

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC
COMPANY, et al

Docket No. 50-445
50-446

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

Deposition of: Billy Ray Clements

Location: Glen Rose, Texas

Pages: 60,000-60,084

Date: Wednesday, July 18, 1984

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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 18, 1984

Deposition of: BILLY RAY CLEMENTS
called ^{for} ~~by~~ examination by counsel for the Applicants,
taken before Marilyn Nations, Court Reporter,
beginning at 9:05 a.m., pursuant to agreement.

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1 APPEARANCES:

2 On behalf of the Applicants Texas Utilities Electric
3 Company, et al.:4 LEONARD W. BELTER, ESQUIRE
5 Bishop, Liberman, Cook, Purcell & Reynolds
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7 Washington, D.C. 200368 On behalf of the Nuclear Regulatory Commission Staff:9 GREGORY A. BERRY, ESQUIRE
10 Office of the Executive Legal Director
11 U.S. Nuclear Regulatory Commission
12 Washington, D.C. 2055513 On behalf of Intervenor Citizens Association for
14 Sound Energy:15 ANTONY Z. ROISMAN, ESQUIRE
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I N D E X

WITNESS:

BILLY RAY CLEMENTS

EXAMINATION BY:

MR. BELTER:	60,003
MR. ROISMAN:	60,020
MR. BERRY:	60,071
MR. BELTER:	60,075
MR. ROISMAN:	60,076
MR. BELTER:	60,083

E X H I B I T S

Affirmative Case: Applicants'
Exhibits:

Identified

Exhibit No. 1	60,005
Exhibit No. 2	60,011
Exhibit No. 3	60,013
Exhibit No. 4	60,013

(attached to the deposition
transcript)

P R O C E E D I N G S

Whereupon,

BILLY RAY CLEMENTS

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

MR. BELTER: We're back on the record here this morning with Mr. Clements, as part of Applicant's affirmative case.

EXAMINATION

BY MR. BELTER:

Q Mr. Clements, previously on this record, reference has been made to a so-called "8-Point" Program.

Could you tell us when this program was put together?

A It was finished in September of 1983.

Q And why was it put together at that time?

A Although we had had a good program as far as our internal people was concerned, our construction folks and QA/QC folks, it appeared to us that the program needed more emphasis and more -- as I used before -- advertising inside the plant area and externally, to show what we were doing as far as the QA/QC program was concerned.

Q Mr. Clements, I'm going to ask you to take the aspects of the "8-Point" Program one at a time and list and describe them for us.

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1 Would you start with the first aspect, please?

2 MR. ROISMAN : Can we take a break?

3 MR. BELTER: Oh, sure.

4 (Discussion off the record.)

5 BY MR. BELTER:

6 Q Mr. Clements?

7 A The first part of the program was the audiovisual
8 presentation.

9 I, when we decided that we would get a higher
10 profile for our QA/QC program at Comanche Peak, I took a
11 couple of young engineers and we went down to look at the
12 Brown & Root personnel orientation. And although the QA/QC
13 program was covered adequately in the Brown & Root new
14 personnel orientation, we decided that we would put out an
15 audiovisual that had only QA/QC involved.

16 The other program that Brown & Root was using had
17 QA/QC, but it had also the company benefits and that kind of
18 stuff. So, we pulled it out so it would be just -- just
19 stand alone.

20 Q Did you have any personal input into the audio-
21 visual program, Mr. Clements?

22 A Yes, sir.

23 MR. BELTER: I'm going to have a six-page
24 document marked Exhibit 1 to this deposition.

25

1 (The document referred to was
2 marked Clements Exhibit No. 1
3 for identification.)

4 BY MR. BELTER:

5 Q Mr. Clements, would you take a look, please, at
6 the document marked Exhibit 1, which is 6 pages, and the first
7 page of which has the title "Quality: It's Your Job --
8 Slide Presentation."

9 A Yes, sir.

10 Q Do you recognize it?

11 (Witness perusing document.)

12 A I can't say for sure, but it generally follows
13 what's in the -- what I remember being in the audiovisual
14 presentation.

15 Q Fine.

16 MR. ROISMAN: Let me -- just a point of clarifica-
17 tion here.

18 Can we -- the first one called -- it's Clements
19 Exhibit 1, so that it's not just not an --

20 MR. BELTER: That's fine.

21 MR. ROISMAN: -- Exhibit 1 and mixed up with the
22 other ones.

23 And secondly, have we -- has this been produced
24 in discovery?

25 MR. BELTER: No, it has not.

XXXXXX

1 Tony and Greg, for your information, I don't
2 believe we can entirely authenticate this through Mr. Clements.
3 We do intend to present this slide/tape presentation at the
4 hearing, to the Board, and we thought that you ought to at
5 least have it at this time. Subject to later authentication,
6 I'm going to offer it.

7 The only reason that Mr. Clements can't entirely
8 authenticate it he has not had the opportunity to sit down and
9 listen to the tape and read this six-page document at the
10 same time.

11 But I think the Board would be able to do that.

12 MR. BERRY: All right. Subject to that limitation,
13 the Staff won't object to this.

14 MR. ROISMAN: I'm not objecting to it in any
15 event. Now, I don't feel -- we already have an agreement on
16 the question of authentication. And the purpose of putting
17 it on at the hearing is in order to authenticate it, I think
18 that's unnecessary.

19 MR. BELTER: Well, I think that the purpose at
20 the hearing -- it's only about 12 minutes, Tony, and the
21 purpose of doing it at the hearing, primarily, is to let the
22 Board see the actual impact of it.

23 It does have a different impact when you see it.

24 MR. ROISMAN: Oh, I'm sure that's true. But I
25 just didn't want you to think that we were saying you needed

1 to do it for authentication.

2 If you want to take the time --

3 MR. BELTER: No.

4 MR. ROISMAN: -- it's not on our account.

5 MR. BELTER: That's fine. We won't bother, and
6 I appreciate that.

7 BY MR. BELTER:

8 Q Mr. Clements, what kind of distribution has been
9 made of this audiovisual slide presentation? Who has seen
10 it?

11 A Our goal -- and in actuality -- nearly everyone --
12 I never say everyone, but nearly everyone at the plant,
13 construction, engineers, design folks, the operations folks,
14 QA/QC -- we tried to backfit it so that everyone who was
15 working at the plant back in the fall of '83 would see the
16 program.

17 And Brown & Root, in operations, has been --
18 across the board, has been directed that people who come in,
19 new folks, would be shown this program.

20 Q Did you at any time personally show the program
21 to anyone at the plant site?

22 A Yes, sir, I did. That is Point 2 of the program --
23 meetings we had with the folks down there.

24 Q Fine.

25 Let's go to Point 2 then.

1 A To kick off the program, I had Brown & Root gather
2 all of their foremen and above in a conference room, including
3 the Brown & Root construction manager and a Brown & Root vice
4 president.

5 And I made a short talk before showing the audio-
6 visual, telling them what we had done to put this audiovisual
7 together; and that where the management of Brown & Root and
8 Texas Utilities Generating Company was coming from as far as
9 this audiovisual; and that we were going to show this to
10 everyone at the plant site, and that I expected that the
11 Brown & Root management would, when they sent their folks
12 over, would send them over in the proper frame of mind to see
13 the audiovisual and to show that they were backing this
14 program.

15 After showing the audiovisual, I asked if there
16 was any questions about, A, the audiovisual itself or, B,
17 where management stood on the program. And I got no
18 questions.

19 Since then -- after that, then, David Chapman,
20 the manager of Quality Assurance, showed this program to the
21 -- or either showed it or it was there for answers -- questions
22 and answers -- or had it shown to all of the QC/QA inspectors
23 -- supervision -- so that the questions could be answered by
24 senior managment in the QA/QC end of our business.

25 Then, after that -- well, then, of course, it was

1 shown to the rest of the folks at the plant.

2 Q Do you recall approximately how many people were
3 a the session at which you showed the film?

4 A The foremen and above from Brown & Root?

5 Q Yes.

6 A There was probably between 50 and 65 people.

7 Q Did you make any personal remarks at that session?

8 A Yes, sir. As I said earlier, I explained to them
9 how I felt about the program and how the company felt about
10 it -- and with a Brown & Root vice president in the room,
11 how Brown & Root felt about it, speaking for them.

12 And like I said, when I finished, I had no
13 questions from this construction management.

14 Q What was the third of the eight points,
15 Mr. Clements?

16 A The third of the eight points was also including --
17 included in meetings with the QA/QC -- excuse me, the QC
18 inspectors. Along with the meetings that I've just discussed,
19 subjects were covered about the responsibility -- the authority,
20 the right, if you will, to report problems at Comanche Peak --
21 and not only their right, but their responsibility.

22 And we indicated that they should report problems
23 to -- if they're not -- excuse me, that they should report
24 problems to their own supervision or to you, TUGCO management
25 or Brown & Root managements, whichever one suited them.

1 And lacking that, if they didn't want to report
2 anything to -- along that chain, then not only was it their
3 right, but their responsibility, to report problems to the
4 Nuclear Regulatory Commission.

5 Q What was the fourth point?

6 A The fourth point was the so-called "Hot Line."

7 We installed, at the direction of the president
8 of Texas Utilities -- we installed a "Hot Line," a 24-hour
9 phone service, in the office of the Director of Corporate
10 Security of Texas Utilities so that anyone who had a complaint
11 about anything at Comanche Peak who did not want to report
12 it in the manner I just spoke of in step 3, above, would have
13 a way to call in on the 800 number -- I didn't mention that,
14 it was an 800 number, so it would be a free call -- and
15 could call in and, during regular working hours, report this
16 to an individual, who would also tape it.

17 Then -- excuse me -- during the off-working hours,
18 this phone was answered by answering machine, and the
19 information was picked up off of the answering machine for
20 the Director of Corporate Security the following workday.

21 The President of Texas Utilities had that report
22 to the Director of Corporate Security so that it would be
23 completely out of the line that either -- the engineering or
24 construction folks -- either the engineering or construction
25 folks' chain of command or my chain of command, which includes

1 QA/QC -- he directed the corporate -- the Director of
2 Corporate Security to report to him and Mr. Spense, who's
3 the President of Texas Utilities Generating Company, the
4 results that he had from this "Hot Line" program.

5 MR. BELTER: Can I have a document marked
6 Clements Exhibit 2.

7 It's a two-page letter, dated October 4, 1983, to
8 Mr. D. L. Andrews from J. S. Farrington.

9 (The document referred to was
10 marked Clements Exhibit No. 2
11 for identification.)

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1 MR. ROISMAN: Mr. Belter, would it make
2 life simpler, this is already Spence Exhibit 3?

3 MR. BELTER: I understand. I just wanted to
4 have it in the record at one spot.

5 MR. ROISMAN: Okay.

6 MR. BELTER: It may be an exhibit in another
7 deposition also.

8 BY MR. BELTER:

9 Q Mr. Clements, do you recognize Exhibit 2?

10 A Yes, sir, I do.

11 Q And what is it, sir?

12 A It's a letter from Mr. Jeiry Farrington,
13 the President of Texas Utilities Company to Mr. D.O. Andrews,
14 the Director of Corporate Security, concerning the hotline
15 program.

16 Q Is it that letter which establishes the
17 hotline program?

18 A Yes, sir.

19 Q You indicated that, in connection with the
20 hotline program, Mr. Andrews makes various reports of the
21 status of the hotline program. Could I have a document
22 dated December 19, 1983, Texas Utilities Services office
23 memorandum to Mr. J.S. Farrington, Mr. M.D. Spence; subject
24 status report, hotline program, 11-15-83 through 12-15-83
25 marked as Clements Exhibit 3?

1 (The document referred to was
2 marked as Clements Exhibit No.
3 3 for identification.)

4 BY MR. BELTER:

5 Q Do you recognize Clements Exhibit 3?

6 A (Perusing document)

7 Yes, I do.

8 Q And what is it, sir?

9 A It is a status report for the hotline program
10 from the 11th -- excuse me, the 15th of November, 1983 through
11 the 15th of December, 1983, with a description of the flow
12 pattern of the way the communications flow in it.

13 Q Is that the first such status report?

14 A Yes, sir. I believe it is.

15 Q And have there been a number of status
16 reports since then?

17 A Yes, sir. Generally monthly, sometimes six
18 weeks, depending on the activity of the hotline program.

19 MR. BELTER: Could I have a document dated
20 June 25, 1984, to Mr. J.S. Farrington and Mr. M.D. Spence,
21 from David L. Andrews, subject status report of hotline
22 program, 5-15-84 to 6-15-84 marked Clements Exhibit 4?

23 (The document referred to was
24 marked as Clements Exhibit No.
25 4 for identification.)

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BY MR. BELTER:

Q Do you recognize Exhibit 4, Mr. Clements?

A (Perusing document)

Yes, sir.

Q Is that the latest status report?

A It's the latest one I've received.

Q Who receives status reports on the hotline program?

A They're addressed to Mr. Farrington, Mr. Spence, with a carbon copy to me.

Q Are you satisfied with the operation of the hotline program?

A Yes, sir.

Q Have you had occasion to make any inquiries of Mr. Andrews, as a result of reviewing these status reports?

A Yes, sir. When I get the report, I look at the activity and I call Mr. Andrews up and ask him, some of them are pending. And I ask him how close he is to finishing some of the investigations. And he tells me when he expects to finish them.

I might add, though, if I may, that the hotline telephone is not the only way now that we get the information into this program. As you can see from the reports, we also refer allegations from corporate officials, or from the Ombudsman Program for investigation by Mr. Andrews, if

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1 it's deemed that it's warranted.

2 Q Are any other officials, in the QA department,
3 such as Mr. Chapman or Mr. Vega, given copies of these
4 status reports?

5 A No, sir.

6 Q Is there a reason for that?

7 A I filter the information and talk to Mr. Vega
8 and Mr. Chapman concerning the reports. And if it says in
9 here, for instance, that TUGCO QA has been given some action
10 to take, then I question them on that action. But I do not
11 give them copies of the reports.

12 Q Is security an important aspect of the hotline
13 program? Keeping the hotline information --

14 A We have guaranteed the people who request
15 anonymity or confidentiality those rights, if that's what
16 you're referring to.

17 Q Yes.

18 A I, myself, know of no one whose name -- even
19 the ones that have not requested that. Mr. Andrews doesn't
20 pass that word on to me.

21 Q What is the next point in the eight point
22 program?

23 A The so-called check stuffer. We wanted to
24 make sure that with all the other things going on that each
25 person was given an individual way, separate from all the

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1 others to make their problems known, if they have any, at
2 Comanche Peak of any kind. And so Mr. Spence, President
3 of TUGCO, wrote a letter, a memorandum, and put it on a
4 document about three inches by four inches after it was
5 folded over. And on the document, told people of the
6 Company's desire to build a good, safe plant and to have
7 their problems known, if they have any, about anything.

8 And gave an address where they could send
9 this in, if they wanted to, to the Director of Corporate
10 Security of Texas Utilities. This was done once in the fall
11 of 1983 and again in May -- on the May 15th -- roughly the
12 May 15th payday.

13 Q And what was the next point?

14 A The next point was posting of signs throughout
15 the construction, startup, and operations area to advertise
16 the hotline number and to remind people about their
17 dedication and their responsibilities to quality at
18 Comanche Peak.

19 The first signs that we got out were small
20 signs about -- not much bigger than a sheet of paper, normal
21 paper. And after I saw those, I had the young engineer who
22 was running that program for me develop -- go back to the
23 printer and get signs about four to six times that big, so
24 that they would be more obvious and put those signs up.

25 Also, we put -- I call them fence signs,

1 fence banners, or road banners up in different places
2 to bring the attention. Sort of like -- we do that for
3 safety slogans and we did the same thing for the Quality
4 Assurance program?

5 Q Were the fence signs put up at your personal
6 direction?

7 A Yes, sir.

8 Q What's the next point on the eight point plan?

9 A When people are disassociated for any reason at
10 the QA/QC program at Comanche Peak, we interview them and
11 give them a chance to talk about any problems they've had
12 with the construction, the design, the quality program, or
13 personal problems. If there is any problems that show up on
14 these interviews, then they're fed back either to the
15 Ombudsman, Mr. Boyce Grier, or to the -- if Mr. Grier feels
16 like it requires a more in-depth investigation than he
17 has the assets to do, it is passed on to Mr. Andrews.

18 Q And what is the eighth point?

19 A Well, the eighth point was internal training.
20 Our management at Comanche Peak, Quality Assurance/Quality
21 Control, finds that it was getting more difficult to know
22 all the ins and outs of all the federal laws concerning the
23 Department of Labor and the Atomic Energy Act. So we got
24 our three top QA/QC folks at the plant site, along with
25 Mr. Chapman, the Manager of Quality Assurance, myself, and

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1 Mr. Bob Gary, Executive Vice President and General Manger
2 of TUGCO at that time -- and my boss at that time -- to
3 sit with a lawyer who was very well versed in the Atomic
4 Energy Act and one who was very well versed in labor law,
5 to explain the ramifications of both of these.

6 After that full day session, we then had
7 this same -- in roughly half day sessions -- we had these
8 same things explained to all of the management of the
9 QA/QC program at Comanche Peak by Mr. Chapman or one of his
10 immediate assistants and a lawyer that's familiar with
11 labor law.

12 Q Mr. Clements, you've indicated that this
13 eight point program was, in essence, a vehicle to advertise
14 your pre-existing policy. Could you describe the pre-existing
15 policy?

16 A Well, the pre-existing policy was outlined to
17 the Brown & Root construction folks and the Quality Assurance/
18 Quality Control folks when they reported to work the first
19 time, at their personnel orientation program. And then
20 the QC folks, the QA/QC folks were given further training
21 in an audio visual, or a video tape, presentation, concerning
22 their rights in their training program.

23 The management at Comanche Peak, as far as
24 the Quality Assurance/Quality Control program was concerned,
25 knew what the company policies were, because I had sat with

mn21b8

1 people like Tolson and Brandt and Purdy and Chapman and
2 told them time and time again that I wanted the word out
3 to the supervision of the QA/QC program, as well as the
4 inspectors, where we stood on building a safe and quality
5 plant and the harassment and intimidation issues.

6 And of course, that was that the plant
7 would be built in accordance with specifications and that
8 harassment and intimidation of inspectors would not be
9 tolerated.

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1 MR. BELTER: That is all I have.

2 EXAMINATION

3 BY MR. ROISMAN:

4 Q Mr. Clements, would you give me some dates
5 with regard to these eight points, audio-visual program?
6 When was that actually first shown? Do you remember roughly?

7 A No, sir I don't. Oh, roughly, yes, sir.
8 Late September, early October '83.

9 Q And that includes the showing of the program
10 to the Brown & Root personnel?

11 A Yes, sir. The first showing was my showing --
12 the first time we showed it anywhere was my showing to the
13 Brown & Root foremen and above. And that was in the time
14 frame I'm talking about.

15 Q You mentioned a meeting with the QC inspectors
16 to encourage them to report problems to management and the
17 NRC if necessary. Do you remember roughly when that occurred?

18 A Yes, sir that'd be about, oh probably within
19 a week or two after that initial meeting. So probably
20 mid-October. Understand these are all rough.

21 Q No, I understand. Were there any notes kept
22 of that meeting?

23 A No, sir.

24 Q Any memorandum prepared in preparation for
25 the meeting?

XXX

1 A No, sir. I spoke extemporaneously and didn't
2 have any speech notes.

3 Q The hotline we have here now in Exhibit 2
4 entitled Hotline Program that's dated October 4, '83, does
5 that give us the date that the hotline became operational,
6 or is there some date subsequent to that?

7 A Excuse me, Mr. Roisman, which exhibit are
8 we talking about?

9 Q It's marked 2, and it's the letter to Mr.
10 Andrew from Mr. Fairington. . . .

11 A Yes, sir that was the letter that put the
12 hotline in effect.

13 Q So that on that day an employee would actually --

14 A It took some time for the telephone company
15 to get us the proper equipment and so forth, so I'd say
16 within a week after this would be my best guess.

17 Q I've think you've already indicated when and
18 how the check stuffer was used. The posting of signs, when
19 did that start?

20 A About the same time that we're talking about.

21 Q Around October of '83?

22 A Yes, sir.

23 Q And when did you implement the exit interview
24 process?

25 A About the same time.

3pb3

1 Q And the internal training, the last point in
2 the program that you discussed when you had the Labor lawyer
3 and you and some of your top people were briefed on the
4 Atomic Energy Act and on Labor law, and then that was followed
5 by a meeting with Mr. Chapman, and some of the QA/QC
6 management. About when did that occur?

7 A Oh, my best guess, Mr. Roisman, would be
8 around the end of October.

9 Q Now you indicated that the program, the
10 eight point program was done in order to, really to focus
11 inside. To get the message to the people who were working
12 inside the company, to what company policy was and to provide
13 internal mechanisms to address these kinds of QA/QC concerns.
14 Is that correct?

15 A Well, that's really kind of not right. We
16 already had all those policies, and the training program
17 that Brown & Root had for their QA/QC folks made all those
18 known to them. So it was not policy to teach them all these
19 things, it was a policy to give wider distribution, if you
20 will, and more emphasis on making those reports.

21 So the policy was there. This was just a
22 redirection and a reemphasis of the program already in
23 effect.

24 Q Did this eight point program have an origin?
25 Was there a particular memorandum or meeting that you can

3pb4

1 point to at which a decision was made, let's put in a program
2 and then later someone reported back and said, here are 11
3 points. And you worked on that and finally came down to
4 eight points.

5 A Yes, sir.

6 Q Is that memorialized in some kind of a
7 memorandum?

8 A I don't think so.

9 Q Were there notes kept of the meeting?

10 A No, sir.

11 Q How did anybody know what they were supposed
12 to do after the meeting was over?

13 A At the meetings I was the corporate executive
14 responsible for putting it together. And at the meetings
15 I would tell this person or that person what I wanted them
16 to do and when I wanted them to report back to me with
17 that information. And then as we looked at things and discarded
18 them, I just kept rough notes either in my head or on pieces
19 of scratch paper.

20 And then when I got the program to the
21 point where I thought I wanted it, I called in the Atomic
22 Energy law attorneys that we used to look it over and to see
23 what they thought about it. The first any kind of memorandum
24 or letter or so forth, I guess would be the exchanges
25 between me and the law firm in Washington, D.C.

3pb5

1 Q And you remembered from meeting to meeting
2 to whom you had assigned particular responsibilities and
3 who had to report back to you without any notes to jog your
4 memory?

5 A Yes, sir. I would sometimes take my little
6 pocket calendar and jot in there that -- well, like initials
7 DEP-signs. And that meant that he was supposed to report
8 back to me on those signs on that day.

9 Q When did you start this process? When did
10 you first call people together to begin to try to develop
11 what became the eight point program?

12 A Best guess?

13 Q Best guess.

14 A I'd say early August, late July. But that's
15 just a guess, Mr. Roisman.

16 Q Was there anything in particular that triggered
17 your decision to start the program?

18 A Yes, sir. We had a management meeting with
19 the Nuclear Regulatory Commission, Region IV in Arlington,
20 and they didn't seem to realize the depth of our training
21 in the quality assurance, quality control. And so when we
22 came away from that meeting we sat down and said, look if
23 those folks who are closest to our program externally don't
24 realize what the program is, then maybe we better hype it
25 up a little bit and make sure not only that all the folks

3pb6

1 at the plant understand it, but that people who are on the
2 periphery understand what the program is.

3 Q As you developed the program, did you attempt
4 to take any specific incidents that were of concern, either
5 to you or the NRC or any other employee or agency and see
6 how your program might have prevented or dealt with that
7 problem differently? Was there sort of a test of the program
8 that way?

9 A We may have subconsciously, but we didn't take
10 any given case and say if we did it this way, this would be
11 prevented. Obviously the eighth point there where we
12 talked to our folks about obeying, making sure that we were
13 in conformance with Atomic Energy Act and DOL rules,
14 regulations and so forth had some input from recent past
15 experiences we had, yes, sir.

16 But no particular case, per se.

17 Q So for instance, you did not take, let's say,
18 the Charles Atchison case, superimpose your proposed eight
19 point program on that and see would we have produced a
20 different result in the Atchison case if we had had our eight
21 point program in place?

22 A No, sir.

23 Q And what about the Keeley, Kahler and Spangler
24 investigation? You're familiar with what I'm referring to
25 when I say that.

3pb7

1 A Sure, sure.

2 Q Was that factored in at all?

3 A No, sir.

4 Q Were you familiar with a survey that had been
5 done by Mr. Brandt of all the non-ASME QC inspectors who
6 worked for him during the -- well, roughly the summer of
7 1983 in which he asked them a series of questions to be
8 answered mostly yes or mostly no, and subsequent compilation
9 of that, of those survey results that dealt with questions
10 like, do you feel that upper management is responsive to
11 your concerns, and do you think any problems are not being
12 properly addressed? Is that something that you're familiar
13 with at all?

14 A Today?

15 Q Even today, yes.

16 A I've heard about them since these hearings
17 have started within the past couple of weeks, but at that
18 time, no.

19 Q No I assume it's a reasonable assumption then
20 that that also was not examined for purposes of developing
21 an eight point program.

22 A Yes, sir that's right.

23 Q What about the 1979 questionnaires that
24 Messrs. Tolson and Chapman requested be done, and there was
25 a management review board set up a whole series of

3pb8

1 questionnaires were developed. Did anybody go back and look
2 at those in conjunction with the development of the eight
3 point program?

4 A No, sir.

5 Q When you developed this eight point program,
6 what were the disciplines that you consulted in order to
7 develop the kind of program that you wanted? What kind of
8 skills did you try to bring in to help you design the program?

9 (Discussion off the record.)

10 BY MR. ROISMAN:

11 Q Just to reiterate the question, I had asked
12 you what sort of expertise did you bring in --

13 A What disciplines.

14 Q -- and what disciplines as you developed the
15 eight point program.

16 A Obviously we used attorneys. We used people
17 in the QA/QC business. And I used Mr. Ray Yockey, who was
18 at that time, I believe the personnel manager for Brown &
19 Root at the plant site. And I used some engineers that were
20 on the QA/QC staff and on my personal staff in Dallas.

21 Q Did you use any industrial psychologists?

22 A No, sir.

23 Q What about people skilled in audio-visual
24 communication skills?

25 A Very definitely. It was a professional company

3pb9

1 put the audio-visual thing together.

2 Q Outside the company.

3 A Oh, yes, sir.

4 Q Someone who you retained.

5 A Yes, sir.

6 Q And who was that?

7 A I do not know.

8 Q How did they know what it was you wanted in
9 the audio-visual program?

10 A These two engineers that I have talked about.
11 I guess I didn't say two, I said engineers. But we had
12 two engineers, Lisa Bielfeldt and David Pendleton look at
13 the Brown & Root orientation program plus the Brown & Root
14 quality control training program and then I asked them to
15 come up with an idea or the way we ought to present this where
16 it'd give the most impact. And so they did. They came to
17 us with several ideas and we said, well, go ahead and put
18 together a first cut at the audio-visual and we'd take a look
19 at it.

20 So, they also used our -- of course, our
21 in-house communications people to -- people who are professional
22 at those sort of things. And then they came up with a second
23 cut and just kept on looking at it and changing it until
24 we got it to where we liked it.

25 Q And then how was it communicated to the

3pb10

1 audio-visual company outside? How did they know what you
2 all had in mind? What you wanted your final product to
3 look like.

4 A Sir, it was done by Bielfeldt and Pendleton,
5 and I really don't know what their communications were with
6 that company.

7 MR. ROISMAN: I would like to have copies
8 of the communications that Bielfeldt and Pendleton developed
9 in drafting up the audio-visual program, if any exist, and
10 copies of the communications between them and the audio-visual
11 company on what they perceived to be what the audio-visual
12 company was supposed to be developing.

13 THE WITNESS: I would suspect it's verbal.

14 MR. BELTER: I'll check.

15 MR. ROISMAN: Okay. If it's verbal then
16 obviously there's nothing we can do but talk to Ms. Bielfeldt
17 and Mr. Pendleton.

18 BY MR. ROISMAN:

19 Q You indicated that there were some in-house
20 people who were brought in. Are you talking about people
21 from the company's public relations department?

22 A Yes, those kind of folks, ~~communications~~ people.

23 Q All right. Like Mr. Locke?

24 A His organization would have been helpful.
25 Mr. Locke, per se, probably wasn't.

3pb11

1 Q Okay.

2 MR. ROISMAN: Mr. Belter, what is the position
3 on the availability of the communications between the law
4 firm and the company on all of this? Are you all claiming
5 privilege?

6 MR. BELTER: I'd have to look at it.

7 MR. ROISMAN: Would you do that? As I remember,
8 we've got two sets of communications between lawyers, one
9 of them which I'm unclear about, and I'm going to ask some
10 questions of Mr. Clements is the meeting where some lawyer
11 or lawyers sat in on and they discussed these problems.

12 MR. BELTER: The eighth point?

13 MR. ROISMAN: That's right. I think we need
14 to find the internal training. And the second was the
15 communications involving the lawyer's input into the eight
16 point program as a whole, which I take it when you said the
17 lawyers in Washington you meant Mr. Belter's firm.

18 THE WITNESS: Yes.

19 MR. BELTER: I really think it was Mr. Reynolds.
20 I'm not familiar with it, but I'll find out. Let me make
21 notes of my homework assignments.

22 MR. ROISMAN: Let me make notes of your
23 homework assignments, too. I do not have Mr. Clements' skill
24 of carrying this in my head.

25 THE WITNESS: I'll show you my list of notes
sometime that I carry.

1 MR. BELTER: I take it, Tony, these are
2 discovery questions and you are going to pay for this part
3 of the deposition?

4 MR. ROISMAN: My asking you questions --

5 MR. BELTER: No.

6 MR. ROISMAN: -- about communications
7 between -- oh, no, not at all. I consider them evidentiary
8 in establishing whether ornot the company had any
9 scientific basis for the eight point program..

10 Let's see where are we now.

11 BY MR. ROISMAN:

12 Q You mentioned that the hotline program
13 includes an answering machine for the off-hours periods.
14 What is that, Saturdays, Sundays, and other than the normal
15 eight-hour day?

16 A Eight to five, five days a week, it is
17 answered by individuals, or it could be answered by the
18 system then. But other than 8 to 5, five days a week,
19 it would be answered by the machine.

20 Q Okay. And what does the machine say?

21 A I don't know. I called it once before but
22 it was several months ago and I don't remember.

23 MR. ROISMAN: Do you have any objections if
24 I call the number?

25 MR. BELTER: No, of course not. Anybody

1 can call the number.

2 MR. ROISMAN: I feel like I am supposed
3 to go through counsel before making communication with the
4 company. This is the company's machine, but I don't want
5 to breach the canons here.

6 MR. BELTER: I think there are thousands of
7 signs out there with the hotline number on it, inviting
8 anybody with a concern to call. I am sure the machine
9 would welcome your call.

10 BY MR. ROISMAN:

11 Q All right. As far as you know, has the
12 message that has been on the machine been the same --

13 A As far as I know it has.

14 Q Consistently?

15 (Pause.)

16 Q You mentioned something about the -- in
17 discussing the exit interview process that if a problem
18 would show up then Mr. Grier would be asked to lok into
19 it and sometimes when he didn't have the resources he
20 might bring in Mr. Andrews. Can you explain that to me
21 a little bit?

22 What are Mr. Grier's resources and what
23 would be the instances in which he would go to Mr. Andrews?

24 A Mr. Grier's resources are basically
25 Mr. Grier and if it is a technical problem that needs

1 engineering or -- well, engineering or design input or
2 further QC or QA inspections to bring back the status of
3 a particular piece of equipment, Mr. Grier would contact
4 me or Mr. Vega or Mr. Chapman and say who should I see to
5 get the proper information and so we would assign then
6 the proper person that didn't have a conflict of interest
7 in the area and have it investigated for him.

8 Now, if it required investigative services
9 of a kind, non-QA/QC type, then he would call Mr. Andrews
10 and say I need some investigative services and Mr. Andrews
11 would provide that to him from his sources.

12 Q By investigative, you mean like private
13 detective type as opposed to technical; is that it?

14 A Yes, sir.

15 Q So, now, did Mr. Grier have an absolute
16 right to call on any resources in the company to do his
17 investigations, or did he have to get someone's approval?

18 A Mr. Grier, when Mr. Grier came to be the
19 ombudsman at Comanche Peak he met with the highest
20 officials of the company and they told him that he had
21 any assets he needed to do the job properly.

22 Mr. Grier had 10 years as a regional
23 director in the NRC. We felt that he knew what needed to
24 be done with that background, so he was told he had all
25 the assets that he needed to do it, whether it be using

1 investigators supplied by Andrews or if he knew some of
2 his own that he wanted to bring in. Or any of the rest
3 of us that he wanted to do something for him, he has that
4 right.

5 Q Does he have a written description that
6 tells him or authorizes him to act or describes his duties
7 for him personally and for the ombudsman program?

8 A I'm not sure. I have written some letters,
9 memorandum or something, but I am not sure if I have ever
10 written a letter to him. Most of my directives to him
11 probably have been verbal also.

12 Q What about his reporting to you? Is there
13 something equivalent to the Exhibits 4 and 5 which are
14 the status report on the hotline program --

15 A Yes, sir.

16 Q -- that you get?

17 A Yes, sir. He reports to me of the
18 individual cases in a document called QAI, quality
19 assurance investigations. I get those.

20 Q But not an overall sort of summary
21 document comparable to this status report on the hotline?

22 A No. Each one has to be closed out on its
23 own merits. Obviously I go by and see Mr. Grier from time
24 to time and ask him how things are going, if he has been out
25 in the field, if he is getting any feedback, and we have

1 conversations like this. But the QAIs are the official
2 reporting documents from him to me.

3 Q Now, in terms of the hotline program and
4 Mr. Andrews, does this October 4, 1983 document which is
5 marked Clements Exhibit 2, is that the written statement
6 of the program; this is what Mr. Andrews needs to know
7 what are my responsibilities and duties, he goes back and
8 takes a look at this, he doesn't have some other document
9 or documents as well; is that correct?

10 A Mr. Roisman, to my knowledge this is the
11 document. David Andrews may have something else from
12 Mr. Farrington or verbal directions from Mr. Farrington,
13 but to my knowledge this is the hotline program as I
14 understand it.

15 Q Now, are you aware of any instances in which
16 either Mr. Andrews or Mr. Grier have communicated, if you
17 will, outside of channels to you or to any other
18 personnel in the company about particularly sensitive items
19 which have not shown up in documents at all; that is, that
20 are not independent -- the thoughts communicated are not
21 independently documented, a call at 3 o'clock in the
22 afternoon to you or to someone else where they would use
23 that mechanism for expressing concern about a particular
24 problem that had come to their attention, or are they
25 supposed to be going through the kind of documented process

1 that the QAI and the status report that we have here show?

2 A They are supposed to be going through this.
3 I am trying to think. I have had calls from Mr. Grier.
4 If he got a communication from someone that he thought
5 needed immediate attention. But for the life of me I
6 can't think of which one it was and I can't think what the
7 outcome was.

8 But all of his reporting -- if anything is
9 reported to him he should have it on a QAI, regardless
10 of whether he makes an initial phone call to me or not.

11 Q Prior to the time you put in the 8-point
12 program was it your opinion that there had been incidents
13 of either harassment or intimidation at the plant site
14 and that the 8-point program was needed in part to reduce
15 or prevent those in the future?

16 A There have been cases of alleged harassment
17 and intimidation at the plant and as the Atchison case
18 became more celebrated, as I mentioned to you earlier, that
19 had a lot to do with the -- and as other cases came down
20 the line, the Dunham case, that had a lot to do with us
21 deciding we needed to emphasize the program more. But
22 actual harassment and intimidation, no, there wasn't any
23 confirmed cases of harassment and intimidation that
24 brought this about.

25 Q Is there any part of the 8-point program

1 which you would point to and say that is the part that is
2 particularly effective at preventing or discouraging
3 harassment and intimidation?

4 A No, sir. I think the program in its
5 entirety covers the whole scope of the QA/QC program and
6 all along there, all the meetings, stressing the ways to
7 report, if not to us, to the NRC, or the hotline, the
8 check stuffers, there is the signs to get emphasis, the
9 people disassociating themselves with the program; all of
10 those are designed not just for harassment and intimidation
11 but for safety concerns. If they have a concern with the
12 way inspections are being done, if they have concerns
13 about the way the procedures are written, anything they
14 have, so we are not limiting it to any one small segment
15 of this total program. So I think the eight points and the
16 other things we have done with the ombudsman and so forth
17 and the things we are doing even before the 8-point program
18 obviously are all designed for the entire QA/QC program
19 and not just any particular aspect of it.

20 Q Did you know when you developed the 8-point
21 program that the particular kind of problem that Chuck
22 Atchison claimed existed and that the Department of Labor
23 confirmed existed, how do you know that you have gotten to
24 the root of it in this 8-point program?

25 A You never know you have gotten to the root

1 of anything at any time. We are just working at it and
2 keep working at it to make sure that if problems like that
3 crop up again, like he says cropped up, we will go back in
4 and take another look and make adjustments.

5 WE haven't had any more problems like
6 Mr. Atchison says existed.

7 Q Since his time there have been no more
8 DOL complaints filed?

9 A No. I didn't say that. I said that we
10 haven't had any more problems with -- like Mr. Atchison
11 claims happened, his particular type of problem.

12 Q You are telling me that after Mr. Atchison
13 reported his problems, as far as you know, nobody else
14 reported what you believe are similar problems?

15 A Yeah, that's right. I don't think there is
16 any similar problems to Mr. Atchison that we were able
17 to look at and see that they were along the same lines
18 he had claimed had happened to him.

19 We have had other DOL cases but that
20 don't -- I think they were different.

21 Q Now, you testified earlier that you did not
22 examine in detail the Atchison event or the Keeley-Kahler-
23 Spangler investigation in an effort to develop the 8-point
24 program. I just want to make clear, are you changing your
25 testimony on that point now when we were just talking about

1 Mr. Atchison?

2 A No, no. You asked me a question about did
3 we look at any specific case when we made up this 8-point
4 program. The answer to that is no, we did not.

5 Obviously, as I said at that time, you
6 have the whole gamut of things that are going on at the
7 plant at a given time when you are developing a program, so
8 you asked me about a specific case and I said no, we just
9 looked at the whole things we need to do to better
10 advertise our program.

11 Q Well, I guess my question was, and let me
12 ask it again so that there is no confusion here --

13 A Right.

14 Q Did you attempt to analyze all the cases
15 to find one or more common threads or difficulties that
16 they exhibited and then try to design the 8-point program
17 to be responsive to those difficulties based upon the
18 lessons learned from the prior cases?

19 A Yes. We didn't make the 8-point program to
20 answer a specific case or problem that -- being known at
21 that time. But certainly when you develop a program you
22 look at the things that are going on and make sure that
23 those kinds of things are covered by a program you are
24 developing.

25 Q What part of the 8-point program deals with

1 the concern expressed by Mr. Atchison that his immediate
2 supervisors were opposed to him writing NCRs?

3 A That program has been in effect ever since
4 this plant started and I -- we looked at the situation --
5 after Mr. Atchison made that claim the number of NCRs have
6 increased in writing. So I consider that a false claim.

7 We have procedures down at the plant about
8 when an NCR is written and when an unsat inspection report
9 is written and I testified last week in that.

10 I don't think that Mr. Athcison's claim
11 that he was not allowed to write any NCRs is founded.
12 We have programs in place and have always had for the
13 writing of NCRs.

14 Q Are you saying the fact that the DOL
15 reaches conclusions about this doesn't mean that you have
16 to agree with them?

17 A Yes, sir.

18 Q I assume that applies to the NRC as well?

19 A Oh, I don't agree with everything the NRC
20 does.

21 Q So that your perception of the existence of
22 this problem is not controlled by a finding by the DOL or
23 the Nuclear Regulatory Commission or some court but by your
24 own individual judgment as to what you think happened and
25 what you think was right and wrong about it?

1 A Would you restate that?

2 Q Your decision as to whether or not these
3 particular events occurred or not is not controlled by the
4 findings of the Department of Labor or the Nuclear
5 Regulatory Commission but is controlled by your own
6 independent evaluation and determination as to whether the
7 event happened that way or not?

8 A Not necessarily. Even if you have your own
9 opinion of something you still move forward to make sure
10 that any allegations that are being made are covered by
11 whatever program to prevent those allegations or what is
12 being alleged -- you make the program to prevent those kind
13 of things from happening. Regardless of whether you
14 really believed it happened or not you make damn sure that
15 they don't happen.

16 Q But as I understood your testimony it was
17 that as regards Mr. Atchison's claim that he was
18 discouraged from writing NCRs, you have concluded that that
19 was not correct, that the program to encourage writing
20 NCRs already existed in place and that in fact since he
21 left more NCRs have been written, all of which makes you
22 feel that that is not a problem; is that correct?

23 A I do not believe that writing of NCRs at
24 Comanche Peak is a problem.

25 Q The increase in the number of NCRs that have

1 occurred -- that you have stated has occurred since
2 Mr. Atchison has left, have you attempted to determine
3 whether that is related to the number of total
4 investigations that have been taking place since then
5 due to the plant coming closer to completion?

6 A I haven't.

7 MR. ROISMAN: Can we take a short break?

8 (Short recess.)

end4

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mn51b1

1 BY MR. ROISMAN:

2 Q Mr. Clements, I'd like to have you give me
3 some help in understanding how the eight point program
4 works. And I'd like us to look at the T-shirt incident
5 as an example.

6 Can you tell me how did the eight point program
7 come into play in the company's dealing with T-shirt program
8 -- the T-shirt incident, excuse me?

9 MR. BELTER: If it did.

10 MR. ROISMAN: If it did.

11 THE WITNESS: I'm not even sure that we'd
12 take an isolated incident like that, where the T-shirt
13 incident is apropos to the eight point program.

14 BY MR. ROISMAN:

15 Q And in your judgment, there's nothing there
16 that the Ombudsman needs to investigate?

17 A The Ombudsman is not one of the eight points.

18 Q I'm sorry. I thought Mr. Grier was one of
19 the eight points?

20 A No, sir. He's a separate item.

21 Q Oh, I see. You list just the exit interview
22 as part of the program?

23 A Yes, sir.

24 Q Which Mr. Grier is one of the implementers
25 of, but Mr. Grier and the Ombudsman is not part of it?

mn51b2

1 A That's right.

2 Q I believe that Mr. Spence thinks that he is.
3 Is this eight point program written down in one place?

4 In other words, is there a document --

5 A In correspondence between me and the attorney,
6 I believe it's listed as one through eight. When Belter
7 gets it for you, I guess you can see that.

8 Q Well, there's still a question as to whether
9 that will happen or not.

10 But inside the company --

11 A Inside the company, the eight -- those of us
12 who work with the eight point program know what those eight
13 points are. It's written down.

14 Q Does Mr. Spence work with the eight point
15 program?

16 A Only through me and -- you know, he's the
17 President of a Company. He doesn't carry a copy of the eight
18 point program around with him, Mr. Roisman, but only through
19 me, I presume, you'd say.

20 Q Okay, so you wouldn't expect him to have, on
21 his desk or in his files somewhere the eight points.
22 And as far as you know --

23 A He may have it in a reading file somewhere,
24 or something like that, but he wouldn't -- I don't think he'd
25 be familiar with what the eight -- I don't think he could

1 name the eight points.

2 Q In your judgment, then is the T-shirt incident
3 an incident which is unrelated to the kinds of problems that
4 the eight point program was addressed to?

5 MR. BELTER: Could you repeat that question?
6 I'm sorry, I missed it.

7 (The reporter read the record as requested.)

8 THE WITNESS: No, sir. I believe that the
9 eight point program addresses the problem that was outlined
10 by the people, the so-called T-shirters. As they indicated,
11 they thought the problem, the cause of the T-shirt incident,
12 was a lack of communications between QC management and the
13 QC inspectors. And the eight point program is definitely
14 supposed to take care of communications. So I agree with you,
15 that that should take care of it.

16 BY MR. ROISMAN:

17 Q What has been done now, in response to the
18 T-shirt incident, to try to identify how the eight point
19 program failed?

20 MR. BELTER: Could we take a short break here?

21 THE WITNESS: Let me answer that first?

22 MR. BELTER: Sure.

23 THE WITNESS: The eight point program didn't
24 fail. You can't have one incident and you can't say that
25 the whole program is a failure.

1 MR. BELTER: Let's take a break here.

2 (Recess.)

3 BY MR. ROISMAN:

4 Q Let me put my last question to you a little
5 differently, Mr. Clements. Is the lack of communication
6 alleged in the T-shirt incident, is that lack of communication
7 something which needs corrective action? And if so, how
8 does the eight point program move to correct it?

9 A That is a management problem and we've taken
10 steps to correct that. I presume that -- I look at the eight
11 points and I don't see any particular one of the eight points
12 that is designed to correct communications problem. It's
13 a management problem and we've taken care of that.

14 Q What have you done?

15 A We've had meetings with the QC inspectors,
16 the manager of site QA, Tony Vega. He's had meetings with
17 all the inspectors. He's put out letters to them, to tell
18 them his door is open, to come in and talk to him if they
19 want to, talking about the Ombudsman. And Mr. Spence has
20 met with roughly half of the inspectors and reaffirmed
21 the dedication of the company to QA/QC principles.

22 Q When you say the inspectors, do you mean the
23 inspectors who were involved in the T-shirt incident or do
24 you mean all the inspectors on the plant site?

25 A All the inspectors on the plant site.

1 Mr. Spence also met with the eight T-shirters
2 along with Mr. Eisenhut and Mr. Hayes and Mr. Collins of
3 the NRC. He met with those people.

4 Q When did that happen?

5 A In April, I believe it was around the first
6 part of April. And that's how I happen to know that the
7 T-shirters said that it was a communications problem, because
8 they stressed at that time that there was no problem with
9 writing NCRs or anything like that. The biggest problem they
10 said they had was a problem with communicating with their
11 supervisor.

12 So that's why Vega has taken steps to correct
13 that.

14 Q In your judgment, did any of the events that
15 happened immediately following the wearing of the T-shirts
16 on the fateful day constitute harassment by any person of
17 any of the eight -- so-called eight T-shirt wearers?

18 A What events are you talking about?

19 Q Well, the locking of them up -- or detaining
20 them in a particular room?

21 A No, sir. I don't think that did --

22 Q The --

23 MR. BELTER: Would you let him finish?

24 MR. ROISMAN: I'm sorry.

25 THE WITNESS: I don't think that did. When I

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1 was called, in Dallas, and told about the incident, my
2 concern was whether or not any verbal or physical violence
3 might be -- might be likely between the craft people and
4 the QC inspectors. So when I'd heard that they had ask them
5 to assemble in a room, I said good. I'd like them to stay
6 there until we decide what we're going to do about it, because
7 I don't want any verbal or physical violence taking place.

8 I didn't know what the mood was between the
9 construction hands and the QC inspectors.

10 BY MR. ROISMAN:

11 Q What made you have even any concern that there
12 might be some physical violence?

13 A Anytime you have a construction job, it just
14 might -- they might have considered that provocative, so
15 I was worried about that.

16 Q Had anyone told you that these same T-shirts
17 had been worn on several other occasions in the same week --

18 A No, sir.

19 Q -- by substantially larger numbers of people
20 than the eight?

21 A At that time, they had not, no, sir.

22 Q No one communicated that to you?

23 A At that time?

24 Q Yes.

25 A No, sir.

mn51b7

1 Q You learned that later?

2 A Yes, sir.

3 Q Would that have changed your decision about
4 whether you thought there might have been physical violence
5 because the men were wearing the shirts?

6 A I think it would have.

7 Q Have you taken any disciplinary action against
8 the person who first communicated the information to you and
9 didn't share that with you?

10 A No, I haven't.

11 Q Who was that person?

12 A It was Ron Tolson.

13 Q Can you tell me, at the time that you were
14 contacted on the T-shirt eight incident, was anything related
15 to you about alleged destructive testing?

16 MR. BELTER: I'm going to object, Tony, this
17 is way beyond the scope of direct examination here. And
18 Mr. Clements was cross-examined about the T-shirt incident
19 and his knowledge of it last week. You're going over stuff
20 that he testified to last week, not what he testified to
21 this morning. I want to be liberal about it, but you
22 relate it back to the eight point program and we'll go ahead.

23 But you're asking for details of the T-shirt
24 incident and we're not going to re-try that.

25 MR. ROISMAN: All right, I will relate it back

mn51b8

1 to that and I'm sorry if I assumed that the relation was
2 obvious.

3 BY MR. ROISMAN:

4 Q In the development of an appropriate QA/QC
5 attitude at the plant site, is the eight point program
6 addressed both to making sure that the QA/QC people feel free
7 to do their job, as they see fit, and also to make sure that
8 they are not going to do it improperly? Is it addressed to
9 both halves of that?

10 A No, the eight point program is designed to
11 first of all let the people know what the company's attitude
12 is toward the QA/QC program and secondly, to let them know
13 that if they have any problems, as I said before, with any
14 aspect of the QA/QC program, that they have every right
15 to make that known to the company. And lacking that, if they
16 don't want to do that, make it known to the Nuclear Regulatory
17 Commission.

18 The way they do their job is outlined in
19 thousands of procedures, instructions, documents down there.
20 So the eight point program has nothing to do with how
21 they're supposed to do their job.

22 Q Just make sure that they know that if they're
23 unhappy or think something is wrong, they have a way to
24 address that?

25 A That's right.

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1 Q Now what if the person with the concern is
2 at the supervisory level or above, but within the QA/QC chain
3 and they have a concern about people who work beneath them?
4 Are they supposed to utilize this mechanism, or simply utilize
5 the authority that exists in their chain of command? When I
6 say this mechanism, are they supposed to go to the hotline
7 if they want?

8 A That's too vague, Mr. Roisman. I can't answer
9 a question with them having a problem with someone below
10 them. Be specific and I'll answer it.

11 Q Well, if the QC supervisor felt that his
12 employees were protesting what they perceived to be either
13 adverse working conditions or improper conditions and that
14 their mechanism of protest was to improperly inspect, such
15 as doing destructive instead of non-destructive testing, is
16 his approach -- the supervisor's approach -- if he doesn't
17 want to confront the people directly, does he have the hotline
18 available to him, to say hey, this has got me troubled?

19 A You're asking does the hotline program -- does
20 the hotline replace good management practices, and the answer
21 is no.

22 Q Well, my question is if a supervisor's having
23 trouble with the people who report to him?

24 A That's a management problem. That is not --

25 Q Okay, so you're saying the hotline is for

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1 the people who are having problems with people who are
2 over them or even with them, not with people who work for
3 them?

4 A That's right.

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1 Q Has there been a written evaluation of the
2 effectiveness of the "8-Point" Program since the time that it
3 was put in place?

4 A No, sir.

5 Q Has there been an overall evaluation of it outside
6 of that -- orally or in some meetings that you're aware of?

7 A Outside of our -- you mean, by "outside," what --

8 Q Other than in a written form.

9 A Just in conversation between people.

10 MR. BELTER: I'm confused by your question,
11 because you seem to have left part of it out when you
12 rephrased.

13 Did you mean to ask about were there reports on it
14 in various meetings? Was it discussed in meetings?

15 MR. ROISMAN: Well, no. My question was -- let me
16 rephrase the question.

17 MR. BELTER: I think you got a "no" to half your
18 question --

19 MR. ROISMAN: Okay.

20 MR. BELTER: -- and the other half was left up in
21 the air.

22 MR. ROISMAN: Okay. All right. I'm sorry. Let
23 me just rephrase it.

24 MR. BELTER: All right.

25

1 BY MR. ROISMAN:

2 Q Have there been any overall evaluations of the
3 effectiveness of the "8-Point" Program?

4 A Not -- not documented.

5 Q Well, other than document, what -- have there been
6 any?

7 A We've had meetings from time to time to discuss it
8 and look at it and see if we needed to change it in any way
9 and to see how we feel like it's -- it's working -- yes.

10 Q And when you say "we," who are the "we" that
11 you're talking about?

12 A It cou'd be different folks. It could be me, with
13 the people who work for me in Quality Assurance/Quality
14 Control. Or it could be me and Mr. Spence and -- you know,
15 it --

16 Q Are you almost always there? Would that be a
17 reasonable assumption?

18 A I would think I'd be there at -- most of the time.
19 Although people could discuss it without me being there,
20 obviously.

21 Q Have any problems in its implementation been
22 identified to you?

23 (Pause.)

24 A Only mechanical problems, like the signs being too
25 small at first and stuff like. But no, I haven't had any --

1 there was one allegation, I think, on the "Hot Line" itself,
2 that "The 'Hot Line' wasn't working," and that's still
3 pending. But that's the only one that I remember anything
4 like that.

5 Q Any indications or reports to you that the
6 "8-Point" Program was not effective?

7 A Only -- only the one allegation that -- that came
8 over the "Hot Line," that I remember. I don't -- I don't
9 remember any -- any other allegations like that.

10 Q Do you remember seeing one of these status report
11 "Hot Line" programs which -- let's just take Clement Exhibit 4
12 as an example of that -- that indicated that an investigation
13 was being postponed as a result of advice of -- I believe it
14 mentioned, in particular, Mr. Reynolds, because the matter
15 was pending in some legal proceeding?

16 MR. BELTER: Could you refer us to the number,
17 so we'll know what we're talking about?

18 THE WITNESS: It's not numbered, as a matter of
19 fact. It should be number 9, but the number didn't come on.

20 I believe that's what you're talking about,
21 Mr. Roisman, number 9?

22 MR. ROISMAN: Yes.

23 MR. BELTER: Just to be clear, Mr. Reynold's name
24 is not mentioned in there.

25 MR. ROISMAN: Okay.

1 THE WITNESS: Just the corporate attorney.

2 MR. ROISMAN: Yes, sir.

3 MR. BELTER: What was your question? I'm sorry.

4 MR. ROISMAN: Okay, I had asked him was he familiar
5 with that. And he obviously is.

6 BY MR. ROISMAN:

7 Q Can you tell me what is the justification for
8 delaying the completion of an inquiry that comes in through
9 the "Hot Line," in this particular case?

10 And then I'm going to ask you to tell what are your
11 general criteria for when you would delay.

12 MR. BELTER: I have no objection to your second
13 question, Tony. But I think the first one is irrelevant.

14 I don't see that any of the allegations on this
15 one relate to harassment or intimidation.

16 I mean, there may be reasons why, with respect to
17 this particular investigation, which is not related to
18 harassment or intimidation, it should wait -- and I'm not
19 familiar with the circumstances surrounding it or why the
20 corporate attorneys have advised that they need to be
21 involved or that the investigation perhaps should be partially
22 delayed.

23 MR. ROISMAN: Well --

24 MR. BELTER: Your second question is perfectly
25 all right to ask him.

1 MR. ROISMAN: All right. Well, let me -- let me
2 try to relate the first and then, for the moment, put it
3 aside anyway and let him answer the second one.

4 But as to the first, I think the allegation that
5 the phones at CPSES are bugged certainly -- I mean, I have
6 not seen the -- the actual allegation itself. All I have is
7 the summary that we have here.

8 But the ability to communicate freely seems --

9 MR. BELTER: Okay, I --

10 MR. ROISMAN: -- seems to be questioned there.

11 MR. BELTER: On that one --

12 MR. ROISMAN: On the other hand, I think on-the-job
13 drug use, except to the extent that it's alleged to affect
14 the quality of work in general, which is not really where
15 we're at, I think is off the point, and -- and the "Hot Line"
16 is not working is the one I believe -- is that the one that
17 you were --

18 THE WITNESS: That's the one I was referring to.

19 MR. ROISMAN: -- talking about just a moment ago,
20 Mr. Clements?

21 THE WITNESS: Yes, sir.

22 MR. ROISMAN: Okay.

23 THE WITNESS: Yes, sir.

24 MR. ROISMAN: But let's start with the second
25 question first, because I think it's a better base.

1 BY MR. ROISMAN:

2 Q Are there some criteria that you have for when a
3 "Hot Line" investigation would be deferred or delayed, rather
4 than proceeding as quickly as possible?

5 And if so, what are those?

6 A You understand that I don't have anything to do
7 with that. That's not my criteria.

8 That's Mr. Andrews and the corporate president,
9 Mr. Farrington. I wouldn't have any say in that at all.

10 Q So, it's completely out of your chain, you're
11 saying.

12 A That's right, yes.

13 If he want help, technical help, in doing an
14 investigation, then I try to point him in the right direction
15 so that there's no conflict of interest. But that's not my
16 -- that's not my area of expertise.

17 Q Are you -- are you aware of whether such criteria
18 exist?

19 A No, sir, I'm not.

20 Q Then, I assume that the answer to my first question,
21 which had to do with why was this particular one delayed, you
22 were also not -- you have no knowledge about?

23 A That's right.

24 Q Okay.

25 Well, that saves us a lot of time.

1 Q You have testified that you put the word out to
2 all people that harassment and intimidation would not be
3 tolerated at the plant site. And I'm unclear -- I know you
4 testified that there have been allegations of it -- is it
5 your position that there has never been an allegation
6 established to your satisfaction that -- of actual harassment
7 and intimidation at the plant site?

8 A I can't think of any particular allegation that --
9 that confirms it in my mind. Interpersonal relationships
10 being what they are, I'm sure that there's people who have
11 perceived they've been harassed and intimidated. I sometimes
12 feel harassed and intimidated by things that I don't think the
13 other person intends it to be so.

14 I guess I -- I haven't sat down and read all of
15 the -- all of the harassment and intimidation allegations. I
16 just know about them in general. So, I can't pick out one
17 in my mind right now that I think has been confirmed.

18 Is that responsive?

19 Q Yes, it is. I'm going to ask you to -- I think
20 maybe we need to get some clarification what you mean -- when
21 you made the statement. And I know that -- or at least it's
22 reported that you have made that statement on several occasions,
23 including, I believe -- well, let's see if it's actually
24 signed by Mr. Smith.

25 But the words you used are contained in the

1 December 20th, 1983 statement from Mr. Spence to the entire
2 personnel assigned to Comanche Peak, in which he says,
3 "Accordingly, acts of intimidation, harassment, or threats,
4 et cetera, will not be tolerated."

5 And you've echoed that same thought here this
6 morning.

7 A I have. I most certainly have.

8 Q So, I do want to get from you an idea of what that
9 means.

10 But let me, before I get to that, let me just be
11 clear about this: When you say "will not be tolerated," do
12 you have a specific series of steps in mind that you would
13 take if, in your judgment, it existed in a particular instance?

14 In other words, what does "not tolerated" mean?

15 A I think that you would have to look at each
16 individual case. Those people out there in a QC organization
17 work for me, and I do not tolerate -- and I use that word
18 again -- people harassing people who work for me.

19 I had that same philosophy for the years I was in
20 the Navy, and I have it now -- that those QC inspectors work
21 for me, and I don't want their bosses or the construction
22 hands harassing them, intimidating them, or in any other
23 way preventing them to do their job.

24 And when I find out about it, I go and look and --
25 find out it's been alleged, I go and look into it. And if I

1 think that there's any shade of it, I start raising hell with
2 the personnel involved.

3 They are my employees. They work for Brown & Root,
4 but they're listed under my organization in the -- in the
5 overall organization. So, I feel like it's my job to protect
6 them.

7 And I look at each individual case that comes
8 along.

9 Q So, the words "will not be tolerated" are not
10 buzz words for "you're going to be fired" --

11 A No.

12 Q -- or "you're going to be demoted," or anything?

13 A No.

14 Q It could be -- it could be that they'd be fired?

15 A I would -- it could be. I would want to investigate
16 it and take a look. And I want the inspector to be satisfied
17 with the solution.

18 Now, that doesn't mean he's always going to be
19 satisfied with the solution, but I want to give him
20 management's viewpoint of why we did what we did.

21 Q And then let's go back to the initial thought on
22 the harassment/intimidation.

23 What I want to try to understand is, first of all,
24 do you see those as two distinct words, describing two
25 distinct situations?

1 And secondly, I'd like you to articulate on the
2 record, more clearly if you would, this distinction between
3 you may feel it but the person who you claim did it may not
4 have intended it and how that fits into your definition.

5 MR. BELTER: We've got two questions there, Tony?

6 MR. ROISMAN: Yes, we've got two questions.

7 MR. BELTER: Okay. One at a time.

8 BY MR. ROISMAN:

9 Q You can take them one at a time, or you can give
10 me a group answer if it's easier.

11 MR. ROISMAN: I don't want to artificially break
12 up his thought process.

13 THE WITNESS: Well, let me give you my definition
14 of "harassment" and "intimidation."

15 BY MR. ROISMAN:

16 Q Okay.

17 A I guess that's what you asked for.

18 Q Okay.

19 A To me, "harassment" would be if every time I came
20 in to inspect in a given area, the manager or managers
21 involved followed me around and looked at what I was doing --
22 maybe without saying anything, but just looked at it -- and
23 just let me know that they're there. Or -- that would be
24 "harassment."

25 If they came up to me and said, "Hey, you know

1 that your job depends upon doing this inspection properly" --
2 and they wouldn't even have to say "and according to the way
3 I want to do it," but just say "doing it properly," because
4 I know my job --

5 Q Uh-huh.

6 A -- I'm out there, I'm trained -- then, that would
7 be intimidation, something that -- oh, a physical or a --
8 I don't mean "physical" -- a loss of a job or a loss of
9 promotion, a loss of seniority, something like that, a loss --
10 that would be "intimidation" as far as I was concerned.

11 Q And what about this concept of the intention of
12 the person who's engaging in the act versus the perception
13 of the person who is the recipient of the act?

14 A Let me relate to you a story that I've already
15 related in these hearings. But, oh, three or four weeks ago,
16 an inspector was in the men's room at the plant site, and a
17 person on the construction management side said to him, "Hey,
18 you got enough hangers done today to allow you to be in the
19 bathroom?"

20 Well, he said it in jest.

21 The inspector went to Mr. Grier, and Mr. Grier
22 investigated it --

23 Q Uh-huh.

24 A -- and got back with the inspector and said, "Hey,
25 this guy says he was joking. I believe he was joking." And

1 he said, "He had nothing but good things to say about you and
2 your inspection." So, it was all -- but at the time, the
3 guy thought he was either being harassed or intimidated, I'm
4 not sure which.

5 So, I think that there's all -- there's cases like
6 that all the time, where people think they've been harassed
7 or intimidated and it's not intended to be such.

8 Q In your perception in that event that you just
9 described to me, it would not fit into the harass or
10 intimidated definition because of the lack of the intent on
11 the part of the speaker?

12 A I think that's right.

13 Q Now, if the inspector said, "I'm not satisfied
14 with that. I can tell you, if you'd been in there and there
15 were just the two of us -- this guy is real big, and I'm real
16 small -- and I felt it, and I still do, and I don't think he
17 was joking. I think he's covering himself now" -- does that
18 change it? Or as long as you still --

19 A We would --

20 Q -- believe that the speaker didn't intend --

21 A We would look in -- I think look into it further.

22 But I think if that would come out, Mr. -- I
23 think Mr. Crier or whoever else would look at it would look
24 at it in more detail, wouldn't look at it superficially and
25 just say, "The guy says, 'I was just joking.'" That wouldn't

1 -- if there were just the two of them in there.

2 And then, if the -- if the man insisted that he
3 felt intimidated, then the word would get back to the guy,
4 "Hey, I don't care if you're joking or not. Don't joke with
5 that guy. And don't joke with anybody else like that, because
6 they're taking it seriously."

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Exhibit
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1 Q You indicated that when the hotline was
2 established that it was done in such a way that, number
3 one, you wanted to assure to the fullest extent possible
4 confidentiality with respect to the people who would call
5 into the hotline and to the extent that even if they don't
6 ask for it you give it to them in any event?

7 A No, sir, I didn't say that.

8 Q I'm sorry. I thought that is what you did
9 say.

10 A No. If they asked for anonymity or
11 confidentiality they get it. But Mr. Andrews has never --
12 and that is basically with just Mr. Andrews. The rest of
13 it, as far as I am concerned, I don't know any -- I guess
14 I misstated that.

15 If they asked for anonymity or
16 confidentiality Mr. Andrews gives them that. But as far
17 as the rest of it is concerned he doesn't give their names
18 to us anyway.

19 Q Okay. That's all I was trying to --

20 A Yeah. I see how I misstated that.

21 If the person asks for it he gives it to
22 them. But he didn't tell us anyway. That's just for him
23 so he -- if he doesn't get the person to agree to
24 confidentiality he has no way of getting back to him.
25 If it is anonymous. So he asks the guy -- or somehow he

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1 gets in touch with the guy or the gal and he says hey,
2 I'll be glad to get back with you and tell you what has
3 happened about this but I can't if I don't know who you
4 are. If you still want anonymity, hey, that's fine. But
5 he doesn't tell us. I have no idea -- I have some ideas,
6 but I haven't been told who any of those people are.

7 MR. BELTER: Tony, could I ask just one
8 clarifying question here--

9 MR. ROISMAN: Sure, of course.

10 MR. BELTER: -- to keep it straight?

11 MR. ROISMAN: Yes.

12 MR. BELTER: Are some of the calls on the
13 hotline where the person doesn't even give their names
14 themselves so Andrews wouldn't know their name?

15 THE WITNESS: Oh, sure. They are anonymous
16 calls. They just call up and say hey, the hotline is not
17 working or, you know, so and so is not using his safety
18 belt on the scaffolding out there and don't leave a name.

19 MR. ROISMAN: I had understood that.

20 BY MR. ROISMAN:

21 Q Why is the confidentiality an important
22 ingredient? Why should there be any need for
23 confidentiality?

24 A Well, in my mind there isn't. For some
25 reason people think that we are going to come down on

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1 somebody for making known their problems with the plant.
2 But, on the contrary, I try to encourage them.

3 If I find problems -- I being the QC guy,
4 if we find problems, then its problems that the NRC
5 doesn't find and we get them fixed and the plant is safer
6 and more reliable. So I want the people to come forth with
7 their problems. That's why we have the 8-point program;
8 that's why we started advertising it more and more.

9 I don't know why people would think that --
10 because the management of Texas Utilities, no one could ever
11 show where we have been vindictive on anything like that,
12 the management of this corporation.

13 Q Does it trouble you that you need to have the
14 confidentiality feature in order to get all the information,
15 that there is some misapprehension in the work force?

16 A No, sir. I wish the world were a perfect
17 place but it is not and there is always some people who are
18 not going to trust the bosses, not going to trust the
19 management, so that's why we have the confidentiality and
20 the anonymity because we want the problems to come forth and
21 if a guy has got problems, a guy or a gal has got problems
22 and either one want to be anonymous in their phone call or
23 if they want to have confidentiality, then I would rather
24 they come forth with that problem as to not come forth with
25 it because they didn't have that confidentiality or

1 anonymity. I wish it was a perfect place, but its not.
2 There are always some people that are not going to trust
3 the system.

4 Q I take it that it is a matter of degree,
5 though; is that correct? I mean if you had reason to believe
6 that 90 percent of the people in the plant believed that
7 unless they had anonymity they couldn't tell anybody any
8 problem; that would give you more cause for concern than
9 if you tought one percent of the people in the plant had
10 that feeling?

11 A I think any manager would feel that way,
12 any good manager.

13 Q Have you made any effort to trend either
14 your exit interviews, your hotline calls or any other
15 mechanisms you might have to determine whether or not the
16 amount of apparent need for or desire for confidentiality
17 has been on the increase or the decrease since the 8-point
18 program was put into effect?

19 MR. BELTER: Do you understand the question?

20 THE WITNESS: I think I do.

21 I haven't made any statistical trending,
22 but talking to the people who do the interviews and who
23 get the check stuffers that come back, the few that come
24 back, and so forth, I am amazed really at the few number
25 of people who do request anonymity and confidentiality.

1 BY MR. ROISMAN:

2 Q Out of those who have communicated?

3 A Yes, sir.

4 Q Have you looked at exit interviews to see
5 how many people are writing "no comment" down on exit
6 interviews as opposed to answering the questions as they
7 are laid on those exit interviews, or has anybody?

8 A The people at the plant, the QC/QA folks
9 at the plant obviously do because they do the interviews.
10 The ones -- I haven't gone back and looked at all the
11 no comments because I know roughly how many people are
12 leaving and I look at the no comments, but -- I mean I don't
13 look at the no comments, but I get the results of the ones
14 who have comments on them.

15 Q I guess my question was whether or not any
16 effort has been made to trend or to otherwise determine
17 from these various pieces of information that the 8-point
18 program allows you to receive, how the company is doing
19 compared to how it was doing when you put the program into
20 effect.

21 A We have no, that I know of, no formal program
22 for that.

23 MR. ROISMAN: Right. No further questions
24 at this time.
25

EXAMINATION BY THE NRC

BY MR. BERRY:

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3 Q Mr. Clements, my name is Gregory Berry.
4 I am appearing on behalf of the Nuclear Regulatory
5 Commission. I want to ask you a couple of questions about
6 your testimony here this morning.

7 A All right.

8 Q Mr. Clements, this 8-point plan that the
9 company developed, has that plan been made known to the
10 quality control/quality assurance inspectors in its
11 entirety?

12 I mean has a meeting been held where -- at
13 which the quality control inspectors were present and
14 management went through the program one by one just as you
15 did here with us this morning?

16 A No. They have seen the effects of all
17 eight points.

18 Well, it is hard to say they have seen the
19 effects of number 8, but the others are all obvious.

20 Q So it is really just something that --

21 A It is a company program.

22 Q Right. That they feel by just improvement
23 in the work environment?

24 A That's right.

25 Q Okay. Mr. Clements, is this, the 8-point

1 program, that is not -- it is not designed for specific
2 cases or particular applications; it is more -- is it --
3 do you understand the question?

4 All right. Let me rephrase it.

5 A No, I understand the question. That's
6 right. As I told Mr. Roisman, we didn't design the program
7 to meet any particular case or cases. It is a program
8 outlined to give better visibility and better communications
9 and a better QA/QC program at Comanche Peak.

10 Q It is also not I guess the primary,
11 management's primary response to I guess harassment and
12 intimidation allegations or concerns at the plant, is it?

13 A No, it isn't.

14 Q There are --

15 MR. BELTER: Did you finish your answer?

16 THE WITNESS: Yeah, I -- yeah.

17 MR. BERRY: All right. I'm sorry if I
18 interrupted you.

19 BY MR. BERRY:

20 Q In other words -- I mean, this 8-point plan
21 is just one mechanism or just part of a response or part of
22 management's initiatives to I guess prevent harassment and
23 intimidation, threats and things like that, from occurring?

24 A The QA/QC program itself tells the folks
25 what they are supposed to be doing and how they are supposed

1 to be conducting their jobs.

2 The management philosophy is the point
3 that I have tried to get across to the QA/QC supervisors
4 that, as Mr. Roisman pointed out, that Mr. Spence and I
5 will not tolerate harassment and intimidation.

6 Now, what actions management takes is,
7 again, as Mr. Roisman has pointed out, may vary from
8 case to case. But that is what we -- how we handle
9 harassment and intimidation. And the 8-point program is
10 basically a communications program.

11 Q So if I understand you correctly what you
12 are saying is that what the 8-point plan is really all
13 about is just to let people know how management feels about
14 these things?

15 A And how management feels about getting how
16 they feel.

17 Q Just a communications device.

18 A And also the 8th point, as I point out
19 again, the 8th point is a training program for our QA/QC
20 supervisors to show them the ways they have to do their
21 jobs in order to obey the Atomic Energy Act as modified
22 and the Department of Labor rules and regulations, laws.

23 Q Mr. Clements, you were asked earlier whether
24 the 8-point plan or how the 8-point plan applied to the
25 t-shirt incident. Do you remember that?

1 A Yes, I do.

2 Q The 8-point plan, it really is not designed
3 to apply to those type specific incidents like that, is it?

4 A The 8-point program is not designed to
5 replace management and management perogatives, management
6 skills, and was never intended to do that.

7 The t-shirt incident was an exercise in
8 management and not really apropos to the 8-point program.

9 Q Incidents like the T-shirt incident would be
10 handled in other ways?

11 A Through management.

12 MR. BERRY: I don't think I have any more
13 questions.

14 MR. BELTER: Do you have any further in
15 response to Mr. Berry's questions, Mr. Roisman?

16 MR. ROISMAN: I was going to discuss the
17 question of leading questions but since there are no more
18 of them I will leave them go.

19 MR. BELTER: Can we take a short break?

20 (Short recess.)

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FURTHER EXAMINATION BY APPLICANTS

BY MR. BELTER:

Q Mr. Clements, is there any formal company program called the "8-point program"?

A Not really. It is just a title that we gave to the 8 points that I have enumerated here and there is no "official 8-point program."

Q Is it fair to say it is a slang term that you and I --

A A slang term we started using has become sort of semi-official.

Q Are you concerned over the delay that is reflected on this hotline status sheets in any of the pending investigations?

A No, sir, I have confidence in the corporate security director and the president of Texas Utilities. I have no concern about it.

MR. BELTER: That's all I have.

(Discussion off the record.)

MR. BELTER: Let's go back on the record for a moment.

Off the record Mr. Roisman asked me -- or indicated his understanding that there may have been some lawyer-client privilege question over the second -- over

1 the meeting, rather, that involved the Labor Department
2 lawyer and the Nuclear Regulatory Commission lawyer
3 which constituted point 8 in the so-called 8-point program
4 and asked whether he might go into that matter further,
5 and since Mr. Clements is available we have decided that
6 we can go ahead and put that in the record if you have
7 some questions, Tony.

8 MR. ROISMAN: Yes. Thank you very much,
9 Mr. Belter.

10 FURTHER EXAMINATION

11 BY MR. ROISMAN:

12 Q Mr. Clements, the 8th point of the program
13 that you have described this morning consisted in part
14 a meeting between yourself, Mr. Brandt, Mr. Tolson,
15 Mr. Purdy, and maybe a couple of others and one or two
16 lawyers who were giving you information regarding the
17 requirements of the Atomic Energy Act labor, law and the
18 like; is that correct?

19 A That's correct.

20 Q All right. And can you tell me what was
21 the purpose of the meeting, what were you trying to learn
22 vis-a-vis your work with respect to Comanche Peak?

23 A I was a participant mainly because the QA
24 folks report to me. We were really trying to get --
25 aiming the program at the QA/QC supervision from the

XXXXXXXXXX
XXXXXXXXXX

jon

1 highest level, those three guys, on down. And what we
2 were trying to do was to prevent problems from happening
3 because of spontaneous actions by management or by
4 inspectors.

5 Let me give you an example. You catch a man
6 asleep or you think he is asleep and some managers tend
7 to say okay, hit the gate, you're fired.

8 Well, we decided we needed to stop and
9 investigate those more thoroughly. I am not saying it
10 ever happened. I am just saying that is the kind of thing
11 could happen and we decided we needed to stop and
12 investigate those more thoroughly and make sure -- you
13 know, the guy might be on some sort of prescription drug
14 that he has informed somebody else about. So we want to
15 make sure that those things are done so that they are not
16 only legal but just to the people involved.

17 When we have reductions of force and so
18 forth, we talked about the -- what is the best way to
19 have a reduction in force, and it took awhile but we came
20 out with a document that shows, based on record, trying to
21 take all the emotion -- well, emotion and sentiment out of
22 the reductions in force.

23 So those are the kinds of things we talked
24 about and those are two that come to mind specifically,
25 that --

1 Q When you say the reduction in force when you
2 say you came out with a document; was it a guideline for
3 how to implement a reduction in force, that is how to
4 choose who you would reduce?

5 A So that it would be just and fair to all
6 hands.

7 Q Is that now in effect, that document? I
8 mean that is now policy of the company?

9 A Yes, sir.

10 MR. BELTER: Homework assignment 3.

11 BY MR. ROISMAN:

12 Q Did you in the course of the meeting attempt
13 to go through -- there were lawyers there. I ask this
14 question as a lawyer. Did the lawyers go through case
15 studies, say let's take a particular example, either one
16 that really existed or a hypothetical, and work you
17 through it to show you how the law would operate in those
18 places and what the pitfalls might be of the conduct of
19 management and show you how to make sure that didn't
20 happen, or was it more general?

21 A I was going to say it was generally more
22 general, but that's -- I do not remember any case studies.
23 That doesn't mean there wasn't one or two. But I don't
24 remember one.

25 Q And did you feel that the thrust of what

1 the lawyers were doing was showing you how to bend over
2 backwards to be in compliance or trying to show you where
3 the line was between what was legal and illegal?

4 A They were trying to show us, to show the
5 management basically what the law was. And that we
6 needed to, as you say, lean over backwards to make sure
7 that we were complying.

8 Now, we have been obviously leaning over
9 backwards to comply with the Atomic Energy Act but they
10 wanted to make sure that we leaned over backwards to comply
11 with both of these types of law. And most of us were
12 fairly familiar with 10 CFR 50, Appendix B, and all these
13 kinds of things, but not so familiar with the labor law
14 and 210 cases and so forth.

15 So they just wanted to make sure, again,
16 without being -- well, I don't want to blow the company's
17 horn too much, but we have a reputation in our industry
18 of being a top-flight company and I think that on almost
19 any guideline you take that is the case. Top-flight
20 management, service, and so forth. And we just wanted to
21 make sure that we stayed top flight in this area as well.

22 Q Did they discuss with you at all the
23 consequences of violating any of these provisions and
24 instruct you in or discuss with you weighing the cost of
25 violation versus the benefit of violation?

jon

1 A No, because that is not the way we approach
2 anything. We don't say well, it is cheaper to go ahead
3 and violate it and see if you are going to get caught.
4 We don't do those kinds of things. So, no, I don't think --
5 if they had taken that approach Mr. Gary and I would have
6 come out of our chair at them during the meeting.

7 They were basically -- not basically, but
8 actually showing those folks how we, what we had to do
9 to comply with the law. And sometimes there is a fine
10 line between the two.

11 Q Did they give you any idea of what the
12 alternative interpretations of the law might be to give
13 you some idea of the ranges in which the conduct might be
14 questionable instead of just telling you what their view
15 of what the law was?

16 A I don't recall.

17 Q Did you say that the lawyers that were there
18 were Mr. Reynolds and Mr. Walker; those are the ones that
19 did the briefings?

20 A Nick Reynolds and Nick Walker from the firm
21 that Mr. Belter is from.

22 Q And did they give you any written documents
23 or was it all oral?

24 A I don't recall any written documents.
25 There was probably an agenda handed out, Mr. Roisman, but

1 I don't remember any documents, I believe, the way you
2 are referring to them.

3 MR. ROISMAN: Can I get the agenda?

4 MR. BELTER: If it exists. That's
5 assignment number 4.

6 THE WITNESS: It was a throwaway item.

7 MR. ROISMAN: If it not available it is not
8 available. It is not a worldwide search.

9 Mr. Belter, I had only three: the lawyer
10 communications, the letters between the firm and the
11 company on the whole program, on the 8-point program.

12 MR. BELTER: Let's go back. Number one was
13 the communications between the engineers and the AV company.

14 MR. ROISMAN: That's right. I'm sorry.
15 Your list is better than mine. Thank you. Yes.

16 MR. BELTER: I'm sorry I raised it again.

17 MR. ROISMAN: Okay. Well, I would have
18 found it on here.

19 MR. BELTER: Okay. I have the four. There
20 is that one, there is the lawyer communications, there is
21 the ROF policy and there is the agenda of this meeting.

22 MR. ROISMAN: Right.

23 Just so we are clear, I thought you called
24 it the RIF which is -- in government experience I always
25 called it RIF, too.

1 THE WITNESS: RIF, ROF.
2 MR. ROISMAN: Okay.
3 THE WITNESS: Same, sare.
4 MR. ROISMAN: Okay. I agree.
5 All right. I have nothing further.
6 MR. BELTER: Just to be clear, Tony, I
7 am not -- especailly with this agenda item. I am going to
8 ask if we have got it and if we have got it I am not going
9 to bother to go conduct one of these three-day searches
10 and go through 50 files.
11 MR. ROISMAN: I would like you to do a
12 three-day search for the RIF criteria document.
13 MR. BELTER: I am sure that one will be easy
14 to find.
15 MR. ROISMAN: And communications with the
16 audio-visual company. But I sure wouldn't ask you to do
17 that for the agenda. If it is there and available, fine.
18 THE WITNESS: It won't take a three-day
19 search for that audio-visual thing. They have either got it
20 or they don't have it. And I am sure it was verbal, as I
21 said.
22 MR. ROISMAN: Len was merely covering the
23 fact that when lawyers ask for things from other lawyers
24 there are obligations and, Len, I am not opposing upon you
25 or requesting the obligation that you give me your absolute

1 assurance that the agenda document does not exist. Okay?

2 MR. BELTER: I'm afraid I will never give
3 you that assurance.

4 MR. ROISMAN: Again.

5 (Laughter.)

6 MR. BELTER: Thank you.

7 Wait. I do have one more question.

8 FURTHER EXAMINATION BY THE APPLICANT

9
10 BY MR. BELTER:

11 Q As a result of these discussions with the
12 attorneys in making termination decisions, are the
13 attorneys more involved now than they were previously?

14 Do you consult attorneys occasionally with
15 respect to termination decisions?

16 A We occasionally do consult an attorney about
17 a termination. When we have an ROF or RIF that is cut
18 and dried. But if we -- we sometimes bring an attorney in
19 for discussions on terminations.

20 MR. BELTER: Thank you. That's all I have.

21 MR. ROISMAN: You meant to say by that that
22 ROFs or RIFs, you wouldn't consult with the attorney?

23 THE WITNESS: No, those are cut and dried.
24 We punch the formula and people who have been absent a lot
25 go, and --

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(Discussion off the record.)

MR. BELTER: Thank you very much,
Mr. Clements.

THE WITNESS: Thank you.

MR. ROISMAN: Thank you.

(Whereupon, at 11:20 a.m., the taking of
the deposition was concluded.)

CERTIFICATE OF PROCEEDINGS

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

In the matter of: Texas Utilities Electric Company, et al
Deposition of Billy Ray Clements

Date of Proceeding: Wednesday, July 18, 1984

Place of Proceeding: Glen Rose, Texas

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

Marilynn Nations

Official Reporter - Typed

Marilynn Nations

Official Reporter - Signature

7/18/84
MN

QUALITY: IT'S YOUR JOB
SLIDE PRESENTATION

1. Young man and woman driving in city traffic. MUSIC
2. Car turns on to residential street. MUSIC
3. The couple exits the car and up sidewalk to a new house. ANNCR:
Quality - We expect it in the construction of our homes.
4. They enter home & begin looking around.
5. Airport situation. Music continues.
We expect it when we travel.
6. Airport - second scene.
7. Woman with prescription bottle. We expect quality in foods, drugs and their containers.
8. Man being fitted for a suit. And in the clothes we buy.
9. Couple gets into car. Music bed continues.
10. Car in city traffic. And we expect quality.
11. Car makes panic stop at light. (SFX: Screech of tires stopping)
In every component of the cars we drive.
12. Aerial C.P. Just as we expect quality in every component at Comanche Peak. The difference is
13. Title Quality: It's Your Job at Comanche Peak, It's Your Job.

And, you're doing a good job. Your construction management at Brown & Root and Texas Utilities expect your pride in your work to continue.

MUSIC

14. Close-up -- worker
By doing your job well, Comanche Peak is being built as a safe, reliable plant. That is the top priority of your management at the plant.
15. Supervisor, looking at drawings.
16. NRC inspector
And, quality construction at Comanche Peak, like all nuclear power plants, is required by law.
17. Legal documents
Comanche Peak must be built to strict legal standards.
18. Construction work.
But these standards are no higher than would otherwise be expected by Brown & Root and Texas Utilities.
19. Construction work - second sense
Just as your work is expected to be of high quality, the components you work with are also subjected to rigid quality control - before you see them.
20. Close-up valve in place
To understand the importance of quality in all aspects of construction, let's take a look at just one component - a valve. The concern for quality began long before this valve was put into place.
21. Engineering
It began here - with the engineering and design.
22. QA Auditor
The valve manufacturer's ability to produce a safety-related valve was evaluated by quality assurance auditors. These auditors are trained and must meet regulatory requirements.
23. Valve inspection
While the valve is being made and after the manufacturer completes the valve, it is inspected to be sure that it meets design specifications.

24. Valve shipped or stored

Only at this point is the valve ready to be shipped to the plant and put in place.

25. Installation

Installation is performed by trained and qualified people. As an example, safety related welding can be done only by a welder who has met exacting standards. Standards which include hours of training and testing before the welder can be certified and qualified.

26. Welder in training bay

27. Other work being performed on the valve.

Installation instructions prepared by engineering are reviewed by quality assurance.

28. QC review.

Craft and Quality Control workers sign off each step as it is completed.

This ensures both the quality of the work and that it is properly documented.

29. Filing in vault.

All documentation about the quality of the valve and its installation is then stored in the Permanent Plant Records Vault.

MUSIC BREAK

30. Title - quality control

Let's note the various levels of quality assurance in the construction of each component of the plant. There are five.

31. Craftworker photo
burn in
Level 1 - Worker

First, is the craft worker. Comanche Peak craftworkers in safety related areas are trained and qualified before they can do their work in these areas. They take pride in their work and work to do it right the first time.

Working to see that it's done right the first time provides for both good quality and high productivity.

32. Foreman
burn in
Level 2 - Foreman/Supervisor

Second, is the worker's foreman. The foreman's job is to direct and check the work of the crew.

33. Q/C Inspector
burn in
Level 3 - QC inspection

Third, is quality control inspection performed by Brown & Root and Texas Utilities Generating Company. These inspections cannot add quality. Quality must be built into the plant - not inspected in.

Remember, these inspectors are doing their job, just as you are doing yours. Both construction and inspection are absolutely necessary to the completion of a quality plant. Cooperation between the crafts and quality assurance is expected. Harassment or "bullying" between craftsmen and inspectors will not be tolerated by management.

34. TUGCO Q/A Auditor
burn in
Level 4 - QA Audit

At the fourth level are the quality assurance audits performed by the licensee, Texas Utilities Generating Company and other organizations.

35. NRC on site office
burn in
Level 5 - NRC inspections

Finally, at the fifth level are independent observations and examinations made by the NRC. There is an inspector on the site full time, just for this purpose.

36. Worker looking into camera.

2nd Voice: But how do I report a problem I might find at the plant?

Progressive Build
37. Reporting Procedure
1. Foreman/Supervisor

If you are a craft worker and see something you feel does not meet design requirements or procedures you should report it first to your foreman or supervisor. He will then report it to the proper group for action or explain to you why it meets requirements.

In most cases, your supervisor will be able to satisfy your concerns and you will not need to take further action.

add
38. 2. TUGCO QA

However, you can contact someone in the quality assurance or quality control groups, if you still have a concern.

add
39. 3. TUGCO Hotline

Or, you can use the quality hotline to telephone a Texas Utilities management representative.

add
40. 4. NRC

Finally, if you do not receive satisfaction from these avenues you may contact the Nuclear Regulatory Commission's resident inspector at Comanche Peak or the Regional NRC office.

If you have a concern about quality at Comanche Peak you have the right to voice that concern without fear of retribution.

41. Engineer at work

If you are working in quality control, quality assurance or engineering and find something you think is wrong, the way to report it can be found in your procedures.

42. Procedures manual

43. Hotline

If you cannot resolve your concern through the procedures, use the hotline to call Texas Utilities management.

44. NRC

Of course, you also have the right to contact the NRC. Again, you may report any concern you may have without fear of retribution.

45. Work scene

46. Supervisor & worker

47. Series of construction pictures. Management at Brown & Root and
48. Texas Utilities continue their
49. firm commitment to quality. We
have always strived for
defect-free construction at
Comanche Peak. Your help is
needed - not only in continuing
high quality work, but also in
reporting construction
deficiencies promptly, so they
can be evaluated and, if
necessary corrected.

MUSIC

50. Series of close ups
51. of workers
52.

Quality. It's necessary at all
levels, in all parts of the
construction at Comanche Peak.
Quality requires care and
concern on the part of all
workers. And, quality requires
proper inspections and
documentation.

53. Title - Quality: It's Your Job

Those who will be operating
Comanche Peak will depend on
your dedication to quality - just
as you depend on quality - every
day. This continued dedication
to quality requires that you do
your job well, and report any
defects you notice. Because

Quality is your job.

54. Blank

MUSIC up & out.

Clements Ex No. 2

7/18/84

MW

TEXAS UTILITIES COMPANY
2001 BRYAN TOWER - DALLAS, TEXAS 75201

October 4, 1983

J. S. FARRINGTON
PRESIDENT

Mr. D. L. Andrews
Director, Corporate Security
Texas Utilities Services Inc.
2001 Bryan Tower
Dallas, Texas 75201

HOT LINE PROGRAM

As part of a program to reaffirm the corporate commitment to an effective, independent QA/QC program, Texas Utilities Generating Company has initiated a number of actions. One of those actions involves the establishment of a Hot Line Program to encourage the reporting of quality concerns and the timely investigation and resolution of those concerns.

To provide this program the desired independence from the nuclear organization, I am assigning the responsibility for the Hot Line Program to the Director, Corporate Security. Specifically, the Director, Corporate Security will:

1. Install a hot line telephone in his office and set up procedures to answer/record calls from concerned persons.
2. Document all allegations; based on a review of each allegation, conduct an investigation, if appropriate.
3. Maintain records of the disposition of each allegation received.
4. Inform the Vice President, Nuclear TUSCO of:

All allegations received, requirements for technical assistance to support an investigation, status of on-going investigations, and the final results of each investigation.

In the event the Vice President, Nuclear is the subject of an allegation, the Director, Corporate Security will report the results of the investigation to the Executive Vice President, Texas Utilities Generating Company.

Mr. D. L. Andrews

Page 2

October 4, 1983

By copy of this letter, the President, Texas Utilities Generating Company is requested to direct the Vice President, Nuclear to:

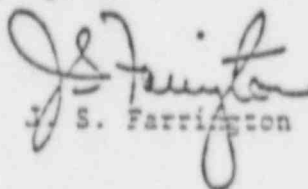
Insure that the hot line number is given wide dissemination to personnel working at CPSES and that persons are encouraged to report their concerns;

Upon his request, provide technical assistance to the Director, Corporate Security;

Review the results of each investigation and take the necessary action to close out the allegation; and

Forward a report of the action taken to the Director, Corporate Security.

The Hot Line Program has an important role in corporate efforts to reemphasize the importance of quality in construction, inspection, testing, and operations of CPSES and to enhance our implementation of the Corporate Quality Assurance Program. I expect the full support of all concerned in establishing and carrying out the program.


J. S. Farrington

JSF:cp

c: P. G. Brittain
M. D. Spence
R. J. Gary
L. F. Fikar
B. R. Clements
J. B. George
D. N. Chapman
J. T. Merritt

STATUS SUMMARY
CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
COMANCHE PEAK STEAM ELECTRIC STATION

CONFIDENTIAL

Unique Identifier	Date Received	How Received	Summary of Concern	Status of Alleger	Status of Investigation	Summary of Findings	Final Action
001	11-16-83	Phone	An allegation that improper acceptance criteria were utilized by B&R QC employee during the inspection of welds on a Unit #2 component.	Identity Confidential	Completed	(1) Allegation unfounded. (2) Allegation an apparent result of misunderstanding of ASME Code requirements by allegor.	Report of findings to allegor 0
002	12-14-83	Phone	An allegation that certain components of the reactor coolant system were not being insulated in accordance with required procedures.	Identity Confidential	Completed	(1) Allegation unfounded. (2) Visual inspection and procedural review established that proper installation and QC procedures are being followed.	Report of findings to allegor 0
003	12-15-83	Phone	Allegation that a particular B&R employee is not properly performing "safety-related" work	Identity Confidential	Referred	Interviews with allegor establish that this allegation does not relate to a "quality concern," but involves an allegation that an individual employee has violated "work-safety regulations" (e.g. failure to wear safety-equipment, etc.) Allegation not within the investigative purview of Corporate Security	Allegation referred to CPSES Mgt. for appropriate review & action OK

STATUS SUMMARY
CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
COMANCHE PEAK STEAM ELECTRIC STATION

CONFIDENTIAL

Unique Identifier	Date Received	How Received	Summary of Concern	Status of Alleger	Status of Investigation	Summary of Findings	Final Action
004	12-15-83	Phone	An allegation that certain work on a "Unit #2 condenser Unit component" was done improperly.	Anonymous	Completed	Interviews with TUSI-CPSES officials established that this allegation (1) has already been investigated and found to be unfounded and (2) does not deal with safety-related equipment.	None OK
005	1-11-84	Referral from CPSES Officials	Request for assistance from TUGCO-CPSES officials in resolving certain issues raised by allegor prior to initiation of "Hot-Line Program." Officials requested a reinterview with allegor to insure that his previous concerns about retaliation (denial of pay raise after reporting a quality concern) had been properly resolved.	Confidentiality Not requested	Completed	Reinterview with allegor established that he was not satisfied with previous disposition of his concerns by CPSES officials. Accordingly, the entire matter was "reinvestigated" by Corporate Security, Investigation determined that allegation was unfounded and that allegor had not been improperly denied promotions or pay raises.	Final Report to TUGCO Mgt. and allegor being prepared.
006	1-25-84	Phone	An allegation that B&R supervisory official had instructed workers to circumvent procedures regarding the proper installation of "cable-tray hangers."	Identity Confidential	Completed	(1) Allegation unfounded (2) Visual inspection, interviews and procedural review established that official had instructed employees in accordance with proper procedures and that the cable-tray hangers in question were properly installed.	Report of findings to allegor OK
007	1-25-84	Phone	An allegation that certain "CPSES Procedures" regarding the centralized retention of technical manuals were being violated. (No quality concern expressed)	Anonymous	Referred	This allegation is not within the investigative purview of Corporate Security and has been referred to TUGCO-CPSES officials for appropriate disposition.	Allegation referred to CPSES Mgt. for appropriate review and action.

STATUS SUMMARY
CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
COMANCHE PEAK STEAM ELECTRIC STATION

CONFIDENTIAL

Unique Identifier	Date Received	How Received	Summary of Concern	Status of Alleger	Status of Investigation	Summary of Findings	Final Action
008	1-25-84	Referral from CPSES officials	A referral of an allegation by a B&R QC employee that he was denied unescorted access to Unit #1 as harassment and retaliation for reporting quality concerns.	Referral from TUGCO-CPSES Confidentiality not requested.	Completed	(1) Allegation unfounded. (2) Investigation established that allegor was denied unescorted access for recent conviction on drug charges (3) Denial of access was consistent with established station procedures and practices.	Report of findings allegor. ok
009	2-8-84	Referral from CPSES officials	Numerous specific concerns were expressed by a terminated B&R employee. CPSES referred the following to Corporate Security for investigation: (1) Allegation of on-the-job drug use. (2) Allegation that the "Quality Hot-Line" is not working. (3) Allegation that phones at CPSES are "bugged." (Additional Quality-Concerns expressed by this terminated employee are being investigated by TUGCO-CPSES officials)	Referral from TUGCO-CPSES. Confidentiality not requested	Partially Completed	Due to likelihood of pending litigation involving this allegor, corporate attorneys have advised delaying inquiry re. "Drug use" and "bugging of telephones" at CPSES. A report relative to the operation of the "Hot-Line" has been forwarded to TUGCO-QA for review *Certain aspects of the drug allegation were resolved during the course of a presently on-going drug investigation at CPSES	Pending //

STATUS SUMMARY
 CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
 COMANCHE PEAK STEAM ELECTRIC STATION

~~CONFIDENTIAL~~

Unique Identifier	Date Received	How Received	Summary of Concern	Status of Allegor	Status of Investigation	Summary of Findings	Final Action
010	3/29/84	Phone	Allegation of harassment and intimidation. Certain craft workers are reportedly being coerced into falsifying training documentation by a specific B&R official.	Identity Confidential	Completed	Report presently being prepared	Pending
011	3/23/84	Referral from CPSES officials	Allegation of harassment and intimidation. Certain QA vault workers were reportedly harassed by their B&R supervisor. Additionally, allegor expressed a quality concern relating to procedures for reviewing documentation on "cable-tray hanger" installations.	Confidentiality <u>not</u> requested	Completed	Allegor retracted his "Quality Concern" during inquiry by this office. Investigation of harassment allegation indicate that a B&R supervisor did engage in highly questionable conduct relative to supervision of subordinates. No evidence that this supervisor's conduct involved intimidation or retaliation for expressing quality concerns.	Report of results to allegor is pending TUGCO-QA action

STATUS SUMMARY
CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
COMANCHE PEAK STEAM ELECTRIC STATION

CONFIDENTIAL

Unique Identifier	Date Received	How Received	Summary of Concern	Status of Allegor	Status of Investigation	Summary of Findings	Findings Action
012	3/23/84	Phone	Allegation that serious concrete voids in Unit #2 were not properly documented and were therefore not corrected.	Identify Confidential	In Progress	Numerous attempts have been made to recontact allegor to obtain additional details necessary to properly investigate the concern. The allegor has indicated that he is no longer interested in this matter.	Pendi
013		Phone	Allegation of harassment and intimidation. Allegor states that he was unfairly discharged after questioning lack of procedural safeguards for maintenance of safety-related equipment.	Confidentiality <u>not</u> requested.	In Progress	Preliminary inquiry indicates that this allegor was actually discharged for damaging equipment. Investigation will continue.	Pendi

STATUS SUMMARY
 CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
 COMANCHE PEAK STEAM ELECTRIC STATION

CONFIDENTIAL

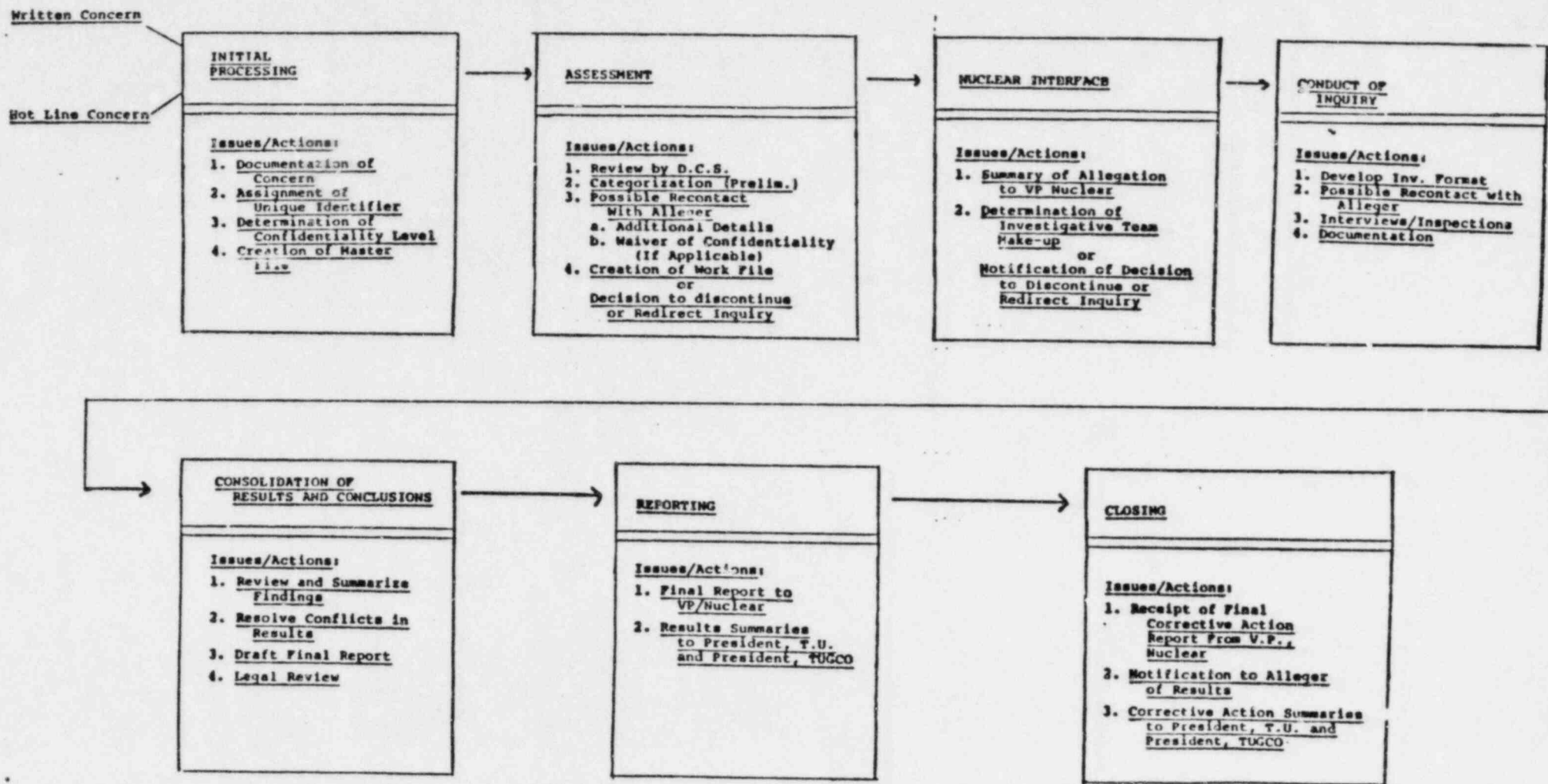
Unique Identifier	Date Received	How Received	Summary of Concern	Status of Alleger	Status of Investigation	Summary of Findings	Final Action
014	4/13/84	Referral from CPSES officials	Allegation of harassment and intimidation. Alleger was reportedly threatened with discharge as a result of his finding "too many problems" in the proper documentation of electrical system installations.	Identity Confidential	In Progress	Allegation of documentation problems have been investigated and addressed by CPSES-QA officials. Allegations of harassment and intimidation are in progress	Pending
015	5/1/84	Referral from CPSES officials	Allegation that craft workers had altered certain documents relative to welds after the welds were inspected and documentation completed by QC.	Confidentiality <u>not</u> requested	In Progress	Pending	Pending

STATUS SUMMARY
 CORPORATE SECURITY QUALITY CONCERN INVESTIGATIONS
 COMANCHE PEAK STEAM ELECTRIC STATION

CONFIDENTIAL

Unique Identifier	Date Received	How Received	Summary of Concern	Status of Allegor	Status of Investigation	Summary of Findings	Final Action
016	5/23/84	Phone	Allegation that a "QC Supervisor" is "intimidating" some QC inspectors in Unit #2.	Anonymous	In Progress	Information furnished by allegor makes investigation of this allegation difficult. Inquiry is underway in attempt to develop additional supportive data.	Pending
017	5/23/84	Phone	A second allegation (different caller) relating to "016" above.	Anonymous	In Progress	Same as "016"	Pending

INVESTIGATIVE SEQUENCING OF QA/QC CONCERNS RECEIVED BY CORPORATE SECURITY



TEXAS UTILITIES SERVICES INC.

Element Ex 3
7/8/84
M.W.

OFFICE MEMORANDUM

Mr. J. S. Farrington
To Mr. M. D. Spence

Dallas, Texas December 19, 1983

Subject Status Report - Hot Line Program
11-15-83 through 12-15-83

The following report represents a summary of Corporate Security activities relative to the recently-instituted "Hot Line Program" during the period noted above.

DESCRIPTION OF COMMUNICATIONS RECEIVED

A total of eight (8) communications were received by Corporate Security through the Hot Line Program during this period. The communications are characterized as follows:

1. Four (4) of the communications (all verbal) involved individuals who wished to express a specific quality concern relative to construction and/or QC inspection activities at CPSES.
2. Two (2) of the communications (one written, one verbal) involved individuals who wished to express their opinions that CPSES was being constructed in a safe and reliable manner.
3. One (1) of the communications (verbal) involved an individual who apparently wished to express his opinion that the "Hot Line Program" was "effective."
4. One (1) of the communications (verbal) involved an individual who was checking on the status of the investigation of his previously-expressed quality concern.

SUMMARY OF QUALITY CONCERNS EXPRESSED

#001 : An allegation that improper acceptance criteria were utilized by Brown & Root QC employees during the inspection of welds on a Unit #2 component.
(Confidentiality requested)

- #002 : Relating to an allegation that certain components of the reactor coolant system were not being insulated in accordance with required procedures. Additional details pending recontact with allegor. (Confidentiality requested)
- #003 : Relating to an allegation that a particular Brown & Root employee is not properly performing "safety-related work." (Confidentiality requested)
- #004 : Relating to an allegation that certain work on a Unit #2 "Condenser Unit" was done improperly. This allegation was referred by TUSI-CPSES officials and further details are pending a meeting with these officials.

SUMMARY OF CORPORATE SECURITY
ACTIVITIES

Administrative

During this initial reporting period specific procedures were developed relative to receipt, processing and investigation of QA concerns received by Corporate Security. These procedures are summarized on the attached chart.

Additionally, an allegation coding system and cross-reference file have been developed in order to (1) reduce the likelihood of duplication of effort by the TUGCO-QA and Corporate Security functions and (2) insure that referrals and requests for assistance from the QA function are properly addressed by Corporate Security.

Investigative

Concern #001: Investigative activity with regard to this Quality Concern has been completed. Analysis of the information obtained in this inquiry indicates that this expressed concern is unfounded and is apparently the result of the allegor's misunderstanding of certain N.R.C.-mandated inspection requirements and procedures. Consolidation of the inquiry results will continue and an appropriate response to the allegor will be drafted for technical and legal review.

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Concern #002: Investigation pending

Concern #003: Investigation pending

Concern #004: Investigation pending

During this reporting period a total of thirty-eight (38) man-hours were expended relative to this program by the Director of Corporate Security.

No contract investigative services were utilized relative to the "Hot Line Program" during this reporting period. However, due to the present number of pending investigations, it is likely that contract investigators will be utilized extensively in conducting allegor interviews during the next reporting period.

David L. Andrews

David L. Andrews
Director of Corporate Security

/la
Attachment

cc: Mr. R. J. Gary
✓ Mr. B. R. Clements

TEXAS UTILITIES SERVICES INC.

Clements Ex W. 4
7/18/84
MN
CONFIDENTIAL

OFFICE MEMORANDUM

Mr. J. S. Farrington
To Mr. M. D. Spence

Dallas, Texas June 25, 1984

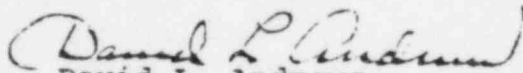
Subject Status Report "Hot Line" Program
5/15/84 to 6/15/84

The present status of all Quality Concern investigations conducted by Corporate Security is summarized on the attached report.

During the reporting period, Corporate Security has received two (2) "Hot-Line" contacts from anonymous callers. (Unique Identifiers C16 and 017 on attached reports.)

Progress on a number of pending investigations at CPSES was limited due to Corporate Security involvement in an on-going drug investigation at CPSES. This drug inquiry is nearing completion and greater progress in resolving other pending matters is expected during the next reporting period.

Should you desire further information please let me know.


David L. Andrews
Director of Corporate
Security

DLA/la

Attachment

cc: Mr. B. R. Clements