

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC
COMAPNY, et al

Docket No. 50-445-2
50-446-2

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

Deposition of: Linda Barnes

Location: Glen Rose, Texas

Pages: 59,000 - 59,246

Date: Saturday, July 28, 1984

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

3 BEFORE THE ATOMIC SAFETY & LICENSING BOARD
4

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

11 Glen Rose Motor Inn
12 Glen Rose, Texas

13 July 28, 1984

14 Deposition of: LINDA BARNES

15 called by examination by counsel for Intervenor
16 taken before Sandra Harden, Court Reporter,
17 beginning at 9:45 a.m., pursuant to agreement.
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Clearance
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I N D E X

<u>DEPONENT</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Linda Barnes	59,003	59,037 59,144	59,181	59,187 59,216

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E X H I B I T S

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>
Barnes Exhibit No. 1	59,068
Barnes Exhibit No. 2	59,145

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P R O C E E D I N G S

9:45 a.m.

MS. GARDE: On the record.

This is a deposition of Linda Barnes, the witness for Intervenor CASE.

Could counsel identify themselves for the record, please?

MR. DOWNEY: I'm Bruce Downey, and I represent Texas Utilities Generating Company and its affiliated entities, Applicants in this proceeding.

MS. GARDE: My name is Billie Garde. I'm a law clerk with Trail Lawyers for Public Justice. We represent Intervenor CASE in this matter.

MR. MIZUNO: My name is Geary S. Mizuno. I am the counsel for the NRC staff.

MS. GARDE: Could you swear the witness, please?

Whereupon,

LINDA CAROL BARNES,
the Deponent herein, after having been first duly sworn, was examined and testified upon her oath as follows:

DIRECT EXAMINATION

BY MS. GARDE:

Q Linda, would you state your full name for the record, please?

1 A Linda Carol Barnes.

2 Q Were you an employee of Brown & Root at
3 Comanche Peak Steam Electric Station?

4 A Yes.

5 Q When were the dates of your employment?

6 A From December 1981 until April 1984.

7 Q And what position were you in at the time you
8 left the plant?

9 A I was a quality assurance reviewer.

10 Q And who was your supervisor?

11 A Gred Bennetzen.

12 Q And who was Mr. Bennetzen's supervisor?

13 A Bob Sievers.

14 Q And do you know who Mr. Siever's supervisor
15 was?

16 A No, I don't.

17 Q Okay. Linda, I'm going to ask you some
18 questions on three incidents which we have discussed as being
19 involved in this proceeding, which is on harassment and
20 intimidation.

21 If, at any time, you don't understand my
22 question, or later in the proceeding if you don't understand
23 either Mr. Downey's or Mr. Mazano's--

24 MR. MIZUNO: Mizuno.

25 Q (Continuing) --questions, please ask them to

1 either restate the question or to explain the question until
2 you understand it.

3 If, at any time, you wish to discuss the
4 matter with me while they're asking you questions, you have
5 the right to do so.

6 Do you understand that?

7 A Yes.

8 Q Okay. Now, the first incident that I'm
9 going to ask you a few questions on is what has come to be
10 known in this proceeding as the Stanford incident.

11 Are you familiar with the incident that I've
12 referred to as the Stanford incident?

13 A Yes.

14 Q Now, who did that incident involve, to your
15 personal knowledge?

16 A Susie Neumeyer and myself.

17 Q And what did that incident pertain to?

18 A Inconsistencies on a Weld Data Card.

19 Q And what do you mean by "inconsistencies"?

20 A I mean that the date that the weld data card
21 was signed was before the repair was done.

22 Q To the best of your knowledge, was this done
23 according to procedure?

24 A No.

25 Q Now, I only am interested, Linda, in your

1 personal, first-hand knowledge of anything dealing with
2 this incident.

3 If the answer to any questions that I'm going
4 to ask you next are because someone told you that, would
5 you please start your answer by saying that?

6 A (Whereupon, the witness nodded her head
7 affirmatively.)

8 MR. DOWNEY: And that will give me an
9 opportunity to object.

10 MS. GARDE: Which I have explained to her you
11 will do.

12 BY MR. GARDE:

13 Q When was the first time you heard about this
14 Weld Data Card?

15 A Susie Neumeyer showed it to me.

16 Q And what did you do?

17 A Well, I advised Susie to talk to her super-
18 visor, Dwight Woodyard.

19 Q To the best of your knowledge, did she do
20 that?

21 A Not at that time.

22 Q Who did she talk to at that time?

23 A Jack Stanford came into our office.

24 Q Were you in the room when Mr. Stanford came
25 into the office?

- 1 A Yes, I was.
- 2 Q Did you and Miss Neumeyer share an office?
- 3 A Yes.
- 4 Q How far was Miss Neumeyer's desk from yours?
- 5 A About five feet.
- 6 Q Who is Jack Stanford?
- 7 A He is the QC inspector that signed the Weld
8 Data Card.
- 9 Q Was anyone else in the office when Mr.
10 Stanford came into the office?
- 11 A Not that I know of.
- 12 Q What happened in that discussion?
- 13 A Susie Neumeyer asked Jack Stanford if he
14 signed the Wed Data Card in error.
- 15 Q What did Mr. Stanford say?
- 16 A He said, no, he did not. He completed all
17 the inspections and that Jerry Metheny, his lead, told him
18 to do it that way.
- 19 Q How many times did Miss Neumeyer ask Mr.
20 Stanford the question about signing it in error?
- 21 A She asked him several times.
- 22 Q What was his answer?
- 23 A The same.
- 24 Q The same about Mr. Metheny?
- 25 A Yes.

1 Q Then what was said?

2 A Then Susie said she was going to talk to her
3 supervisor.

4 Q Was that Dwight Woodyard?

5 A Yes.

6 Q Are you aware of whether she did?

7 A Yes. Dwight came into our office later in
8 the day.

9 Q And who was present when Mr. Woodyard came
10 into your office?

11 A Susie Neumeyer, Dwight Woodyard, and I.

12 Q And what was discussed?

13 A The inconsistencies on the Weld Data Card.

14 Q What advice, if any, did Mr. Woodyard give
15 to Susie?

16 A Dwight Woodyard advised Susie to write the
17 NCR.

18 Q To the best of your knowledge, did she?

19 A Yes.

20 Q And how do you know that?

21 A She wrote it in our office.

22 Q Did you see the NCR when she was immediately
23 done writing it?

24 A Yes.

25 Q Then what happened?

1 A Then, Jack Stanford came back into the
2 office very upset.

3 Q What was he upset about?

4 A About--

5 MR. DOWNEY: Objection on the basis that
6 this witness to know what Mr. Stanford was upset about,
7 assuming he was.

8 MS. GARDE: Well,--

9 MR. DOWNEY: You might ask her what was said,
10 but....

11 MS. GARDE: Okay. I'll try to rephrase my
12 question.

13 BY MS. GARDE:

14 Q When Mr. Stanford came back into your office,
15 what did he say?

16 A He told Susie Neumeyer that she was costing
17 him his job by writing that NCR.

18 Q Did you hear him say that?

19 A Yes.

20 Q How would you describe his mood?

21 A He was very upset.

22 Q Did he say anything else?

23 A Yes. He denied ever saying that Terry
24 Metheny told him to do it in that manner.

25 Q When you say "in that manner", what do you

1 mean?

2 A By him signing the Weld Data Card and then
3 going back and reinspecting.

4 Q And what did Susie reply?

5 A Susie told Jack Stanford that she had to
6 write the NCR because it was according to procedure.

7 Q What was the next thing that you heard about
8 the NCR?

9 A I heard that there was going to be a meeting
10 about it.

11 Q To the best of your knowledge, was any such
12 meeting held?

13 A Yes.

14 Q And how do you know?

15 A I saw Bob Sievers, Dwight Woodyard, Jack
16 Stanford, Susie Neumeyer, and Terry Metheny in a meeting.

17 Q And how do you know they were in a meeting?

18 A I saw them in Bob Siever's office.

19 Q Was the door open or closed?

20 A It was closed.

21 Q So, is it your testimony that you saw them--

22 A Before the door was closed.

23 Q Okay. Now, how do you know that that particu-
24 lar meeting was about the NCR which we've just discussed?

25 A Because Susie Neumeyer came out of the office,

1 she came straight to our office, and she told me it was
2 about the NCR.

3 Q What did Susie Neumeyer tell you about the
4 NCR?

5 MR. DOWNEY: Objection. Miss Neumeyer is
6 going to testify later today. She can testify about what
7 occurred at the meeting.

8 MS. GARDE: I didn't ask Miss Barnes what
9 occurred at the meeting. I'm asking Miss Barnes to say
10 what Miss Neumeyer told her at the conclusion of the meeting.

11 I'm not offering that for the truth of what
12 happened at the meeting. I'm offering it for the truth of
13 what Miss Barnes was told by Miss Neumeyer.

14 MR. DOWNEY: You're offering it for the
15 purpose of showing that she said it? Is that my understanding?

16 MS. GARDE: Yes.

17 MR. DOWNEY: I object, but go ahead.

18 A (By the witness) Susie said that the NCR
19 was voided.

20 Q (By Ms. Garde) Did she, at that time, show
21 you a copy of the voided NCR?

22 A Yes, she did.

23 Q You saw that yourself.

24 A Yes.

25 J Miss Barnes, that's all the questions I have

1 on the Stanford incident. So, we'll move on to the next
2 incident.

3 Now, I don't have a title for this incident.

4 MS. GARDE: So, Mr. Downey, if you can think
5 of a name for this. Do you have a name for it?

6 MR. DOWNEY: I don't know, Ms. Garde, which
7 incident you're speaking about.

8 MS. GARDE: On the disks.

9 Can you think of a name?

10 MR. DOWNEY: I'll pass on the opportunity
11 to name this incident, Ms. Garde, assuming it occurred.

12 BY MS. GARDE:

13 Q All right. Miss Barnes, I'm going to ask you
14 some questions about an incident which you and I have been
15 referring to as the disk incident.

16 Are you familiar with that when I use that
17 term?

18 A Yes.

19 Q Okay. What time frame are we talking about?

20 A It was in September of 1983.

21 Q And what-- what discrepancies, if any, do
22 you recall finding in September of 1983?

23 A Meddie Gregory showed me a traveler with a
24 disk number that did not match the disk number of the Data
25 Report.

1 Q Do you recall the system that this disk or
2 traveler went to?

3 A No, I don't.

4 Q How do you know she found this discrepancy?

5 A I was training her at the time.

6 Q And what did she show you or point out to
7 you?

8 A She showed me the traveler, and we went to
9 the vault to look at the data report.

10 Q And what did you find?

11 A That the numbers for the disks were not the
12 same.

13 Q To the best of your understanding, was that
14 significant?

15 MR. DOWNEY: Objection.

16 MS. GARDE: On what grounds?

17 MR. DOWNEY: It hasn't been shown this
18 witness is competent to testify what is and is not signifi-
19 cant.

20 MS. GARDE: Okay. Let me clarify the question.

21 MR. DOWNEY: Or significant to what.

22 MS. GARDE: Let me clarify the question.

23 BY MR. GARDE:

24 Q As to document reviewing, was this a
25 significant discrepancy?

1 MR. DOWNEY: I object on the same grounds.

2 MS. GARDE: Well, I think that clarifies the
3 question to be within the scope of this witness's knowledge.

4 MR. DOWNEY: Then ask her why she perceived
5 it to be significant, which itself might be objectionable,
6 but it's closer to the proper question.

7 BY MS. GARDE:

8 Q All right. We'll adopt Mr. Downey's questions.
9 What did you perceive to be significant, if
10 anything, about the discrepancy?

11 A It was not according to procedure.

12 Q What did the procedure require, if you know?

13 A It required traceability to the item.

14 MS. GARDE: Off the record a minute.

15 (Discussion off the record.)

16 MS. GARDE: Okay. Back on the record.

17 Could you read back the last question and
18 the answer, please?

19 THE REPORTER: "Question: What did the
20 procedure require, if you know?

21 "Answer: It required traceability to the
22 item."

23 BY MS. GARDE:

24 Q What was the next thing that you did in
25 relation to this discrepancy?

1 A Meddie Gregory and I went to talk to Greg
2 Bennetzen.

3 Q And who was Greg Bennetzen at this time?

4 A QC supervisor.

5 Q And what did Mr. Bennetzen say?

6 A He said that it didn't matter.

7 Q Are you referring to the discrepancy between
8 the disk number and the traveler number?

9 A Yes.

10 Q Who explained the problem to Mr. Bennetzen?

11 A I did.

12 Q Was Miss Gregory there?

13 A Yes.

14 Q What did Mr. Bennetzen say about why it
15 didn't matter?

16 A He said that it would cost too much money
17 to open the valves up and check the disks.

18 Q Then what happened?

19 A Then I told him that according to procedure
20 this needed to be done.

21 Q When you say "this needed to be done", you
22 mean the numbers needed to match?

23 A The disk number needed to be checked to see
24 if the right disk was in the valve.

25 Q Okay. I understand.

1 Then what happened?

2 A Greg Bennetzen said again that it would cost
3 too much money to open the valves.

4 Q Then what did you do?

5 A Meddie Gregory and I went back to our office.

6 Q And what was done about the discrepancy, if
7 you know?

8 A Nothing.

9 Q What did Miss Gregory do about the discrepancy,
10 if you know?

11 A Meddie Gregory didn't do anything.

12 Q Was there a requirement for anything to be
13 signed off?

14 A Yes, she signed the documentation.

15 Q Did you tell Miss Gregory anything at that
16 time?

17 MR. DOWNEY: Objection. Relevance. What
18 Ms. Barnes told Miss Gregory doesn't seem to me to be
19 relevant to anything.

20 MS. GARDE: Well, I think it is relevant,
21 and I'd like her to answer the question.

22 BY MS. GARDE:

23 Q What did you tell Miss Gregory?

24 A I told Meddie Gregory that she could sign
25 the documentation off if she wanted to, but wasn't going to.

1 MR. DOWNEY: Move to strike the question and
2 answer as not relevant to this proceeding.

3 MS. GARDE: I think it is relevant to this
4 proceeding on the grounds that it indicates that Miss Barnes
5 knew that there was a problem that she personally would
6 not have signed off but she was aware it was signed off.

7 BY MR. GARDE:

8 Q Miss Barnes, I have no further questions on
9 that incident, and I'll move on to what is the last incident.
10 It deals with procedures.

11 Now, Miss Barnes, during the course of the
12 last-- approximately the last year of your employment,
13 where were the procedures kept that you worked to?

14 MR. DOWNEY: Objection. What procedures?

15 MS. GARDE: Well, I'll be glad, Mr. Downey,
16 to go through some background questions to this if you would
17 like me to.

18 MR. DOWNEY: I think it would useful, yes.

19 MS. GARDE: Okay.

20 BY MS. GARDE:

21 Q Miss Barnes, will you briefly describe for
22 the record what your function was at the plant?

23 A I was a document reviewer.

24 Q What did that require you to do?

25 A To review documentation according to procedures

1 and specifications.

2 Q Was this safety-related documentation?

3 A Yes, it was.

4 Q When you say "according to procedures and
5 specifications", would you describe what procedures and
6 specifications you used in your work?

7 A I used QC procedure, QA procedures, construc-
8 tion procedures, welding procedures, and specification
9 manuals.

10 Q And approximately, physically, how many
11 different books were these?

12 Guess, if you can.

13 A About fifteen.

14 Q And throughout the course of your employment,
15 particularly for the last year prior to your resignation,
16 where were those books physically located?

17 A In my office.

18 Q Was there a time when they were not physically
19 located in your office?

20 A Yes.

21 Q Would you describe, as a matter of background,
22 when that occurred? When they were no longer in your office.

23 A I went on a week's vacation and returned on
24 February 20th, and that's when I discovered that they were
25 no longer in my office.

1 Q Okay. Now, one last background question.
2 When you discovered that they were no longer in your office,
3 did you consider that a problem, and if so, would you please
4 describe why?

5 A (No response.)

6 Q You want me to repeat the question?

7 A Yes.

8 Q Okay. You just testified that when you came
9 back from vacation that the manuals that you had been
10 working with were no longer there.

11 MR. DOWNEY: I'm not sure that's a fair
12 characterization.

13 MS. GARDE: No longer in her office.

14 MR. DOWNEY: I still don't think you've
15 established which manuals were no longer in her office.

16 MS. GARDE: Well, I think you can ask her
17 that on your questions.

18 MR. DOWNEY: I will.

19 MS. GARDE: I think for the purposes of my
20 direct that I've established that they were the manuals that
21 she worked with.

22 BY MS. GARDE:

23 Q What I'd like you describe, Miss Barnes,
24 if you could, please, is why was that a problem, if it was
25 a problem?

1 A (No response.)

2 Q Is that confusing to you? Is that question
3 confusing to you?

4 A Just a second. I'm thinking. All right?

5 Q Okay. Fine.

6 (Pause.)

7 A It was not a problem that they were not in
8 the office. It was because we were told to use the library.

9 Q And did you attempt to use the library?

10 A I wanted to find out if the library was up
11 to date.

12 Q Okay. And what did you do to find out if
13 the library was up to date?

14 A I asked Rusty Morris, a level 3 quality
15 engineer who writes procedures and works at the library,
16 whether the library was up to date.

17 Q And what did he tell you?

18 A He told me that whenever I go to the library
19 if there aren't any procedures, the specific procedure that
20 I'm looking for is not there, then someone has walked off
21 with it and that the only DCA's that are at the library are
22 the ones that Erown & Root wants them to have.

23 Q Now, after Mr. Morris told you that-- Strike
24 that.

25 Did Mr. Morris tell you that after your

1 procedures were missing from your desk or your office?

2 A Yes.

3 Q And was your job assignment changed at that
4 time?

5 A Shortly thereafter.

6 Q How was your job assignment changed?

7 A First, I was told to find documentation that
8 was missing on-- in five reports that had already been
9 signed off by ANI.

10 Q Did that require you to have the procedure
11 manuals that you had previously used in your job?

12 A No.

13 Q Now, you said, first, you did that. Did
14 your assignment change again?

15 A Yes.

16 Q And in what way?

17 A This was at the time that Greg Bennetzen
18 took over the N-5 group and QES review, and he wanted QES
19 review to take over the transmitting and receiving of
20 hanger packages. And that's what I was to do.

21 MR. DOWNEY: I'm sorry. What was it? "Wanted
22 you to take over" what?

23 THE WITNESS: Receiving and transmitting
24 hanger packages.

25 //

1 BY MS. GARDE:

2 Q Did that function require using the procedures
3 which you had previously had in your office?

4 A No.

5 Q Did you stay with that position?

6 A (No response.)

7 Q Maybe "assignment" would be a better word.
8 Did you continue with that assignment?

9 A For a while.

10 Q when what assignment change was made?

11 A Greg Bennetzen called me into his office, and
12 he told me he wanted me to start reviewing documentation
13 again and start learning the N-5 program.

14 Q All right. Now, did that assignment require
15 the use of procedures manuals and specifications?

16 A Yes.

17 Q Were you given your specifications and
18 manuals back?

19 A No.

20 Q Was this of concern to you?

21 A Not that they did not give them back, no.

22 Q Was there a concern involved with this third
23 assignment following your change after your vacation?

24 A Yes. I knew that the library was not up to
25 date because of what Rusty Morris had told me.

1 Q Did you voice this concern to anyone?

2 A To Greg Bennetzen.

3 Q What did Mr. Bennetzen respond?

4 A I didn't say anything.

5 Q Now, what did he say after you voiced your
6 concern?

7 A He did not say anything about the concerns
8 I had about the site library, but then went on to say that
9 he wanted me to start reviewing packages and learning the
10 N-5 program.

11 Q Did you voice your concerns to Mr. Bennetzen
12 about the procedures?

13 A Yes.

14 Q Did you voice them to anyone else?

15 A Yes.

16 Q Who else?

17 A Gordon Purdy.

18 Q Anyone else?

19 A No.

20 Q How did you interpret or understand Mr.
21 Benetzen's refusal of responding to your concerns about
22 procedures?

23 MR. DOWNEY: I object to that characterization.

24 MS. GARDE: The witness has testified that
25 Mr. Bennetzen did not respond to this specific concern. I'd

1 like the witness to describe what she took that non-response
2 to mean.

3 MR. MIZUNO: At this point, I'm going to
4 object to this entire line of questioning.

5 MS. GARDE: All right.

6 MR. MIZUNO: And obviously, I can't stop
7 the examination at this point, but I would like to state
8 that the proceeding is limited to intimidation and harassment
9 of, at least, QC inspectors and other QA personnel.

10 Now, skirting the issue of whether Ms. Barnes
11 falls within that category, I'd like to point out that there
12 at least has to be some connection with intimidation and
13 harassment or threatening.

14 I have not heard any testimony regarding this
15 incident which you have referred to as "procedures" which
16 talks about anything regarding intimidation or harassment.

17 And on that basis, I will object to this
18 entire line of questioning, and I ask that this-- that
19 Ms. Barnes's testimony be-- entire testimony on procedures
20 be stricken.

21 MS. GARDE: Well,--

22 MR. DOWNEY: May I?

23 MS. GARDE: Yes.

24 MR. DOWNEY: May I support Mr. Mizuno's
25 objection? I was withholding my own until the end of her

1 examination, and I would expand Mr. Mizuno's objection to
2 move to strike her entire testimony, because I have yet
3 to hear this morning any allegations of harassment,
4 intimidation or threat that's within the scope of this
5 proceeding.

6 Only because it's Saturday morning and there's
7 no reason to belabor the Court with our objections at this
8 time, have I restrained from moving to strike and objecting
9 to every question that I've heard.

10 But I certainly think, most particularly
11 Mr. Mizuno's objection with respect to this procedure is
12 one point, and lest the record be unclear, I want to support
13 his objection in its entirety and expand it to include all
14 the testimony that I've heard this morning.

15 MS. GARDE: All right. Let me respond to
16 both of your objections by reading into the record the
17 definition of harassment that was coined by Judge Kelly in
18 the Cawtaba proceeding, which certainly is not being used
19 to bind this particular proceeding, but I do think it's a
20 good definition to use as a rule of thumb on this particular
21 objection. And that is on page 162 and 163 of the Cawtaba
22 Cartel initial decision, in which Judge Kelly says that:

23 "Any actions taken by another employee or
24 superior intended to modify the actions of the inspector
25 for the purpose of impeding the proper performance of the

1 inspector's task is considered to be harassment."

2 I don't have the partial initial decision
3 with me. It goes on to describe harassing, annoying,
4 embarrassing, humiliating. None of those things, I think,
5 require that a supervisor or another employee point a shotgun
6 at an employee, which in the Cawtaba we did have as one of
7 the incidents, in order to impede their performance and
8 "harassment", as we have all come to learn, is a subjective
9 term.

10 Miss Barnes believes that there was harassment
11 of her during the last several months of her employment,
12 and one of those reasons dealt with the removal of the
13 procedures from her desk and the requirement of her to
14 continue to review documentation without proper, up-to-date
15 procedures.

16 And I note your objection. I don't think
17 that it's appropriate for Miss Barnes, who has testified
18 she was reviewing quality related material, and I would like
19 to continue with my three or four other questions.

20 We can make our arguments to strike or not
21 strike at the-- either in the findings or at the proceedings.

22 MR. DOWNEY: Mr. Mizuno, do you care to
23 respond?

24 MR. MIZUNO: Well, I have two particular
25 things.

1 First, I believe that the Board has not
2 determined what the standard is for determining whether
3 intimidation exists.

4 The Staff has previously indicated that the
5 important question is whether the person was ultimately
6 discouraged from performing his or her duties in accordance
7 with the written procedures and commitments of the Applicants
8 to a QA/QC program.

9 I have not heard Ms. Barnes state in any of
10 these incidents that she did not do what she felt was her
11 duty in accordance with the procedures.

12 Therefore, I don't believe that, as a factual
13 matter, that you can show that there was intimidation to
14 the extent that the program wasn't carried out.

15 That is the Staff's view. GAP may disagree
16 with that, and we will have, probably, much more extensive
17 argument on this, and I don't want to go into that now.

18 MS. GARDE: Okay. Well, let me briefly
19 respond and then let's go on, because I only have a few
20 more questions.

21 The first case on the Stanford incident is
22 corroboration of Miss Neumeyer's testimony, and I think
23 that we've heard, in this particular proceeding, at great
24 length about the Stanford incident. And we will also hear
25 from Miss Neumeyer.

1 As for the second incident involving the
2 disks, Barnes has stated that she would not have done what
3 Miss Gregory did in that case.

4 I am trying to keep my line of questioning
5 narrow, restricted to the incidents which I informed both
6 the Staff and the Applicant about the other day. I'm trying
7 to keep that line of questioning into the specific facts and
8 details and not stray afield too far beyond into this
9 witness's feelings or opinions and concentrate more on
10 what the incidents and the facts of that incident dealt with
11 in her work performance.

12 Now, if you want me to ask this witness a
13 line of questions dealing with how she felt as a result of
14 these incidents that we've described, I will do so.

15 I tried to fashion my particular questions
16 in a manner that just went into the facts of these situations
17 and not into extensive opinions and feelings.

18 I have about three more questions on this
19 incident, and then I'm done with the witness. So, if we're
20 done with these objections, I'd like to continue.

21 MR. DOWNEY: Well, I'd like to add just a
22 word in support of the objection that the Staff and
23 Applicants made with respect to the Stanford incident.

24 There is no testimony in the record of this
25 case that would suggest that that incident, as you call it,

1 meets even the very broad standard that you quoted from the
2 Cawtaba, much less, I think, the more narrow standard that
3 the opinion, as a whole, would have and become proper
4 standards fo adjudicating these claims.

5 MS. GARDE: Well, that may be because we
6 haven't heard from Miss Neumeyer yet.

7 MR. DOWNEY: Secondly, with respect to the
8 incident involving Miss Gregory, she testified in this
9 proceeding and in the cross-examination and did not testify
10 about this particular incident. Upon cross-examination was
11 asked whether she had any other incidents that she thought
12 were harassment and intimidation, and she failed to mention
13 this one.

14 So, I find it very hard to believe that a
15 person to whom this harassment was supposedly directed
16 herself did not feel that this incident was of sufficient
17 magnitude to mention it in her testimony which, I think,
18 went far afield, as it is, from the issues in this case.

19 And third, with respect to what you call
20 the procedure incident, I have absolutely nothing that
21 would even relate to the facts of that incident the standards
22 you have quoted.

23 So, I, again, assert that nothing that has
24 been testified to here this morning is relevant to anything
25 in this proceeding.

1 But so as not to belabor the record with our
2 argument, I will withdraw-- I will not allow you ask the
3 last three questions.

4 MS. GARDE: Thank you, Mr. Downey.

5 BY MS. GARDE:

6 Q Now, I think before we went off into this
7 legal discourse, Miss Barnes, I had asked you how you
8 interpreted Mr. Bennetzen's refusal responding to your
9 concern.

10 Let me rephrase that question to ask you if--
11 First of all, what was your understanding of
12 Mr. Bennetzen's instructions to you at that time?

13 A To review the documentation with incomplete
14 procedural manuals.

15 MR. DOWNEY: I'm sorry, Miss Barnes?

16 THE WITNESS: To review the documentation
17 without complete procedural manuals.

18 BY MS. GARDE:

19 Q Did you feel that Mr. Bennetzen's instructions--
20 Strike that.

21 How did you feel after leaving that discussion
22 with Mr. Bennetzen?

23 A I felt like Greg Bennetzen was a QC supervisor,
24 and he did not respond to my concerns about the library, but
25 yet still wanted me to review the documentation. And I

1 felt like it just didn't matter.

2 Q How do you think Mr. Bennetzen's instructions
3 affected your work, if you had done what he wanted you to
4 do.

5 MR. DOWNEY: Those are two questions.

6 MS. GARDE: I'll withdraw the question. Let
7 me rephrase it.

8 BY MS. GARDE:

9 Q Did you follow Mr. Bennetzen's instructions
10 to begin reviewing without procedures?

11 A No.

12 Q Why not?

13 A Because I could not be sure of the documenta-
14 tion I was signing off was correct.

15 Q Now, Miss Barnes, you've heard the discussion
16 among the lawyers relating to the lines of questioning that
17 we've followed this morning.

18 In order to make the record clear on this
19 point, would you explain, please, how the procedure incident,
20 which we've just gone over, was harassing, in your mind,
21 if it was?

22 Take a minute to think about that.

23 (Pause.)

24 MR. MIZUNO: I object to the form of the
25 question.

1 MS. GARDE: On what grounds to you object
2 to the form of the question?

3 MR. MIZUNO: At the last I heard you say--
4 you asked her to say how it was harassing. I don't think
5 that she has inferred that it was harassing.

6 MS. GARDE: Okay.

7 BY MS. GARDE:

8 Q Miss Barnes, do you consider Mr. Bennetzen's
9 treatment of you in this procedure issue as harassing?

10 A Yes.

11 Q Okay. Would you take a minute and think
12 about why and then explain that on the record?

13 A (Pause.) Greg Bennetzen did not respond to
14 my concerns about the library not being up to date, yet he
15 still wanted me to review the documentation.

16 Q And you've said that you considered that
17 harassing.

18 A Yes, because he didn't say a word about whether
19 he would check into it. He did not say one thing about it.
20 He didn't say if it's all right or anything.

21 Q Were you upset by that?

22 A Yes.

23 Q Who did you tell about your concerns on
24 this matter following this discussion with Mr. Bennetzen?

25 A I had talked to Gordon Purdy.

1 Q And what did you tell Mr. Purdy?

2 A I told Mr. Purdy that-- what Rusty Morris
3 had said about the library, and Gordon Purdy agreed that I
4 could not review the documentation with the library in that
5 condition.

6 Q What did Mr. Purdy say?

7 A He did not say anything as to whether....

8 MR. MIZUNO: While the witness is thinking
9 about her answer, I might point out that she's not directly
10 answering the question in the sense that you asked her what
11 Gordon Purdy said to her. She answered-- She started her
12 answer by saying, "He did not say", and she stopped.

13 MS. GARDE: Uh-huh.

14 MR. MIZUNO: She ought to at least begin her
15 answer by responding to your question.

16 MS. GARDE: I think Miss Barnes has been
17 extremely responsive to these questions. I told you at the
18 beginning, she was nervous. She's never participated in
19 any legal proceeding before at any time. I think she's
20 doing remarkably well.

21 MR. MIZUNO: I know. That's why I'm trying
22 to object directly to you so that she won't feel that I'm
23 upsetting her.

24 BY MS. GARDE:

25 Q All right. Miss Barnes, let me withdraw the

1 last question and re-ask the question.

2 You have testified that you felt harassed,
3 for lack of a better term, that's the one we're all using
4 in this proceeding, as a result of Mr. Bennetzen not
5 addressing your concern about the procedures.

6 And I then asked you if you had brought that
7 to the attention of someone else, and you said, "Yes, Mr.
8 Purdy."

9 Now, first let me ask you: Did you explain
10 to Mr.-- What did you explain to Mr. Purdy about your
11 concerns?

12 I think I may have asked you that already.

13 MR. DOWNEY: That's asked and answered.

14 MS. GARDE: Okay. Asked and answered. Okay.

15 BY MS. GARDE:

16 Q So, the record reflects that you expressed
17 to Mr. Purdy those concerns.

18 What did Mr. Purdy respond to your
19 concerns? What did he say in response to those concerns?

20 A Mr. Purdy agreed with me that I could not
21 review the documentation with the library in the condition
22 it was in.

23 Q Did Mr. Purdy make any commitment to getting
24 the library in a better condition?

25 A He asked me to give him some time to see what

1 he could do.

2 Q Okay. Now, Miss Barnes, I want you to
3 describe briefly how this situation made you feel.

4 A (No response.)

5 Q Do you want me to re-explain the question?

6 MR. DOWNEY: Which situation?

7 MS. GARDE: Okay.

8 BY MS. GARDE:

9 Q We're talking about a situation in which
10 you've testified that to the best of your knowledge, based
11 on what Mr. Morris had told you, the library was not up to
12 date, that you went to your supervisor and brought that to
13 his attention and he said nothing in response but did want
14 you to do this assignment that he was giving you on the N-5
15 review, and that you brought the concern about not having
16 proper procedures then to Mr. Purdy's attention. Okay?

17 How long a time period did these discussions
18 cover?

19 A A couple of weeks.

20 Q How did you feel during those couple of weeks
21 about the situation you were in?

22 A I felt like Greg Bennetzen was asking me to
23 review the documentation without up-to-date procedural
24 manuals, and I was very worried about it because I cannot
25 r4view the documentation and sign it off not knowing whether

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it's correct or not.

MS. GARDE: Okay. Let's take a small break for the reporters to change, and I'd like to confer with you.

I don't think I have any other questions.

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

10:45 a.m.

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MR. DOWNEY: Ready to go.

CROSS-EXAMINATION

BY MR. DOWNEY:

Q Ms. Barnes, your -- the first incident about which you testified involved Sue Ann Neumeyer, is that correct?

A Yes.

Q When did she start working with you?

A It was in the fall of '83.

Q And when did this incident that you described take place?

A The beginning of '84.

Q And what was her job at that time?

A She was reviewing documentation.

Q So she was doing the same thing that you were doing.

A Yes.

Q Did she often bring matters to your attention during this time when she was reviewing documents?

A Sometimes, yes.

Q Were you her supervisor at this time?

A I was training her.

Q And how long did it take to train her to do this job?

1 A. She was in training the whole time she was
2 in my room.

3 Q. And how long was she in your room?

4 A. She came into our office in the fall of '83.
5 And she was there sometime after the beginning of 1984.

6 Q. Then she resigned, is that right?

7 A. I think so.

8 Q. Okay. Have you seen Ms. Neumeyer since her
9 resignation?

10 A. Yes.

11 Q. When was the last time you saw her?

12 A. Today.

13 Q. And before today, when was the last time you
14 saw her?

15 A. A few weeks ago.

16 Q. And have you seen her -- how many times have
17 you seen her since her resignation?

18 A. A few times.

19 Q. Have you discussed this incident with her
20 since her resignation?

21 A. No.

22 Q. Did you discuss it with her this morning?

23 A. No.

24 Q. Have you read her affidavit concerning this
25 matter?

1 A. No.

2 Q. You said that she occasionally came to you
3 with problems while she was reviewing documents, is that
4 right?

5 A. Yes.

6 Q. How often did she come?

7 A. Whenever she come up with a problem she did
8 not feel she knew the answer to.

9 Q. And in this case, what specific advice did
10 you give her when she brought this Weld Data Card matter to
11 your attention?

12 A. I advised her to talk to her supervisor.

13 Q. And what did she do? Did she talk to her
14 supervisor?

15 A. Later that day.

16 Q. So she did consult her supervisor about this.

17 A. Yes.

18 Q. And he instructed her to write an NCR?

19 A. He advised her to write an NCR, yes.

20 Q. And she wrote an NCR, isn't that right?

21 A. Yes.

22 Q. And then that NCR was dispositioned, isn't
23 that right?

24 A. Yes.

25 Q. And you weren't there at the time the NCR

1 was dispositioned, isn't that right?

2 A. No.

3 Q. Did you disagree with the disposition of the
4 NCR?

5 A. I was there when Jack Stanford come in and --

6 Q. Excuse me. I didn't ask you about your
7 conversation with Mr. Stanford. I asked did you disagree
8 with the disposition of the NCR.

9 A. It was not my job to disagree.

10 Q. And whose job was that to disposition NCRs,
11 if you know?

12 A. I don't know.

13 Q. Did Mr. Stanford to come to your office --

14 A. Yes.

15 Q. -- on a regular basis?

16 A. Oh, no.

17 Q. How many times had he been in your office
18 prior to this incident? Do you recall?

19 A. No, I don't.

20 Q. Did you call him to your office that date?

21 A. I did not.

22 Q. Did Ms. --

23 MS. GARDE: What day are you talking about?

24 MR. DOWNEY: The date on which the conversa-
25 tion --

1 Q The date on which Ms. Barnes (sic) brought this
2 matter, the Weld Data Card matter to your attention. On
3 that date, did you call Mr. Stanford to your office?

4 MS. GARDE: You mean Ms. Neumeyer brought
5 that to Ms. Barnes' attention?

6 MR. DOWNEY: Yes. The date on which that
7 matter was brought to Ms. Barnes' attention by Ms. Neumeyer.

8 MS. GARDE: Okay.

9 BY MR. DOWNEY:

10 Q Did you, Ms. Barnes, call Mr. Stanford to your
11 office?

12 A. No, I did not.

13 Q Did Ms. Barnes -- did Ms. Neumeyer call him
14 to the office, do you know?

15 A. She said that she wanted to talk to him. She
16 wanted to talk to Jack Stanford.

17 Q And she said that to you?

18 A. Yes.

19 Q Did you hear her call Mr. Stanford?

20 A. No, I did not.

21 Q How many people worked in the office where you
22 and Ms. Barnes (sic.) sat?

23 A. Six.

24 Q Six people, four besides the two of you?

25 A. Yes.

1 Q And what time of day did this conversation
2 with Mr. Stanford take place?

3 A It seems like it was sometime in the morning.

4 Q Before lunch?

5 A It seems like it.

6 Q And was that the same morning on which Ms.
7 Neumeyer brought this matter to your attention?

8 A Yes.

9 Q And the two of you worked there in the
10 office all morning together?

11 A Yes.

12 Q And you didn't hear her call Mr. Stanford
13 that morning.

14 A No, I did not.

15 Q And Mr. Stanford had never come to your
16 office before that day.

17 A I don't know. I don't remember. There are
18 a lot of people that come in and out of our office.

19 Q You testified -- who are the other four
20 people who worked in that office?

21 A Meddie Gregory, Tim Kilpatrick, John Griffith
22 and Kay Gilley.

23 Q And were they all at work that day, do you
24 recall?

25 A I can't remember if all of them were.

1 Q And they were all document reviewers, isn't
2 that right?

3 A No.

4 Q Who was not a document reviewer among that
5 group?

6 A Kay Gilley was a hydrostatic reviewer.
7 Meddie Gregory was our bookkeeper. John Griffith worked
8 with Kay Gilley doing the same job. And Tim Kilpatrick
9 reviewed documentation.

10 Q The hydrostatic reviewers, did they review
11 documentation from the field?

12 A No.

13 Q What was the function of their job?

14 A To make sure that all of the documentation
15 had been completed that were on a hydrostatic test and had
16 been signed off by QA's reviewers.

17 Q So they looked through papers for approval
18 too, is that right?

19 A No.

20 Q They reviewed documents of some kind, isn't
21 that right?

22 A What -- what they do with our documentation
23 is to look at it and see if we have signed it off.

24 Q I see. So you performed some functions and
25 you passed it on to the hydrostatic reviewers, is that

1 right?

2 A No.

3 Q I'm just trying to understand, Ms. Barnes,
4 what happens in your office. Did -- let me ask it a
5 different way.

6 Did Mr. Kirkpatrick -- Kilpatrick?

7 A Kilpatrick.

8 Q And Ms. Gilley, they sat in the office and
9 worked at their desk most of the time, is that right?

10 A They worked in the office, yes.

11 Q And that was true of Ms. Gregory?

12 A She worked in the office.

13 Q And the other gentleman, did he work in the
14 office too?

15 A Yes.

16 Q Okay. Were any of them there when Mr.
17 Stanford came in?

18 A I don't remember.

19 Q Would it be unusual for you and Ms. Barnes(sic)
20 to be alone in the office?

21 MS. GARDE: This is Ms. Barnes.

22 I mean Ms. Neumeyer.

23 A No.

24 Q They -- the other four people were often all
25 four out at the same time?

1 A. Kay Gilley and John Griffith have to chase
2 down documentations, go to the vault to check to see if
3 it's in the vault, and go to Weld Engineering to check to
4 see if a Weld Data Card has been issued or whatever it is
5 they're looking for.

6 Meddie Gregory transmits and receives the
7 packages. She is out of the office quite a bit.

8 Jim Kilpatrick has problems fixed all the
9 time. He goes to the vault to check data reports.

10 Q And do you and Ms. -- did you and Ms.
11 Neumeyer always work in the office? Do you also have errands
12 that you had to run around the site?

13 A. Yes.

14 Q Now a particular day stands out in your mind
15 because of these events, is that right?

16 A. Yes.

17 Q And think again, Ms. Barnes. Do you recall
18 any of those four people being in the office at the time
19 Mr. Stanford came in?

20 A. No, I do not.

21 Q Do you recall the date of this incident?

22 A. Not the exact date, no. I just remember the
23 incident.

24 Q Did you work for Mr. Stanford at the time?

25 A. I didn't.

1 Q Was Mr. Stanford your supervisor?

2 A No.

3 Q Did Ms. Neumeyer work for Mr. Stanford?

4 A Sue Neumeyer's supervisor was Dwight Woodyard.

5 Q And Mr. Stanford was in a completely differ-
6 ent organization, isn't that right?

7 A He was a QC inspector.

8 Q Ms. Barnes, you did not attend this meeting
9 that you observed being held in Mr. Siever's office, isn't
10 that right?

11 A That's correct.

12 Q And the door was closed during that meeting,
13 isn't that right?

14 A After they went in.

15 Q So what you know about that meeting, you
16 were told by Ms. Neumeyer, isn't that right?

17 A Yes, and I saw the NCR void.

18 Q So the two things you know about that meeting
19 is that sometime after it is when you saw a voided NCR.

20 A Yes.

21 Q And the rest of what you know about that
22 meeting is what Ms. Neumeyer told you, isn't that right?

23 A Yes.

24 Q You testified that you saw Ms. Neumeyer,
25 Mr. Stanford, Mr. Metheny -- is it Metheny or Methany?

1 A Metheny.

2 Q -- Metheny, Mr. Siever and Mr. Woodyard in
3 Mr. Siever's office, is that right?

4 A Yes.

5 Q Could there have been other people in the
6 office during this meeting?

7 A These are the ones I saw.

8 Q So there could have been other people who
9 came in that you didn't see, isn't that right?

10 A I suppose so.

11 Q Putting aside your conversation that you
12 testified about concerning Mr. Stanford, I want to be clear
13 as -- strike that.

14 I want to be clear as to what you actually
15 know about this event, Ms. Barnes. I'll ask you to put
16 aside the conversation with Mr. Stanford you testified
17 about.

18 You -- and I want to describe the events. I
19 want to make sure I summarize your testimony correctly.

20 First, Ms. Neumeyer brought you the Weld
21 Data Card, and you noted the discrepancy. Is that right?

22 A Yes.

23 Q Second, you told her to raise this matter
24 with Mr. Woodyard, isn't that right?

25 A Yes.

1 Q And third, she did raise that matter with
2 Mr. Woodyard, isn't that right?

3 A Later on that day.

4 Q And fourth, Mr. Woodyard directed her to
5 write an NCR, isn't that right?

6 A Yes.

7 Q And she did write an NCR, isn't that right?

8 A An NCR was written, yes.

9 Q And she wrote it?

10 A Yes.

11 Q And later that NCR was voided, isn't that
12 right?

13 A Yes.

14 Q And you don't dis -- you don't have any
15 basis to disagree with that disposition, isn't that right?

16 MS. GARDE: I object.

17 MR. DOWNEY: Why?

18 MS. GARDE: Well you're asking her to not
19 testify about the Stanford conversation as you go summarizing
20 on these events.

21 MR. DOWNEY: I'm going to pick up on the
22 Stanford conversation.

23 MS. GARDE: Well, what -- the question as
24 you've asked it asks her to remove part of her knowledge
25 which would be the basis for her response to that question.

1 MR. DOWNEY: I just asked her to put aside
2 that event and we'll go through the sequence of --

3 MS. GARDE: Well then make it --

4 MR. DOWNEY: -- events.

5 MS. GARDE: Okay. Then when you ask this
6 last question, I wish you would clarify again.

7 BY MR. DOWNEY:

8 Q You testified, did you not, Ms. Barnes, that
9 it wasn't your job to disposition NCRs, isn't that right?

10 A Yes.

11 Q And that's somebody else's responsibility,
12 isn't that right?

13 A Yes.

14 Q And you don't really know who that responsi-
15 bility falls upon, isn't that right?

16 MS. GARDE: I don't think she testified to
17 that.

18 MR. DOWNEY: I believe she did.

19 MS. GARDE: Do you recall being asked that
20 question?

21 MR. DOWNEY: Let me ask you.

22 BY MR. DOWNEY:

23 Q Who was -- who is responsible for disposition
24 of NCRs? If you know.

25 Do you know who's responsible for -- I'll

1 withdraw the last question.

2 Do you know who's responsible for disposition-
3 ing NCRs?

4 MR. MIZUNO: I think she already said she
5 didn't know.

6 MS. GARDE: That was not one of my questions
7 so I don't know where it came from.

8 MR. DOWNEY: It's one of mine.

9 MR. MIZUNO: No, this was one of his.

10 MR. DOWNEY: I just want to make sure the
11 point is clear on the record.

12 BY MR. DOWNEY:

13 Q Do you know who's responsible for disposition-
14 ing NCRs?

15 MS. GARDE: Do you want to make a clarifica-
16 tion of what NCR? That's a lot of NCRs out there.

17 Q I'll withdraw the question and ask you a
18 different version of it.

19 Do you know who was responsible for disposi-
20 tioning NCRs written by the document review group?

21 (Pause.)

22 THE WITNESS: Could I talk to you for a
23 few minutes?

24 MS. GARDE: Sure.

25 (Whereupon, Ms. Garde and Ms. Barnes walk to

1 the door and open it.)

2 MR. DOWNEY: I really -- I'd like to object
3 to the witness consulting her counsel in the midst of a
4 question. I don't think that's an appropriate consultation.

5 It's a very straightforward question, and I
6 think she should answer it before the break. I have no
7 objection to her taking a break, but I can't imagine a more
8 straightforward question than the one I've asked.

9 MS. GARDE: Okay. Do you --

10 REPORTER: I can't hear you.

11 MS. GARDE: Okay.

12 MR. DOWNEY: Could you please shut the door,
13 Billie?

14 MS. GARDE: Yes.

15 All right. He has asked you a question that
16 has a yes or no answer. Would you -- can you answer the
17 question yes or no and then consult with me? I think he has
18 a right for you to answer that question yes or no before
19 you talk to me.

20 THE WITNESS: Repeat the question.

21 BY MR. DOWNEY:

22 Q The question was, Ms. Barnes, do you know
23 who was responsible for dispositioning NCRs written by the
24 document review group in which you worked?

25 (Pause.)

1 MS. GARDE: Linda, if you don't understand
2 something about the question --

3 MR. DOWNEY: Please, please ask me.

4 MS. GARDE: -- or the question can't be
5 answered with an easy yes or no, just tell him to restate
6 the question or tell him why you don't understand the
7 question.

8 BY MR. DOWNEY:

9 Q It's not a trick question. I just want to
10 know.

11 A It's according to what the problem is, as to
12 who dispositions NCRs.

13 MS. GARDE: Okay. Let's step outside.

14 (Whereupon, a short break was taken.)

15 BY MR. DOWNEY:

16 Q Mr. Barnes, who -- do you know whose job it
17 is to -- strike that.

18 There are certain NCRs that are voided,
19 isn't that right?

20 A Yes.

21 Q And some require rework, isn't that right?

22 A What do you mean?

23 Q Some require some repairs out in the field,
24 isn't that right?

25 A Yes.

1 Q So there are various ways that NCRs get
2 dispositioned, isn't that right?

3 A Yes.

4 Q Do you know who is responsible for voiding
5 NCRs that are written by the document review group?

6 A It is according to what the problem is, as
7 to who reviews the NCR and dispositions it.

8 Q You testified that your boss was Mr.
9 Bennetzen, is that right?

10 A Bennetzen.

11 Q Bennetzen, is that correct?

12 A Yes.

13 Q Did he have authority to disposition any
14 NCRs?

15 A Yes.

16 Q He did. Did he disposition -- did he void
17 the NCR written by Sue Ann Neumeyer concerning the Stanford
18 matter, or do you know?

19 A The signature that I saw on the NCR was Bob
20 Siever's.

21 Q Okay. And Mr. Siever does have authority to
22 void NCRs under certain circumstances, does he not?

23 A He's the QC supervisor.

24 Q And does that give him authority to void
25 certain NCRs?

1 A. Yes.

2 Q. When Mr. Stanford -- you testified that Mr.
3 Stanford came to your office that morning, isn't that right
4 -- the morning which Ms. Neumeyer discovered this problem?

5 A. Yes.

6 Q. Did you participate in the conversation
7 between Ms. Neumeyer and Mr. Stanford?

8 A. I listened to the conversation.

9 Q. What were you doing at the time? Were you
10 working when he came in?

11 A. At the time he came in, I believe I was
12 standing near Suzie's desk.

13 Q. Do you know what you were -- were you
14 discussing something with Ms. Neumeyer?

15 A. I don't remember what I was doing but I was
16 there near her desk.

17 Q. You recall that. You recall standing near
18 her desk.

19 A. Yes.

20 Q. Did you say anything in the conversation
21 between the two of them?

22 A. No, I don't remember saying anything.

23 Q. How long did this conversation last?

24 A. Three or four minutes, five minutes.

25 Q. When you testified about who was in the room,

1 you testified that you didn't remember anyone else being
2 there, isn't that right?

3 A. That's right.

4 Q. Could there have been other people in the
5 room?

6 A. There could have been.

7 Q. Now you testified, Ms. Barnes, that Ms.
8 Neumeyer had a second conversation with Mr. Stanford that
9 day, isn't that right?

10 A. Yes.

11 Q. Were you present for that conversation?

12 A. Yes.

13 Q. Where did it take place?

14 A. Suzie's desk.

15 Q. And were you in the office at that time?

16 A. Yes.

17 Q. Do you recall anyone else being in the office
18 at that time?

19 A. No, I don't.

20 Q. Could there have been other people in the
21 office at that time?

22 A. Yes, there could have been.

23 Q. Did you participate in that conversation at
24 all? The second conversation that you testified about
25 between Mr. Stanford and Ms. Neumeyer?

1 A. I listened to their conversation.

2 Q. Okay. Where were you at the time this
3 conversation took place? Do you recall?

4 A. I was near my desk.

5 Q. Were you seated at your desk?

6 A. I don't remember.

7 Q. Do you recall what you were doing when Mr.
8 Stanford came in?

9 A. Not exactly, no.

10 Q. Did -- strike that.

11 Do you recall how soon after the day on
12 which this NCR was written that the meeting took place that
13 you described in your testimony?

14 A. It was a day or so later.

15 Q. Where is your office in relation to Mr.
16 Siever's office? How far away is it?

17 A. It's about -- the entrance to the office is
18 about five or six feet away from my door.

19 Q. And from your office, can you see into Mr.
20 Siever's office?

21 A. I can see who goes in.

22 Q. Are you across the hall from his office?

23 A. Not directly across the hall.

24 Q. You were down the hall from his office?

25 A. Catty-cornered.

1 Q And from your desk with your door open, you
2 can see in the hallway to his entranceway?

3 A I can see who enters the office from my desk.

4 Q And the door -- is there any glass that you
5 can see into his office with the door closed from where you
6 sit?

7 A I don't remember for sure but I don't think
8 there is.

9 Q Now are there two entrances to Mr. Siever's
10 office?

11 A Yes.

12 Q And can you see the second entrance from
13 your desk?

14 A No.

15 Q Now the entrance to Mr. Siever's office that
16 you can see, isn't that also the entrance to Mr. Blixt's
17 office?

18 A Yes.

19 Q So when someone goes in that door, you don't
20 know if they're going into Mr. Siever's office or into Mr.
21 Blixt's office, isn't that right?

22 A Yes.

23 Q So the people you saw going in that day,
24 you don't know where they went after they went through that
25 door, isn't that right?

1 A Whenever I saw the people go into the office,
2 I was in the hallway.

3 Q So you were in the hallway when they went
4 in to see -- went in to this meeting, is that right?

5 A Right.

6 Q Do you know what you were doing in the
7 hallway? Do you recall what you were doing out there?

8 A Not really, no.

9 Q How long did you stay in the hallway?

10 A Not very long.

11 Q Did you go out there specifically to see who
12 went into this meeting?

13 A No.

14 Q Were you working when you were out there
15 putting some papers away or something like that?

16 A I don't remember exactly what I was doing
17 there.

18 Q But you just happened to be in the hallway
19 when this meeting convened, is that right?

20 A Yes.

21 Q From the hallway, could you tell whether
22 they were going into Mr. Blixt's office or Mr. Siever's
23 office?

24 A They were going into Bob Siever's office.

25 Q And you could see in from there?

1 A. Yes.

2 Q. And then there came a time when they closed
3 the door, isn't that right?

4 A. Yes.

5 Q. These people that you mentioned going into
6 the room, did they all go in together? Or did they go in
7 separately?

8 A. They were -- I did not see every one of them
9 go in. I saw some already in the office.

10 Q. So they didn't all enter at one time, isn't
11 that right?

12 A. Well, some of them were already in the office.

13 Q. And after they closed the door, did you stay
14 in the hallway?

15 A. No.

16 Q. So you didn't personally hear anything that
17 transpired in that meeting.

18 A. No.

19 (Pause.)

20 Q. Who is Terry Metheny, do you know? What's
21 his position at the site?

22 A. He was a QC lead.

23 Q. Is he still at the site, do you know?

24 A. I don't know.

25 Q. The problem that you described with respect

1 to this Weld Data Card, was that the signature was on the
2 wrong date, is that right? The date indicated the signature
3 was at the wrong time.

4 MS. GARDE: I don't think that was the
5 question.

6 BY MR. DOWNEY:

7 Q Would you describe what you saw was the
8 problem when you reviewed this Weld Data Card?

9 A The Weld Data Card was signed off completed,
10 and then inspections were marked through where Jack Stanford
11 had completed inspections, or it appeared that they were
12 completed. And then new entries were written in, signed and
13 dated. And that was -- the signature -- the first signa-
14 tures that were marked out was done before the repair had
15 been done.

16 Q So the form showed the repair being done on
17 one day and the inspection of that repair being done before
18 the repair actually occurred, is that the problem?

19 A Would you repeat that?

20 Q As you understand the problem, the Weld Data
21 Card showed the repair being done on one day, but it also
22 showed the inspection of that repair being done on a day
23 before the repair was done, isn't that right?

24 A Yes.

25 Q Now, do you personally know whether Mr.

1 Stanford performed the inspection that was indicated on that
2 inspection?

3 A. I do not personally know. All I know is what
4 he told us.

5 Q. Did you inquire of Mr. Duncan whether -- do
6 you know who Ronnie Duncan is?

7 A. I recall the name but I don't know what he
8 looks like.

9 Q. Did you ever talk to Mr. Duncan about this
10 matter?

11 A. No.

12 Q. Ms. Barnes, you testified about an incident
13 which you called the "procedure incident." Do you recall
14 your testimony about that matter?

15 A. Yes.

16 Q. How many people were working in your group
17 at the time these procedures were taken out of the office?

18 A. Five.

19 Q. And how many people were in the entire
20 document review group at this time?

21 A. Three.

22 Q. Were you all reviewing document packages?

23 A. Yes.

24 Q. And how many copies of these procedures did
25 you have in the office?

1 A. One copy.

2 Q. Okay. What were the specific procedures that
3 were taken away at that time?

4 A. The construction procedures, welding proce-
5 dures and specification.

6 Q. Do you recall the numbers of those procedures?
7 Can you identify them that way?

8 A. On which?

9 Q. Well, was one of them MS-100? Was that one
10 of the procedures?

11 A. Yes.

12 Q. All right. Was one of those procedures
13 MS-43-B?

14 A. Yes.

15 Q. And was one of those documents the welding
16 specifications?

17 A. Yes.

18 Q. Were there any others that were removed from
19 your office at that time?

20 A. The construction procedures and --

21 Q. What --

22 A. -- the welding procedures.

23 Q. What specific construction procedures?

24 MS. GARDE: If she can recall.

25 A. I don't remember which construction

1 procedures.

2 Q You testified you used these in your work,
3 did you not?

4 A Yes.

5 Q And you left the site in April?

6 A Yes.

7 Q Okay. You were using these procedures every
8 day until that time?

9 A Until what time?

10 Q Until you left the site, you used these
11 procedures every day. Wasn't that your testimony?

12 MS. GARDE: I don't believe that was her
13 testimony --

14 A No.

15 MS. GARDE: -- Mr. Downey.

16 Q Let's go to MS-100. How often did you
17 consult with that book in your work?

18 A When I needed it.

19 Q And what would cause you to look at that
20 procedure?

21 Strike that question. You testified that
22 you referred to MS-100 whenever you needed to, isn't that
23 right?

24 A Uh-huh.

25 Q What would cause you to refer to MS-100?

1 What problem would arise that would make you look at that
2 procedure?

3 A. I don't remember what all was in the MS-100.

4 Q. You left the site on April 19th or April 18th,
5 1984, is that right?

6 A. Yes.

7 Q. Do you recall the last time you had occasion
8 to consult MS-100 before you left the site?

9 A. It would be before those books were taken.

10 Q. It was before February, is that right?

11 A. Yes.

12 Q. So you had no reason to look at MS-100
13 between February and April, isn't that right?

14 A. No, because I did not review the documenta-
15 tion.

16 Q. When did you stop reviewing the documentation?

17 A. After I found out my books in the office were
18 taken and that they weren't up to date. And I was worried
19 about the library not being up to date.

20 Q. So you just quit doing your job after that
21 time?

22 A. I quit reviewing.

23 Q. Then did you start doing something else?

24 A. I started helping -- I was doing other duties
25 that I also do, which is help N-5 reviewers find

1 documentation and answer the phone.

2 Q Okay. Were documents being sent to you to
3 review during this time between February and April?

4 A There were documents sent to the document
5 review group.

6 Q And you just refused to work on them, is that
7 right?

8 A I did not review them.

9 Q Did your colleagues review them -- other
10 people working in the office?

11 A The only person in that room at that time was
12 Tim Kilpatrick. And he was working, I suppose, but I don't
13 know for sure.

14 Q Documents were being reviewed by the document
15 review group between February and April, were they not?

16 A I was not.

17 Q There were other people working in the
18 document review group, isn't that right?

19 A Tim Kilpatrick was.

20 Q Was anyone else working during that time
21 with document review functions?

22 A No.

23 Q Mr. Kilpatrick worked in your actual office,
24 did he not?

25 A Yes.

1 Q And you saw him every day in his work, did
2 you not?

3 A I saw him working.

4 Q And you saw him reviewing documents between
5 February and April 1984, did you not?

6 A He was working with papers, yes.

7 Q Now going back to MS-100, when you were doing
8 document reviews yourself, what was it that would cause you
9 to refer to MS-100 in your work?

10 A There were so many MS books that I don't
11 remember what is all in them.

12 Q Okay. Was MS-100 the procedure to which you
13 worked? Was that the procedure governing the document
14 review function?

15 A That's the way I was trained, yes.

16 Q What was QI/QPC 18.2? Are you familiar with
17 that document?

18 A Yes.

19 Q What is that document?

20 A QES review procedure.

21 Q And that's the function you were performing,
22 is it not? The QEC review?

23 A Yes.

24 Q And does that procedure describe the work
25 that you were to do in your job?

1 A. Yes.

2 Q. Ms. Barnes, I'd like you to review a document
3 of six pages and ask you if you can identify it, please.

4 (Pause.)

5 MS. GARDE: What's the question? Do you want
6 her just to identify it?

7 Q. Can you identify that document?

8 (Pause.)

9 A. It looks like the review procedure.

10 Q. And that's QI/QAP 18.1, is that correct?

11 A. Well this says --

12 Q. 18.2

13 A. -- CP/QAP.

14 Q. And that's the procedure for the document
15 review function, isn't that right?

16 A. Yes.

17 Q. Okay. Now you always had a copy of that
18 procedure at your desk, isn't that correct?

19 MS. GARDE: I'd like the record to reflect
20 for clarity that -- the issue date and the title of this
21 particular procedure. Do you want to do that, Mr. Downey?

22 MR. DOWNEY: Yes, I will. The actual
23 number -- and I'll ask the Court Reporter to mark this for
24 identification as Barnes Exhibit 1. The document number
25 is CP/QAP 18.2, Revision 4, January 27th, 1983.

1 (The document above referred
2 was marked Barnes Exhibit No.
3 1 for identification, a copy
4 of which is attached hereto.)

5 THE WITNESS: Could I talk to you for a few
6 minutes?

7 MS. GARDE: Is there a pending question?

8 MR. DOWNEY: I'd like to ask her a couple of
9 questions about this. Let's finish this line of questions
10 and if she wants -- do you want to consult with Ms. Garde
11 before you go on with this line of questions?

12 THE WITNESS: I'd like to talk to her.

13 MR. DOWNEY: Go ahead.

14 (Whereupon, a short break was taken.)

15 BY MR. DOWNEY:

16 Q Ms. Barnes, the document that's been marked
17 for identification as Barnes Exhibit 1, that's the procedure
18 for the document review function, isn't that right?

19 A CP/QAP 18.2.

20 Q And that is the procedure that told you --
21 gave you the instruction as to perform the document review
22 function, the QES review function, isn't that right?

23 A Yes, and I was also trained to use all the
24 procedures and specifications to review the documentation.

25 Q Okay. Let's just take them one at a time,

1 Ms. Barnes. Barnes Exhibit 1 is the document that describes
2 the QES review function, isn't that right?

3 A. Yes.

4 Q. And that's the document that basically told
5 you how to do your job, isn't that right?

6 A. Yes.

7 Q. And you always had a copy of this available
8 to you, did you not, while you were employed at Comanche
9 Peak as a document reviewer?

10 A. Yes.

11 Q. Okay. Now there are also, are there not,
12 quality control procedures, inspection procedures, isn't
13 that right?

14 A. Yes.

15 Q. And didn't your office have a set of those
16 in Mr. Bennetzen's personal office?

17 A. Yes.

18 Q. And those were available to you as you
19 needed them, isn't that right?

20 A. Yes.

21 Q. And when you needed them, you could go into
22 his office and take down a volume, isn't that right?

23 A. Yes.

24 Q. And those were never taken out of the office,
25 were they?

1 A. I never had to.

2 Q. They were never taken out of the document
3 review group area. They were always there, isn't that
4 right?

5 A. As far as I know, yes.

6 Q. Do you know to whom those -- those were
7 controlled documents, isn't that right?

8 A. Yes.

9 Q. And those have to be signed for, do they not?

10 A. I don't know exactly. I would assume so.

11 Q. Do you know whether they were signed out to
12 Mr. Bennetzen or not?

13 A. No, I don't.

14 Q. Now the third group of documents, the
15 specifications and construction procedures, are those
16 controlled documents?

17 A. Yes.

18 Q. And were they updated from time to time?

19 A. Yes.

20 Q. And were the sets audited on a quarterly
21 basis to make sure they were up to date?

22 A. I don't remember. It wasn't my job.

23 Q. Do you ever recall an auditor come into your
24 office to look at those books to see if they were up to
25 date?

1 A. I remember once.

2 Q. Now would you describe for us what you do
3 to prepare a QEC -- is it QES review sheet?

4 A. To prepare one?

5 Q. Yes. Wasn't that your job to prepare those
6 sheets?

7 A. That was one of them.

8 Q. Okay. What did you do to do that job?

9 A. You write the isometric number.

10 Q. Where do you write it on, a sheet of paper,
11 a form?

12 A. On the form.

13 Q. Okay. What else did you do?

14 A. You write whatever it is, whether it's a
15 repair, whether it's a Weld Data Card, or whatever. And
16 you tell what was in the package.

17 Q. So you go through the package and you record
18 the documents on the form, is that right?

19 A. Yes.

20 Q. And that's the QES review sheet, correct?

21 A. Yes.

22 Q. When you refer to your job as a document
23 reviewer, you're referring to the preparation of the QES
24 review sheet, isn't that right?

25 A. Would you repeat that?

1 Q When you say you were a document reviewer,
2 you mean you filled out QES review sheets, isn't that right?

3 A What I did as a document reviewer was review
4 the documentation to see if it was correct.

5 Q And you recorded what you saw on that package
6 on the QES review sheet, isn't that right?

7 A The review sheet was to tell what was inside
8 the package.

9 Q In reviewing it to see if the documentation
10 was correct, what specifically did you do?

11 A Well on the Weld Data Card, make sure that
12 all numbers are correct on the sheets as far as isometric
13 and --

14 Q Well can I interrupt you just as we get
15 through step-by-step what you did? You say you reviewed
16 the Weld Data Card to see if the isometric number was
17 correct, is that right?

18 A That's one thing, yes.

19 Q Okay. You say you look at the isometric
20 number and you look at the Weld Data Card to make sure the
21 numbers are correct, is that right?

22 A Yes.

23 Q Okay. And did you need to review any of the
24 welding specifications to perform that function?

25 A Not that --

1 Q Not that function?

2 A No.

3 Q And did you need to review MS-100 or MS-43-B
4 to perform that function?

5 A No.

6 Q What else did you do to review to make sure
7 they were correct?

8 A Okay. I made sure that the welding procedure
9 that was used was correct for that weld.

10 Q And what did you do to perform that function?

11 A I used the welding procedures.

12 Q Are those the QC procedures?

13 A No.

14 Q Those are the welding procedures?

15 A Welding procedures.

16 Q And would the procedure number be on the
17 Weld Data Card?

18 A Yes.

19 Q Now is this function described in CP/QAP-3,
20 QAP 18.2?

21 MS. GARDE: What function?

22 MR. DOWNEY: The function of reviewing a
23 Weld Data Card to see if the correct procedure was used.

24 MS. GARDE: The correct welding procedure
25 was used?

1 MR. DOWNEY: Yes.

2 A. I don't remember if it is in that procedure,
3 but I was trained to do this.

4 Q Now, procedures change from time-to-time,
5 do they not?

6 A. Yes.

7 Q And you're always to work to the current
8 procedure, are you not?

9 A. Yes.

10 Q And when you were performing the document
11 review function after January 27th, 1983, you were to use
12 the procedures described in Barnes Exhibit 1, were you not?

13 A. Repeat the question.

14 Q After January 27, 1983, when you were perform-
15 ing document review functions, you were to use Barnes
16 Exhibit 1 as your guide, isn't that right?

17 A. Up until or if they revised it

18 Q Now, when were you trained to do document
19 review?

20 A. When I became a document -- document
21 reviewer.

22 Q Was that before January 27, 1983?

23 A. Yes.

24 Q Now referring to the time after January 27,
25 1983, your job functions were described by Q -- by CP/QAP

1 18.2, isn't that right?

2 A. Yes.

3 Q. Now, Ms. Barnes, I'd like for you to review
4 Barnes Exhibit 1 and show me in that exhibit where an
5 instruction to review the Weld Data Cards to ensure -- and
6 the welding procedures to ensure the correct procedure had
7 been used in the field.

8 (Pause.)

9 A. Would you repeat the question?

10 Q. The question was, Ms. Barnes, would you
11 please review Barnes Exhibit 1 and identify the portion of
12 that exhibit that instructs document reviewers to check the
13 Weld Data Card welding procedure number against the welding
14 procedure -- the welding specifications to ensure that the
15 correct welding procedure was used in the weld.

16 A. I do not see it in here, but I was trained
17 to do it that way.

18 Q. And you were trained in 1981, isn't that
19 right?

20 A. No.

21 Q. When were you trained?

22 A. I was trained in 1982, and no one has ever
23 told me not to do it in that manner.

24 Q. And you were trained in 1982, and after your
25 training Barnes Exhibit 1 was issued, isn't that right?

1 A. We had a review procedure before that.

2 Q. Yes, but the review procedure after
3 Janaury 27, 1983 was Barnes Exhibit 1, isn't that correct?

4 A. Yes.

5 Q. And after that date, you testified that
6 Barnes Exhibit 1 were the procedures to which you worked,
7 isn't that right?

8 A. Yes.

9 Q. Now you testified that one of the things you
10 did was to review the Weld Data Card for the correct
11 procedure number. What was another function, the ne t
12 function you performed at your document reviews?

13 A. To make sure line numbers were correct
14 according to the drawing.

15 Q. So, would you explain a little more fully
16 what that means?

17 A. To look at it to see if the line number on
18 the Weld Data Card was the same as the line number on the
19 drawing.

20 Q. And the drawing was in the package, isn't
21 that right?

22 A. No.

23 Q. Where was the drawing?

24 A. There were file cabinets for the drawings.

25 Q. And those weren't part of the documents that

1 were removed from your office, isn't that right? Those
2 drawings in the file cabinets were always there in your
3 office, isn't that right?

4 A. They were not in my office.

5 Q. But they were always in the document review
6 area, isn't that right?

7 A. They were at QC.

8 Q. And is that in your area?

9 A. They was in the same building.

10 Q. So you'd have to go down to the file cabinet
11 and check the drawing number against the Weld Data Card?

12 A. Yes.

13 Q. Every time you reviewed a Weld Data Card,
14 you had to go down to that file cabinet?

15 A. Yes.

16 Q. And what were the particular drawings that
17 you reviewed in these file cabinets?

18 A. Piping.

19 Q. Piping drawings?

20 A. Yeah.

21 Q. In the document package, the correct piping,
22 the correct drawing number didn't appear?

23 A. Repeat that.

24 Q. Weren't the drawing numbers in the document
25 packages that you reviewed?

1 A. Yes.

2 Q. And you had to go check them in this file
3 cabinet, the numbers, isn't that right?

4 The numbers that were in the drawings in the
5 file cabinet, you always went down and checked those?

6 A. Yes.

7 Q. Would you show me, please, in Barnes Exhibit
8 1 where you were instructed to make that check?

9 (Pause.)

10 MS. GARDE: Are you going to have a lot of
11 questions for her on this line?

12 MR. DOWNEY: Uh-huh.

13 MS. GARDE: Okay. Then could we let her take
14 about five or ten minutes to look at it?

15 MR. DOWNEY: Sure.

16 MS. GARDE: She hasn't seen it for a long
17 time.

18 MR. DOWNEY: Fine.

19 (Whereupon, at 11:58 a.m. a short break was
20 taken, which break changed to become the luncheon recess.)
21
22
23
24
25

A F T E R N O O N S E S S I O N

1
2 MR. DOWNEY: In her direct examination,
3 Miss Barnes testified about three matters, which the
4 parties have referred to as the Stanford matter, the disk
5 matter, and the matter concerning the procedures.

6 Following some cross-examination on the
7 matter concerning procedurs and following an off-the-record
8 conversation among counsel and a consultation between Ms.
9 Garde and Ms. Barnes, CASE has decided to withdraw all of
10 Miss Barnes' testimony concerning the matter about procedures.

11 As a consequence, TUGCO has decided to
12 withdraw its cross-examination of Miss Barnes about that
13 matter.

14 Based on these withdrawals, the parties
15 hereby stipulate and agree that the matter concerning Ms.
16 Barnes' access to and use of procedures is no longer an
17 issue in this proceeding.

18 Does that stipulation correctly reflect the
19 understanding of Miss Garde from CASE and Mr. Mizuno from
20 the Staff about the agreement of counsel?

21 MR. MIZUNO: Mr. Mizuno speaking. The
22 statement by Mr. Downey accurately reflects the correct
23 statement of proceeding and discussions between the parties.

24 MS. GARDE: I agree that Mr. Downey's state-
25 ment accurately reflects the state of the proceeding on this

1 matter.

2 MR. DOWNEY: Shall we proceed, then, with the
3 cross-examination of Miss Barnes on the other matters?

4 MS. GARDE: Yes.

5 CROSS-EXAMINATION (Resumed)

6 BY MR. DOWNEY:

7 Q Miss Barnes, you've testified about what
8 we've referred to as the disk matter in your direct
9 examination, and I'd like to ask you a few questions about
10 that testimony.

11 It's your recollection that event occurred
12 in September 1983?

13 A Yes.

14 Q And that involved yourself, Ms. Gregory and
15 Mr. Bennetzen; is that correct?

16 A Yes.

17 Q What was Ms. Gregory's job at that time?

18 A At that time, to review documentation.

19 Q She was a document review clerk; is that
20 right?

21 A She was a document controller.

22 Q And what, specifically, did she do in that
23 job?

24 A She was learning how to review the documenta-
25 tion.

1 Q She was learning to do the job that you were
2 performing; is that right?

3 A Yes.

4 Q And was she in a training status at that time?

5 A Yes.

6 Q And were you the person who was training her
7 to do that work?

8 A Yes.

9 Q Was she physically located-- her desk
10 physically located in the same office in which your desk
11 was located at that time?

12 A Yes.

13 Q How many persons were working that office
14 in September of 1983?

15 A I don't remember exactly.

16 Q More than just the two of you?

17 A Yes.

18 Q Was it the same six people that were working
19 in that office in January 1984?

20 A No.

21 Q Do you recall the names of any of the other
22 persons who were working in that office?

23 A (Pause.) I remember Tim Kilpatrick and
24 Kay Gilley. That's all I remember.

25 Q Were there others, do you believe? You just

1 can't remember their names?

2 A There might have been. I don't remember for
3 sure.

4 Q Were either Mr. Kilpatrick or Ms. Gilley
5 present during the conversation you had with Ms. Gregory
6 about this matter?

7 A I don't remember.

8 Q What, specifically, was the problem with this
9 disk number, Ms. Barnes?

10 A The number of the disk on the traveler did
11 not match the number of the disk on the data report.

12 Q What is a data report?

13 A It is a document certifying things, such as,
14 a valve.

15 Q Is it an inspection report?

16 A It's a certification report.

17 Q Who prepares the data reports?

18 A The vendor.

19 Q And those are transmitted to the site; is that
20 right?

21 A From what I understand, they come in with
22 the parts.

23 Q Where does the data report go when it arrives
24 on the site?

25 A I don't know where it goes when it comes onto

1 the site.

2 Q But in some point in the review process, it
3 came to your office; is that right?

4 A No.

5 Q It didn't come to your office.

6 A No.

7 Q Did Ms. Gregory have the data report in her
8 hands when you reviewed this paper?

9 A The data reports are kept in the vault,
10 and Meddie and I went to the vault to check it.

11 Q Why did you go to the vault to check it?

12 A To make sure she was looking at the right
13 thing.

14 Q So, the data report that you looked at to
15 match the disk number on the traveler with the data report
16 was physically located in the vault at the time you reviewed
17 it.

18 A Would you repeat that?

19 Q At the time you compared the disk number on
20 the traveler to the disk number on the data report, the
21 data report was located in the vault.

22 A The data report was in the vault.

23 Q So, the two of you went down to the vault
24 and looked at it together.

25 A Yes.

1 Q You testified, did you not, that Miss
2 Gregory showed you the traveler and said it had the wrong
3 disk number; isn't that right?

4 A Yes.

5 Q Was that before or after she went to the
6 vault?

7 A Repeat the question?

8 Q This morning-- I'll withdraw the question,
9 and I'll ask it slightly differently.

10 This morning you testified that Ms. Gregory
11 showed you the traveler on which was recorded a wrong disk
12 number. Wasn't that your testimony?

13 A Uh-huh.

14 Q At the time Ms. Gregory showed you the
15 traveler, had you already been to the vault to review the
16 data report?

17 A Had I already been to the vault?

18 Q Yes.

19 A Whenever she told me about it, we both went
20 down to the vault so I could make sure that she knew what
21 she was talking about.

22 Q How did you know, looking only at the traveler,
23 that it had the wrong disk number?

24 A Because it did not indicate that a new disk--
25 or, different disk was being put in there.

1 Q There was a disk number on the traveler, was
2 there not?

3 A Yes.

4 Q One disk number.

5 A Yes.

6 Q How would you know that was the wrong number?

7 A Because it did not match the data report.

8 Q But the data report was in the vault, was it
9 not?

10 A Yes.

11 Q And you hadn't seen the data report at the
12 time, had you?

13 A No.

14 Q Then, how did you know, looking only at the
15 traveler, that it had the wrong disk number?

16 A What I am saying is: Meddie had checked it
17 out first. Then she come to me and said that they had
18 different numbers.

19 So, Meddie and I, with the traveler, went to
20 the vault so I could look at the data report to make sure
21 she knew what she was talking about.

22 Q So, Ms. Gregory went to the vault by herself.
23 Is that your testimony?

24 A Uh-huh.

25 Q And that she looked at it by herself, or told

1 you she did.

2 A Yes.

3 Q And then she came back and reported to you
4 that it had the wrong disk number.

5 A Yes.

6 Q And then the both of you went back down to
7 the vault and looked at it.

8 A Yes.

9 Q Did you have several conversations in your
10 office about this matter with Miss Gregory?

11 A (No response.)

12 Q How many times did you discuss this matter
13 with Miss Gregory in your office?

14 A When do you mean?

15 Q Well, in September of 1983 when it occurred.
16 Did you talk about it three or four times before you decided
17 what to do about it?

18 MS. GARDE: I don't think your question is
19 very clear.

20 MR. DOWNEY: Well, I'll ask it differently,
21 then.

22 MS. GARDE: Okay.

23 BY MR. DOWNEY:

24 Q Do you recall what time of day that Miss
25 Gregory first brought this to your attention?

1 A No, I don't.

2 Q Did you go down to the vault with her the
3 same day that she brought it to your attention?

4 A Yes.

5 Q And did you talk about it before you went
6 down to the vault?

7 A (No response.)

8 Q She explained to you the problem, did she
9 not? She explained to you what she thought the problem was,
10 and then you went to the vault; isn't that right?

11 A Yes.

12 Q How long did that conversation take?

13 A I don't remember.

14 Q Did you discuss it with anyone in your office
15 before you went down to the vault?

16 A No.

17 Q Did you go down to the vault the same day
18 with Miss Gregory to look at the data report?

19 MS. GARDE: Asked and answered.

20 MR. DOWNEY: Would you indulge me this one
21 question? I'm not sure that it has been asked.

22 THE WITNESS: Repeat.

23 BY MR. DOWNEY:

24 Q Did the two of you go down to the vault the
25 same day that she first brought this matter to your attention?

1 A Yes.

2 Q And you went back to your office; is that
3 right?

4 A Yes.

5 Q And then, did you and Miss Gregory discuss
6 the matter further?

7 A A little bit.

8 Q Did you discuss it with anyone else in your
9 office?

10 A No.

11 Q Do you recall anyone else being in the office
12 during this second conversation?

13 A No.

14 Q When you were at the vault, did your have
15 to sign a log to get the data report so you could look at
16 it?

17 A You fill out "out" cards.

18 Q Now, are those kept in the vault?

19 A Out cards?

20 Q Yes.

21 A I don't know.

22 Q Can I go down today and ask for the out cards
23 for September 1933 and find your out card?

24 A I doubt it.

25 Q In reviewing travelers, was it customary

1 to go to the vault to review the data reports?

2 A Yes.

3 Q You did that all the time.

4 A Yes.

5 Q And everytime you reviewed a document.

6 A What are you--

7 Q Everytime you reviewed a traveler you went
8 to the vault to check the data report?

9 A Well, it's according to what is on the
10 traveler as to whether I'd check the data report.

11 Q Now, what identifying characteristics can
12 you recall about this particular report that would help me
13 find it in the vault?

14 A I don't remember.

15 MS. GARDE: Mr. Downey, I think that when
16 you have Miss Gregory back on cross, she may be able to
17 provide you some more identifying details.

18 MR. DOWNEY: I'm not permitted to cross
19 Miss Gregory about this matter. She didn't testify about
20 it on her direct.

21 MS. GARDE: Well, I'll stipulate that you
22 can ask Miss Gregory about it outside.

23 MR. DOWNEY: I'd like to ask this witness.
24 She's testified about her knowledge, and I'd like to find
25 out just what it is.

1 MS. GARDE: That's fine.

2 BY MR. DOWNEY:

3 Q Can you recall any-- Was it a pipe traveler?
4 Piping traveler?

5 A It was on a valve.

6 Q On a valve traveler.

7 And there are specific travelers for each
8 valve?

9 A Yes.

10 Q Did you maintain a log in your office on
11 who signed off on travelers that had been reviewed in your
12 office?

13 A Maintain a log.... Repeat.

14 Q Was there a log maintained in your office
15 that would show which travelers Miss Gregory signed off on
16 in September 1983?

17 A No.

18 Q What is the data report? What information's
19 on that report for a disk?

20 A For a disk?

21 Q Yes. Let me strike.

22 What information was on the data report that
23 you looked at to make this comparison in September 1983?

24 A It showed the disk and the number.

25 Q And when you went to the vault to ask for

1 this particular data report, how did you identify it to the
2 person at the vault who was records custodian?

3 A With an RIR number.

4 Q RR number?

5 A RIR.

6 Q What's "RIR" stand for?

7 A Right now, I can't tell you.

8 Q Do you recall what particular system this
9 disk was in?

10 A No, I don't.

11 Q Was this valve on a pipe of some kind, do
12 you recall?

13 A I don't know what it was on. It's to do
14 with strictly the valve.

15 Q And when you say Ms. Gregory signed off on
16 this document, what specifically did she sign on the
17 traveler?

18 A The cover sheet.

19 Q Is that the QES cover sheet?

20 A Yes.

21 Q And from there, it went to ANI; is that
22 right?

23 A No.

24 Q Where does it go-- Where did it go after
25 she signed it?

1 A To the vault.

2 Q Had it already been reviewed by ANI?

3 A No.

4 Q Was it something ANI would even review?

5 A At the time, if it had to do with Section 11
6 work.

7 Q If it had to do with Section 11 work; is that
8 right?

9 I'm sorry. I was trying to get-- Whatever
10 it was you were reviewing had to do with something called
11 Section 11 work; is that right?

12 A From what I understand.

13 Q What is Section 11 work?

14 A That is work done on in-stamp components.

15 Q What kind of components?

16 A In-stamp.

17 Q In-stamp.

18 MR. MIZUNO: In-stamp.

19 BY MR. DOWNEY:

20 Q Okay. And this was such a document; is that
21 right?

22 MR. GARDE: Mr. Downey, these two questions
23 are in the middle of her answer to another question.

24 MR. DOWNEY: I'm sorry. I didn't mean to
25 interrupt. I was just trying to get this information in my

1 notes.

2 MS. GARDE: You want her to try to answer
3 the first question, or do you want to pursue your line of
4 questioning?

5 MR. DOWNEY: Go ahead and answer the first
6 question.

7 MS. GARDE: Could you tell her what the first
8 question was, because I've forgotten?

9 MR. DOWNEY: Let me start all over again.
10 Or, pick up where I was.

11 BY MR. DOWNEY:

12 Q This particular package of documents were
13 in-stamp components; is that right?

14 A Yes.

15 Q Do you know what those components refer to?
16 What system?

17 A No.

18 Q And Ms. Gregory signed a QES review sheet.
19 Are you certain that these documents then went straight to
20 the vault after that sheet was finished?

21 A That's where they were supposed to have gone.

22 Q Now, when you talked to Mr. Bennetzen about
23 this matter, was anyone present other than Miss Gregory and
24 yourself?

25 A No.

1 Q Where did that conversation take place?

2 A Can't remember exactly, but it was not in
3 our office.

4 Q Was it in his office?

5 A I don't remember for sure.

6 Q Do you remember if anyone else was present?

7 MS. GARDE: Asked and answered.

8 Q (Continuing) If anyone overheard the con-
9 versation?

10 A I didn't notice anyone else around.

11 Q How long did your conversation with Mr.
12 Bennetzen last?

13 A About five, six minutes.

14 Q And then you went back to your office.

15 A Yes.

16 Q Had Ms. Gregory signed the QES review sheet
17 at that time?

18 A After I told her that she could if she wanted
19 to, but I wasn't going to.

20 Q And then she signed it.

21 A Yes.

22 Q When you looked at the data report that you
23 retrieved from the vault, how did you know that you had the
24 data report that related to the traveler you had to review?

25 A Well, you can call receiving and get a

1 RIR number.

2 Q By giving them the traveler number, they'll
3 give you the RIR number that matches the data report in the
4 vault? Is that right?

5 A Well, I'm trying to think. There's two
6 places you can call to get an RIR number. One place you
7 can give them the serial number, and the other place, you
8 can give them the location number.

9 Q And the traveler would have both; is that
10 right? The serial number and the location number?

11 A Yes.

12 Q Is that the serial number of the disk and
13 the location where that disk is installed; is that what
14 you mean?

15 A Repeat, please?

16 Q The traveler would give you the serial number
17 of the disk, and it would also give you the location where
18 that disk is installed; is that correct?

19 A Yes.

20 Q And do you recall where you called to get
21 the RIR number that day?

22 A I did not call.

23 Q Ms. Gregory called; is that right?

24 A Yes.

25 Q She called before she went to the vault the

1 first time; is that right?

2 A I suppose so. It would be about the only
3 way she could get it.

4 MS. GARDE: You're asking the witness to
5 speculate. Would you ask her if she knows?

6 BY MR. DOWNEY:

7 Q Ms. Barnes, when you got to the vault, how
8 did you know that the data report you were given was the
9 correct data report for the traveler you had in your hand
10 that you had been reviewing?

11 A Because of the serial number of the valve.

12 Q The valve serial number was the same both
13 places.

14 A Yes.

15 Q What number was wrong, then, on the-- What
16 document-- What numbers didn't match up with each other
17 that caused you some concern?

18 A I don't remember the exact numbers.

19 Q The serial numbers matched.

20 A On what?

21 Q The traveler had the same serial number as
22 the data report; is that right?

23 A On the valve.

24 Q Yes.

25 A Yes.

1 Q What was it that made you think there was
2 an error in the traveler and the data report? What numbers
3 weren't matching up?

4 A The disk number.

5 Q The disk number is different from the serial
6 number?

7 A The number for the disk was different on the
8 data report from the number on the traveler for the disk.

9 Q The traveler had the same serial number for
10 the disk as the data report; is that right?

11 A Repeat that?

12 Q You testified, did you not, that the data
13 report and the traveler have the same serial number for
14 the disk; isn't that right?

15 A No. For the valve.

16 Q For the valve.

17 A For the valve.

18 Q The valve was the same on both places; is
19 that correct?

20 A Right.

21 Q But the disk, which is part of the valve,
22 was different on the two documents.

23 A Right.

24 Q So, the serial number for the disk was
25 different.

1 A Right.

2 Q Is there-- The data report, in looking at
3 the data report, how many serial numbers were on the data
4 report?

5 A On this particular one, I don't remember.

6 Q There's one for the valve itself; is that
7 right?

8 A Yes.

9 Q And then, there's some for components of the
10 valve; is that right?

11 A Yes.

12 Q And one of those components was the disk.

13 A Yes.

14 Q Are disks within valves sometimes changed?
15 Have you run across that in your document review process?

16 MS. GARDE: You're asking her to speculate.

17 MR. DOWNEY: No, I'm asking her if she's that
18 in her document reviews.

19 A (By the witness) I don't remember.

20 MS. GARDE: I think that's kind of a confusing
21 question.

22 MR. MIZUNO: I don't think it's confusing.

23 MR. DOWNEY: I don't think so either.

24 MR. MIZUNO: I think it's important, as a
25 matter of fact.

1 MS. GARDE: Fine. I'm not-- Go ahead and
2 re-ask the question. But there was a part of the question,
3 and then it broke off, and then the question changed.

4 I think if you restate the question--

5 MR. DOWNEY: Why don't you read it back?

6 THE REPORTER: "Are disks within valves
7 sometimes changed? Have you run across that in your
8 document review process?"

9 A (By the witness) I don't remember. I've
10 seen a lot of travelers. I just don't remember that.

11 Q (By Mr. Downey) Is it sometimes true, Ms.
12 Barnes, that components of major items, like a valve, change
13 during the construction process?

14 MS. GARDE: If she knows?

15 Q (Continuing) If you know.

16 A I don't know.

17 Q In your document review, did you sometimes
18 run across documents that indicated parts had been substi-
19 tuted in systems that-- these documents that you were
20 reviewing?

21 A Substituted by....

22 Q Construction. That they took a part from
23 something and installed it in something else. Replaced a
24 part.

25 A Yes.

1 Q And there's particular documents for that;
2 isn't that right? That would verify that that had been
3 done.

4 A Yes.

5 Q And you have seen such documents in your
6 document review work; have you not?

7 A Yes.

8 Q Were there any such documents in this package?

9 A No.

10 Q Did you look for them?

11 A Yes.

12 Q Did you look for them, or did you just
13 accept Ms. Gregory's review of the documents?

14 A I took the traveler over, and there was
15 nothing in it that would indicate that that disk had been
16 changed.

17 MR. DOWNEY: Do you have Barnes Exhibit No.
18 1?

19 I have retrieved the copy.

20 BY MR. DOWNEY:

21 Q Ms. Barnes, I'd like you to look at the last
22 page of Barnes Exhibit No. 1.

23 Is that the QES sheet?

24 A Yes, it is.

25 Q And is that the document, or one like it,

1 that Ms. Gregory signed on this particular graveler?

2 A Yes.

3 Q In preparing this sheet, where would the
4 inconsistency in the disk numbers come to your attention?

5 A It wouldn't.

6 Q So, it is not part of preparing the QEX review
7 sheet that would cause you to find this discrepancy.

8 A No.

9 Q And would signing this document in any way
10 indicate that the disk numbers on the traveler and the data
11 report matched?

12 A (No response.)

13 Q I'll withdraw it.

14 Now, did you think this was a problem? Did
15 you personally believe this was a problem, Ms. Barnes?

16 MS. GARDE: You asking for her opinion?

17 MR. DOWNEY: Yes.

18 A (By the witness) It was not according to
19 procedure.

20 Q (By Mr. Downey) Which procedures did it
21 violate?

22 A 18.2.

23 MR. MIZUNO: Excuse me? Could you repeat
24 that?

25 THE WITNESS: 18.2

1 BY MR. DOWNEY:

2 Q Did you personally write NCR's when you found,
3 in your reviews, the documents had problems like you found
4 in this package-- Withdraw it.

5 What would you have done had this package
6 been yours to review?

7 A I don't know what I'd have done with it.
8 I didn't think about it.

9 Q You just told Miss Gregory you wouldn't
10 personally sign off on it.

11 A At that time, yes.

12 Q Did Mr. Bennetzen direct Miss Gregory to
13 sign these papers?

14 MS. GARDE: If she knows.

15 BY MR. DOWNEY:

16 Q You testified you were at the meeting, were
17 you not, where you discussed it with Mr. Bennetzen; isn't
18 that right?

19 A Yes.

20 Q Did Mr. Bennetzen instruct Miss Gregory to
21 sign the papers?

22 MS. GARDE: At the meeting.

23 MR. DOWNEY: At that meeting.

24 A (By the witness) No.

25 Q (By Mr. Downey) Did he direct you to sign

1 the papers at that meeting?

2 A No.

3 Q Did you ever personally hear Mr. Bennetzen

4 direct Miss Gregory to sign those papers?

5 A No.

6 Q Did you personally see Miss Gregory sign

7 those papers?

8 A Yes.

9 Q And did she do it right after the meeting

10 with Mr. Bennetzen?

11 A It wasn't very long afterwards.

12 Q About a half an hour?

13 A I suppose.

14 Q Have you ever told anyone that Miss Gregory
15 didn't sign off on those papers?

16 MS. GARDE: When?

17 MR. DOWNEY: Anytime.

18 MS. GARDE: And anyone.

19 MR. DOWNEY: Anyone.

20 MS. GARDE: In the whole world.

21 MR. DOWNEY: In the whole world.

22 A (By the witness) Not that I can recall.

23 MS. GARDE: That's kind of a broad question.

24 MR. DOWNEY: Looking for a broad answer.

25 //

1 BY MR. DOWNEY:

2 Q Do you know whose data report, what vendor
3 report you reviewed that day?

4 A I don't remember.

5 Q Don't know who the vendor was.

6 A I don't remember.

7 Q Do you remember any of the vendors who
8 prepared valves for such components?

9 A There was borg-Warner and Westinghouse valves.

10 Q That's one company, Borg-Warner? And
11 Westinghouse is a second?

12 A Yes.

13 Q Ms. Barnes, you testified that when you and
14 Ms. Gregory met with Mr. Bennetzen he made some remarks about
15 it would cost a lot of money to open the valves and look
16 at the disks; is that right?

17 A Yes.

18 Q Do you recall anything else he said to you in
19 this conversation?

20 A No.

21 Q Who was Mr. Bennetzen's supervisor at the
22 time?

23 A That would be Bob Sievers.

24 Q Did you take this matter to Mr. Siever?

25 A No.

1 Q Did you recommend that Miss Gregory take it
2 to Mr. Siever?

3 A No.

4 Q Did you ever mention to anyone, other than
5 Mr. Bennetzen at Comanche Peak?

6 MS. GARDE: This is during the time of her
7 employment?

8 MR. DOWNEY: At the time of her employment.

9 A (By the witness) No.

10 Q Have you ever discussed this matter with Ms.
11 Gregory since it happened?

12 A No.

13 Q Have you discussed it with Mr. Bennetzen since
14 it happened?

15 A No.

16 Q Have you discussed it with anyone since it
17 happened, other than your testimony today?

18 MS. GARDE: Are you excluding her attorneys?

19 MR. DOWNEY: Stroke that.

20 BY MR. DOWNEY:

21 Q You raised this matter with Mr. Gaitan at
22 the time he prepared your affidavit, did you not? You raised
23 this matter with Mr. Gaitan, Eloy Gaitan, at the time
24 he prepared your affidavit, did you not?

25 A Yes, I told him about it.

1 Q Between the time you mentioned it to Mr.
2 Gaitan and the time it happened, did you discuss it with
3 anyone?

4 A (Pause.)
5 Repeat that?

6 Q Between the time the event happened in
7 September 1983 and the time you met with Mr. Gaitan to
8 prepare your affidavit, had you discussed it with anyone?

9 A No.

10 Q While you were employed at Comanche Peak,
11 did anyone ever direct you to sign off on documents that you
12 thought were improper?

13 A What do you mean by "direct"?

14 Q Anyone order you to sign, you personally
15 to sign, documents.

16 A (No response.)

17 Q I'll withdraw the question.

18 At the time of this incident, you testified
19 that Miss Gregory was a trainee; is that right?

20 A Yes.

21 Q Was she authorized to sign off on these
22 documents at that time?

23 A (Pause.)
24 I don't know.

25 Q Did she sign off on documents, other than this

1 one, when you were training her?

2 A (Pause.)

3 She was only in my office for about a week.

4 Q So, you only trained her for about a week?

5 A Uh-huh.

6 Q Then she was assigned to do some other work

7 before her training completed; is that right?

8 A Yes.

9 Q Do you know if anything was done with this
10 travel package after it went to the vault? Did it become
11 part of a larger package or anything like that?

12 A I don't know.

13 Q Going back, I have a couple of other questions
14 on what's been called the Stanford matter.

15 MS. GARDE: Does that conclude your questioning
16 on the disk matter?

17 MR. DOWNEY: For the time.

18 BY MR. DOWNEY:

19 Q Did you review the weld data card that Ms.
20 Neumeyer found in that package?

21 A (No response.)

22 Q It was a weld data card on which the problem
23 arose; is that right?

24 A It was on a weld data card.

25 Q Did you personally review the weld data card?

1 A The part pertaining to the discrepancy.

2 Q And do you recall that on that Weld Data
3 Card there was the date January 14th and that date had been
4 crossed out and the date of January 17th put in and initialed
5 by Mr. Stanford?

6 MS. GARDE: I don't think she testified as
7 to the date, if you're refreshing her recollection.

8 BY MR. DOWNEY:

9 Q Do you recall that the discrepancy showed
10 that one had been entered and crossed out and a second date
11 had been entered?

12 MS. GARDE: That was her testimony.

13 A (By the witness) Yes.

14 Q (By Mr. Downey) So, when you reviewed it,
15 that was the state of the card; is that right?

16 A Yes.

17 Q It had already-- The date had already been
18 changed; is that right?

19 A Yes.

20 Q And had it been initialed by Mr. Stanford?
21 The change?

22 A (No response.)

23 Q Do you recall some initials being on the
24 change?

25 A I don't.

1 Q Might have been and might not have been;
2 is that right?

3 A I don't remember.

4 Q There've been times when you've seen documents
5 you've reviewed that have had things crossed out and
6 corrections made with a person's initials put there?

7 A Yes.

8 Q And when people make mistakes, that's the
9 proper way to correct it; is that right? On certain
10 documents?

11 A Yes.

12 Q And did you see quite a lot of those in your
13 work as a document review clerk?

14 A Yes.

15 Q And that's what you saw on this particular
16 Weld Date Card; isn't that right?

17 A What I saw was a repair done with inspections
18 with only weld tech hold points with no QC involvement.

19 From the Weld Data Card, it appeared that
20 the inspection had been completed before the repair was
21 done and then the inspections were done again.

22 Q I'm sorry. I don't quite understand that.
23 There were originally inspections done; is
24 that right?

25 Let me just try and put the sequence you've

1 described in order.

2 You've read the Weld Data Card that showed
3 that there'd been some welding done first, correct?

4 A Uh-huh.

5 Q And then an inspection, correct? The second
6 thing that happened; is that right?

7 A The Weld Data Card appeared to be completed
8 once. By looking at the Weld Data Card, it was completely
9 signed off, and a repair was done. And it-- inspections
10 redone after that on the Weld Data Card.

11 Q And Mr. Stanford had signed where the inspector
12 signs on these various inspections; is that right?

13 A Yes.

14 Q And in one case, he had crossed out the date
15 and put a different date on it.

16 A Yes.

17 Q What was it about that Weld Data Card that
18 caused you trouble?

19 A (No response.)

20 Q Can you recall what it was that bothered you
21 about that Weld Data Card?

22 A Yes. I'm trying to think about how to
23 phrase it.

24 Q All right. Take your time.

25 A (Pause.)

1 It was the fact that it appeared that the
2 inspections-- the Weld Data Card had been completed and
3 then the repair was done with only weld tech hold points,
4 and then the inspection was done on the Weld Data Card
5 again.

6 Q And what made you thinkg that had occurred?

7 A I didn't know.

8 Q What on the card made you think that that
9 was what had happened?

10 A I didn't know whether it had happened or
11 not.

12 Q But something on the card made you think it
13 happened; is that right?

14 A Because of the way it was done.

15 Q Is that because the date was crossed off--

16 A Yes.

17 Q --and another date was put in?

18 A Yes.

19 Q And that's what it was that caused you to
20 think, maybe, there was a problem?

21 A Yes.

22 Q But if the inspector had just made a mistake
23 when he entered the date and then corrected it, there would
24 have been no problem; is that right?

25 A Repeat that?

1 Q If, in fact, what had happened was the
2 inspector initially put in a date that was wrong and crossed
3 it out and put the correct date in, as the card appeared,
4 then there would be no problem; isn't that right?

5 A I don't know.

6 Q But it was the fact that the date had been
7 crossed out. That's what made you think there was a problem;
8 isn't that correct?

9 A Yes.

10 Q In your work as a document reviewer, have you
11 seen other dates crossed out with initials put in showing
12 that it was a mistake originally on the entry?

13 A Yes. And they usually put "signed in error".

14 Q So, it was the words "signed in error" that
15 didn't appear on this Weld Data Card; is that right?

16 A That's right.

17 Q And it was those missing words that made you
18 think there was a problem;--

19 A Yes.

20 Q --is that right?

21 A Yes.

22 Q So, if the "signed in error" had been on
23 that card, you wouldn't have had any reason to believe
24 there was anything wrong; is that right?

25 A I would have had to have read the QC procedures

1 about the repair to see if only a weld tech-- only weld
2 tech hold points could be on that repair.

3 Q With respect to this particular Weld Data
4 Card, had Mr. Stanford written "signed in error" where the
5 date that was crossed out, then you would have seen nothing
6 wrong with the Weld Data Card; isn't that right?

7 MS. GARDE: That was not her testimony.

8 MR. DOWNEY: I'm asking her a question.

9 A (By the witness) I don't know whether there
10 were any other problems or whether....

11 Q (By Mr. Downey) Let me ask you a different
12 question.

13 You perceived a problem because of the date
14 being scratched out, right?

15 A Yes.

16 Q And one of the problems you perceived was
17 with that correction and the date, the words "signed in
18 error" did not appear; isn't that right?

19 A Yes.

20 Q And that's the particular problem you
21 noticed when you looked at the Weld Data Card.

22 A And the fact that there were only weld
23 tech hold points on the RPS.

24 Q Only what?

25 A Weld tech hold points.

1 Q Weld tick hold points?

2 A Tech.

3 Q Tech. Weld tech--

4 MR. MIZUNO: T-e-c-h.

5 Q --hold points.

6 What's a weld tech hold point.

7 A It is hold points where only weld tech signs
8 the inspections.

9 Q So, at particular points in the process,
10 someone called a weld tech must sign off; is that right?

11 MS. GARDE: Object to the question because
12 you're asking the witness to speculate beyond the area of
13 her expertise.

14 She can tell you generally. She can answer
15 the questions.

16 MR. DOWNEY: I'm trying to find out, Miss
17 Garde, what it was about this--

18 MS. GARDE: Which I think is a legitimate--

19 MR. DOWNEY: --Weld Data Card.

20 MS. GARDE: But if you're asking her to go
21 beyond her scope of expertise into weld tech and QC points.

22 MR. DOWNEY: She--

23 MS. GARDE: Fine. I'm not-- She can answer
24 the question.

25 MR. DOWNEY: She has testified that two things

1 bothered her. Originally, she testified that the date
2 being eliminated bothered her--

3 MS. GARDE: Mr. Downey, I don't object to
4 your asking these questions. I just object to you asking
5 her to explain for the truth of the matter of what weld
6 techs do and what QC people do.

7 She can explain it to the best of her
8 ability and to the best of her knowledge.

9 MR. DOWNEY: I'll ask a different question.

10 BY MR. DOWNEY:

11 Q Why was it that something involving a weld
12 tech hold point caused you concern about this Weld Data
13 Card?

14 A Because there were no WC inspections involved,
15 QC hold points.

16 Q And if QC hold points were required, that
17 would be a problem; is that right?

18 A Yes.

19 Q And what made you think QC hold points were
20 required?

21 A At that point, I didn't know because I
22 didn't check into it.

23 Q So, you don't know whether that was a problem
24 or not.

25 A No.

1 Q So, there were two things that struck you.
2 Or, at least two things. And I'm going to, in a minute, see
3 if any others struck you about this particular Weld Data
4 Card.

5 The first thing that struck you was that the
6 date had been crossed out and another date entered and the
7 words "signed in error" did not appear. That's the first
8 thing that struck you; is that right?

9 A Yes.

10 Q And then, "there appeared to me no QC signoff
11 on weld tech hold points"; is that right? That seemed to
12 bother you.

13 A Repeat that?

14 Q That there was no QC signoff on weld tech
15 hold points, is that something else that bothered you?

16 A There were not QC hold points at all on the
17 repair.

18 Q So, the fact that there were no QC hold points
19 on the repair, that bothered you.

20 (Pause.)

21 Is that right?

22 A Well, I didn't know if that was a problem or
23 not.

24 Q That could have been a problem, and you just
25 didn't know; is that right?

1 A Right.

2 Q Did you ever check that out?

3 A No.

4 Q So, you still don't know if that's a problem
5 on that particular Well Data Card.

6 A I don't personally know.

7 Q Does anything else strike you unusual about
8 this Weld Data Card?

9 A Not that I can remember.

10 Q Now, when you discussed this matter with--
11 Strike that.

12 When Mr. Stanford came to the office for
13 the first time that day when this matter came to your
14 attention, did he and Miss Neumeyer discuss the date of his
15 signature?

16 A Yes.

17 Q And what was the substance of that discussion?

18 A She had asked him several times if he signed
19 it in error while discussing the discrepancies.

20 And he said, no, he did not, that he
21 completed the inspections and his lead Terry Metheny told
22 him to do it that way.

23 Q Now, how long had it been since-- Did the
24 Weld Data Card indicate the date on which this work had been
25 done?

1 A Yes.

2 Q Do you recall how long before this conversa-
3 tion the work had been done?

4 A I don't remember.

5 Q Was it a week, or was it a month? Do you
6 recall? Roughly.

7 A I don't remember.

8 Q And do you recall discussing weld tech hold
9 points, or do you recall Ms. Neumeyer and Mr. Stanford
10 discussing weld tech hold points during this first conversa-
11 tion?

12 A (Pause.)

13 Seems like she might have, but I don't
14 remember for sure.

15 Q Don't remember that part of the conversation,
16 right?

17 A Not for sure.

18 (Whereupon, at 3:00 p.m., there was a brief
19 pause in the proceedings for a change of reporters.)

20

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1 BY MR. DOWNEY:

2 Q When Mr. -- when you say you recall Mr.
3 Stanford's -- strike that.

4 This morning in your direct testimony, you
5 testified that -- my notes reflect you testified that the
6 date on the Weld Data Card was wrong. Do you recall
7 testifying to that point?

8 (Pause.)

9 A That it was wrong?

10 Q Yes.

11 MS. GARDE: Mr. Downey, I think you may have
12 taken that question out of context. The witness appears to
13 be a little bit confused by it. Maybe you could lay a
14 basis.

15 MR. DOWNEY: No, I'm asking her if that --
16 my notes reflect that, and I want to follow up on that
17 point, if my notes accurately reflect her testimony. If
18 my notes are wrong, then she can tell me.

19 BY MR. DOWNEY:

20 Q Do you recall testifying that the date on
21 the Weld Data Card was wrong?

22 MS. GARDE: Mr. Downey, my notes don't have
23 anything to that effect from the Stanford incident. My
24 notes and my questions indicate that I asked her about the
25 inconsistencies or what -- what was wrong with the Weld

1 Data Card was one of my questions. And her response was
2 "inconsistencies." And then I asked her to explain that
3 briefly.

4 MR. DOWNEY: And she said the date on the
5 Weld Data Card was wrong. That's exactly where I have that
6 note.

7 MS. GARDE: I don't mind you continuing this
8 line of questioning. I just want the record to reflect that
9 my notes don't have that.

10 MR. DOWNEY: All right.

11 BY MR. DOWNEY:

12 Q Do you have any reason, other than the fact
13 that there was a date entered and crossed out and a new
14 date entered on the Weld Data Card -- do you have any
15 reason to believe that it was wrong, the date was wrong on
16 the Weld Data Card?

17 A Not whenever I first looked at it.

18 REPORTER: Not what?

19 MR. DOWNEY: Not when I first looked at it,
20 I believe was her answer.

21 BY MR. DOWNEY:

22 Q Is that right?

23 A Would you repeat the question?

24 Q Other -- I'll withdraw that question and
25 answer. There was a confusion here.

1 Mr. Barnes, other than the fact that the
2 Weld Data Card had one date that was crossed out and another
3 date entered on the form, other than that fact did you have
4 any reason to believe that there was an incorrect date on
5 the Weld Data Card when you reviewed it?

6 A. The fact that it did not have "Signed in
7 Error" on it.

8 Q. Which is customary to put "Signed in Error,"
9 isn't that right?

10 A. Yes.

11 Q. And other than the fact that the date had
12 been crossed out and a new date entered and the words
13 "Signed in Error" did not appear, other than those three
14 things did you have any reason to believe that the date
15 on the Weld Data Card was wrong when you reviewed it?

16 A. Would you repeat that?

17 Q. You testified, Ms. Barnes, that three
18 matters came to your attention. The original date was
19 crossed out on the Weld Data Card. A new date was entered.
20 And the words "Signed in Error" did not appear. Those
21 three things struck you.

22 A. Yes.

23 Q. Other than those three things, when you
24 reviewed this card did you have any reason to believe the
25 date was wrong?

1 (Pause.)

2 A. Not that I can remember.

3 (Whereupon, the telephone rang and there
4 was discussion off the record.)

5 BY MR. DOWNEY:

6 Q All right. Ms. Barnes, do you recall giving
7 an affidavit to Mr. Gaitan, do you not?

8 A. Yes.

9 Q And do you recall stating in that affidavit
10 that at the time you reviewed the Weld Data Card we've
11 been discussing, "It appeared to have been inspected and
12 signed off before the final repair took place"? Do you
13 recall stating that in your affidavit?

14 MS. GARDE: Do you have any problem if she
15 wants to review that line in her affidavit?

16 MR. DOWNEY: No, not at all.

17 MS. GARDE: Do you want to do that?

18 THE WITNESS: Yes.

19 MS. GARDE: Where is it?

20 MR. DOWNEY: It's on page five at the bottom
21 of the page in the last paragraph, the next to the last full
22 sentence.

23 BY MR. DOWNEY:

24 Q Do you recall making that statement in your
25 affidavit?

1 A. Yes.

2 Q When you made that statement in your affidavit,
3 were you referring to the three facts we've identified here
4 today? The fact that there was originally a date put in,
5 scratched out and the second date entered, and the words
6 "Signed in Error" did not appear.

7 MS. GARDE: I --

8 Q Are those the facts you had in mind when you
9 prepared your affidavit and made this statement?

10 MS. GARDE: I object to the question. Your
11 whole line of questioning dealt specifically with the Weld
12 Data Card.

13 MR. DOWNEY: Yes.

14 MS. GARDE: All right.

15 MR. DOWNEY: Then --

16 MS. GARDE: There's more to a Weld Data Card
17 than a -- more than a Weld Data Card to a package of
18 documents.

19 My understanding of that line of questioning
20 was that it was responsive to the Weld Data Card.

21 MR. DOWNEY: Okay. Then I'll withdraw that
22 question, and I'll ask a different one.

23 BY MR. DOWNEY:

24 Q When you made the statement in your affi-
25 davit that I've just quoted, and you agreed that you made,

1 when you were making that statement did you have in mind
2 the information that was on the Weld Data Card that we've
3 been discussing?

4 A. Would you repeat the question?

5 Q. When you made the statement -- strike that.
6 I'll just repeat the question rather than having the
7 Reporter read it back.

8 When you made the statement that I've quoted
9 you from your affidavit, did you make that statement based
10 upon the Weld Data Card that we've been discussing?

11 (Pause.)

12 A. Would you repeat that one more time?

13 Q. Yes. Let me try a different set of questions.

14 In the sentence I quoted to you, let me
15 quote it again so we know what we're talking about. "It
16 appeared to have been inspected and signed off before the
17 final repair took place."

18 In respect to that sentence from your affi-
19 davit, does "it" refer to the weld in question? Is that
20 what you meant by the word "it"?

21 (Pause.)

22 MR. MIZUNO: There's no trick questions here.

23 MS. GARDE: I think she must be confused by
24 the question.

25 MR. MIZUNO: I think --

1 MR. DOWNEY: I'll try a fifth question then,
2 Ms. Garde. I don't want to --

3 MS. GARDE: Why don't you -- can you explain
4 to him why you're confused by the question? I think that I
5 know why you're confused by the question.

6 MR. DOWNEY: Let me start over.

7 BY MR. DOWNEY:

8 Q Does the pronoun "it," as it appears in this
9 sentence in your affidavit, refer to the weld that's
10 referred to on the Weld Data Card that we've been discussing?

11 A Yes.

12 Q The word "it" refers to the weld, is that
13 right?

14 A Yes.

15 Q And your statement is that the weld appeared
16 to have been inspected and signed off before the final
17 repair on the weld took place.

18 That's the full meaning of that sentence, is
19 that not correct?

20 A Yes, but the weld meaning to me the Weld Data
21 Card.

22 Q Do you inspect Weld Data Cards, or do you
23 inspect welds?

24 A Weld Data --

25 MS. GARDE: Are you asking what she did?

1 What Linda Barnes did?

2 MR. DOWNEY: I'm asking her a simple question.

3 A. Well --

4 Q. I'll strike that. Isn't it true that Weld
5 Data Cards attach to specific welds? That is, the data card
6 refers to a particular weld in the plant. Isn't that right?

7 A. Yes.

8 Q. And particular welds in the plant are
9 inspected by QC inspectors, isn't that right?

10 A. Yes.

11 Q. And they record certain information about
12 their inspection on the Weld Data Card, isn't that right?

13 A. Yes.

14 THE WITNESS: Can I talk to you for a few
15 minutes?

16 MS. GARDE: Yes.

17 I really think I understand her confusion.

18 MR. DOWNEY: Okay. Help me with her.

19 MS. GARDE: Yeah.

20 (Whereupon, a short break was taken.)

21 MS. GARDE: Back on the record.

22 Okay. During the break, the witness and I
23 and then the witness and Mr. Downey very briefly went over
24 the point of confusion of the witness, which I'll summarize
25 as being the difference between actual hardware items and

1 the paperwork associated with those hardware items.

2 So, Mr. Downey, resume your questioning.

3 BY MR. DOWNEY:

4 Q Do you have your affidavit in front of you,
5 Ms. Barnes?

6 A Yes.

7 Q Referring to the sentence that we've been
8 discussing, would it be clearer for you if the sentence
9 read:

10 "The weld appeared to have been inspected
11 and the traveller -- and the Weld Data Card signed off
12 before the final repair on the weld took place."

13 Would that help distinguish between hardware
14 items and paper items in your mind?

15 A Yes.

16 Q Okay. Now, what was it on the -- when you
17 made this statement -- that when you made this statement
18 that I've just paraphrased for clarity, what was it on
19 the weld -- was it the Weld Data Card that made you believe
20 that the weld had been repaired before the final inspection
21 took place?

22 A Repeat that.

23 Q In making the statement that's in your
24 affidavit, which I paraphrased for clarity and added a few
25 words to make it clearer in your mind with a distinction

1 between hardware and paper.

2 In making that statement, was it the Weld
3 Data Card itself that made you believe that the weld may
4 have -- the Weld Data Card may have been signed before the
5 final repair on the weld took place?

6 (Pause.)

7 A. Yes.

8 Q. And it was the Weld Data Card that made you
9 think that. Was it the three facts we've been discussing
10 about the Weld Data Card that made you believe that? And
11 that is, first, that the date had been crossed out?
12 Second, a new date had been entered? And third, the words
13 "Signed in Error" had not been recorded?

14 Those were the three things, was it not --
15 are they not, about the card that made you think that the
16 repair had been done after the final inspection on the weld?

17 A. Yes.

18 Q. And then your affidavit goes on at the
19 bottom of page five to say that you discussed this with
20 Ms. Neumeyer, and you advised her to talk to Mr. Woodyard.
21 And then in the last sentence on five and the beginning of
22 six, you say in your affidavit that before that discussion
23 had took place that Mr. Stanford came to your office. Is
24 that correct?

25 A. Yes.

1 Q Now I'd like you to read over the next three
2 sentences of your affidavit. And while you do, I'd like to
3 read them for the record at this deposition, and I'll read
4 them aloud. And if I misspeak, please correct me.

5 "Jack Stanford, Suzie Neumeyer and myself
6 talked about the inconsistencies of the Weld Data Card.
7 Suzie asked him if he had signed it in error. Mr. Stanford
8 stated that he did not sign it in error, and that he was
9 told by his lead (Terry Metheny) to do it that way."

10 Do you recall now, Ms. Barnes, making those
11 statements in your affidavit?

12 A Yes.

13 Q And when you state that you discussed the
14 inconsistencies on the Weld Data Card, you are referring
15 specifically, are you not, to the original date being crossed
16 out, a new date entered, and the words "Signed in Error" not
17 appearing on that card. Is that correct?

18 A "And Suzie also talked to Stanford about the
19 repair on the weld tech hold points."

20 Q Okay. Were those inconsistencies that you
21 were referring to in this sentence, or was there something
22 different that you talked to him about?

23 (Pause.)

24 A The inconsistencies that I'm talking about
25 is the first time it was signed off by Jack Stanford and

1 the time it was repaired, and the second time it was signed
2 off by Jack Stanford.

3 Q So you're referring only to the time, is
4 that right? You're only referring to the sequence of those
5 three events when you're talking about inconsistencies,
6 isn't that right?

7 A Yes.

8 Q And the next sentence says, "Suzie asked him
9 if he signed it in error," isn't that right?

10 A Yes.

11 Q And the next sentence says, does it not,
12 "Mr. Stanford stated that he had not signed it in error."
13 That's the first half of that, isn't that correct?

14 A Yes.

15 Q And does it continue that Mr. Stanford stated
16 that he was told by his lead, Mr. Metheny, to do it that
17 way? Isn't that correct?

18 A Yes.

19 Q Now "it" in the third to the last word in
20 that sentence, doesn't the word "it" refer to the way in
21 which Mr. Stanford had signed this particular Weld Data
22 Card?

23 MS. GARDE: I object. There is no way that
24 this witness would know for sure what Mr. Stanford said.
25 That sentence is her recollection of what Mr. Stanford said.

1 Let's refer to the first "it" in that
2 sentence. It states, and for clarity the sentence begins,
3 "Mr. Stanford stated that he did not sign it in error."

4 Isn't it true, Ms. Barnes, that the word "it"
5 in that part of your affidavit I just quoted refers to the
6 Weld Data Card?

7 A. Yes.

8 Q. Now proceeding to the rest of the sentence,
9 and I'll introduce the part I'm going to quote by saying
10 the sentence continues by saying that Mr. Stanford quote,
11 or quoting from your affidavit -- not from Mr. Stanford --
12 "...was told by his lead (Terry Metheny) to do it that way."

13 Now with reference to the second "it" in
14 that sentence, does not that refer to the way in which Mr.
15 Stanford was to sign the Weld Data Card?

16 MS. GARDE: I object to this question, first.
17 It's a summary --

18 MR. DOWNEY: Your objection is noted. It's
19 not --

20 MS. GARDE: It's a summary of what Mr.
21 Stanford stated. The witness can answer it as best she
22 understood what Mr. Stanford was talking about.

23 MR. DOWNEY: She's not quoting Mr. Stanford,
24 Ms. Garde.

25 MS. GARDE: She's summarizing Mr. Stanford.

1 MR. DOWNEY: I'm asking her what the words
2 mean in her affidavit.

3 MS. GARDE: But this word --

4 MR. DOWNEY: I'm not asking her anything
5 else. I'm asking her what that word means.

6 MS. GARDE: To her.

7 MR. DOWNEY: In her affidavit.

8 MS. GARDE: To her or to Mr. Stanford?

9 MR. DOWNEY: To anyone. To anyone who reads
10 this affidavit.

11 MS. GARDE: I object to the question.

12 MR. DOWNEY: What is it intended to mean?
13 She wrote it. She swore to it -- not me.

14 MR. MIZUNO: Yeah, Ms. --

15 MS. GARDE: If you want to ask her what she
16 thinks that means, fine, but she can't sit here --

17 MR. DOWNEY: I want her to tell me what it
18 does mean.

19 MS. GARDE: -- and tell you what Mr. Stanford
20 meant.

21 MR. DOWNEY: She swore to it. She swore to
22 it, Billy, not me.

23 MS. GARDE: Mr. Stanford could have been
24 sitting there talking about some "it" which was completely
25 different than what Ms. Barnes thought "it" was.

1 MR. MIZUNO: No, but --

2 MR. DOWNEY: You can ask her that on redirect.
3 I want to ask her what her sworn affidavit means.

4 MR. MIZUNO: I guess I don't understand the
5 problem, Ms. Garde. These words were written down by Linda
6 Barnes, and she is summarizing what Mr. Stanford said.

7 MS. GARDE: That's right.

8 MR. MIZUNO: Fine. But the way that Ms.
9 Barnes is relating to the world in her affidavit what Mr.
10 Stanford said were in her own words. Her words and the way
11 she used it was to do it that way.

12 I think it's acceptable cross-examination
13 to determine what Mrs. Barnes is meaning when she said "do
14 it that way." That's all we're trying to find out. There
15 is no hidden --

16 MS. GARDE: Then why don't you determine if
17 the phrase "do it that way" -- "(Terry Metheny) to do it
18 that way" is her phrase or if Mr. Stanford said that.

19 MR. MIZUNO: But it's her phrasing because
20 it's in her affidavit. She said -- the way that she
21 explained the incident was to use the words "do it that
22 way." Now all we're trying to do is to find out what Mrs.
23 Barnes -- Ms. Barnes means by the phrase "do it that way"
24 and, in particular, what it refers to.

25 There's no hidden agenda here. All we're

1 trying to do is find out in here what a somewhat ambiguous
2 statement is. That's all.

3 MS. GARDE: You've noted my objection. The
4 witness can answer the question if she can.

5 MR. DOWNEY: After that long harangue, why
6 don't we go back to a new question that gets at the same
7 point.

8 BY MR. DOWNEY:

9 Q In the last half of that sentence in your
10 affidavit that we've been discussing, you state that Mr.
11 Stanford stated that he was told by his lead, Terry Metheny,
12 "to do it that way" from your affidavit.

13 In making that statement in your affidavit,
14 isn't it true that the word "it" refers to the way in which
15 Mr. Stanford was to sign the Weld Data Card?

16 A What I said in my affidavit is what I
17 remember Jack Stanford saying.

18 Q Are you confused now about what Mr. Stanford
19 meant on that day?

20 MS. GARDE: Are you going to ask her if she
21 knew what Mr. Stanford meant or if she thought what Mr.
22 Stanford meant?

23 MR. DOWNEY: I'm asking her if she is
24 presently confused about what he meant on that day.

25 (Pause.)

1 MR. DOWNEY: We've had a long pause here.
2 Maybe the witness is not clear about my question. I'll go
3 back and try to make the point I'm trying to get.

4 BY MR. DOWNEY:

5 Q It's not, Ms. Barnes, I assure you, not a
6 hidden trick question. I'm just trying to get at the facts
7 as you stated them in your affidavit. That's all I'm trying
8 to do.

9 Now let's go back to the first half of that
10 sentence where it says in your affidavit, "Mr. Stanford
11 stated that he did not sign it." And you said that "it"
12 refers to the Weld Data Card in error. Isn't that your
13 understanding of the first half of the sentence?

14 A That's what I think he was meaning.

15 Q And then it goes on in your affidavit to say,
16 "He," Mr. Stanford, "was told by his lead to do it that
17 way." And it's the second "it" that we're now addressing.

18 Is it your understanding Mr. -- first, I
19 want to ask about your affidavit. In your affidavit, does
20 the word "it" that's used in the second half of that
21 sentence refer to the way in which Mr. Stanford signed the
22 Weld Data Card, which we've established is the subject of
23 the first half of that sentence?

24 (Pause.)

25 MS. GARDE: Ms. Barnes, can you explain

1 your confusion to Mr. Downey so that he could try to phrase
2 his question in a way that took away the confusion?

3 (Pause.)

4 MR. MIZUNO: Let the record reflect that the
5 witness is taking several minutes to answer the question
6 again.

7 MS. GARDE: Off the record.

8 (Whereupon, a short break was taken.)

9 MS. GARDE: On the record.

10 During a break, Ms. Barnes took a short
11 break. She was a little scattered by our somewhat loud
12 harangue between the parties' counsel over this question.

13 I think that she has a confusion about the
14 question, which she feels she has already answered. But
15 if you'd ask her again, I think maybe she can explain that
16 now.

17 BY MR. DOWNEY:

18 Q Ms. Barnes, in the second half of the last
19 sentence of the paragraph that ends on page six of your
20 affidavit, you use the word "it," and we quoted that part
21 several times.

22 In using the word "it" in the last half of
23 that sentence, did you not tend to refer to the way in
24 which Mr. Stanford signed the Weld Data Card?

25 A What I put in here, this statement, is what

1 I remember Jack Stanford saying.

2 Q Do you know what he meant?

3 A I don't know what he meant.

4 Q So when Mr. Stanford made these remarks to
5 Ms. Neumeyer in your presence, you didn't fully understand
6 what he was saying, isn't that right?

7 A What we were talking about were the incon-
8 sistencies on the Weld Data Card dates and the repair that
9 was done on the weld. And in the conversation that's
10 talking about this, this is what Jack Stanford -- what I
11 remember Jack Stanford saying.

12 Q And you have testified today that you don't
13 understand what he meant -- fully understand what he meant,
14 isn't that right?

15 (Pause.)

16 Q I'll withdraw the question.

17 Now with respect to that Weld Data Card,
18 you identified two areas of potential problems that you
19 observed. The first had to do with the date being crossed
20 out and the absence of the words "Signed in Error."

21 Had Mr. Stanford put the words "Signed in
22 Error" on the card, then that would have been something
23 that would not have raised any concern in your mind, isn't
24 that right?

25 A As far as the inspections on the Weld Data

1 Card but not as far as the repair.

2 Q We'll get to that in a minute. You're
3 talking now about the weld tech hold point.

4 A Yes.

5 Q Let's put aside the weld tech hold point for
6 now. Let's focus on the date, the matter concerning the
7 dates.

8 Had Mr. Stanford entered the words "Signed
9 in Error" at the point where he crossed out the date and
10 put in a different one, that would have eliminated from
11 your mind any concern about the date problem that you
12 perceived on the weld card, isn't that right?

13 A As far as the date on the Weld Data Card.

14 Q Then your answer is yes, as far as the date
15 on the Weld Data Card?

16 A Yes.

17 Q Now let's go to your second thing that you
18 perceived on this Weld Data Card. That was the weld tech
19 hold point. You testified that you didn't know what the
20 procedures required, isn't that right?

21 A Right.

22 Q And you haven't looked it up since, isn't
23 that right?

24 A Not that I can remember.

25 Q So as of today, you don't know whether that

MS-64

1 was a problem or not. It's just something that raised a
2 question in your mind, isn't that right?

3 A. Yes.

4 Q. And had you checked the procedures and
5 found that there was no problem with the hold data -- the
6 hold tech data -- strike that.

7 Had you checked the procedures and found
8 that there was no problem with the weld tech hold point
9 concern that you had, then that would have gone away, isn't
10 that right?

11 (Pause.)

12 Strike that question.

13 You perceived that there was a potential
14 problem with the weld tech hold point on this Weld Data
15 Card, isn't that right?

16 A. Yes. Excuse me.

17 Q. And you testified that you just didn't know
18 whether that was a problem or not, isn't that right?

19 A. Yes.

20 Q. And if, in fact, the procedures showed that
21 weld tech hold point wasn't required, then that wouldn't
22 have even been a problem, would it?

23 (Pause.)

24 And I'm not trying to trick you, Ms. Barnes.
25 I'm just --

1 A. I know. I'm just thinking about the ques-
2 tion.

3 (Pause.)

4 Would you repeat the question?

5 MS. GARDE: Could you respond to the ques-
6 tion?

7 MR. DOWNEY: I'll rephrase the question.

8 MS. GARDE: Okay.

9 MR. DOWNEY: I'll rephrase the question.

10 MS. GARDE: I'd appreciate it if you'd
11 rephrase it in a way that allows her to explain instead
12 of --

13 MR. DOWNEY: No. I think this is cross-
14 examination, Ms. Garde, and I think it's entirely appropriate
15 to ask leading questions to pin down --

16 MS. GARDE: Okay.

17 MR. DOWNEY: -- some of the specific points
18 that have --

19 MS. GARDE: I withdraw my objection.

20 MR. DOWNEY: -- come out.

21 BY MR. DOWNEY:

22 Q. I may have been misstating your concern,
23 and if I have, I want to correct that, Ms. Barnes. Was it
24 your concern that there was no QC hold point on this Weld
25 Data Card?

1 A. Yes.

2 Q. That was the nature of your concern. And I
3 was misspeaking when I called that a "weld tech hold point."
4 It's really the lack of a QC hold point that's been troubling
5 you, isn't that right?

6 A. Well I didn't know whether a QC hold point
7 should be on the Weld Data Card or not. I didn't research
8 it.

9 Q. But you -- the absence of a QC hold point is
10 what raised the question in your mind, isn't that right?

11 A. Yes.

12 Q. And you just didn't know whether one was
13 required or not, isn't that right?

14 A. At that time, yes.

15 Q. And you haven't researched it since, isn't
16 that right?

17 A. Not that I can remember.

18 Q. And have, in fact, the procedures not
19 required a QC hold point, that really wouldn't have been
20 a problem with this Weld Data Card, isn't that right?

21 A. For that part of it.

22 Q. And that could still have left a problem
23 with the dates but that would have solved the concern you
24 had about hold points.

25 A. That is only concerning two problems that I

1 saw. I didn't review the whole package.

2 Q So you only noticed two particular problems
3 when you reviewed it, isn't that right?

4 A When I saw it, yes.

5 Q And so, we can only discuss the ones that
6 you observed, not something we don't know about. So let's
7 just focus on those two.

8 I'm going to ask you again. If, in fact,
9 the procedures didn't require a QC hold point, then you
10 really -- would have been no problem with the Weld Data
11 Card as far as QC hold point is concerned, isn't that
12 right?

13 A If "Signed in Error" had been on the Weld
14 Data Card.

15 Q So if no QC hold point was required and
16 "Signed in Error" would have been on there, you would have
17 observed no problem on this Weld Data Card, isn't that
18 right?

19 A Yes.

20 MR. DOWNEY: Off the record.

21 (Discussion off the record.)

22 MR. DOWNEY: I have no further questions
23 on cross-examination of this witness. As I said at the
24 outset of my examination, I tried to conduct a full and
25 complete cross without taking a discovery deposition. And

1 I feel constrained to review the transcript before I make
2 a final judgment of it.

3 My feeling is that we have covered most of
4 the points, but I'd like to reserve the opportunity to take
5 a discovery deposition and further cross, if needed, after
6 I review this transcript.

7 CROSS-EXAMINATION

8 BY MR. MIZUNO:

9 Q Now, Ms. Barnes, can you look at this,
10 please?

11 MS. GARDE: Ms. Barnes, do you understand
12 that the NRC Staff attorney now gets to ask you some ques-
13 tions based on the testimony?

14 THE WITNESS: Okay.

15 Q Okay. Do you recognize this document?

16 A Yes.

17 Q And what is the document? What is that
18 document?

19 A It's my affidavit.

20 MR. MIZUNO: Okay. I'd like to have this
21 marked.

22 MR. DOWNEY: Maybe you can mark this one. It
23 looks like a little more legible copy.

24 MR. MIZUNO: Well I'm going to offer -- I'm
25 going to have it bound in, not offer it.

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(Discussion off the record.)

(The document above referred
was marked Barnes Exhibit No.
2 for identification, a copy
of which is attached hereto.)

MR. MIZUNO: Let the record reflect that the
affidavit of Linda Barnes has been marked as Barnes Exhibit
2.

BY MR. MIZUNO:

Q Ms. Barnes, can you tell us whether you
signed this document?

A This one?

Q Yes, your affidavit. Was it signed?

A Yes.

Q And on what date was it signed?

A Right offhand, I don't remember exactly the
date.

Q Does it indicate there on it?

A Yes. It says July 24th.

Q Okay. And does this -- at the time that
you signed it, was this your -- did you believe that all
the statements were the truth to the best of your knowledge
and belief?

A To the best of my knowledge.

Q Does it still represent that?

1 A. To the best of my knowledge.

2 Q. And this copy indicates that there's -- you
3 indicated throughout this -- you lined out some sections
4 and have written in some other words and put on your initials
5 and dated them, is that true?

6 A. Yes.

7 MR. MIZUNO: I'm not offering this into
8 evidence. I just wanted to have it bound in.

9 MS. GARDE: A point of clarification. There
10 is a two-page handwritten --

11 MR. MIZUNO: Well we haven't talked about
12 it, so --

13 MS. GARDE: -- supplement.

14 MR. MIZUNO: -- we don't need to.

15 MS. GARDE: Okay.

16 MR. DOWNEY: May I see the two-page hand-
17 written? I'm not sure that I ever have.

18 MR. MIZUNO: Yeah, that's it.

19 MS. GARDE: I think if you're going to mark
20 it, you should mark it with the supplement.

21 MR. MIZUNO: I don't think so. The reason
22 I'm putting it in at this time is because we've had
23 extensive examination on that, on the affidavit. And in
24 addition, it appears to be a self-contained statement of
25 the two incidents that we have listed to Ms. Barnes

1 testifying on, namely the Stanford incident and the disk
2 incident. And I don't believe that the supplement contains
3 any additional information about those two.

4 MS. GARDE: I think that's correct. But I
5 do think the record should reflect there is a two-page
6 handwritten supplement to this affidavit.

7 MR. MIZUNO: Fine. The record will reflect
8 that by your statement.

9 BY MR. MIZUNO:

10 Q Okay. Ms. Barnes, now you indicated that
11 you -- you personally reviewed the Weld Data Card that we
12 were talking about as part of this Jack Stanford incident,
13 isn't that true?

14 A I saw the Weld Data Card.

15 Q Did you -- okay. And you indicated that
16 your review of this data card resulted in your identifica-
17 tion of two concerns, one being the dates on the inspections
18 being lined out, and the second being the fact that there
19 were no QC inspection hold points.

20 MS. GARDE: Geary, I object to that ques-
21 tion. She said she saw the Weld Data Card. "Review"
22 would indicate in her job that she actually performed the
23 official review.

24 MR. MIZUNO: No, I'm saying that -- I'm just
25 re -- we're just going through this one more time just to

1 make the record.

2 MS. GARDE: Fine. And if you'd clarify that
3 the word "review" doesn't mean the official review, that
4 will --

5 MR. MIZUNO: Fine.

6 MS. GARDE: Okay.

7 BY MR. MIZUNO:

8 Q But you looked at it and you read it, and
9 after reading it you determined that you had -- there were
10 two concerns that were raised in your mind about this Weld
11 Data Card.

12 A The part I looked at, yes.

13 Q Okay. Now your counsel said that the --
14 your looking at this Weld Data Card was not in your -- the
15 scope of your job. Was --

16 MS. GARDE: I didn't say that.

17 MR. MIZUNO: No, you said it's not her --

18 MS. GARDE: I said that she did not perform
19 the official review.

20 MR. MIZUNO: Okay.

21 BY MR. MIZUNO:

22 Q Now what was the reason that Suzie Neumeyer
23 showed this Weld Data Card to you?

24 A Because I was training her.

25 Q You were training her?

1 A. Yes.

2 Q. Okay. Now if you were -- did you have the
3 authority to -- strike that.

4 What were your functions in training Ms.
5 Neumeier at the time that this incident occurred?

6 A. What do you mean?

7 Q. What did you do in order to train Ms.
8 Neumeier to perform her job at the time that the Stanford
9 incident occurred?

10 A. She was in training and whenever she come
11 up with a problem, she would show it to me if she thought
12 it was a problem.

13 Q. Was she doing this because you were the
14 official -- the person that was pointed out to her as the
15 person that she should go to to ask questions if she had a
16 problem while training?

17 A. In my room, yes.

18 Q. Now you indicated that one of the things you
19 saw was the date on one of the inspections had been lined
20 out but that a statement to the effect of "Signed in Error"
21 was not on the Weld Data Card, is that correct?

22 A. Yes.

23 Q. Okay. Do you review a large number of
24 documents which have dates or other portions of the document
25 lined out?

1 (Pause.)

2 A. Would you repeat that?

3 Q. Yeah, okay. Let me rephrase it.

4 In your -- in your job, and as part of your
5 job, do you see or do you review documents -- I'm sorry.

6 In your job and as part of your job, have
7 you seen documents in which dates or other portions of the
8 document have been lined out and signed, initialed?

9 A. They would have "Signed in Error" on them.

10 Q. Okay. Would they always have "Signed in
11 Error" or a statement to that effect?

12 (Pause.)

13 A. Not always.

14 Q. Would they have something -- what else would
15 they have? Would there be any other kind of notation?

16 A. I can't think of any right now.

17 Q. And whenever you -- okay. And as a hypo-
18 theoretical situation, on those --

19 MS. GARDE: Would you explain that?

20 Q. On those -- well, let's take away the
21 hypothetical. On those situations, can you remember -- you
22 can remember situations in which portions of a document
23 had been lined out and initialed without the phrase "Signed
24 in Error" or a phrase similar to that. That's true. Is
25 that true?

1 A. Yes.

2 Q. Okay. In those cases did you have a concern
3 with that document?

4 A. If it had "Signed in Error" on it?

5 Q. If it did not have "Signed in --

6 A. If it did not?

7 Q. Yes.

8 A. Yes.

9 Q. Okay. So in all those cases you followed up.
10 You had some question and you followed it up to see whether,
11 in fact, there was a problem with that or not.

12 A. I would find out if the date was signed that
13 was lined through was a mistake or whether whatever it was
14 was actually done.

15 Q. Okay. Would that be your responsibility to
16 follow up on a problem that you've identified? Or is it
17 just your responsibility to identify a problem and to let
18 someone else disposition the problem?

19 A. Repeat that.

20 Q. Okay. This --

21 MS. GARDE: I don't think she testified she
22 dispositioned the problem.

23 MR. MIZUNO: Well, that's what I'm trying
24 to find out, whether it was within her --

25 MS. GARDE: Okay.

1 MR. MIZUNO: I think she indicated, though,
2 that she went -- she did go and try and find out whether
3 the -- the line out was in error or not.

4 MS. GARDE: That's research. That's not
5 disposition.

6 MR. MIZUNO: Okay.

7 BY MR. MIZUNO:

8 Q Was it within your responsibility to deter-
9 mine whether or not a line-out without the words or the
10 phrase "Signed in Error" was, in fact, an error or not?

11 A No.

12 Q It was -- it was just your responsibility
13 to identify if there was this problem. Then someone else
14 would follow-up on your problem.

15 A I identified the problem and would take it
16 to the QC, or whoever it was that lined the date of signa-
17 ture out or whatever it is, and present the problem to him.

18 Q Okay. Okay. Why did you -- why did you tell
19 Suzie Neumeyer to show the Weld Data Card to Mr. Woodyard?

20 A Because he was her supervisor.

21 Q Well, if you were training Suzie Neumeyer
22 to perform a function -- okay. Well, before we get to that,
23 were you training Suzie Neumeyer to perform the same
24 function that you were -- you performed and with the
25 documents?

1 A. Yes.

2 Q. So if Suzie Neumeyer was properly trained,
3 if she also found a portion of a document or a signature
4 which had been lined out and had not -- and did not contain
5 the phrase "Signed in Error," that she should also have
6 reported the condition.

7 A. Yes.

8 Q. But it wasn't her -- it would not be her
9 responsibility to research the problem any further.

10 (Pause.)

11 A. Which problem are you talking about?

12 Q. The problem of having something lined out
13 and not containing the words or phrase "Signed in Error."

14 A. No.

15 Q. Okay. Now given that, Ms. Neumeyer did not
16 have that responsibility, why did you tell Suzie Neumeyer
17 to show the Weld Data Card to Mr. Woodyard when she -- you
18 could just as well have told her to identify the problem,
19 and that would have ended -- you know, would have resolved
20 the question as far as Ms. Neumeyer performing her job?

21 A. Because Dwight Woodyard was her supervisor,
22 and he is not my supervisor. And I just advised her to
23 talk to her supervisor.

24 4:20 p.m.

25 (Go on to the next page-----)

1 BY MR. MIZUNO: (Resuming)

2 Q Miss Neumeyer-- Excuse me. Ms. Barnes,
3 aren't the procedures that all document reviewers are
4 supposed to work to the same regardless of what supervisor
5 the document review happens to be under?

6 A Could you repeat that?

7 Q Okay. Aren't the procedures that the document
8 reviewers, such as yourself and Susie Neumeyer when she
9 was in training for this position by you, work to the same
10 procedures, regardless of what supervisor they happened to
11 be under?

12 A Yes.

13 Q So, why would it matter whether Susie Neumeyer
14 was under your supervisor or Mr. Woodyard since, regardless
15 of the supervisor involved, the proper course for Miss
16 Neumeyer was to write an NCR or to identify the condition
17 somehow?

18 A Would you please repeat that?

19 Q Okay. This is not a trick question.

20 A I just want to make sure I understand.

21 Q Okay. What I'm trying to get across to you
22 is that both-- you were training Susie Neumeyer for,
23 generally, the same kind of work that you were doing, I
24 understand.

25 A Yes.

1 Q And you both are supposed to work to the
2 same procedure.

3 And presumably, the procedure is carried
4 out in the same fashion so that regardless of what supervisor
5 you're working under, what you're supposed to do if you
6 find a problem remains the same; i.e., you-- whatever
7 the alternatives may be, one of which may be to write an
8 NCR.

9 What I'm asking you is-- Well, do you
10 agree with that statement, first?

11 A Yes.

12 Q That's what I was trying to get at.

13 Now, I want to go back to why you referred
14 Ms. Neumeyer to Mr. Woodyard since it appears that you could
15 have just directed her to, you know, identify the condition
16 by using an NCR, whatever the procedure may require, without
17 reference to Mr. Woodyard.

18 A You have to give QC the chance to correct
19 the problem.

20 Q Okay. And what do you mean by "chance to
21 correct the problem"?

22 A Identify the problem to them to see if they
23 can correct it.

24 Q That is a-- This "chance to" that one gives
25 to QC to correct the problem, is this a chance that is

5-3

1 provided for in the procedures?

2 A I don't know whether it's in the procedures
3 or whether it's a jobsite policy. But that is the way we
4 did it.

5 MR. MIZUNO: Do we have exhibit--

6 Q Can you review Barnes Exhibit 1 and tell
7 me whether that procedure has any reference to providing a
8 chance for QC to correct the problem? Or whatever the
9 procedure you were referring to.

10 MS. GARDE: Well, she's testified she doesn't
11 know. You want her to take the time to review and see if
12 it's in this procedure?

13 MR. MIZUNO: Yes.

14 (Examination of the document by the witness.)

15 MR. MIZUNO: You need a few minutes to review
16 it? Or--

17 THE WITNESS: I'm reading it.

18 MR. MIZUNO: Okay.

19 MS. GARDE: Geary, I don't mind her doing
20 this, but I do want to object because I think she was asked
21 and answered this question that it's only the site policy.

22 MR. MIZUNO: She said it might be site policy
23 or in procedure, but she didn't know.

24 MS. GARDE: "So that's the way we do things."
25 She didn't know if it was in the procedures.

5-4
1 She can continue to review this procedure,
2 but I object to this question on the efficiency of the time
3 it's going to take to review this procedure.

4 MR. MIZUNO: Well,--

5 MS. GARDE: She can answer the question.

6 MR. MIZUNO: But since she had been working
7 through this procedure for a year or two years, I think one
8 would be intimately familiar with what the procedure requires.

9 And I think it goes to the credibility of
10 the witness. But....

11 MS. GARDE: I'm not going to respond to that
12 because I don't think there's any way that what a procedure
13 says or doesn't say can go to the credibility of a witness.

14 MR. MIZUNO: No, her knowledge of the
15 procedure.

16 A (By the witness) I do not see it in here.

17 Q (By Mr. Mizuno) Okay. You indicated that
18 you also had a problem with the lack of QC hold points.

19 What did you tell Susie Neumeyer to do with
20 regards to that particular concern?

21 MS. GARDE: If anything.

22 Q (Continuing) If anything.

23 MR. MIZUNO: But this is cross-examination.
24 I think I'm entitled to use that form of questioning.

25 A (By the witness) I didn't tell her anything

5-51

1 about that.

2 Q Did you assume that when-- Excuse me.

3 Did you make known your concern about the
4 lack of QC hold points to Ms. Neumeyer at the time that she
5 showed that Weld Data Card to you?

6 A I didn't know whether it was correct to
7 do it this way or not. I don't know whether she knew or
8 not. She was also a QC inspector.

9 Q Well, you had a concern in your mind after
10 looking at the Weld Data Card about the lack of QC hold
11 points.

12 You weren't sure whether it was required or
13 not, but you had some concern about whether it, in fact,
14 should be there or not.

15 My question is: Did you identify this
16 concern to Susie Neumeyer at the time that you spoke with
17 her about this data card and told her to see Mr. Woodyard?

18 A I don't remember.

19 Q Did you-- Did you identify this concern with
20 the lack of QC inspection hold points on this Weld Data
21 Card to your supervisor?

22 A To my supervisor?

23 Q (Nothing affirmatively.)

24 A No.

25 Q Did you take any action, such as writing an

5-6

1 NCR on the fact that you had a concern about the lack of
2 QC inspector hold points?

3 A No, because I didn't know whether it was a
4 problem or not. I had not researched it.

5 Q Okay. Did you take any action after you
6 had identified the concern with the lack of QC inspector
7 hold points so that you could resolve in your mind whether
8 this was, in fact, a problem or not?

9 A (Pause.)

10 No. After I saw the Weld Data-- the NCR
11 that Susie wrote at inconsistencies of the dates on the
12 Weld Data Card, and I saw that it was voided and had Bob
13 Siever's signature on it, I didn't do anything else.

14 Q Why was it that after seeing the NCR that
15 Susie Neumeyer wrote on this Weld Data Card inconsistencies
16 that you decided not to follow up on the lack of QC
17 inspection hold points?

18 And the reason I ask you this is because I
19 believe the NCR does not identify, as a separate issue,
20 the lack of QC hold points-- QC inspector hold points.

21 MS. GARDE: You mean the disposition.

22 MR. MIZUNO: No. When the NCR was originally
23 written.

24 I don't have an NCR with me. Just a moment.

25 Off the record.

1 (Discussion off the record, during which
2 a recess was called.)

3 MR. MIZUNO: On the record.

4 BY MR. MIZUNO:

5 Q Ms. Neumeyer (sic), I'm handing you a document
6 that has been previously identified in an evidentiary
7 deposition as Exhibit Siever 3, and ask you to look at this.
8 At least the first page of it.

9 MS. GARDE: Do you want her to study it, or
10 do you want her just to read it?

11 MR. MIZUNO: Just to look at it right now.

12 MS. GARDE: Okay.

13 MR. MIZUNO: And tell me whether you can
14 identify this document, whether you recognize it. And if
15 so, whether you can identify it.

16 A (By the witness) Yes.

17 Q (By Mr. Mizuno) And can you identify what
18 that appears to be? What this document appears to be?

19 Can you identify it?

20 A It's the NCR.

21 Q Is this the NCR that you saw that was written
22 by Susie Neumeyer on the inconsistency of the Weld Data
23 Card? The Weld Data Card that we've been referring to here
24 as part of the Stanford incident?

25 A Yes.

1 Q Okay. Can you-- Okay. Have you reviewed
2 the first page of that? Just the first page.

3 And in particular, the section titled--
4 I guess it's space that's under the section entitled
5 "Non-conforming Condition".

6 MS. GARDE: You mean the first part?

7 MR. MIZUNO: Yes.

8 A (By the witness) Have I reviewed it?

9 Q (By Mr. Mizuno) Well, can you review it now?

10 A Okay.

11 (Whereupon, the witness complied with the
12 request.)

13 Q And when you've finished reviewing it, you
14 can look up at me so I will know when you have finished
15 your review.

16 A (Pause.) Okay.

17 Q Okay. Does that section describe the
18 inconsistency on the Weld Data Card?

19 A From what-- What I say when I looked at it
20 was inconsistency of the dates and the fact that there were
21 no QC hold points.

22 Q Can I see that, please?

23 (Whereupon, the witness complied with the
24 request.)

25 Q Okay. Let me read some of this, a portion,

1 to you.

2 It says: "WDC", which I assume is an acronym
3 for Weld Data Card, "No. 40851 for FW40C shows a final PT
4 and VT signed originally 1-14-84 because of an information
5 RT reject dated 1-15-84 S/N signed RT 30964 'in-process
6 weld repair' was issued by weld engineering with weld tech
7 hold points."

8 Is that true? Am I accurately reading this?

9 A Are you reading it?

10 Q Yes.

11 A (Whereupon, the witness shrugged her shoulders.)

12 MR. DOWNEY: We'll stipulate to it.

13 MS. GARDE: That you read it from the NCR.

14 MR. MIZUNO: Fine.

15 BY MR. MIZUNO:

16 Q Do you believe those words acc-- are
17 sufficient to describe your concern with the fact that there
18 were no QC hold points on the Weld Data Card?

19 You want to look at this?

20 MS. GARDE: I'm going to object to this
21 question.

22 MR. MIZUNO: Let me ask--

23 MS. GARDE: Okay. I'm going to object to
24 this question. The witness has testified, I believe, that
25 she hasn't seen this document in many months, and I'm not

1 sure if any of us asked when was the last time, if ever, that
2 she saw the voided NCR beyond the point that she walked out
3 of the meeting. That would be January.

4 MR. MIZUNO: No. She indicated that she saw--
5 This was the--

6 MS. GARDE: Let me finish my objection, okay?

7 MR. MIZUNO: Okay.

8 MS. GARDE: You've now shown her this, and
9 I assume that you're going to go into a line of questioning
10 such as you just asked about the QC hold point. All right?

11 Now, this witness was put on to give one
12 particular part of her personal knowledge about the Stanford
13 incident. She was asked on direct to put into evidence any
14 of her personal knowledge about the whole path of this NCR.
15 And she's testified, quite succinctly, what her personal
16 knowledge about this NCR is.

17 If you want to now get into a position where
18 you're asking her to, in a sense become the person who made
19 the judgment or the decisions on either to write the NCR
20 or not write NCR, I object to that line of questioning.

21 MR. MIZUNO: Nope. The reason that I'm
22 showing her this document is because I was following her
23 line of questioning which started from the point that Ms.
24 Barnes indicated that she had two concerns with this Weld
25 Data Card, one being the lack of QC hold points.

1 MS. GARDE: But I did not ask her those
2 questions in direct. She was not being put on here for her
3 concerns about this Weld Data Card.

4 MR. MIZUNO: Well, is she being--

5 MS. GARDE: She testified about--

6 MR. MIZUNO: She testified about the incon-
7 sistencies in the Weld Data Card. I mean, she testified to
8 this entire string of events which, I guess, are part of
9 the Stanford incident.

10 I don't see why it's not fair cross-examination
11 to ask her about particular portions of this incident.

12 MS. GARDE: But now you're showing her some-
13 thing that she never testified that she, in detail, studied.

14 MR. MIZUNO: It doesn't matter whether she
15 testified about it or not. The question is whether it's
16 reasonably related to the incident that she testified about.

17 MS. GARDE: Well, you haven't asked your
18 questions, but I think you're getting a little far afield
19 as to what this witness was asked to testify on direct about.

20 MR. MIZUNO: Okay. Let me have a moment,
21 please.

22 (Pause.)

23 MR. MIZUNO: Well, upon reflection, I believe
24 that the document speaks for itself, and I don't need to
25 have any further examination to make my point on this.

Q Do you want me to repeat the question or
use it?

A (Pause.)
Yes.

Q Do you recall my question, or do you want me
to repeat it?

A Repeat it.
Okay. And I will rephrase it to respond to
your counsel's comment.

Q Do you know what Susie Neumeyer did with the
NCR after she wrote it?

A (Pause.)
I can't remember at this time.

Q Fine. Now, when Susie wrote the NCR, you
testified earlier that it occurred within a short amount of
time after Mr. Woodyard told Susie to write the NCR, is that
correct?

A (Pause.)
It wasn't very long after.
The same day?

Q I believe so, yes.

A Now, you indicated that Jack Stankin
and according to your affidavit

We'll go on a

MR. MIZUNO:

Q Okay. You in

the Weld Data Card to Mr. W

A Yes.

Q I see. Were

A (Pause.)

Yes.

Q And you heard

and you indicated that you h

to write the NCR on

A I heard him a

Q I believe you

actually saw Susie Neumeyer

A (Pause.)

Yes.

Q Okay. After

she do with it?

(Pause.)

MS. GARDE: Y

what she did with it.

MR. MIZUNO:

Q You can answe

You don't recall. Either on

(Pause.)

1 We'll go on at this point.

2 BY MR. MIZUNO:

3 Q Okay. You indicated that Ms. Neumeyer showed
4 this Weld Data Card to Mr. Woodyard; is that true?

5 A Yes.

6 Q I see. Were you there when that occurred?

7 A (Pause.)

8 Yes.

9 Q And you heard-- Okay. Now, after-- Okay.
10 And you indicated that you heard Mr. Woodyard tell Susie
11 Neumeyer to write the NCR on this.

12 A I heard him advise her to write the NCR.

13 Q I believe you also testified earlier that you
14 actually saw Susie Neumeyer write the NCR?

15 A (Pause.)

16 Yes.

17 Q Okay. After Ms. Neumeyer wrote the NCR, what
18 did she do with it?

19 (Pause.)

20 MS. GARDE: You can ask her if she knows
21 what she did with it.

22 BY MR. MIZUNO:

23 Q You can answer by saying you don't know or
24 you don't recall. Either one is acceptable.

25 (Pause.)

1 Q Do you want me to repeat the question or
2 rephrase it?

3 A (Pause.)

4 Yes.

5 Q Do you recall my question, or do you want me
6 to repeat it?

7 A Repeat it.

8 Q Okay. And I will rephrase it to respond to
9 your counsel's comment.

10 Do you know what Susie Neumeyer did with the
11 NCR after she wrote it?

12 A (Pause.)

13 I can't remember at this time.

14 Q Fine. Now, when Susie wrote the NCR, you
15 testified earlier that it occurred within a short amount of
16 time after Mr. Woodyard told Susie to write the NCR; is that
17 correct?

18 A (Pause.)

19 It wasn't very long after.

20 Q The same day?

21 A I believe so, yes.

22 Q Now, you indicated that Jack Stanford came
23 back into your office, and according to your affidavit on
24 page 6 that he was quite upset.

25 A Yes.

1 Q When did Jack Stanford-- On what day did
2 Jack Stanford come into the office quite upset? Was it
3 the same day that the NCR was written and the meeting with
4 Bob Woodyard occurred?

5 MS. GARDE: I don't think the testimony is
6 that the meeting occurred the same day. You said Bob
7 Woodward, I'm sorry.

8 MR. MUZINO: Woodyard.

9 MS. GARDE: You mean, Dwight Woodyard.

10 MR. MUZINO: Dwight Woodyard, yeah.

11 MS. GARDE: And you're referring to this
12 meeting between Dwight and Susie.

13 MR. MIZUNO: Right. The one where Dwight
14 Woodyard told Susie to write the NCR. And then, I believe
15 it was the witness's testimony that later on in that same
16 day she saw Susie write the NCR.

17 Now, I want to know whether it was the same
18 day that Jack Stanford came into the office quite upset.

19 A (Pause.)

20 I think so.

21 Q You think so. Okay.

22 Going back a little bit, the meeting with
23 Jack Stanford and Susie Neumeyer first spoke, where Susie
24 Neumeyer asks-- This is referring to pages 5 and 6 of your
25 affidavit, where Jack Stanford came into your office and

1 "Stanford, Susie Neumeyer and myself talked about the Weld
2 Data Card inconsistencies."

3 During that conversation, did Susie Neumeyer
4 indicate to Jack Stanford that she was going to write an
5 NCR?

6 A (Pause.)

7 She told him that it violated procedures.
8 I don't remember if she told him she was going to write an
9 NCR.

10 Q Okay. Now, on your affidavit, and I'm going
11 to quote from what you state in your affidavit on page 6,
12 you indicate:

13 "After the NCR was submitted, Jack Stanford
14 came into our office and was quite upset. He stated to
15 Susie that 'she was costing him his job.'"

16 Okay?

17 MS. GARDE: Let the record reflect that counsel
18 has showed the affidavit to the witness, pointing out the
19 paragraph you just read.

20 MR. MIZUNO: Fine.

21 A (By the witness) That's correct.

22 Q (By Mr. Mizuno) Okay. How is it-- Do you
23 know how Jack Stanford knew that Susie Neumeyer wrote an
24 N_R regarding this Weld Data Card?

25 A No, I don't.

1 Q Did you see Susie Neumeyer-- Did you hear
2 Susie Neumeyer phone someone and talk about this NCR after
3 she had written it?

4 A Did I what?

5 Q Did you hear Susie Neumeyer phone someone
6 and talk about this on the phone? Talk about the Weld Data
7 Card NCR after she had had this meeting with Mr. Woodyard
8 and had written the NCR.

9 A No.

10 Q Okay. Now, going on to the next sentence
11 there, you said, "Mr. Stanford denied ever saying that he
12 did not sign the Weld Data Card with his full understanding."

13 Can you explain to me what you meant by the
14 phrase "with his full understanding"?

15 MR. DOWNEY: She might explain what she
16 thought he meant. I'm not sure that she's competent to
17 testify about he means.

18 MR. MIZUNO: I guess I'm asking her what she
19 means-- I wanted, first, what she's trying to explain in
20 here.

21 Let me take back that question.

22 BY MR. MIZUNO:

23 Q When you say that "Mr. Stanford denied ever
24 saying that he did not sign the Weld Card with his full
25 understanding", are you paraphrasing what he said?

1 A What I'm talking about is what he said the
2 first time he was in the office.

3 Q Okay. Is that what, generally, he said?
4 He said he did not sign the well card with "his full under-
5 standing"?

6 A The best I can remember, yes.

7 Q So, your best recollection is you heard words
8 to that effect.

9 A Yes.

10 Q Okay. Now, what do you think Mr. Stanford
11 meant when he said he did not sign the Weld Card with his
12 full understanding?

13 MR. DOWNEY: Objection on the grounds it
14 calls for speculation.

15 BY MR. MIZUNO:

16 Q Go ahead and answer.

17 A (No response.)

18 Q Well, let me try it this way. Let me take
19 back that question.

20 What do you think Mr. Stanford was saying
21 when he said, he did not sign the weld card with his full
22 understanding? How did you interpret what he said there?

23 MR. MIZUNO: I think that'll get a counsel's
24 objection here.

25 MR. DOWNEY: It could, but I think I'm going

1 pass this opportunity.

2 (Pause.)

3 A (By the witness) Well, you see, you're asking
4 me to-- I haven't thought about it before.

5 Q (By Mr. Mizuno) Okay. All right.

6 Okay. That's a good answer.

7 Okay. And you heard Jack Stanford saying
8 this, right?

9 A Yes.

10 Q Okay. And you also heard Susie Neumeyer
11 saying that according to procedures she had to write the
12 NCR and that there was nothing she could have done?

13 A Yes.

14 Q Okay. Now, you indicated that you heard that
15 a meeting on this NCR would be held, and you indicate here
16 that Susie informed you of that meeting, on page 6 of your
17 affidavit; is that true?

18 A Yes.

19 Q Okay. This entire Stanford incident, did
20 this result in you not doing your job properly from that
21 time on at the plant?

22 A (No response.)

23 Q Let me make it more concrete for you.

24 The Stanford incident occurred-- After the
25 Stanford incident occurred, did you fail to identify problems,

1 what you thought were problems, because of this incident?

2 A Not that I can remember.

3 Q Okay. You weren't intimidated by this
4 incident.

5 A What I know is what Jack Stanford told Susie
6 Neumeyer.

7 Q I guess what I'm trying to ask you is: Did
8 you feel that you were threatened or harassed or otherwise--
9 Was anything directed at you personally as part of this
10 incident, or are you just relating the fact that this
11 happened to someone else?

12 MS. GARDE: Mr. Mizuno, I think that's what
13 I testified was the purpose of her exam-- her direct
14 examination on this matter this morning.

15 MR. MIZUNO: Ms. Garde, that's your represen-
16 tation. I would like the witness to answer for herself.

17 MS. GARDE: You can answer the question, if
18 you can.

19 THE WITNESS: Would you repeat the question,
20 please?

21 MR. MIZUNO: Yeah.

22 BY MR. MIZUNO:

23 Q It's a very simple thing. I just want to
24 know whether, as a result of your knowledge of this Jack
25 Stanford-- I'm sorry. --of the Stanford incident, whether

1 you personally felt that this incident represented some sort
2 of intimidation, threat, or harassment of yourself such that
3 you failed to perform your duties as a document reviewer?

4 A I don't know. I didn't think if it that
5 much.

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1 Q Fair answer. Okay. Let's go on to the
2 disk incident, okay? Do you know what a disk is?

3 A I know that it goes inside of a valve.

4 Q Okay. Okay. You spoke -- okay. On page
5 seven of your affidavit, you say that you and Meddie Gregory
6 went to see Gregg Bennetzen, and then you relate a statement
7 that Mr. Bennetzen said to you, or to both of you saying,
8 "It didn't matter that they aren't going to open the valve
9 to make sure we have corrected this because it would cost
10 too much money." Do you see that?

11 (No response.)

12 Q I'm not going to ask you about this statement
13 in particular but just about that entire conversation in
14 which you, Meddie Gregory and Mr. Bennetzen had.

15 Did Mr. Bennetzen raise his voice when you
16 identified this problem with the disk numbers not meeting
17 up, not matching up?

18 A Not that I can remember.

19 Q Okay. Did you -- did you feel that you
20 were -- that his answers and the tone of his voice or his
21 expressions threatened you or harassed you in any way?

22 (Pause.)

23 A I felt by what he said was that his concerns
24 were money instead of quality.

25 Q Did you -- did you interpret what he was

1 telling you or the way that he was telling you to be that
2 you should not identify non-conforming conditions in the
3 future?

4 A. It was discouraging.

5 Q. What was he discouraging you from doing?

6 A. By the fact that Meddie Gregory and I wanted
7 to deal with the problem and stating that it would cost too
8 much money to open the valves.

9 Q. Okay. Well did he tell you not to write,
10 not to approve the travellers?

11 A. No.

12 Q. Did you interpret his words as being dis-
13 couraging you from just identifying a problem with disks
14 in the future, or do you think it was across the board, all
15 kinds of conditions?

16 MR. DOWNEY: I'll object to that question.
17 I think it calls for speculations --

18 MR. MIZUNO: Let me rephrase it.

19 MR. DOWNEY: -- Mr. Bennetzen made, which
20 she said he said but which he denied.

21 MR. MIZUNO: Let me rephrase it.

22 MS. GARDE: Well I'll join in Applicant's
23 counsel's objection.

24 MR. MIZUNO: Let me rephrase it.

25 //

1 BY MR. MIZUNO:

2 Q Did you interpret Mr. Bennetzen's statements
3 and his actions at that -- during this meeting that you had
4 to be that you should not identify this particular problem
5 with the disks not matching up -- disk numbers not matching
6 up? Or did you interpret it to be a direction not to
7 identify any problems in the future?

8 MS. GARDE: Could I ask to have the question
9 read back, please?

10 (Whereupon, the Reporter read back the last
11 question, lines 2 through 7 above.)

12 MS. GARDE: I'm not going to object to that
13 question. I'll reserve it at this point.

14 A What I felt was discouragement in writing
15 NCRs.

16 Q All NCRs or just this particular kind of
17 NCR?

18 MS. GARDE: She just responded to that.

19 MR. MIZUNO: No, I --

20 MS. GARDE: You asked her to pick one of
21 two questions.

22 MR. MIZUNO: One of two questions?

23 MS. GARDE: One of two --

24 MR. MIZUNO: Alternatives, yes.

25 MS. GARDE: Alternatives. She chose one

1 about feeling discouraged about writing NCRs. She didn't
2 pick the other one.

3 MR. MIZUNO: But I want it to be very clear.
4 Is she saying all the NCRs?

5 MS. GARDE: Then you're asking her a
6 clarifying question to what she just said.

7 MR. MIZUNO: Yes, yes, yes. I don't have
8 to speak that I'm asking a clarifying question.

9 MS. GARDE: Okay.

10 MR. MIZUNO: I'm just trying to find out
11 whether she interpreted Mr. Bennetzen's actions and state-
12 ments to be not to identify all NCRs or whether she
13 interpreted it to be, "Don't tell me about this disk
14 problem in the future."

15 MS. GARDE: Ask the question.

16 BY MR. MIZUNO:

17 Q Do you want me to repeat my question again?

18 A Yes.

19 Q Okay. Did you interpret Mr. Bennetzen's
20 statements and actions at this meeting to mean that you
21 should not write NCRs on this particular problem in the
22 future?

23 A I felt discouraged as to whether the next
24 time a problem with this comes up like this, whether the
25 answer is going to be, "It's going to cost too much money."

1 Q Okay. When you say "another problem like
2 this," do you mean another problem with the disk numbers not
3 matching up -- the traveller numbers not matching up with
4 the records in the vault? Is that what you're referring to?

5 A Yes.

6 Q Okay. So you did not interpret Mr.
7 Bennetzen's statements and action at this meeting to say, "I
8 don't want these -- to have you identifying problems in
9 the future, or any kind of problems."

10 A What is the last question you asked?

11 Q Okay.

12 A Because I thought it was only about the disks.

13 Q Right. Okay. I interpreted your answer as
14 saying you believed or you interpreted Mr. Bennetzen's
15 actions and statements to be, "Don't write any more NCRs
16 on this disk problem in the future." Is that correct?

17 A What was your last question?

18 Q Well, forget about my last question. Was
19 that -- did I correctly state what you answered?

20 MS. GARDE: Okay. I think the witness has
21 a right to ask you to clarify the last question, because I
22 think she thinks the answer she gave you is not what you
23 interpreted it to be.

24 MR. MIZUNO: Well I'm withdrawing that
25 question and I'm asking --

1 MS. GARDE: Okay. Will you explain to her
2 which question you've withdrawn? We've got a string of
3 questions and I don't think it's clear even to me which
4 question you're withdrawing.

5 MR. MIZUNO: I'm not going to do that. I'm
6 just going to start -- forget everything that we've gone
7 through now. Okay. Let's start from this --

8 MS. GARDE: Now that's not a very good
9 starting point.

10 MR. MIZUNO: Look, just hold off. I'm
11 trying to get what seems to me to be a very simple question,
12 whether Ms. Barnes interpreted Mr. Bennetzen's actions and
13 statements at this meeting to be whether she should not
14 write NCRs on this particular problem involving the disk
15 numbers in the future, and only that kind of problem in the
16 future versus a general direction not to write NCRs on any
17 kind of a problem in the future.

18 MS. GARDE: I understand that, and she
19 answered that question. And then you asked it another way.

20 MR. MIZUNO: But I didn't -- I didn't
21 understand her. I didn't quite understand her answer, so
22 I want to clarify what I thought I heard her say.

23 BY MR. MIZUNO:

24 Q Okay. Ms. Barnes, I'm going to ask you
25 this question again. I'm not going to trick you in terms

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1 of the alternative. I'm just going to ask you whether you
2 felt that Mr. Bennetzen meant a particular thing. Okay?
3 And if you don't think how you believe what he was saying,
4 I want you to say no and then say what you believed him to
5 be saying.

6 Did you believe -- did you interpret Mr.
7 Bennetzen's actions and statements at this meeting -- okay
8 -- to be a direction to you not to write NCRs on the disk
9 number problem in the future?

10 Okay. Do you understand what I'm asking you?

11 A. I want to make sure.

12 Q. Okay.

13 A. So would you please ask it again?

14 Q. Okay. Did you interpret Mr. Bennetzen's
15 actions and his statements at this meeting that you had,
16 and I'm referring to the meeting between you, Mr. Bennetzen
17 and Meddie Gregory on the disk traveller problem, to be a
18 direction to you or some hint to you, some sort of state-
19 ment, indicating that you should not write NCRs in the
20 future on the disk traveller problem?

21 (Pause.)

22 A. What I felt was that Gregg Bennetzen was
23 saying it would cost too much money to open the valves to
24 check the disks. That if it happened and the problem come
25 up again in the future, that it wouldn't...

1 Q You're doing fine.

2 A ...do any good to write an NCR but he said
3 what he did.

4 Q Thank you, Ms. Barnes. That's a very clear
5 statement. And that's why I want what you said. You
6 clarified that, your answer for me sufficiently.

7 Okay. Now I'm going to ask you a different
8 question. As a result of this conversation that you had
9 with Mr. Bennetzen, did you in the future decide not to
10 identify a non-conforming condition or a deficiency or what
11 you felt to be was a problem because of what Mr. Bennetzen
12 had told you?

13 A I don't remember.

14 MR. MIZUNO: I don't have any questions.

15 MR. DOWNEY: Your turn.

16 MS. GARDE: Five minutes.

17 MR. DOWNEY: You want five minutes?

18 (Whereupon, a short break was taken.)

19 MS. GARDE: Back on the record.

20 REDIRECT EXAMINATION

21 BY MS. GARDE:

22 Q There was some discussion in, Ms. Neumeyer --
23 Barnes -- excuse me.

24 MS. GARDE: The record should reflect that
25 counsel's schedules have us with Ms. Neumeyer at this time.

1 Q (Continuing) There was some discussion in
2 the disk incident that there was an attempt made to find
3 an RIR number. I believe Mr. Downey asked you if you knew
4 what that stood for, and you didn't know.

5 Do you know the function that an IRI (sic)
6 number served? What was it supposed to mean?

7 A It was a tracking number.

8 Q And what is a track?

9 A It's like data reports are given RIR number
10 so you can find it.

11 Q Okay. Thank you.

12 Now, back to the Stanford incident, the
13 response to one of the questions about what was the basis
14 of your concluding that there was some problem or discrepancy
15 with the NCR was that-- and my notes say that you said,
16 "an inconsistency in the dates, the time it was repaired
17 and the time it was signed off against".

18 We've established that it was the Weld Data
19 Card that you looked at, and you've been cross-examined
20 extensively on the Weld Data Card about the date incident.

21 What piece of paper did you look at to
22 determine the time it was repaired?

23 A The RPS.

24 Q What is an RPS?

25 A Repair process sheet.

1 Q Is that attached to the Weld Data Card?

2 A In this case, yes.

3 MR. MIZUNO: Excuse me. In what?

4 THE WITNESS: "In this case, yes."

5 BY MS. GARDE:

6 Q Now, you've also been cross-examined
7 extensively on your summary of-- or, paraphrasing of Jack
8 Stanford's comments to you and Miss Neumeyer.

9 Does this affidavit reflect Mr. Stanford's
10 comments the best that you can recall them at this time?

11 A Best I can remember, yes.

12 Q Now, throughout today, you've also been asked
13 questions by Mr. Downey and by NRC Staff counsel about your
14 responsibilities under procedure 18.2?

15 A (Whereupon, the witness nodded her head
16 affirmatively.)

17 Q About identification of problems.

18 What is your understanding of your overall
19 responsibility about identification of problems?

20 A When I identify a problem, I first see if it
21 can be corrected.

22 Q And how do you do that?

23 A It's according to what the problem is. If
24 it's a QC problem, go to QC. If it's a weld engineering
25 problem, go to weld engineering. Just according to whose--

1 what the problem is.

2 Q And you couldn't point out that instruction
3 in 18.2. And we discussed it. I don't know if it was your
4 testimony of the discussion of counsel that it was site
5 policy.

6 Who, if anyone, ever informed you that that
7 was the process that you should follow after you identified
8 a problem?

9 A Oh, it would have to be Virginia Wassinger.

10 Q And who was Virginia Wassinger?

11 A She was the lead, my first lead, whenever I
12 started review.

13 Q When you left the site several months ago,
14 best of your knowledge, was that the policy that QES
15 reviewers were following?

16 A Yes.

17 Q My last question. You were asked a series
18 of questions regarding your feeling discouraged after
19 comments made by Mr. Bennetzen that it would cost too much
20 money to open a valve and check a disk, and I believe for
21 clarification purposes that your response to Mr.

22 MR. MIZUNO: Mizuno.

23 Q (Continuing) Mr. Mizuno. Mr. Mizuno.

24 Last question. You responded that as to the
25 disk problem that you identified, if you had identified

1 another one that you felt like Mr. Bennetzen's response
2 would be the same.

3 A: I summarizing your testimony correctly?

4 A Yes.

5 Q Did you also feel general discouragement from
6 his comments?

7 MR. DOWNEY: Objection.

8 MR. MIZUNO: Objection.

9 MS. GARDE: Okay. I withdraw the question.

10 MR. MIZUNO: That's where we spent half an
11 hour trying to get out.

12 MS. GARDE: I know. And I think the record
13 will reflect that--

14 MR. DOWNEY: The record will reflect what
15 it reflects.

16 MS. GARDE: In discussion with the witness--

17 MR. DOWNEY: Now, we can't have you testify,
18 Miss Garde.

19 MS. GARDE: I'm not going to.

20 I don't believe the record clearly reflects
21 her testimony. Now, I will try to re-ask the question or
22 you can try to re-ask the question, but I do think that there
23 is a conflict in her responses to your questions.

24 MR. MIZUNO: Okay.

25 MR. DOWNEY: I think the record does reflect

1 that.

2 MS. GARDE: And I would like to clarify that
3 conflict. Do you object to that?

4 MR. DOWNEY: I only object to questions.

5 BY MS. GARDE:

6 Q Miss Barnes, what-- Strike that.

7 How did you feel after Mr. Bennetzen made
8 his comment?

9 MR. DOWNEY: Objection. Asked and answered.

10 MS. GARDE: I'd like to ask it as a ground
11 question for my next question. Unless you want to go back
12 to that part of the transcript and have that reread.

13 MR. DOWNEY: Go ahead and answer the question.

14 THE WITNESS: Would you ask the question
15 again?

16 BY MS. GARDE:

17 Q How did you feel after hearing Mr. Bennetzen's
18 comments?

19 A I felt discouraged in writing NCR's.

20 Q Was your discouragement about-- What type
21 of NCR's did you feel discouraged about writing?

22 A All NCR's.

23 Q Did you have a particular feeling about
24 NCR's on disks?

25 A Yes.

1 Q And what was that feeling?

2 A It was the fact that the problem that we
3 brought to Bennetzen's attention was a valve incident and
4 him saying it didn't matter if....

5 And I particularly felt discouraged in
6 writing an NCR on disks.

7 MS. GARDE: Thank you. No further questions.

8 RE-CROSS-EXAMINATION

9 BY MR. DOWNEY:

10 Q Ms. Barnes, did Mr. Bennetzen, at any time,
11 direct you not to write an NCR on the disk problem?

12 A (No response.)

13 Q Did he instruct you not to write an NCR on
14 the disk problem that you brought to him?

15 A Not that I can remember.

16 Q Did he direct you not to write any NCR's on
17 anything?

18 A (Pause.)

19 Not that I can remember.

20 Q And before you had this conversation with Mr.
21 Bennetzen, did you report all the deficiencies that you
22 found and tried to get them corrected?

23 A (Pause.)

24 Yes.

25 Q You thought that was your job to do that, did

1 you not?

2 A Yes.

3 Q You testified that-- in response to questions
4 by Miss Garde that by the time you left the site, you felt
5 that you were under the instruction you had been given by
6 Ms. Wassinger to try and get all deficiencies instruction;
7 isn't that right?

8 A Repeat that, please?

9 Q By the time you left the site, you felt you
10 were bound by the instructions you'd been given by Miss
11 Wassinger to report all problems that you found; isn't
12 that correct?

13 A Yes.

14 Q And between the time that you had your
15 conversation with Mr. Bennetzen in September of 1983, or
16 when you allege you had this conversation, and the time you
17 left the site in April 1984, didn't you continue to review
18 documents during the majority of that time?

19 A For part of it.

20 Q And during the time you worked on those
21 documents, you continued to report problems and try and
22 get them corrected, just as Miss Wassinger had instructed
23 you to do.

24 A (Pause.)

25 Yes.

1 Q And didn't you always try and do the job
2 the way she taught you to do it?

3 A (No response.)

4 Q I'll withdraw that question.

5 Now, when you wrote NCR's, to whom did you
6 give them?

7 A (Pause.)

8 They were-- You want a particular person or....

9 Q In-- I'll strike that question.

10 Say, in September 1983, had you written an NCR,
11 to whom would you have given that NCR?

12 A It's sent out to the task force.

13 The NCR numbers were being kept there, and
14 that's where you had to send the NCR to get it approved and
15 have a number.

16 Q Did that procedure remain in effect from
17 September 1983 until you left the site in April 1984?

18 A (Pause.)

19 I remember it did up until I went on my
20 vacation, but I don't know after that.

21 Q So, you don't recall what it was after
22 February, late February, 1984; is that right?

23 A No.

24 Q And you were no longer reviewing documents
25 after your return from vacation in late 1984; is that

1 right?

2 A Correct.

3 Q So you wouldn't have-- Strike that.

4 (Whereupon, at 6:00 p.m., a recess was called
5 in the proceedings for a change of reporters.)

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REXCROSS-EXAMINATION (Continuing)

BY MR. DOWNEY:

Q. Ms. Barnes, after your conversation that you allege occurred among yourself, Ms. Gregory and Mr. Bennetzen, you testified you had a conversation with Ms. Neumeyer, Mr. Woodyard and yourself about the NCR on the Weld Data Card, did you not? That conversation occurred after the one involving --

A. On the NCR?

Q. Yes, the Weld Data Card. Strike all that.

The conversation that you -- the matter involving the Weld Data Card arose after the problem involving the disk, did it not?

A. Yes.

Q. And during the discussions on that particular matter, Mr. Woodyard directed Ms. Neumeyer to write an NCR, did he not?

A. He advised her to.

Q. Did that encourage you about your job of reporting deficiencies, Mr. Woodyard's direction to her?

A. I didn't really think about that.

Q. You didn't think about whether you were encouraged or discouraged in writing NCRs by Mr. Woodyard's comments?

gmw-2

1 A. No, I didn't think about it.

2 Q. When did you first think about whether
3 you were encouraged or discouraged because of Mr. Bennetzen's
4 remarks regarding the writing of NCRs?

5 A. When he said it.

6 Q. When he said -- Strike that.
7 Mr. Bennetzen didn't say anything about
8 writing NCRs directly, did he?

9 A. Not that I can remember.

10 Q. But you immediately became discouraged
11 during his conversation, isn't that right?

12 A. It was an NCR condition.

13 Q. And later, when Mr. Woodyard directed someone
14 to write an NCR, you didn't even think about that.

15 Is that your testimony?

16 A. Not at that time, I did not.

17 Q. Now, Ms. Barnes, have you discussed your
18 testimony today with your counsel and others in preparation
19 for your appearance?

20 A. I discussed it with Ms. Garde.

21 Q. And do you recall discussing questions
22 they might raise today? The use of the word "discouragement,"
23 was that something that you did in your witness preparation?

24 MS. GARDE: I object.

25 MR. DOWNEY: On what grounds?

grw-3

1 MS. GARDE: What words were used in the
2 preparation of this testimony is getting close to attorney-
3 client privilege.

4 MR. DOWNEY: I don't think what matters
5 were covered in this witness' preparation, factual matters,
6 go to that point at all. I don't think it is privileged
7 at all.

8 MS. GARDE: No. I think that you're --

9 MR. DOWNEY: We're talking about factual
10 matters.

11 MS. GARDE: Factual matters of what happened
12 here, or factual matters of what happened during the witness'
13 preparation?

14 MR. DOWNEY: Factual matters of what happened
15 in the witness' preparation. I think it goes very directly
16 to her credibility on this point.

17 MS. GARDE: Well, I think it goes directly
18 to attorney-client privilege.

19 MR. DOWNEY: Are you instructing her not
20 to answer that question?

21 MS. GARDE: I want an opportunity to call
22 Mr. Roisman before I let her answer the question.

23 MR. DOWNEY: Well, I'll -- I won't withdraw
24 the question. I'll pass the question until I finish
25 examination on this point.

1 BY MR. DOWNEY:

2 Q. Are you personally represented by Ms. Garde?

3 A. Yes.

4 Q. Were you represented in your Labor Department
5 case by her?

6 A. Yes.

7 Q. In Ms. Gregory's conversation that you
8 allege occurred with Mr. Bennetzen, did Mr. Bennetzen
9 direct her to sign these papers?

10 A. He did not tell her to sign them, no.

11 MS. GARDE: Are we talking about the disk
12 incident again?

13 BY MR. DOWNEY:

14 Q. Did he tell her not to sign?

15 A. No.

16 Q. He didn't tell her anything about what
17 she should do; is that right?

18 A. What he told her is that it would cost
19 too much money to open the --

20 Q. That's not responsive to my question,
21 Ms. Barnes. My question was: Did he give her any advice
22 about whether she should sign or not sign these papers?

23 MS. GARDE: She has testified that. You
24 asked her that. She has answered that.

25 MR. DOWNEY: What was the answer, if you

1 recall it so clearly?

2 MS. GARDE: You asked her if he was --
3 directed her not to write an NCR. She said no.

4 MR. DOWNEY: I didn't ask that. That's
5 not the question. My question is: Did he give her any
6 advice, direct advice as to whether to sign the papers
7 she's reviewing or not to sign those papers.

8 THE WITNESS: No.

9 BY MR. DOWNEY:

10 Q. What other supervisors were working in
11 that area at the time?

12 A. Dwight Woodyard and Doug Snow.

13 Q. Did you and Ms. Gregory go see Mr. Woodyard
14 about this problem involving the disk papers after the
15 conversation with Mr. Bennetzen?

16 A. No.

17 Q. Did you go see Mr. Snow about your conversa-
18 tion -- about the matter that you raised in the conversation
19 with Mr. Bennetzen?

20 A. No.

21 Q. Did Mr. Bennetzen threaten you or
22 Ms. Gregory in any way during your conversation with him?

23 A. No.

24 Q. Do you know whether these documents were
25 reviewed by the ANI after Ms. Gregory signed them?

1 A. They should have gone to the vault, not
2 to ANI.

3 Q. Is that because they were -- Strike that.
4 Why would they go to the vault rather than
5 ANI?

6 A. Because we were putting the travellers
7 in the vault until they could figure out what was Section 11
8 and what wasn't Section 11.

9 Q. Do you know whether there was ever a decision
10 made as to whether this was Section 11 or not?

11 A. I don't know.

12 Q. If it was Section 11, did that mean it
13 ultimately went to the ANI for review?

14 A. From what I understood, it would be going
15 to TUGCO.

16 Q. And if it wasn't Section 11, what would
17 happen to the documents?

18 A. It would go -- stay in the vault, straight
19 to the vault.

20 Q. Do you recall meeting with Mr. Purdy after
21 you left the site and before you were terminated?

22 MS. GARDE: I object.

23 MR. DOWNEY: What basis?

24 MS. GARDE: There was nothing in this
25 witness' direct testimony about meeting with Mr. Purdy.

1 It's not being offered as anything harassing or intimidating.

2 MR. DOWNEY: I'm not suggesting that it
3 is harassing or intimidating. I'm simply --

4 MS. GARDE: It's expanding the scope of
5 this witness' testimony well beyond the incidents that
6 this witness was put on to testify about.

7 MR. DOWNEY: This particular set of questions --

8 MS. GARDE: In particular, since we've
9 withdrawn the procedures incident, it appears to me that
10 there is nothing that the Purdy meeting in Granbury could
11 go to.

12 MR. DOWNEY: I think it quite directly
13 goes to the issue of credibility on this specific point.
14 I don't intend at this time to go into the entire series
15 of events that led to that meeting and the matters that
16 were discussed, but I do have a specific point with respect
17 to that meeting to make in regards to the disk incident.

18 MS. GARDE: The witness can answer the
19 question if she can.

20 BY MR. DOWNEY:

21 Q. Do you recall meeting with Mr. Purdy at
22 the town square of Granbury at your request?

23 A. Yes.

24 Q. Do you recall providing Mr. Purdy with
25 concern that you had at the time, during that meeting?

gmw-8

1 A. Would you repeat that?

2 Q. During that meeting, didn't you give
3 Mr. Purdy a list of your concerns or grievances that you
4 had at the job site?

5 A. All that I could think of at that time.

6 Q. And did you inform Mr. Purdy about this
7 particular matter involving the disk at that meeting?

8 A. No.

9 Q. So you didn't think of that disk matter
10 at the time of your meeting with Mr. Purdy in the town
11 square of Granbury, isn't that right?

12 A. No.

13 Q. When did you first recall this incident?

14 A. After I left out there.

15 Q. After you left the site?

16 A. Yes.

17 Q. Did you first recall it in the interview
18 with Eloy Gaitan?

19 A. That might have been when I first remembered
20 it.

21 Q. How many times did you meet with Mr. Gaitan
22 prior to signing your affidavit?

23 A. A couple of times. I don't remember exactly.

24 Q. You met with him at least two times before?

25 MS. GARDE: Mr. Downey, I object to this.

cmw-9
1 Now you're well beyond the meeting with Mr. Purdy in
2 Granbury town square --

3 MR. DOWNEY: I'm trying to identify --

4 MS. GARDE: -- and into her meetings --

5 MR. DOWNEY: I'm trying to identify --

6 MS. GARDE: -- with Mr. Gaitan in terms
7 of a government accountability project and an affidavit
8 that was not prepared for this hearing. It was prepared
9 for the Nuclear Regulatory Commission as a summary of
10 her substantive concerns.

11 MR. DOWNEY: And I am trying to identify,
12 Ms. Garde, a very relevant point, when in the period of
13 time of nearly one year since this event occurred did
14 she recall it for the purposes of lodging it as a complaint,
15 and I think that's a particularly pertinent point.

16 MS. GARDE: In terms of lodging it as a
17 complaint --

18 MR. DOWNEY: Yes.

19 MS. GARDE: -- you mean as raising it as
20 an issue in this proceeding?

21 MR. DOWNEY: In any proceeding. She's
22 writing an affidavit. She's meeting with Mr. Purdy in
23 the town square. She's meeting with Mr. Gaitan. She's
24 here testifying today. I want to know when she recalled
25 it for the first time.

1 MS. GARDE: And she's answered that question.
2 Now you are beyond that into asking her how many times
3 she met with Mr. Gaitan.

4 MR. DOWNEY: And I'm going to find out
5 which of those meetings she first recalled it.

6 BY MR. DOWNEY:

7 Q. Now, you say you met with Mr. Gaitan at
8 least twice; is that correct?

9 A. Yes.

10 Q. Did you meet with him more than that, more
11 times than that?

12 A. I don't remember.

13 Q. Did you meet with anyone else about your
14 affidavit besides Mr. Gaitan?

15 A. No, not that I can remember.

16 Q. Do you recall whether it was the first
17 meeting you had with Mr. Gaitan in which you recalled
18 this incident involving the disk?

19 A. I believe it was.

20 Q. Do you recall when that meeting took place?

21 A. Not exactly, no.

22 Q. Now, after your meeting with Mr. Purdy,
23 which I recall occurred on --

24 MS. GARDE: This is your testimony.

25

1 BY MR. DOWNEY:

2 Q. -- a Monday? is that correct?

3 MS. GARDE: Why don't you ask the witness
4 if she recalls when the meeting was, Mr. Downey?

5 MR. DOWNEY: Because I am on cross-
6 examination, and I am entitled to ask her leading questions,
7 and this most definitely is one.

8 BY MR. DOWNEY:

9 Q. Do you recall the meeting with Mr. Purdy
10 in the town square of Granbury as occurring on Monday?

11 A. It was Monday or Tuesday.

12 Q. And do you recall talking with him on the
13 phone later that same week?

14 A. Yes.

15 Q. And do you recall raising with him the
16 incident involving the disk in that second -- in the phone
17 conversation?

18 A. No.

19 Q. And didn't you have a subsequent discussion
20 with Mr. Purdy several days after your first telephone
21 conversation with him?

22 A. Yes.

23 Q. And did you raise this matter involving
24 the disk with Mr. Purdy during that conversation?

25 A. No. I did not think of it then.

1 Q. At the time you met with Mr. Purdy in the
2 town square of Granbury did you feel discouraged from
3 writing NCRs as a consequence of your meeting with
4 Mr. Bennetzen in September of the year before?

5 MS. GARDE: Mr. Downey, you haven't even
6 shown there's any connection at all between the disk
7 incident and the meeting with Mr. Purdy.

8 MR. DOWNEY: I'm not asking -- I'm not
9 suggesting that there was any connection between the two.
10 I just -- My first line of questions was whether she raised
11 it during any of her conversations with Mr. Purdy about
12 her complaints, and she has testified quite clearly she
13 did not recall it during those meetings.

14 Now I want to see if she still felt
15 discouraged as of April, 1984, and I choose that as a
16 date of reference. And I don't need to explain any further
17 why I'm asking these questions. I think they are highly
18 relevant, and I think we ought to move on.

19 BY MR. DOWNEY:

20 Q. Ms. Barnes, let me repeat the question
21 for you.

22 At the time you met with Mr. Purdy in the
23 town square of Granbury in April of 1984, did you still
24 feel discouraged from writing NCRs because of what
25 Mr. Bennetzen had said to you in September of the year

1 before?

2 A. I wasn't thinking about that part of it.

3 Q. When, Ms. Barnes, did you stop thinking about
4 that part of the conversation with Mr. Bennetzen?

5 A. When my procedures -- the procedure books
6 were taken out of my office and when Rusty told me about
7 the library.

8 Q. So you didn't think about that conversation
9 anytime after February; is that correct?

10 A. No.

11 Q. Were you still thinking about that conversation
12 in February when you went on vacation?

13 A. Yes.

14 Q. Were you thinking about that conversation
15 with Mr. Bennetzen when you advised Ms. Neumeyer in
16 January of 1984 to talk to Mr. Woodyard about the problems
17 she perceived with the Weld Data Card?

18 A. No, I didn't think about it then.

19 Q. So sometimes you thought about it and some-
20 times you didn't think about it; is that correct?

21 A. Yes. There are a lot of things that go
22 on out there and you can't think of everything.

23 Q. There were times when you thought about
24 this conversation with Mr. Bennetzen, and there were other
25 times when you didn't think about it; is that correct?

1 A. Yes.

2 Q. At least with respect to the meeting about
3 the Weld Data Card and Ms. Neumeyer's concerns and your
4 concerns about it, Mr. Bennetzen's remarks didn't discourage
5 you from bringing it to Mr. Woodyard's attention, isn't
6 that correct?

7 MS. GARDE: The testimony isn't that
8 Ms. Barnes brought it to Mr. Woodyard's attention.

9 MR. DOWNEY: I'll withdraw the question.

10 BY MR. DOWNEY:

11 Q. At the time you advised Ms. Neumeyer to
12 see Mr. Woodyard about the problem involving the Weld
13 Data Card were you thinking about this conversation with
14 Mr. Bennetzen?

15 A. No. I just advised her to talk to her
16 supervisor.

17 Q. And that's exactly the advice you gave
18 Ms. Gregory in September of 1983, is it not?

19 A. I did not tell Meddie to go to Greg Bennetzen.
20 We both went.

21 Q. Do you recall whether you thought about
22 Mr. Bennetzen's remarks between January when you advised
23 Ms. Neumeyer to meet with Mr. Woodyard and February when
24 you went on vacation?

25 A. Repeat that, please.

1 Q. Do you recall whether you thought about
2 the conversation you had had with Mr. Bennetzen between
3 the time you advised Ms. Neumeyer to consult Mr. Woodyard
4 in January, 1984, and the time that you went on vacation
5 in February, 1984?

6 A. I don't remember if I thought of it or
7 not.

8 Q. Now, do you recall whether you thought
9 about this conversation with Mr. Bennetzen in December
10 of 1983?

11 MS. GARDE: I object to this line of question-
12 ing. You're asking her for a random thought from over
13 a period of time of eight months. She has testified that
14 the first time she recalled it as far as this proceeding
15 goes, as far as this affidavit goes, is when she talked
16 to Mr. Gaitan.

17 MR. DOWNEY: And I'm trying to establish
18 when the last time was she thought about it before she
19 talked to Mr. Gaitan.

20 MS. GARDE: Well, why don't you ask it
21 in that way because --

22 MR. DOWNEY: Because I'm going to ask it
23 my way, Billie. I have --

24 MS. GARDE: -- because we've been here --

25 MR. DOWNEY: -- that right.

1 MS. GARDE: -- and this witness has been
2 here on the assumption that she was going to be here a
3 couple of hours. It is now beyond 6:00 o'clock in the
4 afternoon. She has been more than cooperative. We are
5 all exhausted. It is very hot in here. And I object
6 to this line of questioning. I think you are beginning
7 to badger the witness.

8 MR. DOWNEY: I'm not badgering the witness
9 at all.

10 MS. GARDE: Well, that is the witness'
11 decision to make.

12 MR. DOWNEY: I think that is a legal conclu-
13 sion. I'm not badgering the witness. She has testified
14 that she thought about it sometimes and didn't think about
15 it others. The first time she recalled it in the recent
16 past was in her conversation with Mr. Gaitan.

17 I'm trying to establish the last time she
18 thought about --

19 MS. GARDE: Well, why don't you ask her
20 that?

21 MR. DOWNEY: Because I want to do it my
22 way, Ms. Garde, and I have a right to do that.

23 MS. GARDE: Well, then I'm going to pretty
24 soon move for a recess because this is getting a little
25 ridiculous.

1 MR. DOWNEY: We're in December. We only
2 have two more months to go.

3 BY MR. DOWNEY:

4 Q. I believe my question before the colloquy
5 of counsel, Ms. Barnes, was do you recall thinking about
6 Mr. Bennetzen's remarks you allege he made in September
7 of 1983, do you recall thinking about those remarks in
8 December of 1983?

9 A. I don't remember.

10 Q. Do you recall any specific time when you
11 thought about Mr. Bennetzen's remarks between the time
12 he made them in September, or you allege he made them
13 in September of 1983 and the time you spoke to Mr. Gaitan
14 in the preparation of your affidavit?

15 A. I don't remember.

16 Q. Now, at the time of your remarks -- at
17 the time of the conversation you allege occurred between
18 yourself, Ms. Gregory, and Mr. Bennetzen, at that time
19 you testified that NCRs were transmitted to the task force;
20 is that right?

21 A. Yes.

22 Q. Did Mr. Bennetzen have any role, to your
23 knowledge, in the disposition of NCRs that were transmitted
24 to the task force?

25 A. Would you repeat that?

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1 Q. To your knowledge, did Mr. Bennetzen have
2 any role in the disposition of NCRs that were sent to
3 the task force for their review?

4 A. It is possible, but I don't know for sure.

5 Q. So you don't know whether he had any role
6 in it; is that right?

7 A. What?

8 Q. You just don't know whether he had any
9 role in the disposition of NCRs sent to the task force,
10 isn't that right?

11 A. I don't know.

12 Q. Just a couple of questions about the
13 Neumeyer incident.

14 You testified on redirect that you reviewed
15 not only the Weld Data Card but something entitled the
16 Repair Process Sheet; is that right?

17 A. I looked at it.

18 Q. And it was the matchup of the dates on
19 the Repair Process Sheet with the dates on the Weld Data
20 Card that caused the concern in your mind; is that right?

21 A. That and the fact there were no QC hold
22 points.

23 Q. Let's put aside the QC hold point problem
24 and just work on the date problem that you perceived.
25 Those were independent problems, isn't that right?

1 Strike that question.

2 Your testimony was the QC hold point was
3 one potential problem, isn't that right?

4 A. Yes.

5 Q. And that the date problem was a separate
6 potential problem, isn't that right?

7 A. Those were the two things that I saw.

8 Q. And they are not related to one another.
9 They are just independent problems, isn't that right?

10 A. They had to do with each other.

11 Q. Tell me how.

12 A. I'd like you to repeat the question, if
13 you can.

14 Q. I'm only doing this trying to make it go
15 faster because it is my understanding from your earlier
16 testimony that the hold point problem was a potential
17 problem you saw and that the date problem was a separate
18 problem that you saw, and they weren't related to one
19 another; that is, one could have been a problem and the
20 other not or vice versa.

21 MS. GARDE: I object. I don't think the
22 testimony reflects that. I think the testimony reflects
23 you requesting the witness to separate the questions so
24 that you could question her separately on them. I think
25 I objected, and the record will reflect I objected to

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1 you doing that at that point.

2 I continue to object to your separating
3 the problems for the ease of questioning when in the
4 translation you are losing something this witness is trying
5 to tell you.

6 MR. DOWNEY: Well, let the witness --

7 BY MR. DOWNEY:

8 Q. Ms. Barnes, why can't I separate the date
9 problem from the QC hold point problem in my questions?
10 What is misleading about that separation?

11 A. What I saw when I looked at it was the
12 inconsistency of the dates and no QC hold points in the
13 RPS.

14 Q. I see. So the RPS is what would have had
15 QC hold points on it; is that right?

16 A. Yes.

17 Q. And you determined there might be a problem
18 with the dates by looking at the Weld Data Card, and you
19 determined that there might be a problem with the QC hold
20 points by looking at the Repair Process Sheet; is that
21 right?

22 A. The date -- The first date that was marked
23 through was done before the RPS was done.

24 Q. So if the first date that had been marked
25 through was the correct date, it would have been signed

1 before the repair work was done; is that right?

2 A. Repeat that.

3 Q. If the date on the Weld Data Card that
4 was crossed out was, in fact, the correct date, then the
5 work would have been done after the date on which the
6 Weld Data Card was signed; is that right?

7 A. With QC involvement.

8 Q. Pardon me?

9 A. With QC involvement.

10 Q. Do you recall the exact dates on these
11 cards?

12 A. Not the exact dates, no.

13 MR. DOWNEY: I'd like to ask the witness
14 a hypothetical question, if you don't mind, to try and
15 clarify this point.

16 MS. GARDE: I don't mind if we go off the
17 record so I can explain what a hypothetical question is
18 to the witness.

19 MR. DOWNEY: Okay. Let's go off the record.

20 (Discussion off the record.)

21 MR. DOWNEY: Let's go back on the record.

22 BY MR. DOWNEY:

23 Q. Ms. Barnes, the Weld Data Card and the
24 Repair Process Sheet -- Let's focus our attention on the
25 dates on those documents.

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1 Was it your observation when you reviewed
2 those pieces of paper that the original date on the QC
3 inspection that was marked out was the first of the dates
4 in time, that the date on which the repair was made was
5 the second in time, and the third date, the one that had
6 been penciled in or written in after the original date
7 of inspection was crossed out, was the last in time?

8 Was that the sequence that you saw -- you
9 observed when you looked at those papers?

10 A. Would you repeat that? I want to make
11 sure I understand.

12 Q. I'm trying to establish the sequence of
13 events --

14 A. Uh-huh.

15 Q. -- that you observed or you visualized
16 when you observed these papers, and we have three dates,
17 do we not? Is that what you observed? The date on which
18 the repair occurred, the date that was crossed out, and
19 the final date. Those are the three dates you observed.

20 A. Yes.

21 Q. Okay. The first date -- The earliest date
22 was the date that was crossed out, isn't that correct?

23 A. Yes.

24 Q. And the latest date was the date that was
25 written in after the first date was crossed out, isn't

gmw-23

1 that right?

2 A. Yes.

3 Q. And the repair -- The date on which the
4 repair occurred was the date in the middle, isn't that
5 correct?

6 A. Yes.

7 Q. And that was the nature of the problem
8 you observed, isn't that right?

9 A. Yes.

10 Q. Now, the problem -- The potential problem
11 you observed with respect to QC hold points, that would
12 have existed whether or not there was any problem with
13 the dates, isn't that right?

14 A. Yes.

15 MR. DOWNEY: I have no further questions.

16 MS. GARDE: Thank you, Mr. Downey.

17 MR. BACHMANN: Could we go off the record
18 just for a second? It might help.

19 (A short recess was taken.)

20 MR. MIZUNO: We had a short break.

21 During that time, Ms. Garde determined
22 that the witness, Linda Barnes, would like to take a break
23 for dinner, and all the parties consented to that.

24 And so we will now take a break for dinner.

25 At the end of an hour, we will resume the examination

gmw-24

1 of Ms. Barnes.

2 Is that correct, Ms. Garde?

3 MS. GARDE: That's correct. My understanding
4 is that you have 10 or 12 questions.

5 MR. MIZUNO: Plus whatever followup
6 questions are generated from the answers that I get.

7 (6:46 p.m.)

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8:20 p.m.

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MR. MIZUNO: Let's go on the record.

MS. GARDE: Before we resume questioning, I want to make a brief statement for the record on the fact that this witness is getting very exhausted. And she indicated to me over lunch break that she is very --

MR. MIZUNO: Dinner break.

MS. GARDE: -- very tired -- dinner break that she's very, very tired.

So I want to put a cap on this thing in about an hour from now. I don't think there's -- if you represented you have about 10 or 12 questions, that there's any reasonable reason it shouldn't be able to be concluded in an hour.

If it can't be concluded in an hour, I want to continue it at another time.

MR. MIZUNO: This is Staff counsel speaking.

I indicated that I had 10 or 12 questions plus whatever followup questions were necessary as a result of her answers.

I have no problem to having a continuance if my recross continues past the hour.

MS. GARDE: All right.

MR. MIZUNO: I would just like to ask Ms. Barnes now whether she feels comfortable about going

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1 ahead at this point, just to make sure.

2 RE-CROSS-EXAMINATION

3 BY MR. MIZUNO:

4 Q. Ms. Barnes, do you feel that you have --
5 Do you feel comfortable enough to go ahead at this point
6 for another hour?

7 A. Yes.

8 Q. Okay. No problem.

9 If you feel before the hour is up that
10 you want to stop, just indicate that and we'll stop at
11 that point.

12 Okay. Ms. Barnes, do you know whether
13 Mr. Bennetzen is authorized to disposition NCRs which
14 were generated by document reviewers such as yourself?

15 (Pause.)

16 Have you --

17 A. I'm thinking.

18 (Pause.)

19 Q. Ms. Barnes, are you having a problem answering
20 my question?

21 A. I'm thinking about the question.

22 Q. Do you understand it?

23 A. Yes.

24 Q. Okay.

25 (Pause.)

1 If you don't know, it is all right to say
2 you don't know.

3 (Pause.)

4 MR. MIZUNO: Let the record reflect that
5 it has been at least three minutes since I first asked
6 my original question.

7 BY MR. MIZUNO:

8 Q. Ms. Barnes, do you want me to repeat the
9 question for you?

10 A. I am thinking about my answer.

11 Q. Well, let me withdraw that question and
12 let me ask you another one, then.

13 Does Mr. Bennetzen review NCRs or documents
14 that you have signed after you have written the NCR or
15 after you have signed a document?

16 A. I don't know for sure.

17 Q. What happens when you write an NCR? What
18 physically do you do with that NCR?

19 A. I send it out to the task force to get
20 an NCR number and have it approved.

21 Q. And what do you mean by "have it approved"?

22 A. It has to be approved before it is given
23 an NCR number.

24 Q. Okay. Once it is approved, then it is
25 given an NCR number?

1 A. Yes.

2 Q. Okay. Let's establish that as a point.

3 From the point that you first write up the NCR to the
4 time that you send it to the task force for approval,
5 does Mr. Bennetzen review or look at an NCR that you have
6 written?

7 A. No.

8 Q. Now, return to my question about whether
9 Mr. Bennetzen is authorized to disposition NCRs. Can
10 you answer that now, or do you need more time because
11 I would like to then go on to some other questions?

12 A. From what I understood, he had the authority.

13 Q. To disposition NCRs?

14 A. Yes.

15 Q. Okay. And when --

16 Okay. At what point in time does his review
17 of an NCR occur, an NCR that you or any other document
18 review clerk has written, to your knowledge?

19 A. I don't know when he reviews them.

20 Q. Okay. Now, do you recall before we took
21 the break and when I was asking questions about the
22 disk incident and I asked you whether Mr. Bennetzen's
23 statements or actions --

24 MS. GARDE: Before we took what break?

25 MR. MIZUNO: The dinner break. I think

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1 we had some intermediate breaks before that, but when
2 I was asking you questions.

3 BY MR. MIZUNO:

4 Q. You recall when I was asking you questions at
5 first?

6 A. Yes.

7 Q. Okay. And do you recall when I asked
8 you a question asking you whether anything that
9 Mr. Bennetzen had said or done at this meeting between
10 yourself, Meddie Gregory, and Mr. Bennetzen had resulted
11 in you being discouraged from writing NCRs? Do you recall
12 that?

13 A. Yes.

14 Q. Okay. And you gave an answer at that time,
15 didn't you?

16 A. Yes.

17 Q. Okay. Now, after we ended that -- After
18 you finished giving your answer, at that time did you
19 feel that you had given a complete answer?

20 A. No.

21 Q. And what was it that resulted -- Excuse
22 me. Strike that.

23 Why did you not give a complete answer
24 at that time?

25 A. I was thinking about the disk situation,

1 and that was it. I was thinking -- I thought you were
2 talking about the disk and that was all you were talking
3 about.

4 Q. Okay. Did I not ask you a question that
5 indicated I was trying to clarify whether you were just
6 talking about the disk problem or whether you were talking
7 more generally about whether you felt discouraged to write
8 NCRs in general? Do you recall me not asking you some
9 questions designed to clarify that?

10 A. Not really. I was thinking about the disk
11 at the time.

12 Q. So you don't recall any questions that
13 I have asked you to try and clarify whether you were
14 just talking about ... or whether your concern -- Excuse
15 me -- whether you had just been discouraged from writing
16 NCRs on the disk problem versus a more general discouragement
17 in writing NCRs?

18 A. I remember you talking about the disk,
19 and that's what I was thinking about was the disk.

20 Q. Okay. Now, you indicated earlier today
21 in response to some of my questions -- one of my questions
22 that Mr. Bennetzen did not raise his voice or yell at
23 you at this -- at the meeting between yourself and
24 Meddie Gregory and Mr. Bennetzen; is that true?

25 A. Yes.

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1 Q. Then what was it -- What was it that
2 Mr. Bennetzen said or did at that meeting that you --
3 that caused you to believe in your mind that you ought
4 not to write NCRs in general?

5 MS. GARDE: That's not her testimony. Her
6 testimony is that she was discouraged, not that she shouldn't
7 write them.

8 BY MR. MIZUNO:

9 Q. Okay. Discouraged.

10 A. Would you repeat the question?

11 Q. Yeah. What was it that Mr. Bennetzen said
12 or did at that meeting that caused you to -- in your mind
13 to become discouraged for writing NCRs?

14 MS. GARDE: Asked and answered.

15 Go ahead and answer the question.

16 THE WITNESS: The fact that he said it
17 would cost too much money to open those valves up to check
18 the disk number.

19 BY MR. MIZUNO:

20 Q. Now, Mr. Bennetzen didn't mention anything --
21 did not mention anything about writing -- not writing
22 NCRs at all, did he?

23 A. No.

24 MS. GARDE: Asked and answered.

25

1 BY MR. MIZUNO:

2 Q. Excuse me?

3 A. No.

4 Q. Okay. And is it not true that Mr. Bennetzen's
5 words to you were with regard to the -- just about money
6 being spent to open the valves? There was nothing else
7 other than him addressing that particular problem, is
8 that not true?

9 A. That's true.

10 Q. So why is it that you interpreted his words
11 which addressed this particular problem involving the
12 disks, how did his words in that regard cause you to become
13 generally discouraged from writing NCRs?

14 A. Because he said that it would cost too
15 much money to open those valves up to check the disk numbers,
16 and that to me is saying that they are worried about money
17 and not quality. And after he said that, I didn't give
18 a damn whether problems were addressed or not.

19 Q. Okay. But you were concerned -- But you
20 did care about whether problems were identified or not
21 in NCRs?

22 MS. GARDE: That isn't -- She hasn't
23 established that. Lay a basis for that question.

24 MR. MIZUNO: Yes. I think in her earlier
25 testimony I asked her a question or several questions

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1 designed to -- intended to elicit whether this witness
2 had been discouraged from not performing her duties of
3 identifying nonconforming conditions.

4 Now, I think that there's an apparent
5 inconsistency, and I want to get to that.

6 MS. GARDE: You just asked her how did
7 his words cause you to become generally discouraged --

8 MR. MIZUNO: No. I'm talking about --

9 MS. GARDE: -- and she gave you an answer.

10 MR. MIZUNO: -- my -- I'm talking about
11 my --

12 MR. DOWNEY: I think Mr. Mizuno's question
13 is a perfectly legitimate one, and I see no reason to
14 interrupt his examination.

15 MR. MIZUNO: And I was referring to my
16 original cross-examination questions at the very end of
17 my cross-examination.

18 MS. GARDE: All I ask you to do is lay
19 a basis for your question.

20 MR. MIZUNO: Well, I already did, but,
21 Ms. Garde, I have to say that if you are doing this to
22 result in my recross being extended over a long time,
23 that's fine. All I'm saying is that it is clear to all
24 parties, I believe, that my questions have some foundation.
25

1 BY MR. MIZUNO:

2 Q. Let me repeat the question for you. Okay?

3 You indicated that you did not -- You
4 indicated that because of what Mr. Bennetzen said about
5 money being important that you did not care from that
6 point on about identifying problems.

7 MS. GARDE: She didn't say from that point
8 on.

9 MR. MIZUNO: I'm sorry.

10 BY MR. MIZUNO:

11 Q. Making sure that problems were addressed.
12 Is that right?

13 A. Yes.

14 Q. Okay. Now, do you recall me asking you
15 at the end of my questions before the break whether you
16 had been discouraged by this incident from not writing
17 NCRs when you thought they should have been?

18 A. I don't recall the question.

19 Q. Okay. Let me ask you that question, then.

20 As a result of this incident with
21 Mr. Bennetzen telling you about this disk problem, did
22 you not write an NCR when you thought you should have?

23 A. I don't know.

24 Q. You don't know or you don't recall?

25 A. I don't know whether I did or not.

1 Q. And why is that? Why don't you know?

2 A. I don't remember.

3 Q. Okay. As a result of this conversation
4 that you had with Mr. Bennetzen, did you ever sign a document
5 indicating your approval when, in fact, you felt that
6 to sign the document would have been improper?

7 A. I don't remember.

8 Q. Okay. This feeling that you got from --
9 I'm sorry.

10 The feeling that you had about being
11 discouraged from writing NCRs that you formed after
12 this conversation with Mr. Bennetzen, was it -- If you
13 had to describe it, do you think it was a strong feeling
14 that you had or something that you had just in the back
15 of your mind or --

16 MS. GARDE: Why don't you just ask her
17 what kind of feeling she had?

18 MR. DOWNEY: I think you ought to let
19 Mr. Mizuno ask his questions.

20 THE WITNESS: For a while it was a strong
21 feeling.

22 BY MR. MIZUNO:

23 Q. Okay. How long of a period could you
24 estimate the feeling to be strong?

25 (Pause.)

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1 A. I don't remember how long I felt that way.

2 Q. Did it last until 1984?

3 Withdraw that.

4 Did it last until the time that you
5 confronted the -- you were confronted by the problem with
6 the Weld Data Card by Sue Ann Neumeyer?

7 A. No.

8 Q. Okay. Would you say -- During the time you
9 had this strong feeling of being discouraged against writing
10 NCRs that resulted from Mr. Bennetzen's conversation with
11 you, can you recall whether you -- that because of that
12 feeling you did not identify a nonconforming condition?

13 A. I can't remember. I don't know whether
14 I did or not.

15 Q. Okay. Do you believe that you did your
16 job correctly while you were -- after the time that
17 this conversation with Mr. Bennetzen occurred?

18 (Pause.)

19 A. For a while I felt very discouraged about
20 doing it the right way, and gradually I got to where I
21 cared more about it.

22 Q. Okay. During this period when you were
23 discouraged, very discouraged about doing your job, do
24 you think that you did anything that would give cause
25 for Brown & Root or the utility to terminate your

1 employment at Comanche Peak?

2 A. I don't know. I don't remember.

3 Q. Okay. At the time that you had this
4 discussion with Mr. Bennetzen and Ms. Gregory accompanied
5 you, you indicate that she was -- you were assigned to
6 train her?

7 A. Yes.

8 Q. Okay. And what were you supposed to train
9 her as?

10 A. Document reviewer.

11 Q. Essentially the same job that you held
12 at that time?

13 A. Yes.

14 Q. Okay. Was she under the same supervisor
15 as you?

16 A. Yes.

17 Q. Now, you indicated here in your affidavit
18 on page 7 that, "I returned to my office and talked to
19 Meddie. I stated that she could sign them, the documents,
20 if she wanted but that I wouldn't. I would not submit to the
21 pressure of signing the documents."

22 Now, given that your affidavit indicates that,
23 can you tell me why you would instruct Meddie in that
24 fashion rather than telling her to write an NCR?

25 A. Because I didn't think that it mattered

1 because of what Greg said.

2 Q. But you refused to sign the travellers,
3 didn't you?

4 A. At that time, yes.

5 Q. Okay. And you thought -- There was a reason --
6 There was a reason why you didn't sign the travellers,
7 is that not true?

8 A. Yes. The disk numbers did not match.

9 Q. Right. So there was -- You felt that there
10 was an improper condition, something was wrong with the
11 travellers, and so, therefore, you did not sign the
12 travellers.

13 A. Yes.

14 Q. Okay. Now, if you were training Meddie
15 Gregory, why is it that you told her that she could do
16 whatever she wanted?

17 I'm sorry. Take that back.

18 You said that she could sign the documents
19 if she wanted to when you yourself refused not to sign
20 them. And I ask this because you were supposed to be
21 training her.

22 A. Greg Bennetzen said that it would cost
23 too much money to open the valves up. He was a QC supervisor,
24 and I was only a clerk.

25 Q. So why didn't you tell Meddie to sign them?

1 A. Because Greg Bennetzen was the QC supervisor.
2 He had more authority than I did.

3 Q. So I'm saying why --
4 You refused to sign them?

5 A. I was not reviewing the documentation.

6 Q. Well, then why do you say that you would
7 not submit to the pressure of signing the documents? If
8 you were not responsible for signing the documents, then
9 how could you have been subjected to pressure to sign
10 the documents?

11 MS. GARDE: Let the record reflect that
12 the witness' counsel is letting her --

13 MR. MIZUNO: Yes. I will read this.

14 "I would not submit to the pressure of
15 signing the documents."

16 MS. GARDE: I wanted the record to reflect
17 that I was allowing the witness to look at the affidavit,
18 the part that you read, so she could see the sentence
19 in context.

20 MR. MIZUNO: Fine.

21 (Pause.)

22 Withdraw that question.

23 BY MR. MIZUNO:

24 Q. Ms. Barnes, let us assume that you were
25 responsible for signing that, those travellers, and

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1 you felt that to sign them would be wrong -- would be
2 improper. Is that true? You indicated that.

3 A. At that time, I felt that.

4 Q. Okay. Now, let's suppose that you had
5 signed those travellers and they, in fact, turned out
6 to be -- it would have been improper for you to sign them.

7 Would you have been -- Would that have
8 been an action that would have been sufficient reason
9 to terminate you or have some other disciplinary action
10 taken against you?

11 A. I don't know.

12 Q. So you don't know?

13 A. No.

14 Q. In other words, you can violate -- Okay.

15 You can do something improper and you don't
16 know whether disciplinary action could be taken against
17 you?

18 MS. GARDE: It that a question?

19 MR. MIZUNO: Yes.

20 BY MR. MIZUNO:

21 Q. If you did something improper with regards
22 to your job, could disciplinary action be taken against
23 you?

24 (Pause.)

25 MS. GARDE: Object to that question as

1 being overly broad.

2 MR. MIZUNO: Okay. My original question
3 was to -- I hypothesized that she had signed this, this
4 traveller, and it turned out to be, in fact, an improper
5 thing for her to do. Could she have been terminated or
6 subjected to other disciplinary action?

7 BY MR. MIZUNO:

8 Q. In your mind or to the best of your knowledge.

9 A. I suppose I could.

10 Q. Okay. But you were willing to tell Meddie
11 Gregory -- Okay. Excuse me. Strike that.

12 If Meddie Gregory had signed these travellers
13 and she -- and it was found out that her signing them
14 was improper, she could also have been subjected to some
15 disciplinary action, is that not true?

16 A. I suppose so.

17 Q. And so you told Meddie, who was your trainee
18 and you're responsible for training her correctly, that
19 she could go ahead and sign these travellers if she wanted
20 to. And so you would subject your trainee to performing
21 a job function in what you felt to be an improper manner,
22 have her subjected to a disciplinary action, but, yet,
23 you yourself state that you wouldn't be willing to sign
24 the documents.

25 MS. GARDE: I object to that. If you are

1 going to ask it as a question, ask a question. If you're
2 going to make an argument, make it to the judge.

3 MR. MIZUNO: I'm asking her --

4 MS. GARDE: Make it a question.

5 MR. MIZUNO: -- if she was willing to do
6 it or was she not willing.

7 THE WITNESS: What is the question?

8 BY MR. MIZUNO:

9 Q. Okay. You were willing to have Meddie
10 Gregory, who was your trainee and you were responsible
11 for her to see that she learned the job procedures correctly,
12 you were willing to let her do something that you felt
13 was improper. Is that true?

14 (Pause.)

15 Do you want me to repeat my question, or
16 do you need more time to think? Or do you not understand
17 my question?

18 A. Would you repeat the question?

19 Q. Okay. You were responsible for training
20 Meddie Gregory, and you were responsible for training
21 her properly, I would assume. You were willing to --
22 You told her that she could sign those documents even
23 though you believed that to do so was improper, is that
24 not true?

25 A. Meddie Gregory had read 18.2. And Greg

1 Bennetzen told Meddie and I that it would cost too much
2 to open the valves. She knew or I thought she knew what
3 the procedure was, and I left it up to her to whether
4 she wanted to sign them off or not.

5 Q. Weren't you responsible for training her?

6 A. Yes.

7 Q. If you felt that it was a -- it would have
8 been improper, then why did you not instruct her that
9 to do so was improper?

10 (Pause.)

11 You haven't answered.

12 A. Would you repeat the question?

13 Q. No, I will not. I withdraw the question.

14 Was Meddie Gregory your friend at the time
15 this incident occurred?

16 A. I hadn't known her very long.

17 Q. Was she a friend, though?

18 A. I didn't know her that well.

19 Q. As, I will say, trainer of Meddie Gregory
20 at the time that this occurred, was it your responsibility
21 to assure that the documents that Meddie Gregory reviewed
22 were reviewed properly by her?

23 A. I did not go over everything she did.

24 Q. That's not my question. You didn't answer
25 my question.

1 My question is: Were you responsible for
2 reviewing the documents that she had reviewed?

3 I should take that back.

4 Were you responsible for reviewing Meddie
5 Gregory's work to see that she had done her work properly?

6 MS. GARDE: I think her answer was responsive
7 to that question.

8 MR. DOWNEY: I think it was not.

9 THE WITNESS: I was supposed to train her.

10 BY MR. MIZUNO:

11 Q. That's it? What does training encompass?

12 Withdraw that.

13 What -- Who told you to train Meddie Gregory?

14 A. I believe it was Greg Bennetzen.

15 Q. Okay. And what did Greg Bennetzen say
16 about the way in which you should train Meddie Gregory
17 and the responsibilities that you had as her trainer?

18 A. He didn't. He just told me to train her.

19 Q. Is there a policy either written or
20 unwritten at the site or a written procedure which describes
21 how trainees and trainers interact and what the responsi-
22 bilities of the trainers are?

23 MS. GARDE: You mean was there at the time?

24 MR. MIZUNO: Yes.

25 THE WITNESS: I don't know.

1 BY MR. MIZUNO:

2 Q. You don't know. All right.

3 Okay. Was it your understanding that you
4 were to review Meddie Gregory's work to determine whether
5 she was performing acceptably or not, whether she was
6 being trained properly or not?

7 A. Not all of her work.

8 Q. Okay. But you were supposed to do something
9 to determine whether she was learning the procedures correctly
10 or not.

11 A. Yes.

12 Q. Okay. In this particular case, you did
13 know that Meddie Gregory had some documents and she had --
14 she was unclear as to what she should do, and in your
15 mind you felt that it would have been improper to sign
16 the travellers.

17 Why did you not instruct Meddie Gregory
18 not to sign the travellers?

19 A. Because of what Greg Bennetzen said. He's
20 a QC supervisor, and he has a lot more authority than
21 I do.

22

23

24 (Go to the next page- - - - -)

25

1 Q He cannot prevent you from writing an NCR,
2 can he?

3 A No.

4 Q He cannot force you to sign a document if
5 you believe that it's proper -- improper to do so, can he?

6 A No.

7 Q Well why didn't you instruct Meddie Gregory
8 to either not sign the documents or to write an NCR?

9 A Because of what Gregg said. He's a QC
10 supervisor and he has more authority than I do.

11 Q But you indicated that what he was telling
12 you was improper, is that correct?

13 A Yes.

14 Q Let's go on to the first subject, the
15 Stanford incident. You indicated that the problem with the
16 Weld Data Card involved two things that were somewhat
17 related in your mind. And one of them being the QC -- the
18 lack of QC hold points.

19 A Yes.

20 Q Do you believe -- do you believe that the
21 NCR which was written by Suzie Neumeyer on the Weld Data
22 Card adequately identified the problem with the QC hold
23 points, such that a person coming along and reading it,
24 reading the NCR, would be able to determine that there
25 was a -- that Suzie or yourself had a concern with the

1 lack of QC hold points?

2 A. Would you repeat that?

3 Q. Okay. Do you believe that the NCR, okay,
4 on this Weld Data Card, I'm talking about, okay, had a
5 description of the problem involving the lack of QC hold
6 points such that a person who read the NCR and had known
7 about the subject, such as myself or Mr. Downey, could come
8 along and read it and say, "Yes, Linda Barnes has a problem
9 with the lack of QC hold points"?

10 A. I have not completely read the NCR.

11 Q. Well you read it at the time, didn't you?

12 A. Not all of it.

13 Q. Did I show it to you this afternoon?

14 MS. GARDE: Her testimony is that she
15 reviewed it. She looked it over.

16 Q. Did I show it to you this afternoon?

17 A. I didn't read it this afternoon.

18 Q. Okay. You indicated that there may have
19 been a problem with the lack of QC hold points. What
20 procedure governs whether a QC hold --

21 MS. GARDE: You don't have to shake your
22 finger at the witness.

23 Q. What QC -- what procedure governs --

24 MR. DOWNEY: I'd like the record to reflect
25 that Mr. Mizuno is not shaking his finger at the witness.

1 MS. GARDE: What would you suggest Mr. Mizuno
2 was doing?

3 MR. DOWNEY: Mr. Mizuno was pointing at the
4 table. I think you've interfered with his cross-examination
5 quite enough.

6 MS. GARDE: This witness is very tired. Mr.
7 Mizuno's line of questioning is loud. He is asking a lot
8 of questions, and he is getting the same answer that --

9 MR. MIZUNO: Let the record reflect that the
10 air-conditioner is on, and we have to clearly be heard
11 above the din of the air-conditioner.

12 MR. DOWNEY: And his question was not loud,
13 Ms. Garde. I think you're trying to create a misimpression
14 on the written record in this deposition.

15 MS. GARDE: And I think that you are too.

16 MR. DOWNEY: And I believe that this witness
17 has deliberately been instructed to delay her answers to
18 eat up the hour deadline that you put on, and I think her
19 conduct has demonstrated that.

20 MS. GARDE: And I think your comments are
21 entirely inappropriate in this case. If you want to ask
22 the witness what was discussed over dinner, you're perfectly
23 capable of doing so.

24 If you're accusing me of prepping this
25 witness to delay this particular deposition, then I wish

1 you would make that argument to the Judge because it's
2 completely untrue.

3 MR. MIZUNO: Are you going to instruct the
4 witness not to answer because of attorney-client privilege?

5 MS. GARDE: Pardon?

6 MR. MIZUNO: I said, are you going to
7 instruct the witness --

8 MS. GARDE: I just told Mr. Downey if you
9 wanted to ask the witness, he can ask the witness what was
10 discussed over dinner.

11 MR. MIZUNO: Well I'm asking -- all right.
12 That implication -- there is an implication here that Mr.
13 Downey can ask a question. By you making that representa-
14 tion, I understand that to be an implication that you're
15 going to allow the witness to answer --

16 MS. GARDE: I certainly am because I feel
17 that Mr. Downey is accusing both the witness and myself of
18 doing something improper, which was not done, and I resent
19 the accusation of myself and this witness.

20 MR. DOWNEY: Well I think the record of this
21 deposition will reflect no fewer than 500 pauses by the
22 witness before she answers the questions that have been
23 put to her, and no fewer than 100 requests to repeat the
24 question. And I think she's being evasive.

25 MS. GARDE: And I think she's being careful.

1 I told you at the beginning of this, this witness has never
2 been involved in a proceeding of any type before. She
3 takes very seriously what she is saying on the record as
4 the truth. She was sworn, and she takes that just as
5 seriously as she did her procedures. And I result you not
6 allowing the witness to take her time to answer the
7 questions.

8 Because her instructions from me very clearly
9 have always been to think very -- to think each question
10 over very carefully and not answer until she's comfortable.

11 MR. MIZUNO: Well, Ms. Garde, can you point
12 out an instance where Staff counsel did not allow the
13 witness sufficient time to answer the questions?

14 MS. GARDE: I'm not pointing to that.

15 MR. MIZUNO: Well what --

16 MS. GARDE: I'm saying that the witness --
17 I'm saying that the witness is being careful when Mr. Downey
18 is saying she's being evasive. It has nothing to do with
19 Staff counsel.

20 MR. MIZUNO: Well can you point out to me
21 any instance where the Staff or Applicant's counsel did not
22 allow the witness sufficient time to answer?

23 MS. GARDE: No.

24 MR. MIZUNO: Then I wish you would refrain
25 from making remarks that imply that Staff counsel prevented

1 the witness from answering fully and giving her sufficient
2 time to answer.

3 Now, let's go back to this problem-- I
4 mean, my recross.

5 BY MR. MIZUNO:

6 Q What procedure do you believe, Ms. Barnes,
7 tells a person whether a QC hold point or a weld tech hold
8 point is needed on a repair process sheet, also known as
9 an RPS?

10 A I believe QC procedures, but I would have
11 research it.

12 Q You don't know it offhand.

13 A No.

14 Q While you were at Comanche Peak as a document
15 reviewer, do you recall ever reviewing that procedure as
16 part of your work?

17 A (Pause.)

18 What do you mean by "reviewing"?

19 Q Looking at it. Reading it Being told that
20 you ought to know those procedures.

21 A I've read a lot of procedures.

22 Q Do you recall reading this specific procedure?

23 And by "this specific procedure", I mean the procedure that
24 you believe sets forth the criteria for determining whether
25 QC hold points or weld tech hold points are necessary on a

1 repair process sheet.

2 A I think it's in the QC procedures, but it
3 may be in the constructions procedures. I would have to
4 look and find out for sure.

5 Q Okay. Well, regardless of where they are
6 located, do you know what the criteria are for determining
7 whether a QC inspection hold point is required or whether
8 a weld tech inspection hold point is required?

9 A (Pause.)

10 It is a safety-related document. It should
11 have a QC hold point.

12 Q That's your understanding of the criteria?

13 A (Whereupon, the witness nodded her head down
14 and up once.)

15 Q Did you shake your head to indicate yes?

16 A Yes.

17 Q Okay. Now, what do you mean by "safety-related
18 document"? What document are we referring to there?

19 A ASME, Class 1, 2, or 3.

20 Q An ASME Class 1, 2, or 3 document.

21 A You talking about a specific document?

22 A I'm asking-- I'm asking you-- I originally
23 asked you what the criteria was for determining whether a
24 QC inspector holdpoint or weld tech hold point was required
25 for a repair process sheet.

1 And let's limit it to welding in this case.
2 Perhaps that will make it clearer to you.

3 Let's talk about welding. What proce--
4 I asked you what the criteria was for determining whether
5 a QC inspector hold point for a weld was required as opposed
6 to a weld tech hold point for a weld, and I believe you
7 indicated that it depends if it is a safety-class document.

8 Then I asked you what safety class documents
9 are you referring to.

10 And then you answered: ASME Class 1, 2, or
11 3.

12 Is that true?

13 A Documents, yes.

14 Q Okay. Well, what kind of documents are you
15 referring to?

16 A Weld Data Cards, field welds, MRS's.

17 Q I see.

18 Are the documents' classification or identifi-
19 cation as a ASME Class 1, 2, or 3 depends on the class of
20 the weld itself; is that not true?

21 A (Pause.)

22 Repeat that, please?

23 Q Okay. I'll try it in a different fashion.
24 I'll withdraw my earlier question.

25 If you have a document, ASME Class 1 document

1 for a weld, doesn't the identification of that document as
2 a Class 1 or Class 2 or Class 3 document depend upon the
3 class of the weld that that document is referring to?

4 A (Pause.)

5 It is the class of the weld, yes.

6 Q Okay. Now, which classes-- So, it's your
7 knowledge or your understanding that ASME Class 1, 2, and
8 3 welds which result in Class 1, 2, or 3 documents require
9 QC hold points, as opposed to weld tech hold points?

10 A (Pause.)

11 Yes.

12 Q Now, to the best of your recollection, the
13 weld that was identified on the Weld Data Card at the time
14 that Susie Neumeyer wrote the NCR on that weld, had it been
15 finally inspected by QC at that point?

16 A It appeared, whenever I saw it, that an
17 inspection had been completed.

18 Q And what inspection was that, though?

19 A I don't remember the exact inspection.

20 Q Okay. You indicated earlier today when I
21 was asking you questions about the QC hold points that you
22 did not pursue the-- your concern with the lack of QC hold
23 points because the NCR that Susie Neumeyer wrote on this
24 Weld Data Card had been voided; is that true?

25 A (Pause.)

1 Yes.

2 Q Did you read the reason why the NCR was
3 voided? Excuse me.

4 Do you recall whether there was any reason
5 given on the NCR for the NCR being voided?

6 A What I remember is "VOID" written on it and
7 Bob Siever's signature.

8 MR. MIZUNO: Okay. I have no further questions
9 at this point. And I am well within my time.

10 MR. DOWNEY: I have some more questions.

11 MS. GARDE: Off the record a minute.

12 (Discussion off the record.)

13 MR. MIZUNO: It has been-- It's close to
14 an hour after we began the deposition after the dinner
15 break.

16 Billie Garde has indicated that she would
17 like to close the deposition at this point due to the wishes
18 of the witness.

19 Staff counsel has no objection at this
20 point. Staff is concerned, however, that CASE is unwilling
21 to-- or has not-- appears to be unwilling to discuss when
22 the witness would be available for further re-recross or
23 discovery by the Staff and/or the Applicants.

24 MS. GARDE: Staff accurately states that
25 CASE is unwilling at this time to discuss further scheduling

1 matters regarding this witness because of the apparent
2 chaos about this week's schedule and other witnesses that
3 have to be moved around and no knowledge as to this witness's
4 further availability.

5 The record should reflect that this witness
6 has been in deposition for twelve hours, with a lunch break
7 and a dinner break.

8 MR. DOWNEY: And many breaks in between, not
9 the least of which was an hour break to discuss the withdrawal
10 of one-third of the direct examination.

11 MR. MIZUNO: I would further pronounce that
12 the witness did take a fair amount of time in considering
13 the questions and answering them. And she's entirely--
14 It's entirely proper for her to do so, take time to answer
15 questions.

16 But I would like to reflect that it did
17 result in the extension of the deposition by some amount.

18 That's it.

19 (Whereupon, at 9:24 p.m., the deposition of
20 Linda Carol Barnes was adjourned.)

21

22

23

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CERTIFICATE OF PROCEEDINGS

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

3 In the matter of: TEXAS UTILITIES ELECTRIC COMPANY et al
4 (Deponent: Linda Barnes)
5 Date of Proceeding: July 28, 1984
6 Place of Proceeding: Glen Rose, Texas

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

9
10 Sandra Harden
11 Official Reporter - Typed

12
13 *Sandra Harden*
14 Official Reporter - Signature

CERTIFICATE OF PROCEEDINGS

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NRC COMMISSION

In the matter of: TEXAS UTILITIES ELECTRIC COMPANY et al
(Deponent: Linda Barnes)
Date of Proceeding: Saturday, July 28, 1984
Place of Proceeding: Glen Rose, Texas

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

Margaret K. Schneider
Official Reporter - Typed

Margaret K. Schneider
Official Reporter - Signature

BROWN & ROOT, INC. CPSES JOB 35-1195	NUMBER	REVISION	ISSUE DATE	PAGE
	CP-QAP-18.2	4	JAN 27 1983	1 of 6
TITLE: QUALITY ASSURANCE REVIEW OF ASME III DOCUMENTATION	ORIGINATOR: _____	REVIEWED BY: <u><i>[Signature]</i></u>	APPROVED BY: <u><i>[Signature]</i></u> Site QA Manager	DATE 12-22-82 DATE 12/23/82

1.0 REFERENCES

- 1-A CP-CPM-6.9, "General Piping Procedure", (Including All Appendices)
- 1-B CP-CPM-9.10, "Fabrication and Installation of ASME-Related Component Supports"
- 1-C CP-QAP-16.1, "Control of Nonconformances"
- 1-D CP-QAP-18.1, "Processing QA Records"
- 1-E CP-QAP-18.3, "Quality Assurance ASME III N-5 Certification"

2.0 GENERAL

2.1 PURPOSE AND SCOPE

This procedure provides instruction for the final review of the documentation pertinent to in process fabrication and installation of ASME Section III items, and Code certification of ASME systems.

3.0 INSTRUCTION

3.1 DOCUMENTATION REVIEW

3.1.1 Quality Engineering Systems (QES) Review

As work is completed for each piping subassembly, field weld, component support, or any other ASME fabricated/installed item, the in process documentation shall be forwarded to QES for review for legibility, completeness and traceability of the item. All other documentation shall be reviewed in accordance with jobsite procedures and transmitted to the Owner for retention.

VOID

FOR INFORMATION ONLY

EXHIBIT
Depo
Barnes I
7-28-84



BROWN & ROOT, INC. CPSES JOB 35-1195	NUMBER	REVISION	ISSUE DATE	PAGE
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3.1.1.1 All Documentation

Verification shall indicate all documentation has been satisfactorily completed such as follows:

- a. All hold or inspection points shall be signed or initialed and dated by the appropriate party certified to perform the inspection.
- b. ANI hold and inspection points shall be signed or initialed and dated.
- c. Where required, the corresponding report form(s) NDE, Inspection, etc., shall be completed and attached to the applicable documentation.
- d. If calibrated M&TE is used, verify that the serial numbers of measuring and test equipment used in inspections has been recorded on the applicable report.
- e. Verify that all wall thickness figures noted in documentation meet required minimum wall thickness or were accepted as specified in applicable quality procedures and/or instructions.
- f. Verify that Nonconformance Reports have been dispositioned/closed as applicable.
- g. Verify that required documents are included as applicable: WDC, MWDC, MRS, WFML, MIL, RPS, NDE Report, etc.

NOTE: Abbreviations are defined in CP-CPM-6.9.

- h. Verify that traceability of materials to the appropriate material certification has been documented.

3.1.1.2 Weld Data Card Review

Weld Data Card as used in this instruction is a Weld Data Card, Multiple Weld Data Card (MWDC), or Repair Process Sheet (RPS) (Reference 1-A, 1-B).

In addition to the requirement of 3.1.1.1, the WDC review will include the following:

- a. When delta ferrite is done on production welds, verify that the readings have been recorded on the appropriate documentation.



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- b. Verify that the Weld Filler Material Log documents the use of the weld filler material required by the WDC, MWDC or RPS.
- c. If PWHT was required, verify that the PWHT checklist has been completed by QC.
- d. Verify that the NDE and WPS procedure number and revision number were entered in the applicable space on the WDC.
- e. Verify that weld numbers as required by Reference 1-A and 1-B were established.
- f. Verify that all repairs were documented to the requirements of Table 6.9G-2 of Reference 1-A. Verify that NDE documentation noting the NDEP number and revision date has been accepted by QC. Also verify that W or Engineering approvals are documented as required by CP-CPM-6.9D and CP-CPM-6.9G of Reference 1-A.

3.1.1.3 Manufacturing Record Sheet (MRS) Review

A MRS is required for fabrication (shop or field) of piping subassemblies, and modification of Code-certified parts (a Bill of Materials or a MRS is acceptable for Component Support Modification).

In addition to the requirements of 3.1.1.1, the MRS review shall include the following:

- a. Verify that the QC Inspector has signed/initialed and dated each required operation and the following listings on the bill of materials: Item number, quantity, butt-weld end prep for pressure retaining materials, size, schedule or rating, material specification, type or grade, heat/code number and any applicable welds. The QC Inspector shall have verified by initialing and dating each entry. (On a Modification MRS, this verification is required for added materials only.)
- b. The weld requirements, as welded, shall correspond to the revision of the drawing to which the final dimensions were checked.



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3.1.1.4 Unacceptable Review

If unacceptable items are found during the above documentation review, the document shall be returned to the responsible organization for correction. If correction cannot be made, the unacceptable item(s) shall be reported in accordance with Reference 1-C.

3.1.2 Documentation Checklist

After determining the acceptability of the documentation as described above, QES shall complete a "Documentation Checklist" (Attachment 1). This checklist shall show by generic type the quantity of each document contained in the package (i.e. MRS, WDC, etc.). This checklist shall be attached to, and become a permanent part of, each documentation package. QES shall transmit the QES accepted in process documentation to the ANI, for review and approval.

Upon completion of the ANI Review of the in process documents, QES shall transmit the accepted documentation to the Owner for storage until the final Code certification is complete. Reference 1-D.

NOTE: Component Support Documentation will be transmitted to the Owner for storage until all As-built conditions are satisfied, and at the time of N/5 or partial N/5 certification the ANI will be presented the final component support documentation for acceptance in accordance with Reference 1-E.

3.1.3 Modifications to Previously Accepted Items (Pipe and Pipe Supports)

Modification documentation for items already accepted by QA/ANI shall be reviewed in accordance with this procedure and processed as follows:

a. Modification Identification and ANI Review

QES shall assign each modification package a unique designator (i.e. Mod A, or Mod B, etc.).

The original MTF or Code Data Report shall remain in the package. Voided weld documentation shall also be retained in the package.



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b. Division of Items

When an item has been divided, verify that a unique designation, traceable to the original documentation was established for each piece. A new documentation package shall be required for each piece. The original documentation may be stored in one file location provided that adequate cross-referencing on the new package is present to assure traceability and retrievability.

Modifications to previously accepted items shall be reviewed and approved by the ANI in the same manner as the original review/approval.



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ATTACHMENT 1

DOCUMENTATION CHECK LIST

PACKAGE MARK NO.	_____
<u>NUMBER OF PAGES</u>	<u>TYPE OF DOCUMENT</u>
1. _____	Manufacturing Record Sheet (MRS)
2. _____	Weld Data Card (WDC) Weld No(s). _____
3. _____	Weld Filler Material Log (WFML)
4. _____	Material Identification Log (MIL)
5. _____	Non-Destructive Examination Report (NDEP)
6. _____	Inspection Report (IR)
7. _____	Nonconformance Report (NCR)
8. _____	Vendor Documentation
9. _____	Repair Process Sheet (RPS) Weld No(s). _____
10. _____	Operation Traveler (OT)
11. _____	Drawing (Including CMC)
12. _____	Material Requisition (MR)
13. _____	Miscellaneous (Describe Below)

The contents of this package as listed above have been reviewed per the requirements of CP-QAP-18.2 and are acceptable.

QCS Representative _____

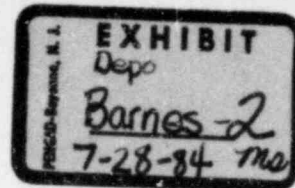
Date _____

_____ Total Number of Pages in Package

ANI _____

DATE _____





AFFIDAVIT

OF

LINDA BARNES

My name is Linda Barnes and I have been employed as a Quality Assurance (QA) clerk for the Brown and Root (B&R) Company since December 1981. I am submitting this Affidavit freely and voluntarily, without any threat, inducements or coercion to Mr. Eloy Gaitan, who has identified himself as an investigator with the Government Accountability Project (GAP).

This statement covers my concerns over what I believe are major problems at the Comanche Peak (CP) Nuclear Power Plant under construction in Glen Rose, Texas. The problems stem from inadequate or non-existent training programs, lack of procedures and improper procedures for reviewing documentation, and manipulation of safety-related documentation to cover-up design deficiencies.

I am 28 years old and have lived in the Granbury area since 1974. I went to Richland High School until the eleventh grade and I received my G.E.D. from the state of Texas. After receiving my Diploma, I worked for B&L used cars for five years working as a bookkeeper. After I left B&L used cars, I worked at the County Sheriff's Department as a dispatcher for one year.

In December 1981, I was hired by B&R to work at the Comanche Peak site as a bookkeeper. I received no formal training or preparation for my duties. Sherri Whitehead was assigned to train me. However, I received no training. Ms. Whitehead simply gave me a stack of papers and told me to log them. The papers were hanger and piping packages which according to

procedure needed to be logged daily. The B&R Company was far behind in its logging.

The Personnel Training and Certification Manual, Section 2.2.3, number CP-QAP-2.1, Revision 10, Page 2 of 19, states that "Instructions are provided to personnel through formal classroom presentation by a designated instructor, for completion of direct required reading..."

These programs are ~~non-existent at B&R.~~ ^{inadequate and in most cases non-existent at B&R.} _{SE 7-24-84}

In July 1982, I took a test to become a document reviewer. The test gave me signature authority on documentation. B&R initiated the test by bringing in some Quality Engineers and Auditors from Houston. Management ^{had} decided to make the test on the training program and the 18.2 Procedure Documents, which did not go into effect until 1982. However, the training program was not started until after the effective date of the 18.2 procedure program. As a Quality Assurance Clerk, I was training people who were supposed to be more qualified than myself. I trained Quality Control Inspector Suzy Neumier and Document Controller Tim Kilpatrick ^{and Melodie Gregory.} _{SE 7-24-84}

In November 1982, I started as a Reviewer of Documentation. MY duties were to review Equipment Travellers. A Traveller is initiated by engineers in order to guide the Q.C.'s and the Craftsmen in their repair of equipment. Again, I had no formal training. I ~~have~~ ^{had} to read all books concerning the Travellers and any question which I had I directed to

Richard Ice, a Q.E. It took me several weeks to understand the whole procedure.

As time progressed and I became more familiar with the procedures, I also became more aware of the problems that existed in the company's program. I noticed that the Travellers did not match up to the proper numbers. Much of the equipment was moved from Unit II to Unit I via Permanent Equipment Transfers (PET). Then, new equipment was ordered for Unit II. The number of the PET's have to match up with the numbers on the Traveller in order to indicate which piece of equipment was transferred, especially if it is transferred to another unit. This was not according to procedure since the documentation of the Travellers did not match the equipment numbers.

Welds are handled in a similar manner. Any weld performed must have documentation showing its verification. If the weld is not verified a Non-Conformance Report (NCR) is written. As defined by the Indoctrination/Discipline Training Manual issued by the Q.A. Department, Non-Conformance, Section 2.2.1, a non-conforming item has "a deficiency in characteristic documentation, or procedure which renders the quality of it unacceptable or indeterminate." Yet many of the NCR's were left in my hands. According to Procedure NCR's are supposed to ^{be 58424-84} ~~by~~ issued a number approved by a supervisor (leadman). The documentation was at a standstill. Nothing was done on these NCR's until a year later.

Another problem of which I made note of was the alignment of equipment. Alignment deals with pump-related equipment that has moveable

rotating parts in which a flange is present where it may ^{be} ~~by~~ ^{FB 24-84} unbolted. The alignment is to make sure that the equipment is lined up to certain degrees. If the equipment is not within those specified degrees, the engineers must get a letter from the vendor of the equipment, stating the equipment, is operable as installed. As a Traveller Reviewer, I became aware of equipment which was not aligned according to the Travellers. I pointed these ^{problems} ~~problems~~ ^{SEP-24-84} out to a Q.C. Dwight Woodyard. I had to prove to Mr. Woodyard that according to procedure this alignment needed to be done. Only then did he assign two inspectors to write up two different NCR's on equipment not being aligned properly. The Q.C.'s upon filing the report, said that the alignment did not have to be done. I told him that, according to the Traveller and the proper procedure, the equipment must be aligned. In other incidents concerning travellers Q.C. inspectors told me that I had no business asking about or pointing out problems with alignment. They further stated that alignment was not within my duties. Yet, the equipment alignment was very much my duty because I had the authority to sign the Travellers. I could not sign off if the equipment did not comply with the specifications of the Travellers,

The problems continued to grow because Travellers were floating from section to section. Travellers in the Section II Group, which is responsible for work done on N-stamp components and ^{pressure boundary} ~~boundary pressure~~ ^{SEP-24-84} parts, were mistakenly ^{sent} ~~to~~ ^{SEP-24-84} my group (Document Review). This is the major reason that many documents have been lost.

The situation grew worse when my Review Procedure Manuals were taken

away from me. On the morning of February 20, 1984, I went to my desk and found it in a mess. Someone had apparently gone through everything on the top of my desk. My baskets of NCR's and engineering problems were all out of order. I asked Meddie Gregory, a Document Controller, what had happened. Meddie stated that Lisa Holland, a clerk for ^{Quality Control SB 7-24-84} ~~the Document Control Center~~, was looking for documentation. Meddie also stated that she could not control the search because everyone was into it. Everyone meant N-5 personnel. They were searching for documentation in order to complete the N-5 review. That same day,

I noticed the manuals outlining procedures on ^{construction, welding and specification} ~~how to review documents~~ ^{SB 7-24-84} were missing. I again asked Meddie and Kay Gilly, a Hydro-status

^{SB} ~~7-24-84~~ reviewer why the books were taken. They told me that the books were taken because they were outdated. It took me several days to reorganize my desk. Kay Gilly and Meddie Gregory referred me to the Library where all the jobsite books on procedures and specifications are located. I was still worried due to the fact that my books were not up to date, therefore I wondered whether the Library books were also outdated.

Other incidents such as a particular problem which I can recall deals with the discouragement and pressures placed on inspectors to not write NCR's. Suzi Neumier, an inspector which I had trained wrote an NCR on a Weld Data Card numbered as ^{AF-1-SB-007} Suzi pointed out that there were inconsistencies with the time it was signed off to the time it was repaired. It ^{appeared to have been inspected} ~~was reviewed~~ ^{SB 7-24-84} and signed off before the final repair took place. Suzi approached me with the information and I advised her to talk to her supervisor Dwight Woodyard. Before talking to Dwight

AFFIDAVIT OF

LINDA BARNES

PAGE 6

a.c.e. inspector - 7-24-84
Woodyard, Jack Stanford came into our office. Jack Stanford, Suzi Neumier and myself talked about the inconsistencies of the Weld Data Card. Suzi asked him if he had signed it in error. Mr. Stanford stated that he did not sign it in error and that he was told by his lead (Terry Mathenni) to do it that way.

That same day Dwight Woodyard come into our office and joined Suzi Neumier and myself in discussing the inconsistencies of the Weld Data Card. Dwight Woodyard advised Suzi to go ahead and write the NCR. Suzi sitting in my offices about five feet away wrote the NCR.

After the NCR was submitted Jack Stanford, came into our office and was quite upset. He stated to Suzi that "she was costing him his job." Mr. Stanford denied ever saying that he did not sign the Weld Data Card with his full understanding and the fact that his lead Terry Mathenni had told him to do it in that way. Suzi then responded "that according to procedure she had to write the NCR and that there was nothing she could have done." Mr. Stanford then stormed out of the office.

A day or two later Suzi informed me of a meeting to be held concerning the NCR she had written. I saw Suzi Neumier, Jack Stanford, Terry Mathenni, Bob Seevers and Dwight Woodyard in a meeting. After the meeting Suzi told me that it was over the Weld Data Card NCR. She showed the NCR to me and it had void written on it. The NCR which was written according to procedure was found void during the meeting.

7-24-84
In September 1983, Meddie Gregory discovered a discrepancy between the Disc number on the traveller and a Disc number on the Data

Report. Meddie showed me the discrepancy of the different numbers on the documents. We then went to see Gregg Bennetzen. Mr. Bennetzen said that "it didn't matter, that they are not going to open the valves to make sure we have the correct Disc because it would cost too much money." I told him that they (the numbers) were supposed to match up. By the information Meddie and I ^{had, we 7-24-84} could not tell if the correct Disc was in the valve. He (Bennetzen) reemphasized that it would cost too much money. I returned to my office and talked to Meddie. I stated that she could sign them (the documents) if she wanted to but that I wouldn't. I would not submit to the pressure of signing the documents. The result of this incident was the intimidation of myself for raising NCR conditions and Meddie signing the documents which were placed into the system.

Meanwhile, my husband, Milton Barnes, called the N.R.C. in Arlington on Friday, February 24, 1984. He told them, without mentioning my name, that his wife worked for B&R as a Document Reviewer. He also mentioned that my Procedure Manuals were taken away and asked if I would need them in order to review the documents. The N.R.C. told Milton that I did not need anything to review the documents, My husband was surprised because ^{I had told him} ~~he knew~~ that reviewing the documentation without the manuals was not according to procedure. That night he told me what the N.R.C. had said and I was shocked. The following Monday, I told Kay Gilly and Meddie Gregory and they also could not believe what the N.R.C. had said. I personally was afraid of what might happen because I did not trust the N.R.C. The reason for not trusting the N.R.C. was due to a talk I had with Q.A. Richard Wheeler. Mr. Wheeler stated that the N.R.C. was not

^{I had told him}
~~he knew~~
7-24-84

doing much of anything because if they only looked at the documentation and researched it, they would definitely find a lot of problems.

Days later, I talked to Rusty Morris, a Level III Q.E. He said I could use the manuals at anytime and if they were not on the shelf some one had probably walked off with them. I asked specifically about the design changes ^{in 7-24-84} ~~is~~ all the MS manuals (specifications ⁷⁻²⁴⁻⁸⁴ ~~on welding~~ ^{in 7-24-84}), such as MS 100 and MS 43B. Mr. Morris said that the only ~~books~~ ^{design changes in 7-24-84} they have at the Library are the ones that B&R wants personnel to have.

As the problems remained unsolved, several of the Q.C.'s were pressuring me to review and sign some documents for the hydro-testing. Hydro-testing measures the amount of pressure a pipe can withstand where the weld is placed. It was my responsibility to make sure that the documentation was complete and acceptable before any testing could occur. I did not know who to tell or what to do about the document deficiencies. Not knowing what to do I proceeded with other duties.

^{assisted in 7-24-84}
I ~~spent the next week with~~ two Q.C. inspectors who wanted to go through the log books. I had to show them how to read the log books and also show them ^{where in 7-24-84} ~~were~~ the documentation was located. The Q.C.'s were searching for some N-5 documents which were missing. That same day Gregg bennetzen was taking over the N-5 group which is the last group to review documentation before being turned over to the owner. He gave me a list of isometric drawings in order to find all the documentation that was missing when the N-5's were signed by the Authorized Nuclear Inspector (ANI). That project itself took me three to four days.

On March 12, 1984, our group started moving from office to office. ANI was very upset due to the number of missing documents. ANI later ^{3/24/84} took ~~some~~ ^{3/24/84} corrective actions by placing my group together with the N-5 group in order to decrease the loss of documents. As part of the N-5 group, our group was invited to attend several of the N-5 procedural meeting. However, when the N..C. was on the jobsite, the N-5 group had a private, closed-door meeting involving only the N-5 group members. Document Reviewers Meddie Gregory, Kay Gilly, Tim Kilpatrick and myself were not invited. We could not understand why our group was not invited because the N-5 group had similar duties and also had access to the vault. ^{3/24/84} The N-5 group was instructed ^{3/24/84} that while the N.R.C. was on the jobsite they should not answer any questions asked unless they could answer by citing the National Code on building a nuclear plant. If they could not cite the Code then they were told to refer them to their supervisor, even if they ^{3/24/84} knew the answer to the question.

The following day, we were again invited to attend the N-5 meetings.

I was told that our group was to take over the job ^{3/24/84} of reviewing hangers. ^{duties of Ed Morris's group, 3/24/84}
^{3/24/84} At ^{the} this time, Ed Morris, an auditor from Houston ^{3/24/84} who had transferred to CP ^{3/24/84} to receive ^{3/24/84} and transmit ^{3/24/84} hanger packages. ^{3/24/84} At the end of each week, he ^{3/24/84} and receiving of hanger packages there was no time for me to ^{3/24/84} would turn in reports to Gordon Purdy, the Q.A. manager. He would go to ^{3/24/84} review documentation. ^{3/24/84} the vault to get CMTRs, which were documents certifying metal plates on ^{3/24/84} Class I and some Class II hangers.

Approximately one week prior to or about the second week of April Gregg Bennetzen called me into his office and informed me that I should begin reviewing packages and to learn the N-5 program. I told Mr.

Bennetzen that I no longer had the manual procedures to review by, and that the Library was incomplete and not up to date. He did not respond to my concerns but rather stated that I should begin document package review anyway. Mr. Bennetzen's refusal of not responding to my concerns was taken as or was understood to mean that I should do the reviewing without worrying about the procedural requirements.

When I started the N-5 review of documents, I became aware of just how disorganized and inefficient the B&R Company is. The completion of N-5 documents was handled in a variety of ways. There was no set procedure for completing the documentation, which was largely due to the lack of a training program. In addition, the disorganization of the N-5 documentation made me very hesitant to sign off on the documentation. I was so worried about the missing procedures that I made April 18, 1984, my last day to go to the plant.

After several days of thinking about my alternatives, I finally decided to call Mr. Purdy on April 24, 1984, and made arrangements to meet him at Granbury Square. The reason for meeting Mr. Purdy at the square was that I was afraid of going back to the plant. Mr. Purdy wanted to know what the problem was. I told him about the missing procedure manuals and the problems with the missing and outdated manuals at the Library. I also stated that I could not review any documents without proper procedural manuals. Mr. Purdy agreed with me. Before the meeting was over, I also told him about the fact that there was no training program at B&R. I told him that the lack of a training program and inadequate review which did not meet procedures were causing major problems at the plant. Mr.

Purdy said that he was going to institute a training program and try to get everyone certified.

Finally, I told Mr. Purdy about the way I had been harassed by Gregg Bennetzen. The Harassment consisted on Gregg telling other Q.C.'s that my husband had hit Q.A. Richard Wheeler and that he (Wheeler) was filing charges against my husband. I was told this by a Q.C., Jeff Piland. Other incidents, involved Mr. Bennetzen spreading rumors about myself and Mr. Wheeler. When I first started work many questions needed to be answered, especially since I had no formal training. I usually asked Mr. Wheeler. Mr. Bennetzen got the wrong idea and started rumors that Mr. Wheeler and I were involved. I confronted Mr. Bennetzen about these rumors and he responded, "What's the matter, are you paranoid?" I told Mr. Bennetzen that I did not appreciate the rumors and that I did not want to be connected with Mr. Wheeler in that manner. At this point, Mr. Bennetzen sarcastically said, "I don't blame you, I wouldn't want to be connected to him either, but I sure would like to be connected to you." I walked off quite frustrated. After this, for about two weeks from April 1st to the 14th, Mr. Bennetzen would often come into my office, ^{make sarcastic remarks} and just ~~stare~~ ^{SD 7-24-84} stare at me. It made me very uncomfortable. Mr. Bennetzen's office was three rooms away from mine, yet he always found a way to be in my office and just stare at me. Meddie Gregory was usually present when these incidents occurred.

I have read the foregoing Affidavit, consisting of 12 pages, and it is true and accurate to the best of my knowledge.

AFFIDAVIT OF

LINDA BARNES

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Linda Barnes
LINDA BARNES

SUBSCRIBED AND SWORN to before me this 24 day of July, 1984

Shelley T. May
NOTARY PUBLIC

My Commission Expires:

07-19-86