

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: Dennis Kevin Culton

Location: Glen Rose, Texas

Pages: 58,500-58,591

Date: Wednesday, July 25, 1984

TR 010/1

*Original to E. Pleasant
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

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

Glen Rose Motor Inn
Glen Rose, Texas

July 25 , 1984

Deposition of: Dennis Kevin Culton
 called for examination by counsel for Intervenor, CASE
 taken before Sandra Harden Court Reporter,
 beginning at 8:19 p.m., pursuant to agreement.

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1 APPEARANCES:

2 For the Applicants, Texas Utilities Electric
Company, et al:

3 LEONARD BELTER, ESQUIRE
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6 For the Nuclear Regulatory Commission Staff:

7 GEARY S. MIZUNO, ESQUIRE
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10 JUANITA ELLIS, PRESIDENT
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12 For the Intervenor, Government Accountability Project:

13 ELOY GAITAN, LEGAL INTERN
Government Accountability Project
14 1555 Connecticut Avenue, Northwest
Washington, D. C. 20009

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19
20 ALSO PRESENT:

21 Jerry Ellis
22
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I N D E X

<u>WITNESS</u>	<u>VOIR DIRE</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Dennis Kevin Culton					
by Mr. Gaitan		58,503			
(resumed)		58,517			
by Mr. Belter			58,523		
by Mr. Mizuno	56,516		58,578		

E X H I B I T S

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>
Culton Exhibit No. 1	58,504
Culton Exhibit No. 2	58,512
Culton Exhibit No. 3	58,582

P R O C E E D I N G S

1
2 MR. GAITAN: My name is Eloy Gaitan. I'm
3 with Government Accountability. I am a legal intern. I
4 am here to assist CASE, and President Juanita Ellis is
5 also present.

6 I'd like to start the deposition of Mr.
7 Dennis Culton.

8 Would you please state your name for the
9 record?

10 MR. CULTON: My name is Dennis Kevin Culton.

11 MR. GAITAN: Mr. Culton, were you ever
12 employed at Comanche Peak Steam--

13 THE REPORTER: Would you like the witness
14 sworn?

15 MR. GAITAN: Yes, I would. I'm sorry.
16 Thank you for the retraction.

17 Whereupon,

18 DENNIS KEVIN CULTON,
19 the Deponent herein, having been first duly sworn, was
20 examined and testified upon his oath as follows:

21 DIRECT EXAMINATION

22 BY MR. GAITAN:

23 Q Mr. Culton, have you ever been employed at
24 Comanche Peak Steam Electric Station?

25 A Yes, sir.

1 Q At the time, were you-- well, were you
2 fired, were you laid off, or did you walk off of your own
3 accord?

4 A I quit on my own accord.

5 Q Mr. Culton, at this time, I would like--
6 Well, strike that.

7 MR. GAITAN: I'd like to have this marked
8 for identification by the Court Reporter.

9 MR. BELTER: You want to describe what it
10 is?

11 MR. GAITAN: It's a affidavit of Mr. Dennis
12 Culton.

13 MR. BELTER: Is there a date on it?

14 I just want to make sure we all have the
15 same thing. June 29, 19....

16 MR. GAITAN: '83.

17 MR. BELTER: '83. Thank you.

18 (The document referred to was
19 marked for identification as
20 Culton Deposition Exhibit No. 1.)

21 MR. GAITAN: Thank you.

22 MR. MIZUNO: Are we identifying this as
23 Culton Exhibit 1?

24 MR. GAITAN: We can. I'd like to ask Mr.
25 Culton to identify it first, and then enter it into evidence.

1 BY MR. GAITAN:

2 Q Mr. Culton, would you please tell me if
3 you've seen that document before.

4 A Yes, sir, I have.

5 Q Would you please tell me what it is.

6 A It seems to be....

7 (Examination of the referred-to document
8 by the witness.)

9 It's the transcript that I have dictated
10 to.... (Pause.)

11 This is the one I gave before the Nuclear
12 Regulatory Commission. Actually I had forgotten which
13 one it was. This is--

14 Q Okay. Let me just ask you: Is this document
15 your affidavit to Miss Juanita Ellis?

16 A Yes, it is.

17 Q Okay.

18 MR. GAITAN: I'd like to enter this document
19 into evidence as Exhibit 1.

20 MR. MITZUNO: Objection.

21 MR. BELTER: You're offering his own
22 affidavit into evidence?

23 MR. GAITAN: Into evidence, yeah.

24 MR. BELTER: I'll reserve objection. If
25 he's going to repeat everything he said in this affidavit

1 today, it doesn't make any difference.

2 MR. MIZUNO: The Staff does want to object,
3 though, at this time since-- And I have a little statement
4 to read directly--

5 MR. GAITAN: Please do.

6 MR. MIZUNO: The scope of this evidentiary
7 deposition, as established by the Atomic Safety and Licensing
8 Board is limited to the taking of evidence and making of
9 discovery on harassment, intimidation or threatening of
10 Quality Assurance/Quality Control personnel at Comanche
11 Peak.

12 With one exception, not here relevant,
13 allegations regarding harassment or intimidation of craft
14 personnel have been specifically ruled by the Board to be
15 beyond the scope of this proceeding.

16 In its June 27th, 1984 letter, CASE identified
17 an incident and the subject matter which they wished Mr.
18 Culton to testify about. The NRC Staff does not agree with
19 CASE that this incident and subject matter are proper areas
20 for examination in this proceeding.

21 The Staff has previously indicated its
22 objection to the relevancy of their subject matter and
23 reiterates that the Quality Assurance/Quality Control
24 contention admitted by the Atomic Safety and Licensing
25 Board relates to whether or not Applicants have complied

1 with the requirement of 10 CFR, Part 50, Appendix B in the
2 design and construction of the Comanche Peak Steam Electric
3 Station.

4 More specifically, with regard to the
5 allegations concerning intimidation, the issue is whether
6 there have been any incidents or actions or statements by
7 Applicants and their subcontractors which have caused Q
8 inspectors or other QA personnel, within the Applicant's
9 QA/QC organizations, to fail to comply with the written
10 provisions of the Applicant's QA/QC program and whether
11 such incidents or actions became known to the Applicant's
12 management.

13 It is the NRC Staff's position that the
14 NRC Staff's response to allegations of intimidation or
15 harassment of QA/QC personnel at Comanche Peak is outside
16 the scope of the issues in this proceeding.

17 The NRC Staff counsel's review of the
18 affidavit of Dennis Culton indicates that the subject
19 matter to be addressed in this affidavit is the NRC Staff's
20 response to Mr. Culton's giving of a statement and an
21 interview to Region 4 personnel of the NRC.

22 The Staff believes that this matter is
23 outside the scope of this proceeding and hereby objects to
24 the affi-- introduction of the affidavit of Dennis Culton
25 and any further testimony on this incident by Mr. Culton.

1 Thank you.

2 MR. GAITAN: Thank you for your statement.

3 MR. BELTER: If I might, I agree a hundred
4 percent with Mr. Mizuno.

5 Why don't we go ahead and see-- Rather than
6 calling the Board, why don't we go ahead and proceed with
7 the deposition and we can make whatever motions we have at
8 the end of it.

9 MR. MIZUNO: I don't think we need to call
10 the Board.

11 MR. GAITAN: Well, the objection has been
12 noted, and the Judge will rule. I would offer my exhibit
13 into evidence.

14 MR. MITROVICH: Are you going to read this
15 thing in?

16 MR. MIZUNO: I think there also has to be
17 some foundation that he adopts it as his statement and
18 that he believes all the statements to be true and correct.
19 At minimum.

20 MR. GAITAN: Could we go off the record,
21 please?

22 (Discussion off the record.)

23 MR. GAITAN: Could we go back on the
24 record?

25 //

1 BY MR. GAITAN: (Resuming)

2 Q Mr. Culton, do you agree with everything
3 stated in this affidavit?

4 A Yes, sir, I do.

5 Q All right. Thank you.

6 MR. GAITAN: Now I'd like to submit this
7 for evidence, please.

8 MR. BELTER: Same objections.

9 MR. MIZUNO: Same objections here.

10 MR. GAITAN: Objections noted.

11 BY MR. GAITAN:

12 Q Mr. Culton, do you know of any allegations
13 which were Q Safety related matters that you brought to
14 attention of the NRC in order to have the problems corrected,
15 or at least looked into?

16 A Yes, sir.

17 Q Could you tell us what those allegations
18 concerned?

19 MR. BELTER: I'm going to object again.
20 These are safety related allegations, not allegations of
21 harassment of QC inspectors?

22 MR. GAITAN: Yes, sir.

23 MR. BELTER: Okay. Same objections.

24 MR. MIZUNO: And the Staff. I'm not going
25 to repeat it. I think his testimony is going to be--

1 MR. BELTER: We have a continuing objection.

2 MR. GAITAN: Right. That's understood.

3 BY MR. GAITAN: (Resuming)

4 Q What were the allegations concerning?

5 A The quality control ca-- Q cable that was
6 spliced.

7 Q Was the spliced cable according to procedure?

8 A No, not to my knowledge.

9 Q What did you do or attempt to do to have
10 the matters corrected, Mr. Culton?

11 A I reported it to my immediate supervisor.

12 Q Did you report the problem, or the allegations,
13 to anyone else or any organization?

14 A Yes, sir.

15 Q Who was that organization?

16 A The Nuclear Regulatory Commission.

17 Q Did you ever meet with the Nuclear
18 Regulatory Commission or members of that organization?

19 A Yes, sir, I did.

20 Q How long did that meeting last?

21 A Approximately an hour and forty-five
22 minutes.

23 Q Who was present at that meeting, Mr. Culton?

24 A I'm sorry, but I can't remember all the
25 names right offhand. One that I can answer is Mr. Stewart,

1 Mr. Herr....

2 I'm sorry about the last name. I can refer
3 to that document--

4 MR. BELTER: Do you have the transcript of
5 it? I think we brought our copies of it.

6 MR. GAITAN: Yes, I do. Yes, I do.

7 I'll just go ahead.

8 BY MR. GAITAN: (Resuming)

9 Q Mr. Culton, have you seen this transcript?

10 (The document referred to was placed before
11 the witness.)

12 A Yes, sir.

13 Q Could you please identify the transcript?

14 A This is a transcript taken during the
15 Nuclear Regulatory Commission meeting at Arlington.

16 MR. GAITAN: I would like the Madam Reporter
17 to please identify this.

18 MR. BELTER: How many--

19 MR. GAITAN: To mark it for identification.

20 MR. BELTER: How many pages is this?

21 MR. GAITAN: I believe it's thirty-nine.

22 MR. BELTER: Thirty-nine pages. And first
23 page says: CASE Attachment 10, 11-8-82 Interview at NRC
24 Region 4 Offices.

25 //

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

4 MR. BELTER: Can I ask you a question
5 about that, Mr. Gaitan?

6 MR. GAITAN: Yes.

7 MR. BELTER: Are you familiar with the
8 circumstances under which this transcript was prepared?

9 MR. GAITAN: Yes, I am.

10 MR. BELTER: I'm not. I think I have some
11 familiarity, but I'm not sure about that.

12 MR. GAITAN: Yes, I am.

13 I would like to enter it into evidence as
14 an unofficial transcript of a meeting between the NRC and
15 Mr. Dennis Culton.

16 MR. BELTER: Am I correct that this is a
17 transcript prepared by the court reporters in this case
18 from a tape recording made by Mr. Culton in the course of
19 the interview?

20 MR. GAITAN: This transcript itself was
21 tape recorded by both Mr. Culton and Mrs. Juanita Ellis.

22 MR. BELTER: Right. But who typed this out?

23 MR. GAITAN: Mrs. Juanita Ellis, President
24 of CASE.

25 MR. BELTER: Okay. Because the reason I

1 asked is that I got another one that was given to me today
2 when I came up here that is dated July 18, 1984, which
3 apparently was done--

4 MR. MIZUNO: That's correct, Mr. Belter.
5 The--

6 MR. BELTER: Is it the same one?

7 MR. MIZUNO: No, it isn't. And I would
8 oppose introduction of CASE Attachment 10, which is Mrs.
9 Ellis's transcript, and suggest that if any interview
10 transcription is going to be offered into evidence that it
11 be the transcription taken by the court reporter in this
12 case, which I believe all parties have been provided with.
13 It is the document that Mr. Belter was referring to that
14 was dated July 18th, 1984.

15 MR. BELTER: Well, I'm willing to agree
16 that the document dated July 18, '84 was taken off of this
17 same tape recording, and that's all I'll agree to. I mean,
18 I have no way of knowing what was tape recorded or not.

19 But it seems to me that this one may be--
20 the one taken July 18 may be better than the earlier one.

21 MR. MIZUNO: Yes. The Staff all agree--

22 MR. BELTER: You can offer them both, if
23 you want.

24 MR. GAITAN: Can we go off the record, please?

25 (Discussion off the record.)

1 MR. GAITAN: Let's go back on the record,
2 please.

3 MR. BELTER: Let's go back on the record.

4 MR. GAITAN: I have not had an opportunity
5 to see the November 3th, 1982 issue, which was through the
6 Nuclear Regulatory Commission. Therefore,--

7 MR. MIZUNO: Excuse me. That was the
8 July 18th.

9 The actual transcription was made on July
10 18th by the court reporter.

11 MR. BELTER: Let me just make one thing
12 clear, if I may, to you, and that's there is, on this
13 July 18, 1984 transcription, the following statement that
14 was put in here by the court reporters, and it reads:

15 "Disclaimer: This transcript has been
16 prepared from a furnished tape recording provided by the
17 Intervenor CASE. Speaker designation are alleged and do
18 not appear and are not indicated in the tape recording.
19 This is not a certified transcript."

20 I'm representing that the July 18, 1984 is
21 a transcription from the tapes provided to us by the
22 Intervenor CASE and that the recording company, Taylor
23 Associates, has done that accurately. And that's all I
24 can represent about that.

25 MR. GAITAN: Well, I personally cannot be

1 totally satisfied that this is a copy of the tape unless
2 I myself have read it.

3 MR. BELTER: Well, I can appreciate that.
4 And I think we can appreciate why I cannot agree that your
5 copy of the transcription is anything close to the tape
6 recording because I haven't heard the tape recording either.

7 MR. GAITAN: That would be just--

8 MR. BELTER: But we do have an official
9 court reporter who has transcribed the tape recording.

10 MR. GAITAN: If I am not mistaken, you do
11 have a copy.

12 MR. BELTER: I have copies of both.

13 MR. GAITAN: Of both.

14 Mr. Mizuno?

15 MR. MIZUNO: Yes, I have copies of both.

16 MR. GAITAN: It would seem only fair to me,
17 since we have not had a copy of this July 18th transcrip-
18 tion, that we cannot enter both of these into evidence.

19 MR. BELTER: Well, you can't enter one with-
20 out the other, I can assure you of that.

21 If it's fair for you to enter one, it's
22 fair for us to enter the other. I'm not going to stop you
23 from entering yours.

24 MR. MIZUNO: Well, I am.

25 MR. BELTER: Well, you can object, and I

1 object, too. But we have the same continuing objection.

2 Why don't you go ahead and proceed with
3 whatever you're satisfied to proceed with?

4 MR. GAITAN: Okay.

5 BY MR. GAITAN:

6 Q Mr. Culton, could you please identify this
7 document?

8 A Yes, sir.

9 As I stated previously, this is the copy that
10 was-- seems to be type up after the conversation with the
11 Nuclear Regulatory Commission in Arlington, Texas.

12 MR. MIZUNO: I have a limited voir dire on
13 that-- on this document.

14 VOIR DIRE EXAMINATION

15 BY MR. MIZUNO:

16 Q Mr. Culton, did you review this document
17 and compare it with the tape recording, or tape recordings,
18 of the interview to determine that this document accurately
19 reflects the tape recording?

20 A Yes, sir. I compared it to my original--
21 my copy, to my tape.

22 Q Okay. And when did you do that?

23 A Shortly after this was given to me.

24 MR. MIZUNO: Okay.

25 MR. GAITAN: Okay. I'd like to proceed.

1 DIRECT EXAMINATION (Resumed)

2 BY MR. GAITAN:

3 Q Based on this document that you've identified,
4 Mr. Culton, do you reasonably believe that this unofficial
5 record reasonably represents the meeting at the NRC?

6 A Yes, sir.

7 Q Does this transcript reasonably represent
8 the NRC's conduct?

9 MR. MIZUNO: Objection. Conduct cannot be--

10 MR. BELTER: I have the same objection.

11 I think what you're saying is it reasonably
12 represents what was said. There's nothing on either of
13 these things that indicates tone of voice, verbal movements,
14 stalking around the room, that type of thing.

15 MR. MIZUNO: That's what I was going to say.

16 MR. BELTER: All we've got are the words
17 that were spoken.

18 Do you have any problem with that, Mr.
19 Culton? Does it reasonably represent the words that were
20 spoken? Is that what you're saying?

21 THE WITNESS: I think that, you know, what
22 you read-- what you can read and what was actually said
23 and the tone of voice that it was said is two different
24 things.

25 MR. BELTER: Your counsel can ask you about--

1 BY MR. GAITAN: (Resuming)

2 Q Could you elaborate on that, please?

3 A Yes, sir.

4 As in the tone of voice?

5 Q What did you feel at the meeting when you
6 were at the NRC?

7 A Okay.

8 MR. MIZUNO: Objection. I believe that that--
9 The answer to that question is not relevant to determine
10 the authenticity or the accuracy of this document, as far
11 as the words that are spoken. And that's, right now, the
12 limited purpose-- I mean, that's the immediate inquiry
13 that we're dealing with right now.

14 MR. GAITAN: The objection is noted.

15 BY MR. GAITAN:

16 Q Mr. Culton, could you give us a brief
17 synopsis of the meeting itself?

18 A The meeting itself that took place at the
19 Nuclear Regulator Commission at Arlington--

20 You're asking, I think, as what went on
21 during that meeting?

22 Q Yes, Mr. Culton.

23 A Okay. What we had talked about?

24 Q Yes, we can start-- What did you talk about
25 during this meeting?

1 A Okay. We-- What we wanted to cover was
2 a Q cable that was spliced, and I wanted to find out if
3 they were going to do anything about it or not.

4 I had other information that I was going to
5 give the Nuclear Regulatory Commission or any other organiza-
6 tion that wished to have it if they followed through and
7 let me know that the Q cable-- well, what the status was
8 on the Q cable.

9 Q Okay. Mr. Culton, did you feel pressured
10 or even discouraged when you presented these allegations
11 to the NRC?

12 A Yes, sir, most definitely.

13 Q Could you give us a brief synopsis of that,
14 please?

15 A Yes, sir.

16 With the three other people that were there,
17 Mr. Stewart-- or, I should say, Mr. Robert Stewart, Mr.
18 Dan Toplinson-- Tomlinson, and Richard Herr, literally
19 badgered me with questions. It was just-- The only way
20 I can really describe it is a Gestapo attitude with one
21 person hitting with very detailed-- or, I should say, just
22 questions right off the bat while another one was sitting
23 back and asked a little bit more detail, and Mr. Herr asked
24 very detailed and specific questions.

25 All these were translated rapidly. I felt

1 I was badgered. Sometimes I was not able the questions in
2 as full extent as I wanted to.

3 It was, to me, a very upsetting thing.

4 Anybody else was there-- I shou'd say, if Miss Juanita Ellis
5 was there-- was not there with me, I would have literally
6 walked out. I am not adapt (sic) to foul language.

7 I was put in a position I felt that I-- I
8 even used foul language. I was upset.

9 And several times, we attempted to cut the
10 meeting off and go ahead and leave.

11 But I felt that the information that I had
12 was something that was needed to relay-- needed to have
13 been relayed. And if they're going to do something about
14 it, fine. If they're not, then let's let it go.

15 Q Mr. Culton, were you ever contacted by
16 anyone else from the NRC?

17 A Yes, sir, I was.

18 Q And who was that person?

19 A Mr. Stewart.

20 Q What did Mr. Stewart want?

21 A Mr. Stewart wanted me to come by and sit
22 down with him and go over the information that I had--
23 well, to discuss the information that I have.

24 Q Did you give Mr. Stewart any of your docu-
25 ments which he wanted or information which he wanted?

1 A No, sir, I did not.

2 Q Did you feel discouraged or pressured when
3 you did talk to Mr. Stewart?

4 A Yes, sir, I did.

5 Q Could you tell us how you felt pressured or
6 discouraged? Or why?

7 A Actually, I believe it is related to the
8 meeting that we had with Mr. Stewart, the way his conduct
9 during the meeting with him talking out loud. He seemed
10 that he was not interested in what I had to give him.
11 More or less, he was questioning me, as he did over the
12 telephone conversation.

13 He continued to question me and really just
14 didn't believe what I had to say. So, therefore, --

15 MR. MIZUNO: Objection.

16 A (Continuing) --I didn't have anything to
17 say to him.

18 MR. MIZUNO: Objection.

19 MR. GAITAN: Grounds?

20 MR. MIZUNO: On the grounds that he is
21 testifying as to what Mr. Stewart believed, and he can't
22 testify to what Mr. Stewart believes, since that's in his
23 mind. All he can testify to is what he felt and what Mr.
24 Stewart did, you know, actions, and his interpretation of
25 what those actions were.

1 MR. GALTAN: The objection's been noted.

2 BY MR. GALTAN:

3 Q Could you please repeat how you felt
4 personally when talking to Mr. Stewart?

5 A I felt that Mr. Stewart was continuing his
6 badgering. He was continuing-- It was really the same
7 thing that went on during that meeting.

8 I still felt intimidated by Mr. Stewart.

9 Q Why did you not give Mr. Stewart any of the
10 information?

11 A I didn't think that Mr.--

12 Q That he asked for.

13 A I didn't think that Mr. Stewart or the
14 Nuclear Regulatory Commission was interested in what I had.

15 Q And why did you not think that?

16 A Due to the conduct of the meeting that we
17 had. Of course, they wanted the information that I had,
18 but I didn't feel that they were going to do anything about
19 it.

20 Q Okay. I'd like to return back to this
21 transcript of the NRC.

22 MR. GALTAN: Mr. Belter, I would like to
23 submit this. I would--

24 MR. BELTER: You can offer it. We object.

25 MR. MIZUNO: And the Staff objects, too.

1 The Board will ru on it later.

2 MR. GAITAN: Okay. I'd like to enter that
3 as evidence, CASE Attachment 10, Interview at NRC Region
4 Office at Arlington, Texas between Dennis Culton and
5 the U.S. Regulatory Commission (sic).

6 MR. BELTER: That's it.

7 MR. GAITAN: That's it.

8 CROSS-EXAMINATION

9 BY MR. BELTER:

10 Q Mr. Culton, just to get a few things clear
11 on the record, when did you leave your job at Comanche
12 Peak?

13 A I do not recall the date.

14 Q Approximate time frame?

15 A I do not recall, sir.

16 Q Was it 1980?

17 A I really don't know.

18 Q When did you start there? 1975?

19 A No, sir. It was approximately 1980.

20 Q You started approximately 1980. Do you
21 recall approximately how long you worked there?

22 A For one year.

23 Q For one year. So, it would have been 1980,
24 maybe into '81?

25 A Yes, sir.

1 Q You indicated that the reason you went to
2 the NRC was to express concerns about the Q cable splicing.

3 A Yes, sir.

4 Q And you intended to give them some other
5 information that you felt they dealt adequately with the
6 Q cable splicing? Is that a fair statement? That's what
7 I understood you to say.

8 A Yes, sir, that's true.

9 Q During the course of the interview with
10 the NRC, did you attempt to give them other information
11 about other things?

12 A No, sir.

13 Q Have you looked at any documents in
14 preparation for your deposition here today?

15 A Yes, sir, I have.

16 Q Have you looked at this transcript?

17 A Yes, sir, I read it today.

18 Q Are there other things in that transcript
19 that concern you, besides the Q cable? Or is that
20 basically it? Safety related, I mean.

21 A There are other items in there that--
22 could you ask that question one more time,
23 please?

24 Q Yes. Is there some other safety-related
25 item that you discussed in this transcript, besides the

1 Q cable?

2 A Yes, sir, I believe so.

3 Q What made you decide to talk about that
4 other item or items?

5 A It's a project that I had worked on when I
6 was at the nuclear power plant.

7 Q Now, I'm a little confused here. I thought
8 you were telling me that you intended to go in there and
9 talk to them about the Q cable and if you felt satisfied
10 that they were taking appropriate action with respect to
11 the Q cable, you would then give them other information.

12 Are you retracting that statement? Or did
13 you intend to give them everything you knew when you went
14 in there?

15 A If they were going to do something about
16 the Q cable, then I would have gladly turned over any and
17 all other information that I had to them.

18 Q Okay. Now, during the course of this
19 interview, didn't you attempt to give them other information
20 which you felt was relevant? To the best of your ability
21 at that time?

22 A I really don't recall.

23 Q You don't recall talking to them about
24 drawings having to do with pipe hangers, for example?

25 A Yes, sir.

1 Q Well, was it a decision you made on the
2 spot to try and give them some information about pipe
3 hangers?

4 A It possibly was.

5 Q Does that indicate that you felt satisfied
6 at the time you volunteered that information that they
7 were going to do something about Q cable?

8 A No. But I felt that if they found that I
9 actually did have other information to give them, then
10 they would listen further.

11 Q Well, isn't it correct, Mr Culton, that
12 the reason you talked to them about the pipe hangers was
13 because they asked you about it?

14 A That's true.

15 Q And is it your testimony that you don't
16 think they were interested in any of these other items?

17 A Yes, sir, I believe.

18 Q Do you have any idea why they asked you
19 about them?

20 A Just to find out what I knew.

21 Q And you have speculated, I think, that, in
22 your words, "they were not interested".

23 Now, I'm going to ask you to speculate now:
24 What would be their motive in asking you about the pipe
25 hangers? What do you think their motive was?

1 MR. GAITAN: I object.

2 MR. BELTER: Good. We'll strike all his
3 speculation about their motives-- their lack of interest.

4 BY MR. BELTER:

5 Q He's objected. You can answer, Mr. Culton.

6 A All right. Ask the question one more time,
7 please

8 Q Yes. What do you speculate was their motive
9 in asking you for this other information that you had?

10 A I really don't know.

11 Q Was this interview initiated at your request?

12 A Yes, sir, it was.

13 Q Wh did you call?

14 A Who did I call?

15 Q Yes. Who did you ask to have this interview?

16 A The Nuclear Regulatory Commission contacted
17 me.

18 Q In other words, it was initiated at their
19 request.

20 A The original....

21 Q The interview that we're talking about
22 here, the one that you have offered--

23 A Okay.

24 Q --the transcribed portion of, was initiated
25 at their request,--

1 A That's correct.

2 Q --wasn't it?

3 Is it still your testimony that they weren't
4 interested?

5 A Yes, sir.

6 Q Could you explain to me what you think their
7 motive was in asking you to come in for an interview if
8 they weren't interested in hearing what you had to say?

9 A I think that they did it on the accord of--
10 I think it was the Atomic Energy Commission-- when I
11 gave a statement to the Atomic Energy Commission, they
12 requested--

13 Q You made a limited appearance--

14 A Yes, sir.

15 Q Excuse me. I didn't mean to cut you off.

16 A All right.

17 Q You made a limited appearance statement.

18 A Right, limited appearance statement.

19 Q And they read that statement, you think.

20 A I think so.

21 Q And then they called you in and asked you
22 a lot of questions about it. Is that fair?

23 A That's fair.

24 Q And you don't think they were interested.

25 A That's right.

1 Q Why do you think they called you in to ask
2 you all these questions if they weren't interested in your
3 answers?

4 A Honestly, I believe it was just somebody
5 told them to do it. It was pretty much to sweep it all
6 under the rug. Somebody higher up said do it, so they
7 jumped.

8 MR. GAITAN: I'm objecting to this line of
9 questioning. It calls for the witness's speculation.

10 MR. BELTER: Sure does. I agree with you
11 a hundred percent.

12 BY MR. BELTER:

13 Q Mr. Culton, would you agree with me that
14 you're speculating when you say they're not interested in
15 the answers to your questions?

16 A Yes, sir.

17 Q Would you be willing to retract that
18 speculation, sir?

19 A No.

20 Q Would you speculate with me, then, as to
21 who it was that told these gentlemen to call you in because
22 they weren't interested?

23 A Ask the question again, please?

24 Q Who do you think it was that told Mr.
25 Stewart and Mr. Herr to call you in and ask you these

1 questions?

2 A I have no idea.

3 Q Is it your testimony that you got upset
4 during this interview?

5 A Yes, sir.

6 Q And you used foul language?

7 A Yes, sir.

8 Q Can you point to me in the transcribed--
9 your transcription of this interview where you used the
10 foul language?

11 A (Referral to the document referred to.)
12 It's going to take me a little bit of time to go through
13 it.

14 Q That's fine, Take your time.

15 A May I ask what difference it makes?

16 Q No.

17 MR. GAITAN: I would also like to object
18 to the relevance of Mr. Culton's losing his temper at the
19 meeting.

20 MR. MIZUNO: Well, Mr. Culton testified
21 that he used foul language. That was in his direct
22 statement.

23 MR. BELTER: I'd like to see if the transcript
24 is accurate, to start with.

25 MR. GAITAN: I see.

1 (Pause.)

2 MR. GAITAN: Mr. Belter, would you object
3 to a break while Mr. Culton reads the--

4 MR. BELTER: Not at all.

5 MR. GAITAN: --transcript?

6 MR. BELTER: I think we've been waiting
7 about three or four minutes. I'd like him to read the
8 whole thing.

9 MR. GAITAN: Fine. Off the record.

10 (Whereupon, at 8:54 p.m., there was a
11 recess called in the proceeding.)

12 9:00 p.m.

13 MR. BELTER: Back on the record.

14 MR. GAITAN: Mr. Culton has just been
15 looking through a 35-page document for certain profane
16 statements which he made throughout the transcript.

17 BY MR. BELTON: (Resuming)

18 Q Would you identify what you've found?

19 MR. BELTER: I don't mean to take over
20 from you.

21 MR. GAITAN: That's quite all right.

22 Mr. Culton, would you please tell us what
23 you found?

24 A (By the witness) Okay. On page 13.

25 Q (By Mr. Belter) May I see the page, please?

1 A Certainly.

2 I have my pages marked.

3 Q Okay. I'm going to read you several of the
4 lines in front of and after the indication that you've
5 given me about foul language and ask you if you recall
6 saying this, Mr. Culton.

7 "CULTON: Probably was, I don't know for sure.

8 "ELLIS (to Stewart): Do you know for sure?

9 "STEWART: Oh, it's routinely done that way.

10 "CULTON: That's bullshit.

11 "STEWART: How many construction jobs have
12 you been on? How many nuclear plants have you been on?

13 "CULTON: None, sir, except Brown & Root.
14 Construction, I've been on eight or ten."

15 Do you recall that conversation, Mr. Culton?

16 A Yes, sir.

17 Q Have you found any others in the transcript
18 of places where you used foul language?

19 A I think that's good enough.

20 Q Am I correct you have found no others in
21 this transcript?

22 A No, sir.

23 Q Well, have you found any others?

24 A Yes, sir.

25 Q Where?

1 A Thank you very much. I asked you to save
2 the page.

3 Q Pardon?

4 A I said, "I asked you to save the page" for
5 me when I handed it to you.

6 Q Are you upset?

7 A Yes, sir, I am.

8 Q I'm sorry.

9 Could you find it for me?

10 A No, I will not.

11 Q You won't answer my question?

12 A That's right.

13 MR. GAITAN: I'd like to go off the--

14 MR. BELTER: I'm going to move--

15 MR. GAITAN: --record, please.

16 MR. BELTER: --to strike this witness's

17 entire testimony if he refuses to answer questions.

18 You want to consult with him?

19 MR. GAITAN: I sure would.

20 Want to go outside?

21 (Whereupon, there was a brief period off
22 the record for the witness to confer with counsel.)

23 MR. GAITAN: Back on the record, please.

24 BY MR. BELTER: (Resuming)

25 Q Have you found the other location, Mr. Culton?

- 1 A Yes, sir.
- 2 Q Could you give me the page, please?
- 3 A Page 32.
- 4 (Pause.)
- 5 Q Do I have the reference here in the
6 following conversation:
- 7 "HERR: Did you participate in the fight?
8 "CULTON: No, I ran like hell."
9 Is that what you're referring to?
- 10 A Yes, sir.
- 11 Q Is there any other place in the transcript
12 where you used foul language.
- 13 Q I do not know.
- 14 Q Am I correct, at least in your review
15 tonight, you have not found any other places?
- 16 A As of right now, no.
- 17 Q Have you looked through the entire document?
- 18 A Yes, sir.
- 19 Q Mr. Culton, directing your attention back
20 to the reference on page 13, your statement, quote, "That's
21 bullshit," close quotes, was made in response, was it not,
22 to Mr. Stewart's statement, quote, "Oh, it's routinely
23 done that way," close quotes; is that correct?
- 24 A That could be true.
- 25 Q Well, is it true?

1 A I'd say it was in accord with other statements
2 made at the same time.

3 Q What was it that Mr. Stewart stated that you
4 felt-- let me exchange the word "bullshit" for "inaccurate".
5 What was it about Mr. Stewart's statement that you felt was
6 inaccurate?

7 A Probably the words above when Stewart stated
8 something is "routinely done".

9 Q Do you know what he was referring to?

10 A I've pretty much forgot right now what it
11 was about but....

12 (The witness referred to the document.)

13 Q Well, let me ask you this: Are you certain,
14 in your own mind today, that Mr. Stewart was not correct
15 in his statement?

16 A I believe so.

17 Q What was your job at Comanche Peak?

18 A I held three different positions at Comanche
19 Peak.

20 Q What were they?

21 A I was first assigned in planning and
22 scheduling. Then I went over to electrical-- electrical
23 department as electrical planner.

24 Q And what was the third position?

25 A As cable puller.

1 Q Cable puller?

2 A Uh-huh.

3 Q Have you ever been responsible for quality
4 control inspections?

5 A No, sir.

6 Q Have you ever been responsible--

7 A Not at the nuclear power plant.

8 Q Not at Comanche Peak.

9 A That's right. Not at Comanche Peak.

10 Q Have you had such a job since then?

11 A Yes, sir.

12 Q At the time that this interview was conducted
13 on November 8th, 1982, had you had any experience as a
14 quality control inspector?

15 A No.

16 Q Are you certain, in your own mind that as
17 of November 8th, 1982 you felt comfortable that Mr. Stewart
18 was wrong in his statement?

19 A Yes, sir.

20 Q You knew more about it than he did.

21 A I don't think I said that.

22 Q Well, did you know more about it than he
23 did?

24 A I think I was a little more accurate than
25 he was.

1 Q What is it that's inaccurate about his
2 statement?

3 A You want to read the statement to me?

4 Q "Oh, it's routinely done that way."

5 A Previous to that.

6 Q "Do you know for sure?"

7 A Previous to that.

8 A No, I won't, Mr. Culton.

9 What is it about Mr. Stewart's statement
10 that is inaccurate? You tell me why you thought it was
11 bullshit.

12 A I don't recall unless I go ahead and just
13 read the entire-- go back and read over it a little bit.

14 Q Well, let me ask you the question again.

15 Are you absolutely certain in your own mind
16 today that you were right and Mr. Stewart was wrong?

17 A Yes, sir.

18 Q And you base that on what? Your experience
19 versus his?

20 A No. What I've seen down there that was
21 going on, what was actually going on.

22 Q Mr. Culton, you indicated in your testimony
23 here a few moments ago that you felt that the questioning
24 indicated, and these are your words, a "Gestapo" attitude.

25 Could you point out to me which questions

1 in this transcript indicate a Gestapo attitude?

2 A It wasn't necessarily the questions. It
3 was the conduct of the people that asked the questions.

4 Q Well, describe the conduct to me. What
5 conduct represented Gestapo attitude, in your judgment?

6 A In my judgment?

7 Q Yes.

8 A The badgering. Badgering questions all at
9 one time. One man popping singular questions over and over
10 again, while another man sat back and asked a little bit
11 more detailed, while the third man ask a bit more in-depth,
12 detailed questions. And they were all usually very direct,
13 pretty much in a loud voice, directly to me.

14 Q Was there any point in this interview at
15 which one question was cut off by another question? One
16 question was not completed.

17 A Several of them.

18 Q Can you point them out to me, please?

19 A It's throughout the entire-- throughout
20 the entire program here.

21 Q Did you cut off Mr. Stewart at times?

22 A Sure.

23 Q Why did you do that?

24 A Probably due to not completing other questions,
25 stopping him when he was, probably incorrect or agreeing or

1 disagreeing with what he had to say.

2 Q Would you consider that your action in
3 cutting him off constituted a Gestapo attitude on your
4 part?

5 A Say the question again, please?

6 Q Would you consider that your action in
7 cutting him off constituted a Gestapo attitude on your
8 part?

9 A I really don't understand your question.

10 Q Well, you tell me what you meant by the
11 words "Gestapo attitude".

12 A I just told you.

13 Q What did you mean? Badgering,--

14 A That's right.

15 Q --cutting people off--

16 A That's right.

17 Q Just--

18 A Popping questions back and forth real fast,
19 trying to undercut what exactly-- you know, what I was
20 trying to say, discredit my-- discredit me.

21 Q Let's get into that transcript, and you
22 point out to me a question that was cut off.

23 Would you do that please?

24 MR. GAITAN: Do you want to talk to me
25 outside?

1 THE WITNESS: I guess I better.

2 MR. BELTER: No. I'd like you to answer
3 the question right now. We've already had one break.

4 BY MR. BELTER:

5 Q Show me in the transcript a question that
6 you felt indicated a Gestapo attitude, that was badgering,
7 that cut you off, or where one question cut off another.

8 Just point it out to me, Mr. Culton.

9 A All right. If you want to sit here for
10 another ten or fifteen minutes, while I--

11 Q I do.

12 A --go ahead and go through this, fine.

13 Q Go right ahead.

14 MR. GAITAN: I believe the witness should
15 be privileged to talk to me outside at any time.

16 MR. BELTER: He's your witness.

17 MR. GAITLAN: I'd like to talk to him
18 outside, please.

19 Off the record.

20 (Whereupon, there was a period off the
21 record for the witness to consult with counsel.)

22 MR. GAITAN: Back on the record, please.

23 MR. BELTER: Back on the record.

24 BY MR. BELTER:

25 Q Do you have an answer to my question, Mr.

1 Culton?

2 A Yes, sir. Mr. Belter, I think we're going
3 to stay here all night.

4 Page 1.

5 Q Page 1.

6 A And throughout this document, it just
7 continues--

8 Q Let's just read on page 1 what you see as
9 a question--

10 A Fine, we'll do that.

11 Q --that's been cut off by another question.

12 A Okay, sir.

13 Questions were cut off by other questions.

14 Q I'm sorry. I don't see it here. Would you
15 give me a line number?

16 A Sure, sure.

17 Start with Mr. Stewart, see the "Okay,
18 Dennis"?

19 All right. Down here at "CULTON: Okay."

20 And then, Mr. Stewart states....

21 Q All right. Let's go through that once more.

22 We have: "CULTON: Okay.

23 "STEWART: Now, you said...let's see, it'd
24 be line 2 where you said... well, 1, 2 and 3...800 foot pull,
25 quality control cable, I guess you didn't finish the pull

1 and it ended up in the cable spreading room, the lower
2 section of control room number one" dot, dot, dot.

3 "CULTON: Yes, sir."

4 Now, who cut off who there, Mr. Culton?

5 A I answered his question during the-- I
6 answered part of his question.

7 Q You answered his question before he had
8 finished it?

9 A Well, if you want to say that, yes. Maybe
10 he had--

11 Q You cut him off.

12 A --Maybe he had something else he was going
13 to say or he paused during that time period.

14 Q He paused--

15 A But if you continue on.

16 Q I'm sorry. I will continue. I don't
17 want to stop on this one here.

18 A Sure.

19 Q It looks like, from the transcript, that
20 he had not finished when you interrupted with "Yes, sir."

21 A Uh-huh.

22 Q All right. Let's go on.

23 A I was just acknowledging.

24 Q Now, the next line is: "STEWART: Okay.
25 you said" dot, dot, dot.

1 And again, you cut him off.

2 "That should have been 800 plus."

3 A Well, no, I don't really think I was cutting
4 him off. I was continuing my acknowledgement. He had
5 a pause there-- apparently had a pause.

6 Q He paused after "you said"?

7 A I believe so. Probably did.

8 MS. ELLIS: I'd like to make a statement
9 for the record.

10 I typed the transcript personally. The
11 dots in this transcript are not Mr. Culton's. They are
12 mine. They were put in there for several reasons. One
13 of the reasons is where anybody paused, they might have
14 dot, dot, dot.

15 They are not the normal ellipses where
16 anything has been left out. Not intentionally. If I
17 couldn't understand something, I put "unintelligible" or
18 something to that effect to indicate that.

19 Where someone was talking at the same time
20 or sort of overlapping, I tried to put both of them in,
21 and at times, it appears that where there are actually
22 interruptions, there are two people sometimes trying to
23 talk at the same time.

24 MR. BELTER: I appreciate that, Mrs. Ellis.
25 Thank you.

1 BY MR. BELTER: (Resuming)

2 Q Mr. Culton, going back to page 1, again
3 I'm asking you to point out to me where the one question
4 among questioners was interrupted by another question from
5 the questioners.

6 A Throughout. Okay. Just right below that--

7 Q Just show me where it is.

8 A All right. Right below that, it says:

9 "CULTON: Should you have"-- (sic)

10 Or, I stated, "That should have been 800
11 plus."

12 He said something, and then it goes on.

13 All right. Let's go over here on page 17.

14 Q NO, let's not turn the page yet, Mr. Culton.
15 I want you to agree with me that there's nothing on page 1
16 that indicates one questioner has been interrupted by
17 another questioner.

18 A Well, yeah. I think there is.

19 Q Well, point out to me where it is, sir.

20 A Well, unless you hear the recording yourself,
21 then you'll-- then you'll know. I think that....

22 Q Well, let's take a look at page 1, and you
23 tell me where on this page one of these questioners is
24 interrupted by another questioner. Where is it, sir? I
25 just don't see it.

1 Where do you think it is?

2 A I see it.

3 Q Where is it, sir?

4 A Right here with Stewart.

5 Q Are you pointing to the middle of the page?

6 A Yes, sir.

7 Q And Stewart is asking a question; is that
8 correct?

9 A Uh-huh.

10 Q And who is the questioner that interrupts
11 Stewart that you see on this transcript?

12 A Sir, this is the same attitude that I've had
13 to put up with this entire time. And I don't appreciate it.

14 Q Look, Mr. Culton, we're out here to try and
15 find the truth.

16 A Well, good. Get out there and do your job.

17 Q And I'm asking you for the truth, sir. And
18 I'm going to ask you to be honest with me and honest with
19 this Board.

20 A All right.

21 Q I'm going to ask you to admit in your own
22 mind that there's nothing on page 1 that shows any
23 questioner being interrupted by another questioner.

24 A I believe there is.

25 Q Are you honest enough to admit that to me,

1 sir?

2 A I believe that there is.

3 Q Well, then, point it out to me, please.

4 A I just did.

5 Q Let's go over that, Mr. Culton, I want to
6 give you every chance to be fair here.

7 We have Mr. Stewart asking the questions.
8 Tell me who interrupts him with another question. Who is
9 it, sir? Is it Mr. Herr?

10 A No. Mr. Herr didn't come in at this time.

11 Q Nobody interrupted Mr. Stewart with another
12 question on this page, page 1.

13 Is that a fair statement?

14 A Sure.

15 Q Why did it take us so long to get there, Mr.
16 Culton?

17 A I think you're making a mountain out of a
18 molehill.

19 Q No, I'm not, sir.

20 Let's go on to page 2 or any other page
21 where you can point out to me that one questioner, as
22 you testified, was interrupted by another questioner.

23 Point it out to me.

24 (Pause.)

25 A Where-- Where the second time I say something

1 right here on the second page.

2 Q "CULTON: Yes, sir"--

3 A Apparently, I didn't complete my statement.

4 Q Is that where there's an indication that
5 the phone rings?

6 A Okay.

7 Q Is that the point you're--

8 A I didn't see that.

9 (Pause.)

10 Down towards the bottom of the page.

11 Q This is the instance where we have Stewart
12 saying, "Not right here. It would take us a while to get one.
13 We normally don't."

14 "TOMLINSON: If we had to keep the prints
15 for all the rooms on all the specs that we go to, we wouldn't
16 have room here on the tenth floor."

17 Is that statement by Mr. Tomlinson a question

18 A I do not know.

19 Q You don't believe it's a statement?

20 A No.

21 Q If it's a question, what is the question?

22 A I don't know.

23 Q Do you see any other instances?

24 A Sure. Keep on reading.

25 No. At the bottom of the page on page 2.

1 Q We have: "STEWART: No, no, I'm not sugges-
2 ting" dot, dot, dot.--

3 A No, where that--

4 Q "CULTON: I do"--

5 A Let me finish, if you will, sir.

6 Q "CULTON: I do have a lot of them, but uh...",
7 and then Stewart interrupts you?

8 A No, let's back up a little bit. You missed
9 something.

10 Q "CULTON: Well, I feel sure I understand
11 that. You know, I don't see how can expect me to have all
12 those drawings either"-- And then Mr. Stewart interrupts
13 you? Is that what you're testifying?

14 A Uh-huh.

15 Q And he interrupted you to state: "No, no,
16 I'm not suggesting," and then you interrupted him to
17 continue with your statement, "I do have a lot of them,
18 but uh".

19 Is that an instance of one questioner throwing
20 a question at you, being interrupted by another questioner?

21 A Well, it gets more in detail later on.

22 Q Well, just answer my question, Mr. Culton.

23 A Sure.

24 Q Is this an instance of one questioner throwing
25 a question at you, being interrupted or superceded by another

1 questioner throwing another question at you?

2 A Sure.

3 Q That's your testimony. That's what this
4 constitutes.

5 A Yes.

6 Q Are you as sure of that as you were sure a
7 few moments ago that you were right and Mr. Stewart was
8 wrong?

9 A Sure.

10 Q It's your testimony that throughout this
11 transcript there are instances of one questioner in Gestapo
12 fashion interrupting another questioner to pepper you with
13 a second question.

14 A Ask your question again, please?

15 Q Is it your testimony that throughout this
16 transcript, there are instances of one questioner throwing
17 a question at you, being interrupted by another questioner
18 throwing a second question at you?

19 A Yes, sir.

20 Q Can you show me instances where two questions
21 are asked of you, one interrupting the other?

22 A Page 5.

23 Q Do you have a line number, sir? Approximately
24 where on the page?

25 A Towards the middle of the page.

1 Q Towards the middle of the page. And who is
2 the first questioner?

3 A The questioner is Stewart.

4 Q And who is the second questioner?

5 A I guess it would be me.

6 Q It would be you?

7 Is this an example of what you mean by the
8 Gestapo tactic of one questioner interrupting another, you
9 interrupting Mr. Stewart?

10 A (Pause.) I don't know.

11 Q Continue on, Mr. Culton. Do you see any
12 other instances where one questioner is interrupted by
13 another questioner?

14 A Well, I really don't care about going through
15 this whole package, but towards the end of it--

16 Q Well,--

17 A Towards the last part where things started
18 getting hot and heavy is where you'll find most of them.

19 Q What pages are you referring to, sir?

20 A (Referral to documentation.) Let's go to
21 page 14. Let's go to page 13, from 13 to page 14 and
22 continue on throughout the transcript.

23 Q Thirteen? Let's take a look at 13. Who is
24 the first questioner?

25 Is it Mr. Stewart?

1 A Okay. Let's go with Stewart.

2 Q And who is the second questioner?

3 A I don't know. I just answer the questions.

4 Q Stewart asks the questions?

5 A As in "I don't know."

6 Q Stewart asks the questions?

7 A Uh-huh.

8 Q And you answer them?

9 A That's right.

10 (Whereupon, the telephone was answered by
11 Ms. Ellis, who called Mr. Belter to the phone.)

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

13 (Whereupon, there was a recess in the
14 proceedings for the above-stated reason.)

15 MR. BELTER: Back on the record.

16 MR. GAITAN: On the record, please.

17 May I make a statement?

18 MR. BELTER: Sure.

19 MR. GAITAN: I have spoken to Mr. Culton,
20 and he is pressed for time. He would like to continue
21 this to 9:45 and no later.

22 MR. MIZUNO: Staff would object because it
23 needs to have its time for cross-examination, and--

24 MR. BELTER: I can tell you this, Mr. Gaitan,
25 if you intend to press the contention that this gentleman

1 was cut off by the NRC and you expect to have his statements
2 relied on, then I've got at least another two or three hours
3 of this. I have no intention of dropping this at this
4 point.

5 It's your deposition. Unless you complete
6 it, you've got to withdraw his testimony.

7 BY MR. BELTER:

8 Q Mr. Culton, during the break, did you have
9 occasion to confer with Mrs. Ellis and Mr. Gaitan?

10 A Yes, sir.

11 Q And did they go over the transcript with you?

12 A Yes, they did.

13 Q Did they point out any other instances to
14 you where there might have been one questioner interrupted
15 by another questioner?

16 A Yes, sir.

17 Q And would you show them to us, please?

18 A Page 20.

19 Q Page 20.

20 A Towards the middle of the page.

21 Q Towards the middle of the page.

22 And who is the first questioner?

23 A Mr. Tomlinson and myself. Okay. Let's
24 go down here.

25 "MR. THOMPSON (sic): Did they verify any

1 of the stress calculations."

2 Okay. And then I answered.

3 Mr. Thompson--

4 MR. MIZUNO: Tomlinson.

5 THE WITNESS: Tompinson?

6 MR. MIZUNO: Tomlinson.

7 THE WITNESS: Tomlinson.

8 A (Continuing) Tomlinson asked a question.

9 It seems that he did not complete his statement.

10 Q (By Mr. Belter) Would you read the statement,
11 please, that Mr. Tomlinson makes that you--

12 A "Now, this, if you could get me on to speci-
13 fics on this"-- "Can you give me more specifics"-- Or,
14 "if you could get me on to specifics on this"--

15 Q Apparently you answered.

16 A Apparently he paused for a second, and I went
17 ahead and answered him.

18 He completed his statement, then, right
19 belcw.

20 Q Yes.

21 A All right. I went ahead and went on with
22 what I was talking about.

23 Mr. Tomlinson asked another question, and--

24 Q What was the question he asked, sir?

25 A Well, he continued with his statement from

1 one above. He seemed never really to complete his statement.

2 Q You cut him off and--

3 A And--

4 Q You cut him off from completing?

5 A No, not really.

6 Q Well, he paused, and you answered.

7 A Probably paused. Some pause went in there,--

8 Q Fine.

9 A --and then he went ahead and just waited
10 for me.

11 Q And then what happened, sir?

12 A I continued on.

13 Mr. Tomlinson asked another question. Mr.
14 Stewart jumps right in and asks a totally different question.

15 And, therefore, I was faced with two questions
16 at the same time. I answered-- I guess I answered--

17 Well, I answered, "not sure".

18 Mr. Stewart continued--

19 Q Well, let's get the specifics out here, Mr.
20 Culton.

21 The question-- The point where you were
22 faced with two questions is: "TOMLINSON: If you can give
23 me something specific on that."

24 And then, "STEWART: Did they have the loads
25 and everything for the weld design?"

1 And your answer, "I'm not sure they did."
2 Is that the instance you're referring to,
3 sir?

4 A Yes.

5 Q And would you consider this to be a Gestapo
6 tactic?

7 A In the tone of voice that they used and the
8 way that they went about it, yes, sir.

9 Q Is there something in Mr. Stewart's question,
10 "Did they have the loads and everything for the weld design?"
11 that you find inappropriate?

12 A Within the question?

13 Q Yes.

14 A As I read it in this text, no, sir.

15 Q Is there something offensive about the
16 question?

17 A As I read it in this text, as one could
18 read it in this text, no, sir.

19 Q Well, describe for me how he asked the ques-
20 tion that you found it offensive. Did he raise his voice?

21 A Yes.

22 Q Did he shout at you?

23 A Shout?

24 Q Yes.

25 A I don't think he shouted.

1 Q Have you listened to the tape recording in
2 recent times?

3 A Oh, about six months ago.

4 Q Are you satisfied in your own mind at this
5 point that Mr. Stewart was shouting at you?

6 A I didn't say he was shouting.

7 Q What did you say, sir?

8 A I said he was saying this out loud to me.

9 Q And the question he asked was--

10 A Seemed to be all badgering, all of them
11 running together at the same time. All the conversation
12 was very close together, very sometimes hard to understand
13 what they were saying.

14 Q Well, let's go into it here. You have Mr.
15 Tomlinson saying, "If you can give me something specific
16 on that."

17 Is that--

18 A I think you're wasting--

19 Q Would you let me finish?

20 A --valuable, very valuable time here.

21 Q Are you annoyed, sir?

22 A Yes, sir, I am.

23 Q Do you get annoyed easily?

24 A Yes, sir, I guess I do with you.

25 Q And you got annoyed in this interview with

1 Mr. Stewart?

2 A Yes, sir.

3 Q Do you often get annoyed in interviews?

4 A No.

5 Q Do you consider me to be employing Gestapo
6 tactics here tonight?

7 A No. I think there are-- I think they're a
8 waste of time.

9 Q Do you think I'm being unfair?

10 A To the-- To what I had to say-- With
11 what I have to give to you or anybody else, yes, sir, I
12 think you are. I think you're being very unfair.

13 Q Well, let's get back--

14 A Taking advantage of-- taking-- You're
15 taking advantage of a situation that does need to be taken
16 care of.

17 Q Is that because I don't accept your construc-
18 tion of this interview?

19 A I don't know.

20 Q Let me get back to a question I asked you
21 earlier, sir.

22 You speculated that the NRC was not interested
23 in your information.

24 A I believe that's true.

25 Q Can you tell me, sir, why it was you think

1 Mr. Stewart called you up after the interview to ask you
2 for more information?

3 A Yeah, to go ahead and find out what I've
4 got, what information I have. When I give him that
5 information, that's as far as it goes. It cannot be used
6 later, I found out--

7 Or, I posed a question to him then: If I
8 turn over this information, can it be used again?

9 And he did say, "No."

10 Q Let me ask the question again, sir.

11 It's your opinion that Mr. Stewart was not
12 interested in your information. Is that what your testimony
13 is?

14 A Yes, sir.

15 Q If the gentleman was not interested in your
16 information, why do you think he called you up after this
17 interview to ask you, "Where's the information you promised
18 me?" Why do you think he did that?

19 A To follow up on the meeting.

20 Q Would you agree with me that most people
21 would interpret a phone call of that nature, asking you,
22 "Where's the information?", as an indication that the person
23 asking the question was interested?

24 A I don't think he was interested in it.

25 Q No, no. My question is-- We're all normal

1 human beings here. Would you agree with me that most
2 people, when someone calls them up to ask them, "Where's
3 the information you promised me?", would conclude that the
4 person calling is interested in getting the information?
5 Wouldn't that be a fair conclusion if there were nothing
6 else he knew about the circumstances?

7 A No. I still feel that he could care less.

8 Q Let me give you a hypothetical.

9 A Anybody can give hypothetical questions,
10 but you weren't there.

11 Q I wasn't there on the phone call.

12 A I don't know. I don't know now.

13 Q Did you transcribe the phone call?

14 A Part of it, I did.

15 Q Why do you think Mr. Stewart made the phone
16 call?

17 A Follow up on the meeting, just like I
18 told you before.

19 Q Isn't "follow up" an indication that he's
20 interested?

21 A Not necessarily.

22 Q What do you think his--

23 A I do it in my work.

24 Q What do you think his follow-up phone call
25 indicates?

1 A Probably a pampering.

2 Q Pampering of you?

3 A Pampering-- Well, not necessarily me.

4 Could be just pampering me. Letting me know that he's done
5 something or that a supervisor asked him to go ahead and
6 do it. I have no idea. I don't know.

7 But I still believe-- I can almost believe
8 right now that this conversation we're having is totally
9 unnecessary.

10 Q You believe that Mr. Stewart's phone call
11 to you was pampering.

12 A Yeah, I think so, if you want to say it
13 that a-way.

14 Q And what is your basis for that belief, sir?

15 A I've already said it.

16 Q Would you repeat it for me, please? I'm lost.

17 A I think we're all lost.

18 Q No, you're lost, sir. What is your basis
19 for your belief that his phone call to you was pampering?
20 Or isn't it a fact that you have no basis for that belief.
21 It's just an opinion on your part.

22 A Sure, it's my opinion.

23 Q Without basis.

24 A This whole thing is my opinion, isn't it?

25 Q I would hope not, sir. I hope you have some

1 good, hard information for us.

2 A Oh, I've got the good, hard information.
3 But I can tell you what, if it continues on like this,
4 I'm not going to turn over any of it. If I turn it over,
5 I'll just go ahead and turn it over to the newspapers.

6 Q Mr. Culton, you have speculated, have you
7 not, sir, that Mr. Stewart's phone call to you was pampering?

8 A Yes, sir.

9 Q Would you agree with me that it is equally
10 fair to speculate that his phone call to you was the
11 result of the fact that he was interested in obtaining the
12 information?

13 A I still told you-- I already told you that.
14 I don't believe that he was interested in it.

15 Q You think it was a fairer speculation to
16 infer that he was pampering you than it is to infer that
17 he was interested. Is that your testimony?

18 THE WITNESS: How many times is he going to
19 ask this same question over and over?

20 A (By the witness) Ask the question again.

21 MR. BELTER: Would you have it read back,
22 please?

23 (Whereupon, the record was read.)

24 A (By the witness) I believe that he was
25 pampering me.

1 Q (By Mr. Belter) Mr. Culton, you referred
2 earlier to an affidavit that you submitted dated June 29,
3 1983, with respect to this interview.

4 Do you have that affidavit in front of you,
5 sir?

6 A Yes, sir, I do.

7 MS. ELLIS: Culton Exhibit 1?

8 MR. BELTER: Culton Exhibit 1.

9 BY MR. CULTON:

10 Q Referring you to page 4 of that affidavit,
11 Mr. Culton, in the first paragraph--

12 A Page 4?

13 Q Yes.

14 A First paragraph?

15 Q You state, quote: "They treated me like a
16 very low-class person."

17 And I'm trying to understand what you meant
18 by that phrase.

19 Do you mean that they called you disparaging
20 names?

21 A No. I don't think there's anything in the
22 context of this other paper when they called me names or
23 anything like that.

24 Q Is it your testimony that there's nothing
25 in Culton Exhibit 2, the transcription of the interview,

1 that indicates or would support this statement of yours?

2 A I believe it was expression of attitude.

3 Q How was the attitude expressed, sir?

4 A With a very negative, no caring type
5 situation.

6 Q Let me give you some examples of what I
7 would think of as being treated as a low-class person.

8 If someone made you stand throughout an
9 interview, would that be demeaning to the person who was
10 required to stand?

11 A No, not necessarily.

12 Q Did they make you stand?

13 A No.

14 Q Did they offer you a seat when you came in?

15 A Sure.

16 Q Do you recall whether they introduced
17 themselves?

18 A This is still getting nowhere, and your time
19 is about up.

20 Q It's not my time, sir.

21 A Well, I tell you, then, I find it unnecessary
22 to continue.

23 Q Mr. Culton, the question is: Did they
24 introduce themselves to you?

25 A Sure, they did. Yes, they were.

1 Q Were they reasonably polite when they intro-
2 duced themselves?

3 A Yes, sir.

4 Q Did they thank you when the interview was
5 over?

6 A I don't recall.

7 Q Do you recall stating in the affidavit
8 that you were--

9 MR. GAITAN: I'd like a break for my witness,
10 please.

11 Off the record.

12 (Whereupon, at 9:45 p.m., a recess was
13 called in the proceedings for the above-stated reason.)

14 10:00 p.m.

15 MR. GAITAN: On the record, please.

16 I'd like to state that we are going to put
17 a time limit to thirty more minutes of questioning.

18 Mr.-- It is not ten o'clock. We will
19 conclude at 10:30.

20 Mr. Culton has other obligations which are
21 pressing, and he does need to get to those.

22 Also, if the NRC does not have the opportunity
23 to question Mr. Culton at this time, you may request his
24 presence at a hearing.

25 MR. BELTER: That's totally unsatisfactory

1 from my standpoint. I appreciate that he's got other
2 obligations.

3 We came up to Fort Worth to accommodate your
4 scheduling, Mr. Garde, and if we have to put it off, I think
5 10:30 is a reasonable hour.

6 But I think it should be continued at our
7 accommodation down in Glen Rose where we've got facilities
8 where we don't have to travel to do this.

9 But I'll continue and see where we got to.

10 Could I have the last question?

11 MR. MIZUNO: Wait a moment. Can I state my
12 position, too?

13 MR. BELTER: Sure.

14 MR. MIZUNO: The Staff believes that-- The
15 Staff is actually willing to-- Well, the Staff believes,
16 first, that 10:30 is a reasonable time to conclude it--
17 conclude the-- or temporarily end the deposition, and we
18 would also be willing to travel to Fort Worth again, if
19 necessary, either today or the next week when we're here.

20 However, it would not be fair to have Mr.
21 Culton's deposition continued at the hearing. In other
22 words, have no further deposition and to have the Staff's
23 cross-examination at that point, as that would not allow
24 us any time to gather any rebuttal, if necessary.

25 And part of the reason why we're having

1 depositions was to allow for that.

2 MR. BELTER: Let me try and save time by
3 starting in without recalling where we were.

4 BY MR. BELTER:

5 Q Mr. Culton, getting back to the question of
6 whether or not Mr. Stewart was interested in your informa-
7 tion, again, it's your testimony that the phone call that
8 he made to you after the interview was some kind of ruse
9 or pampering of you but did not indicate any sincere
10 interest on his part in your information? Is that your
11 testimony?

12 A Yes.

13 Q Do you recall stating in your affidavit,
14 and I direct you, sir, to page 3, in the middle of the page,
15 the line in the middle of the page that states, and these
16 are your words: "Mr. Stewart tried to figure out what
17 papers I have."

18 Do you see that line, sir?

19 A Yes, sir, I do.

20 Q Why do you think he tried to figure out what
21 papers you have?

22 A By questions that he proposed to me to find
23 out what other information I did have.

24 Q He asked you, in effect, what kind of
25 documents you may have?

1 A Yes, sir.

2 Q He was trying to get a list of what you might
3 have.

4 A Yes.

5 Q Did you consider this to be a ruse on his
6 part?

7 A Well, since I had stated all I wanted to
8 find out from the start of this entire hearing, from day
9 one, if they find out that the Q cable is spliced and the
10 information I gave them about the Brown & Root hanger
11 locations was right or wrong, they'd got back with me and
12 they did investigate this, I would turn over any and all
13 information that I had.

14 Q I direct your attention to the phone call
15 Mr. Stewart made to you, and let me see if Understand what
16 you're saying in this affidavit.

17 During the course of this phone call, Mr.
18 Stewart tried to elicit from you some information. Is
19 that a fair statement?

20 A Yes, sir, it is.

21 Q The information he tried to elicit from you,
22 in effect, was: What papers have you got that might help him
23 understand your concerns.

24 A He could probably think that.

25 Q Would it be a fair inference to say that

1 he thought that these papers might help him understand your
2 concern?

3 A Why should he? Why should it?

4 I gave him specific locations. I gave him
5 information.

6 If he wanted to find out what other informa-
7 tion I had, if he wanted all this other stuff turned over,
8 very simply go down there and look, check out himself, have
9 somebody get in contact with me that they did find it and
10 it was all right, the problem has been corrected, fine,
11 nothing else said. I'd turn over the other information.

12 If they want to go through that, fine. They
13 don't have to contact me. I would like to be informed about
14 it because it's papers that I associated with.

15 If the information is found out, I'd turn
16 it over to him.

17 Q Is it your testimony that the further
18 information that you had, which you did not give to Mr.
19 Stewart, was basically worthless information?

20 A It's not worthless information at all.

21 Q Then it would have been very helpful to
22 them.

23 A Very helpful, indeed. Even right now.

24 Q Then you have not given it to him.

25 A That's right. I have not and I will not.

1 Q And he tried to get it from you.

2 A No, he didn't try and get it from me.

3 Q Well, what did he try to do here in this
4 sentence, which is--

5 A Very simply. He asked about it; isn't that
6 right?

7 Q He asked about it.

8 A That's right.

9 Q I'm really lost

10 A No, it's not. What's he saying right here
11 in the middle of the page?

12 Q He asked-- He tried to find out what papers
13 you had.

14 A Right.

15 Q doesn't that indicate that he wanted to find
16 out what informaiton you had?

17 A That's what you just said, yes.

18 Q And you agree with that? He tried to find
19 out what information you had. Do you agree with that
20 statement?

21 A Sure.

22 Q Doesn't that indicate that he was interested
23 in finding out what information you had?

24 A Sure.

25 Q Then you now agree that he was genuinely

1 interested in finding out what information you had.

2 A Well, yes and no.

3 Q During the course of this phone conversation,
4 is it your opinion that when Mr. Stewart, in your words,
5 tried to figure out what papers you had, he was genuinely
6 interested in finding out what information you had?

7 A I would say not really.

8 Q And on what do you base that, sir?

9 A Due to his attitude. You weren't there.
10 You weren't listening on the conversation. All you have
11 is a text that is read right here. You have heard the
12 statement that I have made.

13 If they locate the Q cables that I gave to
14 them and the Brown & Root hanger locations, then they'd
15 get some more information.

16 How simple can it be? When I have to write
17 a term paper for college or anything else, they don't
18 want a lot of garbage in there. They don't want me to
19 ramble on, just like we're doing right now for-- They
20 want very basic. They want it to the point. They want it
21 concluded.

22 That's what I think we ought to do, too.

23 Q Does that complete your answer?

24 A Uh-huh.

25 Q My question, Mr. Culton, relates to Mr.

1 Stewart's phone call to you, not the interview. Do you
2 have that in mind?

3 A Sure.

4 Q During the course of this phone call, now,
5 it is still your opinion that two things happened; one,
6 Mr. Stewart tried to figure out what papers you had,--

7 A Right.

8 Q --and, two, he wasn't genuinely interested
9 in what papers you had.

10 A That's right.

11 Q Why would he try to figure out what papers
12 you had if he wasn't genuinely interested--

13 A Aren't you interested--

14 Q --in what papers you had.

15 A --in the papers that I have? Wouldn't you
16 be?

17 Q Was Mr. Stewart interested--

18 A Out of curiosity after our conversation in
19 this-- After the conversations we're having right now,
20 aren't you interested at all in what I've got?

21 Q I'm sorry, Mr. Culton. I ask the questions.

22 A Sure.

23 Q You try to answer them.

24 A Okay. We'll do that.

25 Q And I'm having a great deal of difficulty

1 understanding the dichotomy that you just stated for us.

2 You have an opinion that on the one hand
3 Mr. Stewart tried to figure out what information you had
4 and on the other hand he didn't care what information you
5 had.

6 How do you explain this?

7 A I believe that's probably curiosity.

8 Q He was curious about what information you
9 had.

10 A Sure.

11 Q But he wasn't interested in what information
12 you had.

13 A Can't you understand that?

14 Q Is that your answer to my question? Another
15 question?

16 A No, it's not.

17 Q What is your answer, sir.

18 A I believe that Mr. Stewart was not interested
19 in the information that I have, regardless of what questions
20 that he proposed.

21 Q Do you know what action, if any, the NRC
22 took in response to your allegations?

23 A I have no idea. They never contacted me.

24 Q Did you ever contact them?

25 A No. It was not my obligation.

1 Q It's your testimony, Mr. Culton, that the
2 information that you had, and still have, would be very
3 helpful in investigating the concerns that you expressed.

4 A Yes, sir.

5 Q And you have refused to provide that informa-
6 tion to the NRC; is that correct?

7 A Until I find out if the Q cable is spliced,
8 until I find out, somebody gets back with me and they tell
9 me about that Q cable that we're talking about is spliced
10 or not, if it's all right, whatever it is, I'll turn it
11 over to them.

12 Q You'll turn over your information.
13 Why didn't you turn it over to Mr. Stewart
14 when he called on the phone?

15 A Because he did not check out-- He didn't
16 check it out down at the nuclear power plant. At least,
17 he didn't tell me that he checked that information out.
18 He didn't do a followup on it. He didn't tell me that.

19 Q What is your purpose in making Mr. Stewart's
20 job more difficult, sir?

21 A It's not. I have no intention of making
22 anybody's job difficult.

23 Q Well, let's explore that for a moment.

24 You had information that you felt would be
25 very helpful to this gentleman.

1 A Well, not necessarily him, but anybody else
2 that's associated with the nuclear power plant.

3 Q Didn't you just testify a few moments ago
4 that the information you had would be extremely helpful in
5 investigating your concerns? Isn't that your testimony?

6 A Investigating my concerns?

7 Q Yes.

8 A Yes.

9 Q And yet, you did not give this very helpful
10 information to Mr. Stewart.

11 A Why should I give somebody-- Why should
12 I waste anybody's time, just like we're doing right now.

13 Q Your answer to my question is--

14 A Why don't we--

15 Q --no, you did not give it to him?

16 A That's right. I did not give it to him.
17 Waste of time.

18 Q Then wouldn't you agree with me, sir, that
19 you have made his job more difficult?

20 A No. I gave him the locations of those Q
21 cables. He couldn't go out there and find them.

22 Q Let's go back again, sir.

23 If we have a problem and you have very helpful
24 information to help solve that problem, aren't you making
25 the problemsolver's job more difficult if you do not give

1 him the information that would be very helpful?

2 A Why should I give him information if he's
3 not going to do --

4 Q No, no. Answer my question, sir. Aren't
5 you making his job more difficult if you don't give him
6 this very helpful information?

7 A No, I think I'm making it good for him.

8 Q By making him do more work.

9 A Why should he have to do-- He doesn't know
10 what's going on. He does not know what information I
11 have, so what's the point? Why should he?

12 Q Mr. Culton, I could understand the point
13 if your information were totally cumulative or worthless.

14 A It could be. It could be totally worthless.

15 Q But you have testified to me that it's very
16 helpful information.

17 A I believe it is.

18 Q I think Mr. Stewart believed it was, don't
19 you?

20 A Yes.

21 Q That's why he tried to figure out what papers
22 you had.

23 A Uh-huh.

24 Q Doesn't that indicate a genuine interest on
25 his part in getting this very helpful information?

1 Mr. Culton, I'm just asking you to admit
2 what seems to be obvious to me and to most other people
3 reading this transcript, that this gentleman was sincerely
4 interested in getting your information.

5 Why do you find it so difficult to admit that,
6 sir?

7 THE WITNESS: May I ask whoever the judge
8 is or whoever listens to the tape?

9 MR. GAITLIN: You mean the recorded transcript?

10 THE WITNESS: Right, the recorded transcript
11 where they can see for themselves or hear for themselves?

12 MR. BELTER: Do you have an answer to my
13 question, Mr. Culton?

14 THE WITNESS: Could you repeat the question,
15 please?

16 MR. BELTER: Could we have it read back?

17 (Whereupon, the record was read.)

18 A (By the witness) I don't think he was
19 interested in it, just like I stated previously.

20 Q (By Mr. Belten) Mr. Culton, you indicated
21 in your affidavit-- Strike that.

22 Mr. Culton, at the conclusion of this
23 interview, not the phone call, the interview, did you get
24 up and walk out because you were fed up?

25 A I was on the verge of it.

1 Q Well, how did the interview conclude? Was
2 it concluded because you were fed up with the process?

3 A Probably about like what it will conclude
4 right now in this meeting.

5 Q I'm sorry. I didn't hear that.

6 A It was concluded about like what this
7 meeting is going to conclude. We'll go out as friends,
8 but....

9 Q You indicate in your affidavit that you got
10 so upset that you almost got up and walked out.

11 A That's right.

12 Q And I'm not clear--

13 A Just like right now.

14 Q And I'm not clear whether or not during
15 this interview you actually got up and walked out as a
16 result of your being upset.

17 A I did not get up and walk out.

18 Q Is there any one question in the transcript
19 of the interview, Mr. Culton, that, in and of itself, you
20 found offensive?

21 A I don't know.

22 Q Have you reviewed the transcript recently?

23 A Sure, I have.

24 Q Well, would you agree with me, then, that
25 you are unable at this point in time to pick out any one

1 particular question that you find offensive?

2 MS. ELLIS: Are you asking him to go through
3 the whole thirty-five pages again at 10:20?

4 MR. BELTER: Mrs. Ellis, he's already gone
5 through it three times. I'm asking him the question whether
6 he can point out to me right now any question in there
7 that he finds offensive.

8 MS. ELLIS: Excuse me, Mr. Belter, I don't
9 think there's anything in the record that indicates he's
10 gone through this transcript three times tonight.

11 BY MR. BELTER:

12 Q Have you gone through the transcript tonight,
13 Mr. Culton?

14 A I have gone through the transcript.

15 Q And in going through that transcript, have
16 you found any one question that you found to be offensive?

17 A I don't know.

18 Q Does that indicate that you are not able
19 at this point in time to point out to me a question which
20 you find offensive?

21 A I guess so.

22 MR. BELTER: I have nothing further.

23 CROSS-EXAMINATION

24 BY MR. MIZUNO:

25 Q Mr. Culton, what's your educational

1 background?

2 A I have two associates degrees. I have an
3 associate in arts, associates in science. And I'm in--

4 Q Is that a--

5 A I have attended Tarrant County Junior
6 College in pre-engineering. Also attended North Texas
7 State, NTSU, for business management. I have not completed
8 my business management degrees yes.

9 Q Okay. You mentioned two associates degrees.
10 Are those degrees that are conferred upon completion of
11 a four-year--

12 A Negative.

13 Q --four-year course of study at a college?
14 And you said, "No."

15 A That's right. It's a two-year degree.

16 Q Okay. What was your reason for leaving
17 Comanche Peak?

18 A What I thought was problems that was going
19 on there, I felt that nothing was going to be changed. I
20 talked to the supervisors, both electrical and the drafting
21 department to see if they can cure these problems.

22 I felt that they were not going to do it.
23 In fact, they-- Brian Lee, head of the drafting department
24 when I was there, told me, also, that it was none of my
25 business; that it's out of my hands; information goes out

1 here to other people.

2 I didn't think that-- I didn't think that
3 the-- what we were doing was going to be right. And Brown
4 & Root's hanger locations were not put up the way I thought
5 they were supposed to put up.

6 They-- I'd have to go into detail on that.
7 I'd really rather not do it, if you don't mind.

8 Q Well, I--

9 A But I left on my own accord due to situations
10 that happened at Brown & Root that I felt that was not right.

11 Q That's sufficient. I didn't want to go into
12 it any further.

13 MS. ELLIS: Excuse me. Were you taking that
14 as his complete answer?

15 MR. MIZUNO: I assume so.

16 He asked me whether I wanted to go into one
17 of the problems in detail, and I was just indicating no.

18 MS. ELLIS: So, you're ready to move on.

19 MR. MIZUNO: Yes.

20 MS. ELLIS: Okay.

21 BY MR. MIZUNO:

22 Q Mr. Culton, you indicated that you made a
23 limited appearance statement to the Atomic Safety and
24 Licensing Board in the Comanche Peak proceeding?

25 A Yes, I did.

1 Q I'm going to show you a document here which
2 is a portion of the transcript of this--

3 A A portion of the transcript?

4 Q Yes. --of the hearing. And, specifically,
5 it's a portion that includes the entire-- an entire limited
6 appearance statement, oral limited appearance statement,
7 as well as your written statement, which I believe you refer
8 to on page 103 of your affidavit.

9 I would like you to look at this, and can
10 you tell me: Have you seen this before?

11 (Examination of the document referred to
12 by the witness.)

13 A Yes, sir, I believe so.

14 Q Okay. Can you review that, please, and tell
15 me whether you believe that to be your oral limited
16 appearance statement and your written limited appearance
17 statement in this proceeding?

18 (Further examination of the document by
19 the witness.)

20 A Just by scanning through this and reviewing
21 it, I believe it to be accurate.

22 Q Okay.

23 MR. MIZUNO: I would like to have this
24 identified as Culton Exhibit 3.

25 //

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

4 BY MR. MIZUNO:

5 Q And, Mr. Culton, I'm handing to you Culton
6 Exhibit 3, which has been previously identified as your
7 written and oral limited appearance statements at the
8 Comanche Peak proceeding.

9 Q And I would like you to review that and
10 tell me how many technical concerns did you raise in your
11 limited appearance statement?

12 A I don't recall. Without reading it word
13 for word, I do not know.

14 Q Would you accept my representation that
15 there were two concerns?

16 A Okay. I would.

17 Q And that those two concerns were, one,
18 dealing with the Q cable splice and the second one involving
19 the drawings?

20 A Yes, sir.

21 Q Okay. Can you just review that just to make
22 sure, in your mind, that that's true.

23 A I believe that is.

24 Q Okay. Fine.

25 Okay. Now, Mr. Culton, when you were

1 contacted by the NRC to come into the NRC for this interview,
2 did they indicate to you what they wanted to talk to you
3 about?

4 A Pretty much what I knew.

5 Q Okay. Did they mention the fact that they
6 had read your limited appearance statement and they wanted
7 to find out more information about the information contained
8 in it?

9 A That they had what?

10 Q Read your limited--

11 A Okay. Yes, that's true.

12 Q They did indicate that? Okay.

13 A I believe that to be true. I'm not positive.

14 Q To the best of your recollection, you
15 believe that to be true?

16 A Yes, sir.

17 Q When you say you believed that to be true,
18 you're not speculating. You think so.

19 A I think so.

20 MR. GAITAN: I object to the question and
21 answer.

22 Do you mean that to be speculating? I
23 think so?

24 I move we strike all speculation.

25 //

1 BY MR. MIZUNO:

2 Q This is just-- I just want to make sure
3 that I'm not putting words into your mouth.

4 A All right.

5 Q Okay. Fine.

6 Okay. Now, this interview that you had,
7 now, it was conducted at the NRC Regional Offices in
8 Arlington?

9 A Yes, sir.

10 Q And do you recall the date of that interview?

11 A No, sir.

12 Q Do you recall it was in 1982?

13 A I believe so.

14 Q Okay. Do you recall whether Mr.-- whether
15 the NRC persons who were at the interview asked you about
16 the two technical concerns which you raised in your limited
17 appearance statement?

18 A Had they asked me?

19 Q Yes, sir.

20 A Yes, sir.

21 Q Did you discuss those concerns?

22 A Yes, sir, we did.

23 Q In great detail?

24 A I'd say detail enough.

25 Q You discussed them for some length of time.

1 A Where they knew that I knew what I was
2 talking about.

3 Q Okay. Now, you indicated that you felt that
4 the NRC, or at least these particular persons, were not
5 interested in your technical concerns?

6 A Yes, sir.

7 Q Okay. Since Mr. Stewart did contact you
8 and said that he had read your limited appearance statement
9 and that he wanted to talk to you further about your
10 technical concerns in your limited appearance statement,
11 don't you think that indicates some interest on his part
12 in finding out what your concerns were?

13 A I'd have to answer that question yes and
14 no.

15 Q Okay. Why yes and no?

16 A Due to it's speculating. I believe that
17 he was concerned on what information that I had, but really
18 didn't want to do anything about it. Maybe speculating,
19 maybe he had a big load someplace, as I know that most
20 people on jobs are overloaded. Maybe he was. I just
21 really don't think that he....

22 Q Okay. Do you believe that that is the case
23 with--

24 MR. GAITLAN: Excuse me. The time limit is
25 up, in that we did request a 10:30 to terminate.

1 MR. BELTER: How much more do you think
2 you have, Geary?

3 MR. MIZUNO: I do think I'm going to have
4 an hour.

5 MR. MIZUNO: Well, Mr. Culton, you feel
6 that you want to end at this point; is that true?

7 THE WITNESS: Yes, I do.

8 MR. MIZUNO: The Staff has no problem in
9 ending, but as we indicated before, we believe that we
10 ought-- we need to have a timely time to continue our
11 cross-examination of Mr. Culton and that cross-examination
12 at the hearing will not be that kind of timely examination
13 that the whole proceeding that we agreed upon is going to
14 allow us.

15 I suggest that we have a conference call
16 to discuss two things with Judge Bloch.

17 MR. BELTER: Why don't we do this, Geary.
18 Why don't we get the transcript of this, where we are to
19 date, put together. And then, off the record, we can
20 discuss what would be the best time to continue it.

21 I have a feeling that if we get the transcript
22 up there, we may be able to make some motions on this, any-
23 way.

24 MR. MIZUNO: Okay. I think we can let Mr.
25 Culton go for this. He doesn't have to stay around for

1 the legal discussion. But I do want the discussion as to
2 what we are going to do on the record now.

3 MS. ELLIS: Can we take a break?

4 MR. MIZUNO: Yes, we may.

5 (Whereupon, at 10:30 p.m., a recess was
6 called in the proceedings.)

7 MR. BELTER: Back on the record.

8 I'm willing to try and accommodate you. My
9 preference would be to try to continue it down at Glen
10 Rose, fit it in with one of the other sessions that would
11 be ongoing.

12 And next week would be find with us if Mr.
13 Culton can't make it until then.

14 MR. GAITAN: I have reserved the right to
15 have it postponed to next week or anytime after that
16 because Mr. Culton at this time cannot be-- we cannot
17 determine his schedule.

18 MR. MIZUNO: Okay. The Staff believes that
19 it's fine to have it next week, whether it be in Glen Rose
20 or Fort Worth. We don't care. We'll show up..

21 But it can't go very much beyond next week.

22 Getting back to my point. I started to
23 say we should have a conference call tomorrow. Upon
24 reflection--

25 MS. ELLIS: You'll have to stand in line.

1 MR. MIZUNO: After discussion with Mr.
2 Belter, I think the better thing would be to have tonight's
3 transcript completed, have that overnight mailed to Mr.
4 Bloch, Judge Bloch, and have him review the transcript.
5 And then we would have a conference call.

6 I think the earliest that that can happen
7 would be Friday, I think.

8 (Whereupon, the witness left the room.)

9 MS. ELLIS: And I want to be sure we have
10 a copy of the transcript first, too, in some way, shape, or
11 form. We can't operate in the dark on this.

12 MR. MIZUNO: Okay. I will commit to
13 lending you a copy of our transcript, and we're--

14 MR. BELTER: We're at the mercy of Mr.
15 Culton's schedule, which is indeterminate.

16 MS. ELLIS: Yes.

17 Can I borrow a copy of the transcript and
18 make a copy, because I'd like to have a copy, too, for
19 this conference call? And I'll probably be in Dallas,
20 and they'll probably be in Glen Rose.

21 MR. MIZUNO: The--

22 MS. ELLIS: If I can borrow it, I can make
23 the copies.

24 MR. MIZUNO: The copy should go to you or
25 go to--

1 MS. ELLIS: Why don't you let me have it,
2 and I'll make a copy for him and for me.

3 MR. MIZUNO: Well, I'm going to be in Glen
4 Rose. So, you have--

5 MS. ELLIS: You're going to be in Glen
6 Rose.

7 MR. GAITLAN: That's all right.

8 MR. MIZUNO: Okay. I'll give you a copy.

9 MS. ELLIS: I'm trying to save you some money.

10 MR. MIZUNO: Okay. I will give you a copy
11 of the transcript as soon as I receive it. I'll make a
12 copy and--

13 MS. ELLIS: I think as far as scheduling,
14 we need to wait and see when we get that and schedule from
15 then.

16 MR. MIZUNO: Schedule on what?

17 MS. ELLIS: The conference call or whatever.

18 MR. MIZUNO: Okay. I suggest we have it
19 earlier than later.

20 MS. ELLIS: Yeah.

21 MR. MIZUNO: Firday being the earliest,
22 though.

23 MS. ELLIS: Yeah. I can't see how we're
24 going to get the transcript and get copies made and get
25 it to all of us and everything in time to have copies on

1 Friday.

2 MR. MIZUNO: Well, I think that the main
3 thing is that the attorneys read it.

4 You know what I'm going to be talking about.

5 MR. GAITAN: Yes, I do.

6 MR. MIZUNO: One is the questio.. of scheduling.
7 The other one is the relevance.

8 If we succeed on relevance, then we don't
9 have to worry about scheduling, obviously.

10 MR. GAITAN: That's true. I understand.

11 MS. ELLIS: Now, even though the attorneys
12 are handling this for us, that doesn't mean that I've
13 abandoned any role. I want to be in on this.

14 MR. BELTER: Ncthing further?

15 MR. GAITAN: Nothing.

16 MS. ELLIS: I have one further. What are
17 our chances of getting a copy of the NRC's transcript of
18 this, both for me and for the attorneys?

19 MR. MIZUNO: That's not the NRC's transcript.
20 That is Applicant's transcript which they paid for. And--

21 MR. BELTER: I'm sure we can get a copy for
22 you, Mrs. Ellis.

23 MRS. ELLIS: I'd like to have one for us
24 and for the attorneys--

25 MR. GAITAN: Can we get two copies of that?

1 MS. ELLIS: If I can get a copy and make a
2 copy, that will be fine.

3 MR. BELTER: I don't want to volunteer
4 something I can't come through with. Our xerox facilities
5 are limited. You've seen the crummy little xerox we have.

6 MS. ELLIS: Right.

7 If you can get me a copy, I can make copies.

8 MR. BELTER: Sure. I can get you a copy of
9 both of them.

10 MR. GAITAN: No further statements.

11 MR. MIZUNO: That concludes the transcript
12 of this deposition.

13 (Whereupon, at 10:38 p.m., the deposition
14 in the above-entitled matter was adjourned.)

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CERTIFICATE OF PROCEEDINGS

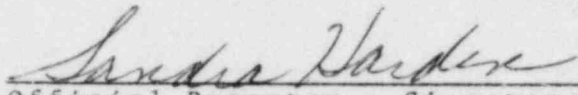
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This is to certify that the attached proceedings before the
NRC COMMISSION

In the matter of: Texas Utilities Electric Company, et al
Deposition of Dennis Kevin Culton
Date of Proceeding: Wednesday, July 25, 1984
Place of Proceeding: Fort Worth, Texas

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

Sandra Harden
Official Reporter - Typed


Sandra Harden
Official Reporter - Signature

AFFIDAVIT OF DENNIS CULTON

My name is Dennis Culton. I live at 610 S. Dick Price Road in Fort Worth, Texas 76119.

I am making this statement freely, without any threats, inducements, or promises of rewards. This affidavit was prepared at the request of CASE (Citizens Association for Sound Energy) in connection with events regarding my limited appearance statement during the September 1982 operating license hearings for Comanche Peak, and the aftermath of my statement (specifically my dealings with the Nuclear Regulatory Commission regarding my concerns). This affidavit was prepared under my personal direction, and the thoughts and words expressed herein are my own thoughts and words (with the exception of minor grammatical changes, either to correct spelling or to clarify what I meant, which did not change the intent of my thoughts).

Following my limited appearance statement before the Atomic Safety and Licensing Board in September 1982, I was contacted by the NRC Region IV office in Arlington, Texas, and asked to come in and talk to the investigators regarding my concerns. I have read CASE's ^{SKC} 12/21/82 Brief in Opposition to the NRC Staff's Exceptions to the Atomic Safety and Licensing Board's Order Denying Reconsideration of September 30, 1982, regarding this matter. The statements contained therein on pages 23-26 and Attachments 10 and 11 are substantively correct to the best of my knowledge and belief.

Mrs. Juanita Ellis, CASE President, accompanied me on Monday, November 8, 1982, to the NRC Region IV offices to discuss my allegations further with the NRC. I had originally requested someone else to accompany me but that individual was unable to do so due to illness in the family, so Mrs. Ellis was asked to accompany me instead. We met with the NRC in Arlington on Monday, November 8, 1982.



Both myself and Mrs. Ellis tape-recorded the meeting; the NRC has stated that they did not do so. As the meeting progressed, I became increasingly upset, and almost walked out. I was especially concerned about the Q (safety-related) cable that was in the cable spread room being spliced, and one of the main reasons that I went to the meeting was to see what the Nuclear Regulatory Commission was going to do about the spliced Q cable. I gave them the location and we discussed the statement that I had made at the NRC hearing in September. I wanted to know what they were going to do about the spliced cable.

I have other information that I believe shows that pipe supports and pipe hangers are not located in the proper areas, that there are faulty welds on the supports. They kept asking me questions about it. And they tried to discredit me. They tried to get me to say things that were not true by badgering me and twisting what I had said to confuse me. The meeting went on for about an hour and forty-five minutes before I and Mrs. Ellis decided to leave. All the time we tried to find out what they were going to do about that spliced Q cable.

I feel that the NRC people at the meeting were trying to intimidate me. I don't think they took me seriously at all. I think that what they really wanted to do was to find out what other information I had, and whether or not I had a grudge against the Nuclear Regulatory Commission or Brown & Root (neither of which is true). I left Brown & Root with a high classification; they would have been very willing to rehire me. I left of my own accord. One of the reasons was that I had intentions of going back to school; the other was that I could not condone what was going on at the plant. I thought that they were not treating the problem areas as they should. I knew what was going on and I tried to stop it, but I was told to just keep

my mouth shut. I felt that my only recourse was to quit.

Bob Stewart telephoned me after this meeting in Arlington at the NRC office. (I believe it was on Friday, November 12, 1982.) He asked me why I hadn't come down to give them the papers that I had. I told him that at this time I have no intention of giving him the papers, since I felt that he wasn't going to do anything about the splice Q cable. To the best of my recollection, the conversation went like what is in paragraph 4 of CASE's Attachment 11. I told him that I was not going to turn over the drawings to them; that I planned to turn them over to Mrs. Ellis. I also told him that I had talked to an engineering professor at UTA who suggested that I not let the papers out of my hands, just to scatter them in different areas where I could locate them if there would be a fire or other kind of accident in my home, or if a thief should break in and steal a box of information that I have. Mr. Stewart tried to figure out what papers I have, but I told him that I wasn't going to talk to him about it anymore. He told me that I was going to have to back up my statements. And I told him that he was badgering me, that he knew that I had the information to back up my statements, and that he was trying to discredit me in the phone conversation then just like they tried to do in the meeting. That was pretty much the end of the conversation. It lasted no longer than about 10 minutes.

I think that people who come in to give the NRC some information that the NRC tries to discredit them. The way I see it, the NRC's not telling us the full story. At least I didn't get the full story. And I think that if they talked to me like they did, that they talk to everybody else that way, too.

I don't know what I would have done if I hadn't had my tape-recorder and if Mrs. Ellis hadn't been there. I got so upset during the meeting that I almost got up and walked out. I even used some foul language (which I don't normally do--I usually don't get that angry).

While Mr. Stewart badgered me with questions (popping them at me one after another as fast as he could), Mr. Tomlinson asked more specific questions. Mr. Herr asked very detailed direct questions--and he did more cutting down than anything else. They were a very effective cross-examination team--very tactful, but very poor class, very low class. They treated me like a very low-class person which I do not consider myself to be. I consider myself to be at least the equal of the people at the NRC office, if not higher. I feel that they tried to make me feel like a came from a little Podunk dirt town with no education, but I've got a good education. This is my sixth year in college (I'm working on my second degree), and I definitely did not appreciate his attitude to me.

If Mrs. Ellis hadn't been there with me, I would have walked out earlier in the meeting. I would have stood up, said "To he'll with it," and walked out. I would have done so because they were treating me very badly; I didn't like the way they were conducting themselves.

In fact, if I had it to do over, I don't think I would have gone to the meeting in the first place. I don't think that anyone else would go either if they found out what happened to me. If anyone else knew that there was a fault in the plant that might cause a problem at some time, and they knew that the Nuclear Regulatory Commission was not going to do anything about it, and that they did not conduct a meeting properly with someone who brought them information, they wouldn't go to them. I know I wouldn't go back to them; and I don't think that I would turn over my information to them. I think if I do turn it over to anyone, I will turn it over to Mrs. Ellis. At the plant, the Nuclear Regulatory Commission at Brown & Root has^{NRC} the notorious reputation of not doing their job. I believe that there are people working at the plant right now that might come forward with information on problem areas of which they are

aware if the Nuclear Regulatory Commission didn't have the reputation that it has now. But, the way that they handle people who do come to them with information, they won't get many more to come and talk with them. I'm sure that at this time I don't want to talk to them again.

I have read the foregoing 5-page affidavit and it is true and correct to the best of my knowledge and belief.

X Dennis K. Culton

Date: 29 JUNE 1983

STATE OF TEXAS

On this, the 29 day of JUNE, 1983, personally appeared DENNIS K. CULTON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein expressed.

Subscribed and sworn before me on the 29 day of JUNE, 1983.

Franklin J. Tarrant
Notary Public in and for the State of Texas

My Commission Expires: 11/18/84

11/8/82 Interview at NRC Region IV Offices, Arlington, Texas between Dennis Culton and the U. S. Nuclear Regulatory Commission (NRC); present were: Dennis Culton; Juanita Ellis, President, CASE (Citizens Association for Sound Energy); Robert Stewart; Dan Tomlinson; and Richard Herr.

STEWART: "...if you have anything more you could add to this...what you're describing ..."

CULTON: "Do you want a copy of this? Do you have a copy of that?" (To Mr. Stewart, then to Mrs. Ellis, referring to Mr. Culton's testimony and transcript from the September 1982 operating license hearings)

ELLIS: "Uh huh..."

CULTON: (To Stewart) "I was wondering if you had a copy. I felt sure that you did."

STEWART: "Yeah. This is out of the transcript. Yeah. Down on, uh...let's see..."

CULTON: "Down near line 20...it's O.K. if I record this...is that all right?"

STEWART: "No. Fine. Go right ahead."

STEWART: "Let's see if I can get a line and a page...on page 5552."

CULTON: "O.K."

STEWART: "Now you said...let's see, it'd be line 2 where you said...well, 1, 2 and 3...800 foot pull, quality control cable, I guess you didn't finish the pull and it ended up in the cable spreading room, the lower section of control room number one..."

CULTON: "Yes, sir."

STEWART: "O.K. You said..."

CULTON: "That should have been 800 plus."

STEWART: "...or 800 plus, O.K., that's immaterial. On line 6, 7 and 8 and 9, you said "Several weeks later, or a week later, in fact it was four days later, I went back to that location to check to see if it was spliced and I found out that it was spliced."

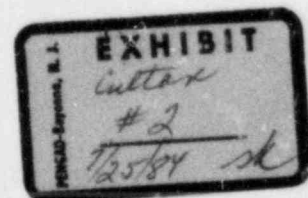
CULTON: "Yes, sir."

STEWART: "Do you have a cable pull number or some way that we could locate that?"

CULTON: "Well, of course not."

STEWART: "Well, I didn't know, uh, you know, pretty specific, said that it was a splice."

CULTON: "Yes, sir. It was."



STEWART: "O.K. Can you add anything more to this so/..you realize what's down ^{where we could} ~~there--~~ in the cable spreading room."

CULTON: "Yes, sir, right. Oh, I know."

STEWART: "And there's no way in the world we could find that..."

CULTON: "No, I couldn't go back...I could not go back right now and find that location. I can give you an estimate of the location, but right now you know as well as I do..."

PHONE RINGS, TOMLINSON ANSWERS, CONVERSATION MUFFLED IN BACKGROUND AS CULTON CONTINUES.

CULTON: "...that when I left the cable in that tray was over a foot thick and it was in the middle, it was probably about six inches in the middle, so you know, who knows how much cable's on top of that now."

STEWART: "Do you have...you say it went to a relay panel..."

CULTON: "Yes, sir, in control room number one."

STEWART: "Do you know what relay panel that was?"

CULTON: "Negative."

STEWART: "And where it's located?"

CULTON: "I can give you an estimate of where it's located, but I don't know the panel and as far as I know, other panels could have been put up in that area, it could have been changed out cause they were constantly changing things."

STEWART: "Uh huh. Can you give me a sketch of where it might be located?"

CULTON: "I tell you what, do you have a layout of the cable spread room?"

STEWART: "No..."

CULTON: "You don't?"

STEWART: "Not right here. It would take us a while to get one. We normally don't..."

TOMLINSON: "If we had to keep the prints for all of the rooms on all of the sites that we go to, we wouldn't have room here on the 10th floor."

CULTON: "Well, I feel sure...I understand that. You know, I don't see how you can expect me to have all those drawings either..."

STEWART: "No, no, I'm not suggesting..."

CULTON: "...I do have a lot of them, but uh..."

STEWART: "that, I'm just asking if you can just draw a sketch to show what approximate location that relay panel's in."

"Uh huh."

CULTON: / That's still not going to tell you anything. I mean, I can give you all kinds of drawings. I tell you what, I'll go ahead and make a note of it and sit down and try and sketch it out. Let me put some more time and thought of it, sketch it out and I'll bring that drawing to you. How's that sound? Do you want to do that?"

STEWART: "Yeah, sure, anything that would help."

CULTON: "Cause I think I could make it a little more accurate than I can right here, cause I can think back and which panel it was, you know, how many panels in; I know it was, I think right now, it's the third panel from the aisleway, from the aisle, and there's..."

ELLIS: "You all" (the NRC) "have access to those drawings, don't you?"

STEWART: "Oh, certainly."

ELLIS: "You couldn't get a copy of the drawing and maybe get that to him and then he could do that..."

CULTON: "Yeah, you could do that. I could make a sketch, then we could take that drawing and sit down and go over it. Do you want to do that?"

STEWART: "Yeah. We could..."

CULTON: "Control Room No. 1."

ELLIS: "That might give you a little closer location..."

TOMLINSON: "You don't remember any names on the panel or any numbers or..."

CULTON: "No."

STEWART: "Let's see, you mentioned that there were two?"

CULTON: "Well, I know that there were two that we pulled that...I don't know if our last Q cable if it was spliced or not. But I know that I saw Q cable in the spread room and in Safeguard No. 2 -- No. 1 -- Safeguard No. 1 that was spliced. And the..."

STEWART: "You say in the Safeguards Building or in..."

CULTON: "Safeguard. Safeguard No. 1."

STEWART: "The room ..the relay panel room or the..."

CULTON: "No. It's the...in a tray, uh..."

STEWART: "Oh, that was the tray name?"

CULTON: "No, no, it's a Q cable that was spliced that is in Safeguard -- Safeguard Building No. 1."

STEWART: "Oh, O.K. But it was in what, an overhead tray?"

CULTON: "Yes. Everything was in an overhead tray."

STEWART: "Well, as opposed to the cable spreading room type of tray; they're down lower, they're not all overhead."

CULTON: "Yes. C.K...O.K., in that case, it was in an overhead tray."

STEWART: "If we get a drawing can you help us locate that one also?"

CULTON: "I can try. In fact, I have a layout of the cable spreading room."

STEWART: "Do you? Well then, maybe you can use that drawing..."

CULTON: "I'll pull it out. Well, no, you'll have to get an electrical...I've got the mechan...I've got just a layout drawing of the cable...of the Safeguard."

KNOCK ON DOOR WHILE CULTON IS TALKING.

SOMEONE SAYS: "Come on in." (Stewart or Tomlinson)

STEWART: "Hi, Dick. You know Juanita Ellis."

HERR: "How're you doing?"

ELLIS: "Hello."

STEWART: "This is Dennis Culton."

HERR: "Dennis. How are you. Richard Herr."

"Mr.
CULTON: /Hart?"

HERR: "Herr."

CULTON: "Herr."

HERR: "H-e-r-r."

STEWART: "...to bring you up to speed, we were...she's taping, of course, it's all on tape...and we're just trying to get a...tie these statements down as to where the location to help us locate something if we can. We're talking about the splices. O.K. I guess we can hopefully get something better from you..."

CULTON: "Well, get an electrical drawing of the...I'm trying to think of a close elevation, above...I can't remember...uh, do you have a layout of the elevation versus locations for the plant?"

PHONE RINGS WHILE CULTON IS TALKING; TOMLINSON ANSWERS AND CARRIES ON FOLLOWING CONVERSATION WHILE CULTON IS TALKING:

TOMLINSON: "Mr. Seidle's office; Tomlinson. Yes. Yes. Yeah, we're kinda involved right now...if I call you back? O.K. O.K. Very good. Thank you. I'll do it. Thank you."

STEWART: "As described in the PSAR?"

CULTON: "Yes."

STEWART: "Yeah. We'd have to go check it out."

CULTON: "O.K. Well, I can cross-section it for you."

STEWART: "O.K. I'll tell you what, since we don't have the other drawings and to avoid the repetition, let's get all of this stuff together, we'll make a note of what we want and then you can come back later and we can go through the drawings and"

CULTON: "I'll tell you what I came here for. I came here to find out what information that I give you and that you've already gotten, what you're going to do with it."

STEWART: "We're going to pursue it, if there's any possibility of locating these, you know, we're certainly not gonna go down there and inspect every damn cable in the cable spreading room to try to find a splice..."

CULTON: "Right. Well, I understand that. I understand that, you know, what you're looking for is factual information..."

STEWART: "Right."

CULTON: "...stuff that you can go by and that you can take care of..."

STEWART: "Absolutely."

CULTON: "...and the information that I have given you is items that either I was related with or that I know should be still there now. I mean, there's a hundred and one other items that's going on there or have gone on there that, you know..."

STEWART: "Well, I want to get these two subject matters down first, and then we can, let us know what else you saw or that's not in the testimony. You follow?"

CULTON: "Yeah."

STEWART: "O.K. I think we have established now that what we need is some drawings and elevations. We will get the control room No. 1 panel drawings since you don't have those. We will also get some elevation drawings..."

CULTON: "O.K."

STEWART: "...so you can help locate these trays."

CULTON: "O.K."

STEWART: "And you're going to provide...what are you gonna provide? You have some sketches you say of the..."

CULTON: "I'll just bring what I have and we'll sit down and..."

STEWART: "O.K."

STEWART: "O.K. You were transferred back into the drafting department?"

CULTON: "Yes, sir."

STEWART: "You were put on the Brown & Root hangers location known as the BRHL?"

CULTON: "Uh huh."

STEWART: "O.K. What specifically did you do there?"

CULTON: "I was given..."

STEWART: "Some isos?"

CULTON: "...some isometric drawings of..."

STEWART: "O.K., I guess..."

CULTON: "...Brown & Root hangers, no of piping that was to go up. I was given on another sheet how many hangers were to be hung on each spool, each piece of pipe, each section of pipe, and the type of hanger it was."

STEWART: "They were already identified on the spool or the isos?"

CULTON: "Yes, they were identified, and I was to locate them on the isometric drawings and make a redraw..."

STEWART: "O.K. Were the dimensions.. "

CULTON: "...to go, to be issued to the field."

STEWART: "Were the dimensions already on it?"

CULTON: "Negative. No, there were no dimensions on it. I was to put them down there. I was just to place them on there; that's what I couldn't understand. I was just to place the hangers on the drawing, just to put them down on paper right then, then later on, after we had our production going, we were...they were turned back to us to put locations. I was given no other information to go by, I was to estimate the feet or the space in between that area of that hanger, just an estimate of what I thought was there, and, uh..."

STEWART: "Then the field crews would..."

CULTON: "Then it was issued to the field."

STEWART: "Uh huh, and then they would go put the hangers up."

CULTON: "Yes."

STEWART: "Did you go back and verify?"

CULTON: "Yes, I did. I went out in the field and just out of curiosity -- I had a brother that worked out there as a pipe, uh what do you call it, just places the pipe up to each other..."

TOMLINSON: "fitter...pipe fitter?"

CULTON: "Pipe fitter. And he showed me around some where the pipe that were hung and a couple of them were off a little bit, but all of them were within the estimates of where I placed them, where I placed the hanger on that piece of spool. You know, of course, there's so much up there, you know, they're gonna have to put that in a different...you know, they're hanging a little bit ~~XXXXXX~~ they're either off maybe several inches or they may be off several feet, but there's so much junk on that ceiling or on the wall that they could not, you know they had to move it down, it was all as-built, and it came back, and sometimes we were issued as built drawings and changes to that Brown & Root hanger location."

STEWART: "But you didn't actually go out and do the as-built, somebody else did?"

CULTON: "No. Somebody else did."

STEWART: "O.K. Do you know what the process is from there? The system?"

CULTON: "No."

STEWART: "'Cause they are verified..."

CULTON: "You mean the as-built drawings? Yes, they are, yeah, but they come back to me."

STEWART: "...Yes. But they use the as-builts to recalculate the seismic, O.K.?"

CULTON: "Yes. But it's the same hanger number."

STEWART: "Yeah. I mean, is there something wrong with that?"

CULTON: "Well, it was a different hanger. It was a different hanger that...the hanger numbers that I had put down on the paper and the type of hanger it was, if it was a shock hanger or if it was, you know, a direct support, then it was out there. That's what was hung. At least, that's what I saw. I know that as-built will go back and change that and they may change the type of shock, they may change the type of support and they may change it and never let us know. That could be. But what I saw is what I drew, what I put up. Now I'm not saying that all of them are that way."

STEWART: "What's wrong with that is what I'm saying?"

CULTON: "Because...what is wrong with it is why did they put this on me to put in the footage, why did they put this on me to put in the distance between the hangers? I had no information."

STEWART: "You've had four years..."

CULTON: "But I'm not an engineer, that doesn't mean -- that's not a damn thing. I'm not an engineer. I'm not qualified to put in this hanger."

STEWART: "Why aren't you? /you've had four years of drafting experience."
I mean,

CULTON: "Sure."

STEWART: "And that's what a draftsman was to do."

CULTON: "As a draftsman, that's right, but..."

STEWART: "But you don't do any calculations, did you?"
"No."

CULTON: /Of course not."

STEWART: "O.K. You made a location. The location could have, or could not have, been exactly where you put it."

CULTON: "Those engineers went back and they used my drawings to put those supports in?"

STEWART: "Why, what's wrong with that?"

CULTON: "Could be nothing. That's why I'm here."

STEWART: "There is the process that you do the first phase of it. The craftsmen go and hang the hangers."

CULTON: "No, an engineer does the first part...first phase."

STEWART: "Well, the installation..."

CULTON: "All that information should have already been figured, should already have been done. I know that from experience from working with other hangers and other piping supports that all that information is already done, then it's given to the draftsman. A draftsman is not an engineer."

STEWART: "Yes. Well, the pre-installation is what I'm talking about. You're taking the engineer's work and converting it to a field work drawing."

CULTON: "That's true."

STEWART: "The workman goes and puts it in. Then there is a verification program that follows."

CULTON: "...estimating a location. That's not my job."

STEWART: "Well, that's the job that was assigned to you, wasn't it?"

CULTON: "Yes, sir, that's true."

STEWART: "You know, I'm..."

CULTON: "No, it's you don't understand."

STEWART: "No, I think you don't understand the system."

CULTON: "I am not an engineer, and I don't know how heavy that piece of pipe is, I don't know what that load is carrying..."

TOMLINSON: "Who determined what hanger would be placed?"

CULTON: "I did."

TOMLINSON: "It was up to you..."

CULTON: "I stuck it on there."

TOMLINSON: "...to decide whether it was a rigid hanger, or a spring can?"

CULTON: "Oh, negative. No. That was already done."

TOMLINSON: "And the size of the hanger itself, who determined that? Did they give you a number that said it will be such-and-such a spring can?"

CULTON: "Yes. The numbers were already put down."

TOMLINSON: "That eliminates the engineering."

CULTON: "It doesn't eliminate the location."

TOMLINSON: "Within reason it does."

CULTON: "Well, does that mean that I could have stuck that hanger anywhere? I could have stuck them all together this far away on a 20-foot piece of pipe that was carrying an 8"?"

STEWART: "Well, I assume you have some reasonable thinking ability to say that that isn't going to be done."

CULTON: "Well, I'm glad you trust me."

STEWART: "Well, I don't know, uh. You just don't have the confidence in yourself to do it right, or what?"

CULTON: "Well, it's not that, sir, it's exactly what I've told you."

TOMLINSON: "How much latitude were you given in the placement of these hangers."

CULTON: "I don't understand."

TOMLINSON: "Well, you say that each one of the hangers had already been preassigned a number -- a type and number."

CULTON: "That's right. Yes, sir."

TOMLINSON: "When this came to you, it came to you as an isometric drawing with just a list of hanger numbers and types or was there some rough location given to you?"

CULTON: "No rough location at all."

TOMLINSON: "Were you given instructions..."

CULTON: "An isometric drawing from this isometric pipe drawing, O.K. Another list came in from the engineers with the hangers, the drawing number and the type of hanger it was, all that was on one sheet of paper. And this was on a sheet of paper. I was to go back and make re-draws -- or my group was -- to go back and make a re-draw of the hanger for the people in the field. They were given this same list of just the hanger numbers."

TOMLINSON: "The list of hanger numbers -- was it broken up by hanger types or was it put down in the order that the hangers would be installed from, say, a wall here to a wall here. Like you would be given a spring can, a spring can, a rigid support, a rigid support, another spring can, or would you have three spring cans in a row and two rigid supports in a row, or who determined the placement of these?"

CULTON: "I don't remember."

TOMLINSON: "Well, was it your decision to make where the hangers would go and in what order, but if you so desired you could put all spring cans at one end of the line?"

CULTON: "No, it was..."

TOMLINSON: "Then someone else had already done this?"

CULTON: "Yes."

TOMLINSON: "O.K. Their calculations were based on a rough placement of these hangers prior to your ever seeing the list. There is a post-installation that Bob was talking about that is a re-verification of this and they go back to the as-built drawings and they perform new stress calculations based on the as-built condition. Not what they thought they had and what you thought you had when you made the first drawing, it's what they come up with on the as-built drawings, the actual as-built drawings, where the hanger had to be because of other interference. Now, if it's a foot off, if it's four feet off, does this span allow for this type hanger to perform as it should, or do we have to redesign? Do we have to put another hanger some place in between? But you weren't doing the engineering though."

CULTON: "No. But you know, what I said is that I gave the approximate distance between the hangers, I put that in. No matter how long that spool was, no matter what angle it was at, I stuck it there. I put it in there. And I went out in the field to check it, if it was 18', if it was 6", if it was 20 plus feet, it was there. Almost every one of them I'll say was within less than a foot of the location that I put on that drawing."

TOMLINSON: "How many of these were anchored into base plates, or were installed in ceilings or in the walls?"

CULTON: "I have no idea."

TOMLINSON: "Because that would have a lot to do with where the hangers would be placed. The base plates were installed at the time the wall was installed or the ceiling was installed or the ceiling was installed in anticipation of attaching a hanger to it. So, again, somebody had done this before."

CULTON: "That's great."

STEWART: "Have you been out in the field and noticed the plates with just numbers on them?"

CULTON: "Sure."

STEWART: "And those are hanger numbers."

CULTON: "Yeah."

STEWART: "And those are the ones that you located?"

CULTON: "Yeah."

STEWART: "On the pipe?"

CULTON: "Some of them were already there. Some of them were just already put up. Like this, whenever -- when I first hired on out there I was a scheduler and we were given -- a lot of the crews want to go ahead and to keep up with their schedule, they find the shortest distance between two points, O.K.? Because it makes them look good, it makes their crew look good if they put in their required 800 foot of pipe or they pull their, you know, 1200 foot of cable or 12,000 foot of cable, or whatever. It makes them look good. They're meeting their schedule. They don't give a damn if there's an HVAC unit coming in or if there's another pipe that comes in this location if they can get theirs in first regardless of anybody else as long as they meet their schedule. I had to go back and reschedule a lot because I found out that the competition out there in the field; one that I remember rerouting was an 8" pipe that went through and HVAC needed to come through -- you know, which one had priority. They were pretty much on the same level, you know, where the HVAC -- you know, the pipe was a priority, the HVAC could have been rerouted and HVAC unit went in first, so they had to tear it all back out and put in the pipe and reroute the HVAC."

STEWART: "NCR was written on it, is that correct? So that there was a decision made by engineering as to who had priority, the pipe or the..."

CULTON: "Probably was, I don't know for sure."

ELLIS (to Stewart): "Do you know for sure?"

STEWART: "Oh, it's routinely done that way."

CULTON: "That's bullshit." ✓

STEWART: "How many construction jobs have you been on? How many nuclear plants have you been on?"

CULTON: "None, sir, except Brown & Root. Construction, I've been on eight or ten."

STEWART: "So the only one you've been on is here at Comanche Peak?"

CULTON: "Yes, sir."

STEWART: "So, I mean..."

CULTON: "I went to all the meetings. I went to all the NCR meetings. I know what went on; I knew the people there. It's like this: If they wrote an NCR report up, it would go back to this guy right here. You know, you knew that that pipe wasn't supposed to go there. Why did you put it up? I had to meet my schedule. And, you know, he was going to take a long time, and I tried to force you a little bit so you could, you know, stay ahead, so you could keep up with your schedule. I asked you if you were going to put it up, and you said no. O.K., go ahead and tear it down and, you know..."

(HAD TO CHANGE TAPE TO SIDE 2)

STEWART: "...except at tremendous cost in labor while somebody sit around andthat's why they tell them to go ahead and put it in..."

CULTON: "...they don't care. No."

STEWART: "...that an engineering decision will be made."

CULTON: "Then why wasn't it rescheduled? Why couldn't they do something else?"

STEWART: "It really didn't matter, did it?"

CULTON: "No, of course not. It doesn't matter."

TOMLINSON: "To us it really doesn't matter either because it's a money problem that you're talking and that's the least of our concerns. Our big thing is safety. Does it affect safety."

CULTON: "I don't know. I'm not an engineer."

STEWART: "Well, uh..."

TOMLINSON: "How they reschedule...."

CULTON: "It's ya'll job to find that out. I just give you information. I'm not here to argue, I'm not here to fight. I'm here to give you some facts and let you deal with the facts. I'm here..."

STEWART: "Well, we'll certainly do that, but...."

CULTON: "It's fine. If this is right...if this is right, if this is routine for you to do this or...that's fantastic, I think that's great. I'm not here to argue that at all. Now, you know, if...cause I know that there's always, these drawings are always coming back, you know, they're always being rev'd and once they get to a rev. 10 they have to be redrawn again, and you know, those papers are filed somewhere. And as far as I know, those papers could be -- you know, a total redraw done on them. They could be thrown out. An engineer might have caught a hold of them and said, my God, hey, what is this? This is not right. Let's get rid of these, let's straighten this thing out. I feel that it is a possibility that that has happened, BUT how can I go back and check on it. That's where I asked you, that's where I asked Juanita, that's where I asked -- I gave some of my finer drawings to a group that I didn't really, I didn't agree with, that Armadillo Coalition at North Texas State when I went there. I heard of Juanita's group and I thought, there's a lady that I have to give these papers to."

TOMLINSON: "Well, I haven't heard anything that you've said yet that was wrong, as far as the hangers go."

CULTON: "That's great. Then we don't have to worry about it."

Tomlinson: "That's as far as the hangers go."

STEWART: "I mean, we want...yeah."

ELLIS: "Let me ask ya'll something. You're making an awful lot of assumptions,

ELLIS (continued): it seems to me. You're assuming that all the hangers and stuff were checked that he did. You don't know that."

CULTON: "You don't know that."

ELLIS: "How do you know that?"

(EVERYBODY TALKED AT ONCE)

TOMLINSON: "...and there is a system that provides for this. Now whether the system is followed or not, I can't guarantee in all instances. Ma'm, I am one person..."

ELLIS: "All right. The ones we're talking about are the ones/he has done. You've got specific concerns here that are being expressed by a specific person."

Tomlinson: "O.K. Let's...do you have a system that you were working on? Do you know what piping system it was and where this general location of it? We can go back and we can check it. If you can get it specific for us."

ELLIS: "Can't you check something from the drawings? Can't they check something from the initials where he initialed...you initialed the drawings that you did?"

CULTON: "Or my group."

STEWART: "Do you realize how many hangers there are?"

ELLIS: "There's an awful lot, I know."

STEWART: "I mean, we just can't go out and try to spot something out of 20,000..."

TOMLINSON: "17,000."

ELLIS: "Aren't there record that would reflect what he worked on?"

CULTON: "It wasn't just me, it was..."

Stewart: "If he can tell me a drawing number, /iso, or a system number, that's fine, then we can tie it down."

TOMLINSON: "But we are talking just unit 1, 17,000 hangers."

CULTON: "I believe it. I believe a lot more."

ELLIS: "But isn't there something that would allow you within the system to check the hangers that he worked on?"

TOMLINSON: "Only if we set someone down with a stack of drawings and went through to look for his name or initials."

CULTON: "Oh, my goodness."

TOMLINSON: "That's the only way we would be able to locate what he had done. So, how many drawings would there be, let's say, on a run of pipe that had 5 hangers? The potential is there that you've got as many as 15 drawings. You've got the isometric for that, you've got possibly two or three pages on the larger hangers, you've got drawings for base plates, just any number of things could be there. Now, we could be talking, you know, talking a mountain of paper for someone to go through just to locate what he has done."

ELLIS: "And you're saying that you don't have the personnel or the time to do it?"

TOMLINSON: "Ma'm, we've got five sites."

STEWART: "We have...there's checks and balances for all of this, not only from the construction side, installation side, then there's the verification program which is an engineering recalculation program. Everyone wants..."

ELLIS: "Yeah, I understand all of that. But what I'm concerned about is whether or not this works. We don't think it works too well because of some of the things we've been told by people, and if you're not checking it out, how do you know that it's working?"

STEWART: "We do check that out. We..."

ELLIS: "You haven't checked out what he's saying specifically, is what I'm saying."

STEWART: "I know routinely that's the manner in which it is done. Routinely. He's not separate."

ELLIS: "If you don't have the time to go through the drawings and stuff, bring some of them here and I'll go through them and find some of the ones that he's done."

TOMLINSON: "I don't think Brown & Root would like the idea of us taking a bunch of their drawings offsite."

ELLIS: "Well, at the site."

STEWART: "I mean, for what purpose?"

ELLIS: "To check out what he's saying, the things that he's concerned about. How are you going to know what...."

STEWART: "I'm telling you what he is concerned about is routinely done, not just him. There is checks and balances. Like he says,...."

CULTON: "It's routinely done to go in and estimate a spool of pipe..."

STEWART: "You have to...."

CULTON: "I know an engineer, what -- my father's an engineer. This is why...."

TOMLINSON: "But remember now, the base plates for those supports were in there before you ever saw the isometrics. The base plates were already installed. Someone...."

CULTON: "Not necessarily."

TOMLINSON: "An awful lot of them, I'll bet they were."

CULTON: "An awful lot of them were."

TOMLINSON: "Because, the walls and the ceilings and the floors were all there."

CULTON: "But in Unit No. 2, Safeguard No. 2 and the Steam Generator No. 2 was not there."

STEWART: "In No. 2. You know what they have in Unit 2? In that corridor? The wall is steel plated for hangers. That's the very purpose. The problems they had in Unit 1 locating hangers was tremendous. So in Unit 2 in the corridor they put a whole steel panel up rather than locate individual hanger inserts."

TOMLINSON: "Base plates...."

CULTON: "Are you talking inside the containment building?"

STEWART/TOMLINSON: "No. Safeguards."

CULTON: "Safeguards? O.K."

STEWART: "So, I mean...you know, there has been a tremendous amount of rework that has gone on in Unit 1 because of the location of hangers. Interferences, primarily. They've been...they're down now to about 4% rework, but at the initial onset, the location, the system in which they were locating them, they were wrong. So they had to rework."

CULTON: "I was there when that went on. I was doing it. That's the reason I was doing the locations, because it was, at that time it was all being redone. It was not like, you know, we couldn't use the same drawings we used in Unit 1. That's the reason I was doing this."

STEWART: "Well, would it satisfy you if we sat down and went step by step in what is done at the site in the verification program?"

CULTON: "Satisfy me? No."

ELLIS: "You mean what is supposed to be done."

CULTON: "Cause I -- that's right. That's what you're...."

STEWART: "I know that it's what is being done. That's what we go down and inspect to see that their program is working. We don't go down and..."

ELLIS: "I don't see how you can satisfy his concerns if you don't address his specific concerns."

STEWART: "Well, I'm trying to find out what his concerns are that are wrong. What is wrong?"

TOMLINSON: "We'll have to go back and do a review of all the drawings that he has worked on."

CULTON: "Not necessarily my drawings. I believe my drawings were more close to being accurate than anybody else's drawings. I worked very hard and I took a lot of time with the drawings that I drew. Now, other people in my crew didn't give a damn where that location went in, they went in and just stuck that hanger any damn where, any place where they could stick it. If it was a 20' piece of section in there, they stuck that hanger anywhere and then went back and made an estimate of where that piece of pipe went, where the hanger was located between that spool. They didn't care. They did not care where that hanger was supposed to be. We went back out in the field and checked...."

COMMENTS INTERJECTED DURING PRECEDING COMMENTS BY:

STEWART: "Are you saying they're not located right?"

TOMLINSON: "Well, there is no way that we can go back and pull..."

ELLIS: "And that's why Dennis is here now."

TOMLINSON: "Well, we can't go back and do a reverification on 17,000 hangers. There is no possible way."

ELLIS: "Sure. No."

CULTON: "I know that you can't."

STEWART: "But the reverification program is in operation. That's what I'm saying."

CULTON: "That's great."

STEWART: "There's hundreds of people that are working on hangers. And part of that is a verification. Is it the right hanger, is it the right location, and is it on the right pipe? All of those...and the calculations that follow. There's a tremendous amount of hours. You already have Mr. Doyle and somebody else that have some allegations regarding the design function."

ELLIS: "Uh huh."

CULTON: "But I sat down, not only with my father as a consultant to me as an engineer on those hangers, but I took it to a professor at UTA and another consultant engineer that I worked with on other sites. I was going to say something else, but I'd better not. They said that that was not the proper way to locate the hangers, that when I was given that information I knew how long that spool of pipe was, I knew the angle in which the intent was supposed to be, I knew how many hangers were supposed to go in this one area..."

STEWART: "Was the iso marked with an X for a hanger?"

CULTON: "No."

STEWART: "There was nothing on the iso that would locate the hanger at all?"

CULTON: "No."

STEWART: "Not even approximate?"

CULTON: "No. I was given an isometric drawing and that's it. With the distance..."

Stewart: "...pipe number?"

Culton: "With the pipe number, with a spool number, with the distance between the spool from one end to the other, from one valve to another. I knew that. I was given the information, No. 2, I was given the information of how many hangers was to go on this drawing. I did not know if it was supposed to go from left to right, right to left, I did not know what hanger was supposed to be hung between these distances. I could have stuck every one of these hangers just right in here, and then I -- my job was finished. Later on, this came back to me, verbal communication came to me from my supervisor which was to estimate the distance between each hanger that I and my group have located on the isometric drawings. We went back, we gave a rough estimate of how far apart the hangers were, put them in a box, each week they are issued to the field -- they were stamped and issued to the field."

STEWART: "Can you give me a system that you worked on? A name of a system? An iso? Some way that we can go back and do some checking...."

CULTON: "I can give you my crappy drawings that I have. I have, you know, like I said, the choice drawings that I have are given away to a professor at UTA, are given away to a professor at North Texas State that are in turn with the group the Armadillo radical coalition. They're the ones that have that."

STEWART: "Do you have duplicates...."

CULTON: "They're the ones that have that. What?"

STEWART: "Are they duplicates or what you...."

CULTON: "Yes, they are duplicates. They are just copies. They are not the drawings. They are just copies. I took those drawings -- a draftsman always saves some of his work, some of his finer work, a draftsman saves for the benefit of going back into another position that you, as an employer, would like to see what kind of work I do. You'd like to see how, you know, some of my ideas. I might be able to help you to, you know, to change some of your ideas. I might have a better idea. You might have a better idea. But you want to see my work to see what kind of quality draftsman I am. So where am I supposed to get that information? On my own time drawing it? Well, that's fine and dandy, but 9 times out of 10, if you draw it on your own time, for you, I would do a fantastic job, I would do a very quality job of doing it. That's not what you want to see; you want to see production work. O.K., that's it, that's what you want to see."

TOMLINSON: "Let's go back to some of the things/^{that}you said a minute ago that you first...."

CULTON: "That's what I did and that's what my group did."

TOMLINSON: "You turned over some of the drawings to a gentleman down here at UTA and another one at North Texas State..."

CULTON: "Yes, sir."

TOMLINSON: "...and you said that they, it was their opinion that this was not being done in the proper manner."

CULTON: "Yes, sir."

TOMLINSON: "Did they verify any of the stress calculations or find out that the hangers were in the wrong place, were not the proper strength, or did they find any fault with them?"

CULTON: "They found, for instance, that some of the hangers were -- had/^{some}improper welds, the wrong type of bevel weld, the -- some of the types of welds that they used in the location of stress were the wrong types."

TOMLINSON: "Now this, if you could get me on to specifics on this..."

CULTON: "Well, I think I only -- we went through..."

TOMLINSON: "...then we're in my ball park."

CULTON: "...the last time I talked to you -- I'm not sure if he was an engineer,^{I thought he was an engineer} that looked at it. No, he was a welder down at the nuclear power plant in Glen Rose and he pointed out several of the welds that were wrong, they were improper welds..."

TOMLINSON: "...the design or the..."

CULTON: "It was design. It was the design on the hanger and on the base plate."

TOMLINSON: "If you can give me something specific on that..."

STEWART: "Did they have the loads and everything and everything for the weld design?"

CULTON: "I'm not sure they did..."

STEWART: "I mean, how did they say -- what was their basis that it was wrong?"

CULTON: "Some of the material/^{I had} I had written down some information off a piece of paper onto the drawings..."

STEWART: "You mean, they were stress calculations or..."

CULTON: "And it was for my benefit, you know, because it made the drawing look neat, it looked -- you know, I was going to keep it, you know, a copy of this drawing just for my benefit. I didn't know what I was really putting down. I didn't know that that was, you know, the improper or the stress, where the stress load was, but when I took it to North Texas State, he gave it, the professor gave it to I felt an engineer, I don't know, somebody, and he came back and told me that they were improper stress loads. I don't know."

STEWART: "You said you had some rough sketches that you have..."

CULTON: "Just what everybody picked through."

STEWART: "Do you have them with you?"

CULTON: "No. Cause I was going to find out and see what you were going to do first. If you're not going to do anything, there's no reason wasting my time."

STEWART: "Well, I mean, if we weren't going to do anything, we wouldn't have called you in."

CULTON: "Well, I don't know that."

STEWART: "O.K. I mean, give us some credit."

CULTON: "Oh, yeah, I give you credit. I give you credit for being here, for making an attempt, you know, for giving Brown & Root, or not necessarily Brown & Root, but you know, the nuclear power plant in Glen Rose a headache."

STEWART: "We want it right..."

CULTON: "I want it right."

STEWART: "Our responsibility to see it safe...you know, that's our job..."

CULTON: "I'm paying for part of it; you're paying for part of it."

STEWART: "Right. Well..."

CULTON: "I know what went on there. You know, the people that I worked with knew what went on there."

STEWART: "I mean, I've been in the business for 30 years and I know construction."

CULTON: "That's good."

STEWART: "I know just every phase of it, and..."

CULTON: "That's great."

STEWART: "...I am concerned. And my fanny comes first, you know, as far as the health and safety of the public. So if it isn't safe for me..."

CULTON: "I'm not here to stop it. Believe this, I'm not here to stop, you know, the production of electricity at the nuclear power plant in Glen Rose. I'm here, like I said ten times, to give you the information that I have..."

STEWART: "Well, we certainly appreciate it."

CULTON: "...and if you work with it, that's fine and dandy. You know, if you can't do anything with it, then give it back to me where I can give it to my employer some day so he can look at it and see if he might want to give me a raise."

STEWART: "Well, I'm not going to keep anything you've got. All I want is to see it. I'd like to see it and maybe make copies of some of it if..."

CULTON: "Well, I'm very sorry that I can't give you the good stuff that I had. I don't know who has it at North Texas State. I will be up there later on this week and I'll go by and talk to the professor, and see if I can get..."

STEWART: "Well, if you can get some of the..."

CULTON: "...cause I'll tell him what's going on and, you know, I think it would be of benefit to him, both groups and myself."

STEWART: "Certainly."

TOMLINSON: "You're saying that the isometrics and the hanger lists were given to you by your boss. Could we get a name for him, please. It probably would be easy to go through him to get copies of things that you had worked on before. He would probably have some record of what you or your crew had done."

CULTON: "No, he's not there anymore."

TOMLINSON: "He's bound to have a replacement."

CULTON: "Yeah."

TOMLINSON: "And there's bound to be a record kept someplace."

CULTON: "...remember his name. I think -- did I mention his name here? I mentioned it back over here... Brian Lee. Brian Lee was my supervisor in the drafting department. I thought the scheduling department was fantastic, they had some very fine schedulers. I've been scheduling for -- this is my seventh year as a scheduler, and I still go by some of the techniques and I still pull out some of their little manuals on scheduling. I like it. I've scheduled at Vought Corporation in Grand Prairie for a year and a half as a production scheduler and I've given a lot of the information for some of the course that they had that I went through, courses that I took there onsite at the nuclear power plant, and that they are using at Vought right now. But that was fine. I thought the scheduling schedulers were very good. But at least that's what we issued the field. Now what you see could be something totally different from what I drew."

STEWART: "Well, what I'd like to get if possible is a typical or a sampling of your sketches. If you've got some old ones or you don't think they're that good, I'd like to see them anyway, just to get a sampling."

CULTON: "O.K."

STEWART: "You can be more specific on the drawings...."

CULTON: "O.K."

STEWART: "So if you can bring that back with you..."

ELLIS: "If ya'll go through and find some of the things in this and they turn out to be all right, would you pursue it further?"

STEWART: "Well, it all depends..."

ELLIS: " some of the others?"

STEWART: "...on what is being done in a manner so that we know there's a stopgap or a check point that what he's saying is overlooked."

ELLIS: "Well, you know that they're going to say that there is, but it's a matter of whether it's working or not."

STEWART: "No, no, we don't just go verbally."

ELLIS: "That's what I wanted to know."

STEWART: "We actually do the inspection ourselves. But again, it's only on a sampling basis, and if we have any doubts at all, then we put the burden of proof on them, particularly if we find some questionable area."

ELLIS: "One thing that concerns me is, after taking such a strong position in the hearings for their getting a license, frankly is how close ya'll might look at some things at this point."

STEWART: "At this point?"

ELLIS: "Uh huh. I don't mean to impune your integrity or anything like that, but, uh..."

STEWART: "No, no, I -- the thing is that..."

ELLIS: "...it would be awfully hard to take a contrary position at this point."

STEWART: "...that the checks and balances...Not for us. By no means. We can shut a plant down just like right now if there's a concern of safety. So, the thing is trying to describe to you the checks and balances that go on, well, on every safety system in that plant. There's a tier of inspections. Right now, the start-up crews do their own system walk-down from as-built drawings, and they walk every inch of those lines. They have to, for one, I mean, that's

STEWART (continued): a requirement. Secondly, it's the best way to know a system if you're an operator. After the start-up crews go through and do their start-up checks, then the operations crews go through and do their own system walk-downs, and, you know, there's things caught, you know, not anything really significant other than like, not, is it San Onofre where they did find mirror images were wrong, you know, dual plans. But the checks and balances that go on are numerous, and that's in addition to our samplings that we do in every system in every plant in our region."

TOMLINSON: "Through safety systems."

ELLIS: "When ya'll check this out, will ya'll be doing this yourselves, actually doing the checking out and everything yourselves?"

STEWART: "Oh, yeah."

CULTON: "You'll do it yourself? You'll walk it?"

STEWART: "Oh, absolutely. Absolutely. But I'm not going to walk 17,000 hangers, you know. I want to tie it down to try to get it to an area that you're concerned with in the time frame that you're..."

TOMLINSON: "If we can take the things that you worked on and that you have concerns with and do these in depth, then we find that either there are things wrong or there're not things wrong. There's always the two possibilities. If we find that there is nothing wrong, then it goes away. If we find there are things wrong and you're right, then all of a sudden it becomes a major problem and then is when we go into other systems..."

CULTON: "I'm concerned about, you know, some of the drawings that I did, like I told you, but I'm more concerned about is some of the drawings that my group did."

TOMLINSON: "Can you give us names of the people that worked for you, so that we could pull the work that they did."

CULTON: "Yes. Because they, you know, a lot of them. I can't give you the names now. I will. I have--I also did the, you know, the special event drawings, anything that Texas Utilities came down to see the -- what do you call it -- rank of hierarchy of people in the departments. I did all those, where you put everybody's name down, and I kept a copy of it. I drew all of those.... made them real nice and pretty.... kept a chart of who's working for who. I did all those. So you can take those and make copies of those and go by the names, but you know, there's a hundred people before me and a hundred people after me that you don't see. All you see is the time span when I worked there. You don't see any other people that I worked with and you don't see..."

TOMLINSON: "Is that what you have here...is that what raises a major concern in your mind, is the time that you were there, what you did see?"

CULTON: "That's why I'm here."

TOMLINSON: "Those are the ones that we're interested in then."

STEWART: "Can you give us some dates?"

CULTON: "For what?"

STEWART: "That time span."

CULTON: "I can't recall them right now."

STEWART: "...a year? Was it one year, two years?"

CULTON: "

I had my copy of my resume, copy of my -- the day that I quit and walked out the gate, I got a copy of my report about me which you're not supposed to get, but I got it, and I'll let you just go ahead and make copies of everything that I have."

STEWART: "Well, we'd certainly appreciate it."

CULTON: "...and then you can see, see what I've got."

ELLIS: "Once you've done this, will you let him know what you've done?"

STEWART: "Oh, absolutely."

TOMLINSON: "Yes."

ELLIS: "This has been one of the problems with some of our witnesses. They've asked for things and never found out what happened to them. I know Henry Stiner in particular was very upset because he'd never been given a copy of the I&E Report in regard to his allegations."

TOMLINSON: "As a matter of course, he will not be given a copy of the report, but it will be filed in the PDR and it will be available. In the case of a special request, maybe we'll make a phone call and we'll tell them what the outcome was. But as far as mailing a copy of our report to an individual, that just isn't done."

ELLIS: "Well, if he had even known what it was or anything...he wanted to find out what had happened and I think he made that pretty clear, and...this, to me, is one of the problems. I think there's a real communications breakdown between the NRC and people who make allegations, and we've talked to an awful lot of people who wouldn't come to the NRC with an allegation under any circumstances because they don't believe you'll do anything about it."

CULTON: "I was reluctant to come here. That's the reason that I brought Juanita and the reason that I...you know, I even went down to the little hearing that you had. I was reluctant to do anything about it. I was more inclined to go ahead and just give all the information to the radical group or somebody like that that might at least hold this up and say, hey, this is wrong, bugger. This is what's going on, this is what is...you know, the problem is there now."

Stewart: "Yeah, I can see you've got your time span here. You said you started work in October 18, '79, and then you say, I quit in June of 1980 in order to go back to school."

CULTON: "That's about right."

ELLIS: "And then later came back to work..."

CULTON: "Negative...."

(HAD TO CHANGE TAPE)

CULTON: "...which it was for my benefit. My supervisor thought it was a good idea because of the past experience that I have and I intended and intend to become a mechanical engineer, or really right now a civil engineer, and to work in construction. I have...I live on a farm, lived on a farm all of my life, so I know how to wire something together and keep it running, but I've also worked in construction for six years as a scheduler, you know, same time for a total of seven years, production field one year."

STEWART: "O.K., well, how soon can you get this information back to us?"

CULTON: "When do you want it?"

STEWART: "As soon as you can. We'll have to get some drawings also. Can you come back Friday?"

ELLIS: "There's another aspect of this that kind of bothers me. I think after talking to Dennis just recently, we feel like his testimony should be part of the record, and as you know, these limited appearance statements don't really, you know, mean all that much in the record because they're not sworn statements, they're not cross-examined on them or anything like that. I really feel that some of the things ~~XXXXXX~~ need to be in the record, especially about the Q cable being spliced, because there's nothing officially in the record even though we've got allegations from the fellow who's in prison in Oklahoma about the same sort of thing. There's still nothing officially in the record about this. I think it needs to be there. One of the things I'm concerned about, frankly, is that if Dennis gives you the names of some of these people and says, you know, to look at this; you go out and investigate it and talk to them, then they're veiled in this cloak of secrecy, whereas if we present the information in the hearings and he names names in the hearings, then we could ask that the Board subpoena these people and the records and go from there and it would be part of the public record. We ran into that problem with the Stiners. Now, Mrs. Stiner tried to tell the Board Chairman what she really meant about that -- they never at any time meant to say that the people who were interrogated who were being accused of doing things wrong should not be brought forward in the hearings or that confidentiality was, in their opinion, being offered to them. So we have a very weird sort of situation in that regard. This decision will have to be Dennis's, for sure, but that's one of the problems that I've got with some of this right now."

"Well,

STEWART: /You know this is being adjudicated right at this point as to naming names, and I don't wanna any comment about it one way or another. But, no, I think that we've got a good beginning here and that we can start off and if we can get these drawings, information that you have and sit down and try to locate these splices, uh..."

CULTON: "O.K. Some of the drawings that I have at UTA, I'm going to talk to a professor today about them, then I'll get back with you on those."

STEWART: "O.K."

CULTON: "Before I give you anything I want to talk to two other people and Juanita, and what papers I give you you'll get."

STEWART: "Well, all we wanna do is make copies..."

CULTON: "It'll be about five minutes before I need to leave...."

STEWART: "O.K. Let's...how soon can you call me on that?"

CULTON: "...if there's anything else... ^{Call you} /on what?"

STEWART: "On the...when you can..."

CULTON: "On the drawings?"

STEWART: "Yeah."

CULTON: "How about day after tomorrow?"

STEWART: "That's fine."

CULTON: "Wednesday?"

STEWART: "Wednesday is fine."

CULTON: "About what time? How about..."

STEWART: "Well..."

CULTON: "Wednesday. It'd be, it'd have to be in the afternoon. Three o'clock?"

STEWART: "Fine."

CULTON: "O.K."

STEWART: "And in the meantime, you said you'd seen other things that you noticed, why don't you give us a run-down on those, what you can remember or recall?"

CULTON: "Well, why don't we just hold off on that right now, and then..."

STEWART: "No, I don't mean now, I mean in the meantime..."

CULTON: "O.K."

STEWART: "You can just make notes on what you're concerned with."

CULTON: "O.K."

STEWART: "O.K.? You say you've got to get going to class?"

CULTON: "Uh huh."

ELLIS: "I haven't really had a chance to talk to Dennis. It may be that his situation will be different from the Stiners anyway. It may be that if he has someone that he thinks has not done work correctly or ~~WMA~~ he's concerned that may not have done work correctly, and he says, 'Joe Blow, down there, didn't give a damn about the way things were done and I don't think he did it right, or there's a good possibility he didn't do it right,' and we give you that name and you go check with Joe Blow and he says, 'Why, I always did everything right, everything's beautiful,' and that's confidential then between you and him and we never get to even hear about it or to cross-examine him or anything like that..."

STEWART: "Normally we don't talk to him if we know specifically. If we have specifics, we can track these things down. When people talk in generalities, what can we do?"

TOMLINSON: "...a lot of cables, a lot of hangers, an awful lot of people, the proverbial needle in the haystack. We really have to have something that will pin it down a little closer than that. There's a cable at Comanche Peak, or there's a hanger at Comanche Peak."

ELLIS: "Right."

CULTON: "The information that I've given you, is it pretty much common, do you get this all the time? Or am I pretty much an isolated case, I'm one out of the hundreds of people that work there, that just happened to realize that that was the Q cable that was spliced? Or that was the, you know, that they're crowding the trays, or that they're doing something?"

TOMLINSON: "You're in a better position to answer that than we are." (to Herr)

CULTON: "How many people come by here and talk to you like this?"
my answer

HERR: "Yeah, and ~~I~~ may tend to identify various people and I don't know if I'd like to answer that or not...."

CULTON: "Well, you don't have to mention any people, just give a percentage... just give an idea of how many people come by and talk to you..."

ELLIS: "Well, not names. All he wants is just -- he just wants to know if he's just an isolated case."

CULTON: "...that's all I care about."

HERR: "No."

TOMLINSON: "No."

STEWART: "No."

CULTON: "Do you get a lot of people, a few people, ten, twenty? Less?"

HERR: "Somewhere in there."

(laughter)

ELLIS: "Ten, twenty, or less."

HERR: "I have one question I'd like to ask you on the Q cable. Is there a way you can take a Q cable and splice it and it be all right?"

CULTON: "Yes, sir, it's probably true. But that's not what the contract says."

HERR: "...I just wanted to know if there's a way and you're aware of that way."

CULTON: "I am not an electrician."

TOMLINSON: "I've got another question on that. When ~~you're talking about~~ you're talking about a spliced cable, is it a factory-spliced cable or is it a site-spliced cable?"

CULTON: "No. Site-spliced."

TOMLINSON: "Site-spliced."

CULTON: "That is right. It was a site-spliced cable, it was not a factory-spliced cable."

TOMLINSON: "O.K."

HERR: "How did you recognize it?"

CULTON: "I pulled it. I'm telling you the cable that I pulled."

STEWART: "No. Recognized exactly where it was spliced?"

CULTON: "Yes, sir."

STEWART: "What did it look like at the time you saw it? Had it been a finished splice?"

CULTON: "Oh, it was very nice, very neatly done..."

(TELEPHONE RINGS)

CULTON: "...very well done splice. They did a very good job..."

TOMLINSON (answering phone): "Seidle's office. Tomlinson."

CULTON: "...of splicing it, but..."

TOMLINSON: "Oh, we're just about closing up."

CULTON: "...my understanding of the contract that they had with Q cable was that there was no splicing..."

TOMLINSON: "Hang on just a second."

CULTON: "...whatsoever."

TOMLINSON: "What color was the cable?"

CULTON: "I don't recall."

TOMLINSON (into telephone): "He says he doesn't recall the color."

CULTON: "Green, yellow, orange, black..."

TOMLINSON (into telephone): "O.K. Uh huh." (Hangs up telephone)

CULTON: "They had all colors, all different colors, but I know at that time, I -- hell, it's been, what, two years ago, three years ago? I don't remember. At that time I had worked on six different sites pulling, you know, pulling cable, routing it, routing it conduits."

HERR: "Did you write this up -- when you saw this, did you write it up as a nonconformance or bring it to anybody's attention?"

CULTON: "Negative. Are you kidding?"

HERR: "I don't kid very much."

CULTON: "Well, I'm sure you don't, sir, but I expressed that as a -- I didn't mean that as a wise comment, but as a person in the field, as a worker in the field, you didn't do that because my brother did that. I had two other brothers that worked there. My one brother that worked as a pipe fitter made an attempt to write up a nonconformance report and made his life in jeopardy

And when you're working out with that many people, you had -- I'm not going to say a low class -- you had people that were coming from a \$3.00 an hour job that they were happy with at one time and then jumped up and made \$8.00, \$10.00, \$12.00, \$13.00, \$14.00 an hour; you weren't going to take that job away from them. If you wrote that nonconformance report up, in turn, not just that one person but that crew would be jeopardized."

HERR: "Are you telling me that nonconformances aren't written out there in your department?"

CULTON: "No, sir, I'm not telling you that."

HERR: "What are you telling me? Your brother didn't write one because he was afraid of getting beat up. That was an isolated case..."

CULTON: "That happened, sir..."

HERR: "...or is that the feeling..."

Culton: "...that happened outside all the time..."

HERR: "Is that a feeling throughout the department that you..."

CULTON: "Yes, sir."

HERR: "...worked for?"

CULTON: "Not -- that's a feeling that's throughout the plant."

HERR: "So therefore, if that feeling persisted, there wouldn't be any non-conformances written."

CULTON: "I know that on the containment No. 1 door, the -- what's it called? the pressure door, airlock, there was a faulty weld on that door that was reported and four people were fired. And out in the parking lot, there was a good fight going, and it was due to that."

HERR: "Did you participate in the fight?"

CULTON: "No, I ran like hell."

HERR: "Did you know it was a fight over that and not over some girl?"

CULTON: "Yes, sir."

HERR: "Well, how many nonconformances are written down there? Do we have any?"

STEWART OR TOMLINSON: "Oh, are you kidding?"

CULTON: "Hundreds. Thousands."

HERR: "Thousands...we're talking about a five-year period."

STEWART (to Ellis): "You've been looking at them, you've been sorting through them."

ELLIS: "I may be the most expert person here on that."

STEWART: "Right. How many is there? Did you ever count them?"

ELLIS: "There's a few thousand...however..."

CULTON: "I got to sit in on the meetings as a scheduler, as a planner/scheduler, I had the opportunity to sit in on some of the meetings where they discussed some of the nonconformance reports. When they felt that there was a problem somewhere, they tried to talk it out before it was formally written up, can we go ahead and get this thing taken care of? That happens on every site. They try and go ahead and see what they can do to settle it before it's formally written up."

HERR: "Probably good management practice. Besides that, probably you said you saw thousands?"

ELLIS: "Probably, I imagine, three or four thousand."

HERR: "Three or four thousand?"

TOMLINSON: "That's a decent number."

HERR: "So I guess there're not too many people who feared for losing their job if they write a nonconformance."

ELLIS: "Also, you need to look at what has been written up and what hasn't been written up also."

HERR: "See, if this is a problem, I've investigated these things before..."

ELLIS: "I think in certain areas you'll find some things written up and some things not."

HERR: "...and I've found some of them to be true in some departments. I would only be concerned if it was true in your department. But it's obviously not true throughout the whole plant, so I can dismiss 95% and concentrate on the other 5%."

CULTON: "Well, if you want to dismiss 95% of it, then that's fine..."

ELLIS: "I think I'd have to...."

CULTON: "All I know was the feeling throughout the plant. I went down there as a very green person. I didn't know what was going on. I didn't know, so I had to follow everybody, I had to talk to other people. My crew -- you know, we were a small group but you always heard, you know what's going in a construction plant, you know where you are in the percentage of completion from the start to the completion, you just know it. You're putting it up, you're doing it."

ELLIS: "There's a lot of things that happen down there -- if somebody tells you you've got to be very very careful, that can be taken a lot of different ways, and you don't have to always be told 'I'm going to beat the hell out of you in the parking lot if you do this' to know that that's what they mean. And as far as what's written up, I think that that's something else that bothers us, but I don't know if we really want to get into all that right now."

HERR: "Yes, but you're telling me that you didn't write this question up because you felt intimidated and threatened, and if you...."

CULTON: "No, I felt at that time it would probably be repulled, be pulled back, but it was too long -- it was a full spool, they'd have to go back..."

HERR: "So you didn't report it because you felt that it was going to be repulled."

Culton: "At that time, I probably did. In fact, maybe I can come back and say I really didn't care. I had the idea in my mind that I cared but I wasn't overly concerned, I had other problems going on outside of my..."

HERR: "What has changed your thinking?"

CULTON: "Sir?"

HERR: "I mean, could they have pulled that and you not known about it?"

CULTON: "Very true. All these drawings could be redone and properly relocated. If that's true, that's fine and dandy, but there's no way that they're going to let me in that gate right now and find out."

HERR: "...I just wanted to know, that's all."

CULTON: "I would like to find out. You know, if I could go down there and I could scrounge through some of that cable to see if it's been spliced, you know, it seems like that's all I'm basing my comments on, is that cable and, you know, a few of these drawings, a few hundred of these drawings that I've drawn, which is a very small fraction of what is really going on there. Juanita, I spilled my guts out to her one time and she was going 'My God, I don't believe what I'm hearing!' \ But what you want is facts, what you want is what I had or I have on a piece of paper."

ELLIS: "All that he's talked to you about here is what he can pretty well prove or that he has concerns about that is provable."

STEWART: "Well, like I say, I think we can't do much more now until you get, you know, try to tie this stuff down a lot closer than what it is."

ELLIS: "When you get this done, if you went and found that there were problems, would those specific problems be addressed or would a thorough investigation then follow if there were problems?"

TOMLINSON: "A little of both. Because it would be done in two stages. First, we would locate the things that he has said; there would be a report written on that. Then there would probably be some action taken. I hate to use the words stop work or anything else, but some action would be taken and then it would go much further."

CULTON: "It's getting close to that time..."

ELLIS: "Yeah..."

CULTON: "I need to go ahead and run. We can continue this later on if you like, if you feel that there's enough information for you or the information that I'm going to continue to give you. We can meet some other time, but I need to go ahead and get to my class. What was your name again, you're...?"

STEWART: "Bob Stewart."

CULTON: "And you're...?"

TOMLINSON: "Dan Tomlinson."

CULTON: "Dan Tomlinson?"

TOMLINSON: "T-o-m-l-i-n-s-o-n."

CULTON: "And you're...? It'll still pick up, sir."

ELLIS: "Richard Herr."

CULTON: "It'll pick up very well." (referring to his tape recorder)

HERR: "Richard Herr."

CULTON: "Richard Hart?"

HERR: "Herr."

ELLIS: "Herr."

CULTON: "Richard Herr."

LIMITED APPEARANCE

OF

DENNIS CULTON

MR. CULTON: My name is Dennis Culton. I live at 610 South Dick Price Road in Fort Worth.

I worked at the Nuclear Power Plant, Comanche Peak, Glen Rose starting in October of about '79.

I started as a Planner-Scheduler. I thought the scheduling department was very good. It was very adequate in the schedules that they had.

Later when the scheduling department was cancelled out, I went to work in the electrical department, I think is what you want to hear, anyway.

I worked in the routing cables in the plant. In other words, taking a location from, for instance, a panel and routing it, routing the cable through its location, like over a street and to the end location.

Several weeks after that, I wanted to gain a little more experience and I worked out in the field actually pulling the cable that I had routed.

Well, I think it needs to be said. When I was working in the electrical department, they told me that the quality control cable, the Q cable was not to be spliced. In the cable spread room one day, we were pulling -- well, it was several occasions -- we pulled over

hop

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1 an 800 foot pull on quality control cable and we, I guess,
2 didn't finish a pull and it ended in the cable spread room,
3 the lower section of the control room No. 1.

4 And I knew that the Q cable was not to be
5 spliced.

6 Several weeks later or a week later, in fact,
7 it was four days later, I went back to that location to
8 check it to see if it was spliced and I found out that it
9 was spliced.

10 Now, this happened two times that I know of
11 and it is located in the cable spread room below the control
12 room No. 1.

13 Other instances which I have some papers.

14 Later, I transferred into the drafting
15 department because that's where I felt I was more qualified.
16 I had at that time, four years in drafting. I had been
17 a Planner-Scheduler for another company that I had worked
18 for. I felt I was more qualified in the drafting
19 department, so, therefore, I started work there.

20 I was immediately put on the Brown & Root hanger
21 locations, known as the BRHL's. I was given isometric
22 drawings and asked to locate -- or given a package of
23 information that would locate a hanger.

24 The hangers were incorporated by myself and a
25 group that worked with me on the BHRL's.

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1 Later, we were asked and I had a little sheet
2 of paper noting that I should go back and estimate the
3 distance between the BHRL's. I have some copies -- a copy
4 to show, if anybody wants to take a look at it here.

5 I was asked to go back and get some footage
6 estimates between these locations.

7 I am not an engineer. I have never claimed
8 to be an engineer. I have never done any structural
9 testing before. I was asked to put in the footage between
10 each one of these hangers, to estimate it.

11 About a week later, -- by the way, these were
12 not approved or anything, but a week later these were all
13 issued to the field.

14 My group and I was concerned that these hangers
15 or these BRHL's were issued to the field and we went out
16 in the field to check it and we found, measured, looked it
17 all over, that they were incorporating our hangers in the
18 field.

19 To my knowledge, the papers were not reviewed
20 by anyone else. I went and talked to my supervisor about
21 this, number one.

22 Number two, I asked him why these papers were
23 issued in the field without any other information given to
24 us, without these being checked or otherwise noted.

25 I questioned this on several occasions and the

1 group also questioned it and we were told to just do what
2 we had. Take all the information we had and just keep on
3 going.

4 Like I said, I'm a student at UTA. I'm
5 studying Business and also have a double major in
6 Engineering. I stayed up last night until late. In fact,
7 I think I had only about three hours of sleep. Maybe that's
8 why everything's going like it is right now.

9 Did you all have any other questions or
10 anything? I'd be very glad to answer them.

11 I'm sorry that --

12 JUDGE MILLER: Thank you, Mr. Culton.

13 Let me explain to you that the Board is taking
14 evidence in a trial type proceeding. Now, we're glad to
15 have limited appearance statements, such as those given by
16 yourself.

17 It would not be appropriate for us to ask
18 questions and the like, so I want to explain that it is not
19 any lack of courtesy. We appreciate your coming.

20 Your remarks and your statements will be made
21 a part of our record and given consideration to that extent.

22 / / /

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MR. CULTON: I feel this is the primary reason I came here, because I felt this was a problem, and this thing ought to be checked by somebody. It may have been checked.

At the time that I left the plant and other further conversations with friends of mine or acquaintances that work at the plant, these have not been changed.

This is the only reason -- This is the reason why I'm here today.

Thank you very much, gentlemen.

JUDGE MILLER: To the extent that these matters concern issues that are controverted matters in this proceeding, they will be given appropriate consideration by Applicants and Staff.

Thank you, sir.

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WRITTEN STATEMENT

OF

DENNIS CULTON

My name is Dennis Culton. I live at 610 S. Dick Price Road in Fort Worth, Texas 76119.

I started work at Comanche Peak on October 18, 1979 as a planner-scheduler. (Previously I had experience in planning-scheduling, drafting and consturction work.) I quit in June of 1980 in order to go back to school.

I worked as a planner-scheduler for about four months, then I worked in the electrical department. I routed cable, then to gain more experience, pulled the cable that I had routed on a cable-pulling crew. I worked in the field as an electrician for four weeks. When I was out in the field, we pulled two cables that were later spliced by another crew -- approximately an 800'+ pull and another pull which was approximately the same length which was Q (quality-control) cable. The location of the spliced Q cable was in the cable-spread room. (The reason that I know that this cable was later spliced is that a few days later I went back and checked it and found that it had been spliced.) I did report this to Mr. Smith in the department that took the cable pull runs, and he told me not to worry about it; that it was not my department any longer (in other words,

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1 part of the assignment had been finished). I knew from
2 working in the electrical department that Q cable was not
3 to be spliced that it was supposed to be a single pull.
4 This cable was going to a relay panel in the control
5 room number 1.

6 From working in the field I transferred to
7 the drafting department because that's where I was more
8 qualified. I was given approximate (on a sheet of paper)
9 locations where hangers (pipe hanger supports) were to be
10 hung, and I was told to incorporate them into isometric
11 pipe drawings known as BRHL (Brown and Root Hanger Loca-
12 tions). After the first drawings (rev 0), drawings were
13 returned to myself and others in my group (I was in
14 charge of the drafting group drawing the locations.)
15 I was told in a note to estimate footage between each
16 hanger and incorporate it into the drawing. I note
17 that I am not a qualified engineer nor carry the ex-
18 perience or knowledge of knowing where to properly locate
19 the hangers and supports. I informed my group leader and
20 then relayed to my drafting supervisor that I was
21 unable to estimate locations without visually inspecting
22 the item in the field to an engineer's structural survey
23 and that I had no other means of locating the hangers
24 except by guesswork. I also informed the drafting super-
25 visor that my group also felt the same way. We were

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1 told to go ahead and do the best with what we've got. I
2 believe that this was an inadequate estimation -- that
3 we were not qualified nor had the proper information
4 to incorporate the hanger footage locations. I wasn't
5 ever told that an engineer or structural design support
6 engineer would review any of these drawings -- drawings
7 which were actually given to the construction field
8 supervisors to be installed.

9 Fearing that, I went out in the field with
10 several of my co-workers and saw that the Brown and Root
11 hanger locations were actually being constructed to the
12 specifications of our Rev 1's (BRHL's). I was shocked.
13 I went to a coordinator and reported the mistakes that
14 they were making in using our drawings as the basis for
15 actual supports. We went to the drafting supervisor and
16 reported the problem to him and he said, "Don't worry about
17 it -- it's none of your business." He also said that
18 they had already been checked -- but he didn't say by
19 who.

20 That's the primary reason that I am here today
21 to inform the Board of this situation. From the informa-
22 tion given to me which was incorporated to the BRHL's and
23 what I visually saw in the field, I strongly believe
24 that if all of the material that was issued by me and my
25 support group was never checked by an engineer or qualified

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personnel, that this is a major design problem that must be checked. I definitely feel that the safety of the plant is jeopardized by these supports.

I've brought some drawings today. This one has been constructed, but was never approved before it was constructed. I went out in the field about a week or so later and saw that it was up.

If the Board wants to know more about these serious matters, I would be willing to testify to them.

Signed: Dennis Culton.

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