Q And if in day-to-day practice there was  
17 intimidation and harassment and job interference, it could  
18 in fact pervade the entire program, couldn't it?

19 A Yes. I do not believe that is the case, but  
20 I think that it was apparent and is well known throughout  
21 the management organization that that is a system policy.

22 Q Right. But becoming pervasive throughout the  
23 program it could result in having the appearance of a program  
24 but no substance of a program, couldn't it?

25 A If such a practice became pervasive, yes.

Som 1-21 1

2 Q Now since mid 1976 as your responsibilities  
3 have broadened, what was the source of your knowledge  
4 from that point on about the QA/QC problems?

5 A They would have been through the meetings  
6 and the reporting mechanisms that I described of my on-site  
7 visits and discussions with the general management of the  
8 project.

9 Q Would those meetings have involved direct  
10 interface with the QA Manger, the Site Manager?

11 A They have involved -- for example, our meetings  
12 at the site, which have been dubbed rather euphemistically  
13 summit meetings, and I don't know if you have heard that  
14 term before ---

15 Q I have heard that term before.

16 A We do have senior management, the highest  
17 management we can obtain from the various entities involved  
18 and they have on occasions, yes, involved the -- and I  
19 believe I say this accurately -- they would consistently  
20 have the QA Manager present.

21 Q Prior to March of 1984 was that Manager  
22 Mr. Tolson, if you recall?

23 A Yes. I would say March of '84. Yes, he was  
24 up until sometime recently.

25 Q Were you involved with the decision to remove  
him from that position?

Sim 1-22

1 A No, I was not.

2 Q Were you given any reports about the reasons  
3 for removing him from that position?

4 A No, I was not. I was told that he was being  
5 succeeded by Mr. Vega.

6 Q I see.

7 A And I had no objection to that because Mr. Vega  
8 I had known for some years and felt was very competent.

9 Q Okay. You were not given any reasons or rationale  
10 for the change?

11 A No.

12 Q Are you familiar with what has been referred  
13 to in earlier testimony as either the eight-point program  
14 or the multi-point program?

15 A Yes.

16 Q I am not going to ask you to tell us what  
17 those points are, but can you just briefly explain for us  
18 your involvement in the formulation of that program?

19 A I was not involved in the formulation of this  
20 program. I reviewed the program. I was shown the program  
21 prior to its release in an informational sense. I guess  
22 as Chairman I would have the prerogative of saying change  
23 it, but candidly it was more informational than anything  
24 else.

25 Q I understand. Were you told why those reporting

Sim 1-23

1 to you felt it necessary to implement such a program?

2 A I sensed why. Of course, we had had, as you  
3 pointed out, an increase, in my awareness at least, of  
4 allegations relating to intimidation and to not reporting  
5 non-conforming. I am not convinced that those allegations  
6 are valid, and this was an effort to re-emphasize our  
7 policies that had been in existence since we started the  
8 plant.

9 Q Based upon the information which has come to  
10 you, do you believe that there has been any instances of  
11 harassment, intimidation or job interference?

12 A I do not believe that there have been any  
13 significant ones. I of course do not have knowledge of  
14 all of the individuals who have been involved, and I would  
15 concede that it is possible that an individual acted outside  
16 the limits of our policy, but I do not believe that it is  
17 a pervasive issue.

18 I think the people who are involved in a  
19 system and the management through the lower levels, and  
20 it has been discussed enough, recognize that we have more  
21 at stake in the quality of that plant than anyone else.  
22 The quality of that plant is vital to us. It has been  
23 stated over and over and there is zero motivation on the  
24 part of any of our management to have it otherwise.

25 So I do not think that it is a pervasive issue.

Sim 1-24

1 Q When you say there is zero motivation, are  
2 you speaking as of today?

3 A I am speaking since we started and as of today.

4 Q Okay. Well, my original question was based  
5 upon the information which has been brought to you, do you  
6 believe there have been any instances of intimidation?

7 A I do not know of any instances of intimidation.

8 Q You don't know of any based upon your  
9 information?

10 A That is correct.

11 Q So when you say there might have been, you  
12 were merely speaking hypothetically?

13 A I was speaking hypothetically. I had made  
14 the statement that I don't believe there are any, and then  
15 I had to back up and say well, I can't say that there have  
16 not been any. I do not believe there have been and I  
17 still don't believe there have been any.

18 Q But none of the instances which have been  
19 brought to your attention have convinced you or made you  
20 believe that they were valid allegations?

21 A That is correct.

22 Q Were you shown or made aware of two memorandums  
23 relating to harassment and intimidation which have been  
24 previously identified in Mr. Spence's deposition as  
25 Spence Exhibit No. 2 and Spence Exhibit No. 6?

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1 A Yes, I have seen those.

2 Q When did you first see those two memorandums?

3 A Sometime shortly subsequent to the eight-point  
4 program, along in that time frame, I believe. Is that  
5 when it is dated?

6 Q Did you see -- I am sorry?

7 A I was just looking at the date. I was checking  
8 the date of the memos.

9 Q Did you see the two memorandums prior to their  
10 issuance?

11 A No, I did not.

12 Q Did you find it unusual to single out the  
13 issues of intimidation or harassment or threats in two  
14 separate memorandums to be posted on the bulletin board  
15 at Comanche Peak and give wide dissemination?

16 A No.

17 Q In any of the reporting sessions of which you  
18 were a part, were these memorandums discussed in the sense  
19 of any reasons given for singling that issue by two separate  
20 memorandums?

21 A No. I recall no discussion.

22 (Pause.)

23 MR. COCHRAN: I believe that is all the  
24 questions I have.

25 MR. KARMAN: May I ask one question?

## EXAMINATION

1  
2 BY MR. KARMAN:

3 Q Mr. Brittain, at the time that you were the  
4 President and you changed the reporting requirements from  
5 QA directly to the President and then to the operations  
6 officer, did you at that time press upon your successor  
7 in that reporting line, the gentleman in the Operations  
8 Division, the importance that you personally felt with  
9 respect to the quality of a fine quality assurance program?

10 A Yes, I did, and in fact have had -- I won't try  
11 to put a number on it because I have met quite frequently  
12 and much more frequently in the period immediately following  
13 that transfer of responsibilities, and that gentleman reported  
14 directly to me and we had numerous -- we had a very, very  
15 long soul-searching conversation conversation about precisely  
16 that issue at the point in time because I truly feel very  
17 strongly about that.

18 Q And you feel confident -- I am sorry. I didn't  
19 mean to interrupt.

20 A Yes, sir, I do feel confident. I have  
21 continually, I would say 50 times, I have at least reminded  
22 him that his ultimate success depended on the quality  
23 of that plant. And it is not just Comanche Peak.

24 Our system, and we take a great deal of pride,  
25 and I didn't invent this, I grew up in it, of having and

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1 being viewed as a superior performer in almost any aspect  
2 of system performance or measurement financially. I think  
3 that you would find most of the financial community would  
4 rate our system as among the top performers in the United  
5 States from a technical viewpoint.

6 We take great pride in the fact that our  
7 record in terms of unit availabilities and safety records  
8 are among the very top in the Nation. And it has been  
9 a philosophy of our system, and I guess that is why I feel  
10 so embedded, and I am not just making a speech for this  
11 occasion here, but I would like to make you one on safety.

12 We have our second lignite plant, the Monticello  
13 Plant, in about its first two years of operation had a  
14 very mediocre safety record. We had a fatality or two, and  
15 that, aside from the humanistic and the -- I don't know  
16 how to characterize this -- the stomach acid associated with  
17 knowing that there has been a traumatic incident to employees  
18 and their families, and I have visited their families, and  
19 believe me that is one of the most difficult aspects of  
20 being involved in operational management is the exposure  
21 to industrial accidents.

22 But aside from the humanistic aspect of it,  
23 I can show you a direct correlation between the safety  
24 record of our plants and their performance statistics. It  
25 is a bottom line, pragmatic objective that I think any

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1 operational manager can make. If you show me a good safety  
2 record, I will show you a good operation.

3 So taking safety then from the very specific  
4 industrial accident to the broader context of something  
5 certainly with the exposure of a nuclear plant, I can tell  
6 you with great sincerity and honesty that, yes, it has been  
7 a very, very strong perspective of mine and I assure you  
8 that I have shared it with my subordinates.

9 MR. KARMAN: I believe you have answered  
10 my question.

11 (Laughter.)

12 MR. KARMAN: I have nothing further.

13 THE WITNESS: I am sorry.

14 MR. REYNOLDS: Thank you for asking the  
15 question, Mr. Karman.

16 MR. REYNOLDS: Any recross examination?

17 MR. REYNOLDS: One quick question. Who was  
18 the individual in 1976. I can't remember whether I have  
19 asked this or not, but who was the individual in mid-1976  
20 that QA began reporting to?

21 THE WITNESS: Robert Gary.

22 MR. COCHRAN: What was his job title?

23 THE WITNESS: He was Executive Vice President  
24 of the Texas Utilities Generating Company, Executive Vice  
25 President and General Manager of Texas Utilities Generating

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1 Company, and then that role would have responsibilities  
2 for operations of these lignite plants and would have the  
3 future role of the operating staff for Comanche Peak at  
4 that time reporting to him.

5 MR. COCHRAN: Thank you, sir.

6 MR. REYNOLDS: Thank you, Mr. Brittain.

7 THE WITNESS: Thank you.

8 (Whereupon, the taking of the Deposition  
9 of PERRY G. BRITTAIN concluded at 12:27 p.m.)

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PERRY G. BRITTAIN

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CERTIFICATE OF PROCEEDINGS

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

In the matter of: Deposition of PERRY G. BRITTAIN

Date of Proceeding: Wednesday, July 10, 1983

Place of Proceeding: Dallas, Texas

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

Mary C. Simons

Official Reporter - Typed

*Mary C. Simons*  
Official Reporter - Signature

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