

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC
COMPANY, et al

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

Docket No. 50-445
50-446

Deposition of: Ronald L. Dempsey

Location: Glen Rose, Texas
Date: Friday, July 20, 1984

Pages: 70,500-70,514

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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:           :
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TEXAS UTILITIES ELECTRIC    :
COMPANY, et al.             :   Docket Nos. 50-445
                             :                       50-446
(Comanche Peak Steam Electric :
  Station, Units 1 and 2)    :
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Glen Rose Motor Inn
Glen Rose, Texas

July 20 , 1984

Deposition of: RONALD L. DEMPSEY,
called for examination by counsel for Applicant,
taken before Suzanne Young, Court Reporter,
beginning at 1:20 p.m., pursuant to agreement.

1 APPEARANCES:

2 On behalf of Applicant:

3 WILLIAM A. HORIN, Esq.
4 Bishop, Liberman, Cook, Purcell & Reynolds
5 1200 Seventeenth Street, N.W.
6 Washington, D.C. 200367 TRAVIS E. VANDERPOOL, Esq.
8 Worsham, Forsythe, Sampels & Wooldridge
9 25th Floor, 2001 Bryan Tower
10 Dallas, Texas 75201

11 On behalf of Intervenor, CASE:

12 ROBERT HAGER, Esq.
13 Director, Legal Division
14 Christic Institute
15 1324 NorthCapitol Street
16 Washington, D.C. 20002

17 On behalf of the Witness:

18 R. JEFFREY COPPOCK, Esq.
19 Vinson & Elkins
20 First City Tower
21 Houston, Texas 77002

22 On behalf of the NRC Staff:

23 GREGORY A. BERRY, Esq.
24 Office of the Executive Legal Director
25 U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

* * *

By

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I N D E X

<u>WITNESS</u>	<u>EXAMINATION BY</u>	<u>PAGE NO.</u>
Ronald L. Dempsey		
	Mr. Horin	70,506
	Mr. Hager	70,511

*Schack
Gleason
and
Touhy*

* * *

P R O C E E D I N G S

1
2 Whereupon,

3 RONALD L. DEMPSEY

4 was called as a witness by counsel for Applicant and,
5 having been duly sworn, was examined and testified as
6 fo lows:

7 MR. HAGER: With permission of counsel, I would
8 like to make a very brief statement about the timing of
9 this deposition.

10 The deposition with set down for 9:00 a.m.
11 this morning, and the court reporter and all attorneys,
12 other than the Applicants, were ready to go forward at that
13 time. The deposition was then postponed until 11:00
14 o'clock this morning, and the same was true at 11:00
15 o'clock that all parties, other than the Applicant, were
16 ready to go forward.

17 I was then notified that the deposition was
18 postponed until 11:30. And again, we were prepared to go
19 forward at 11:30. It was again postponed until 1:00 o'clock.
20 It is now, by my watch, 1:23, and we are just beginning
21 the deposition. That means that for two witnesses there
22 likely will not be enough time to do adequate cross
23 examination and we will have to deal with that about
24 2:00 o'clock.

25 The Applicants' lawyers were on notice that

1 the Intervenors' lawyers were leaving at 2:00 o'clock sharp,
2 and that will likely present a problem and we will have to
3 deal with it. We should probably stop at about four minutes
4 to 2:00 to put anything further on the record.

5 MR. HORIN: My understanding is that we had
6 originally planning on having a deposition at 9:00 a.m.
7 this morning. I am unaware of interim scheduling times.
8 My understanding is that both Mr. Downey and Mr. Roisman
9 had made agreements with respect to the conduct of another
10 deposition, which has necessitated a postponement from
11 1:00, when we were ready to begin -- to await completion of
12 another deposition at which the NRC Staff attorney was
13 attending.

14 We have asked, and the Staff has agreed, to
15 provide another attorney for this deposition, so we are
16 ready to begin at this time.

17 MR. HAGER: Because of that statement, I'll
18 have to supplement my statement that the delay from 1:00
19 to 1:23 was occasioned by the unavailability of an NRC
20 Staff lawyer; that I was involved in the only meeting that
21 I'm aware of between Mr. Roisman and Mr. Downey, and the
22 only agreement made there was that after 9:00 o'clock, as
23 we were sitting in Mr. Downey's office we agreed to an
24 11:00 o'clock start. Nothing else was agreed to at that
25 meeting. All the delay up to 1:00 o'clock is due to the

1 Applicants.

2 MR. VANDERPOOL: Let me just state without
3 further delay that we will reserve our right to make
4 additional statements as to the circumstances. Let's not
5 delay anymore.

6 MR. HAGER: I'll have to make one further
7 statement. I'm going to have to make a motion to strike
8 all of this testimony if there isn't adequate time for
9 cross examination, and if the Applicants don't make this
10 witness available at a later time.

11 MR. HORIN: You're welcome to make whatever
12 motions you feel are appropriate.

13 My name is William Horin. With me are Travis
14 Vanderpool. We represent the Applicant in the licensing
15 proceeding, Texas Utilities Electric Company. Also with
16 me is Mr. Jeff Coppock, who is an attorney for Brown and Root.

17 Also at the table are the NRC Staff attorney
18 and attorney for CASE, who will introduce themselves.

19 MR. BERRY: Gregory A. Berry for the NRC Staff.

20 MR. HAGER: My name is Rob Hager for the
21 Intervenor.

22 MR. COPPOCK: If I may, before we get started,
23 just briefly enter an appearance. As Mr. Horin mentioned,
24 my name is Jeff Coppock, I'm associated with the law firm
25 of Vinson and Elkins in Houston. I am here representing

1 Mr. Dempsey, the witness in this proceeding, and I would like
2 to emphasize for the record that Mr. Dempsey is appearing
3 here voluntarily without being under subpoena.

4 EXAMINATION

5 BY MR. HORIN:

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

8 A Ronald L. Dempsey.

9 Q By whom are you employed?

10 A By Brown & Root.

11 Q Where do you work?

12 A I work at the Comanche Peak plant in Glen Rose,
13 Texas.

14 Q When did you begin work at Comanche Peak?

15 A January of 1975.

16 Q What is your present position?

17 A I am maintenance general foreman at this time.

18 Q Is that over a particular area or activity?

19 A We handle air conditioning, we handle all
20 temporary electrical power to the buildings, and all
21 electrical supply to the plant. Temporary.

22 Q How long have you been in that position?

23 A In the general foreman position, six months.

24 Q And what position did you hold prior to that
25 time?

1 A I was a foreman.

2 Q Over the same activities?

3 A Over the same activities, yes.

4 Q How long did you hold that position?

5 A For a year.

6 Q What was your position prior to your foreman's
7 position?

8 A I was a journeyman electrician for the
9 maintenance department.

10 Q And about how long did you hold that position?

11 A Five years.

12 Q What are your responsibilities with respect to
13 the maintenance of air conditioning units at Comanche Peak?

14 A We maintain them, install them, keep them
15 running and keep electricity to them, service them.

16 Q Which air conditioning units are you in charge
17 of the maintenance of?

18 A All temporary, and construction buildings
19 around the plant site.

20 Q Those are window units?

21 A Window units, the majority. We have some
22 central units but the majority are window units.

23 Q Do you ever have any maintenance problems with
24 those air conditioners?

25 A We have lots of problems with the window units

1 on the project.

2 Q What kind of problems are those?

3 A Well, dirt, heat -- just general overworked units.
4 From inadequate buildings. It's a construction site and
5 the buildings are not designed as a house or a home or
6 whatever. Some of the units in them have to run full time,
7 and you've got all dirt around the plant. There's no grass
8 covering. You get a lot of dirt and the fans pick up the
9 dirt and jam up, and it shuts the units down from heat
10 buildup in them.

11 Q In view of these problems, do you regularly have
12 air conditioning units breaking down?

13 A Every day we have air conditioning units
14 that go down.

15 Q How do people at the site obtain the services
16 of your group to repair those units?

17 A You make a phone call over to the maintenance
18 shop and we write them on a list with all the other calls
19 that we have for the day, and we work them as we get to them.

20 Q Do you get requests for repairs regularly?

21 A Yes. Real regular.

22 Q Several a day?

23 A I would say an average of 10 to 15 per day.

24 Q How many air conditioning units are there at
25 the site?

1 A Approximately 600 window units at this time.

2 MR. HAGER: I'm going to have to interpose an
3 objection at this point. I've let this go on for quite
4 some time without any basis of relevance for these questions.

5 So you're going to have to link this up to
6 something that's relevant to this case before too many more
7 questions.

8 MR. HORIN: I have one last question, but before
9 I ask that last question I will state the relevance of this
10 matter. Mrs. Stiner has alleged that she was unable to
11 obtain --

12 MR. HAGER: You don't have to restate the record
13 for me. You have to link up the testimony you're eliciting
14 now to this case. You can do that through a question of this
15 witness and then state the relevance. In other words, you
16 have to link it to an air conditioner that's relevant to
17 Mrs. Stiner.

18 MR. HORIN: We're presenting here evidence with
19 regard to the general nature of the maintenance of air
20 conditioners at Comanche Peak and the type of maintenance
21 difficulties that occur at Comanche Peak, and the manner in
22 which the air conditioning units are repaired, and how long
23 it takes for those repairs to be accomplished, which are
24 matters directly relevant to the allegation by Mrs. Stiner
25 that she was unable to obtain repair of an air conditioner

1 within a certain period of time.

2 MR. HAGER: I hate to belabor this any longer,
3 but how it is done today is irrelevant to how it was done
4 in 1982 and how it was done at that particular shack when
5 Mrs. Stiner was there in 1982. So you have to link it up.

6 MR. HORIN: You may retain your objection. We
7 will continue with our questioning.

8 BY MR. HORIN:

9 Q Mr. Dempsey, approximately how long does it
10 take for you to obtain or to complete maintenance on air
11 conditioners once you obtain a request for maintenance?

12 A If, say, the unit is dirty or clogged up or
13 has a leak, leaks freon, we're talking from one to three
14 days. If we're talking buying a compressor or putting a
15 fan or motor in, if it's major work, it could be two to
16 three weeks to get the parts in, something like that. And
17 some parts could be a longer wait than that, if it's an
18 odd brand unit or something. It could be longer on getting
19 the parts.

20 MR. HAGER: Objection on the same grounds.
21 Unless you link it up to the air conditioner that was
22 involved in the incident that has been described in the
23 record by Mrs. Stiner, this is all irrelevant.

24 MR. HORIN: I've already noted my response to
25 that objection. I pass the witness.

EXAMINATION

BY MR. HAGER:

Q Do you know Mrs. Stiner? Have you ever met her?

A No, sir.

Q Were you repairing air conditioners in 1982?

A No, sir, I was working with maintenance in 1982.

Q Did you have anything to do with maintaining
air conditioners in the second half of 1982?

A No, sir. I worked maintenance for electrical.

Q Have you ever -- what were you told about why
you were brought here to testify?

A I wasn't told why I was brought here. I was
just asked the basic, what I was just asked.

Q When did you know you were going to come here
to testify?

A Today.

Q What time?

A 10:00 o'clock.

Q Ten o'clock today?

A Maybe five after.

MR. HAGER: I will move to strike all his
testimony as being irrelevant, and I will pass the witness.

MR. BERRY: No questions. The Staff would
reserve any response to any of the motions made here by
Applicant or the Intervenor today, until some other time.

1 We choose not to respond right now.

2 MR. HORIN: Applicants have been notified of
3 your response to these objections, and we also reserve
4 the right to provide further responsive answers to whatever
5 objections may be made.

6 MR. HAGER: I have one more question. This
7 could be helpful to you.

8 BY MR. HAGER:

9 Q Do you know anything about allegations that
10 have been made by Darlene Stiner in this case about the
11 failure of an air conditioning unit in the shack that she
12 was assigned to in 1982?

13 A No, sir, I don't.

14 Q Do you know where the shack was located?

15 A I do now.

16 Q Who told you?

17 A Mr. Horin here. We discussed where it was at.
18 That's all I know about it.

19 Q Did you ever work in that shack?

20 A Yes, I have worked in that shack.

21 Q Did you work in that shack in 1982 at that time?

22 A I couldn't truthfully say if I did.

23 Q Did you ever work on an air conditioning unit
24 in that shack?

25 A No, sir, I haven't.

1
2 MR. HAGER: Okay.

3 MR. COPPOCK: I have no questions.

4 MR. HAGER: I'm sorry, I ask your indulgence.
5 I have one more question.

6 BY MR. HAGER:

7 Q You have mentioned your average turnaround time
8 on repairing an air conditioner. What is your average
9 turnaround time for responding to a request -- simply going
10 to look at the air conditioner?

11 A It could be two to three days to go look at it,
12 depending on how many were in front of it.

13 Q And how many would have to be in front of it
14 in order for it to take two or three days?

15 A Well, depending on the severity of the other
16 units and the availability of hands at that time. It could
17 still be within three days, sir.

18 Q Okay. Is that normal, to take two or three days?

19 A Yes, sir.

20 Q So what would you say is the average time to
21 respond to requests to simply go look at an air conditioner?

22 A I don't -- if they call to come look at, we
23 go look at it when we have time to fix it. We don't just
24 go look at it. If we're working on another one, we have
25 to get it going and then go catch the next one in order as

1 they come. I don't send anybody out to look at just to say
2 yes it's broke or it's not broke.

3 Q I understand that now. What is the average time
4 to go take a look at it?

5 A One to three days.

6 Q One to three days, okay.

7 MR. HAGER: Okay.

8 MR. HORIN: No further questions.

9 MR. COPPOCK: I have no questions.

10 (Whereupon, at 1:40 p.m., the deposition of
11 Mr. Dempsey was concluded.)

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17 _____
RONALD L. DEMPSEY
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CERTIFICATE OF PROCEEDINGS

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

In the matter of: Texas Utilities Electric Company, et al.
Deposition of Ronald L. Dempsey

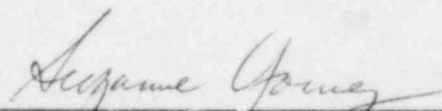
Date of Proceeding: Friday, July 20, 1984

Place of Proceeding: Glen Rose, Texas

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

SUZANNE YOUNG

Official Reporter - Typed



Official Reporter - Signature