

ORIGINAL

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of:

TEXAS UTILITIES ELECTRIC
COMPANY, et al

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

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

Deposition of: Jack Pitts

Location: Glen Rose, Texas

Pages: 73,500 - 73,553

Date: Tuesday, July 31, 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
 Station, Units 1 and 2) :
 -----x

11 Glen Rose Motor Inn
12 Glen Rose, Texas

13 July 31, 1984

14 Deposition of: JACK PITTS

15 called for examination by counsel for The Applicant
16 taken before Margaret Schneider, Court Reporter,
17 beginning at 4:30 p.m., pursuant to agreement.
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25

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I N D E X

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<u>DEPONENT</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Jack Pitts	73,503	73,510 73,549	---	---

E X H I B I T S

NUMBER

FOR IDENTIFICATION

(None.)

P R O C E E D I N G S

4:30 p.m.

1
2
3 Whereupon,

4 JACK PITTS,

5 having been previously duly sworn, was examined and testified
6 upon his oath as follows:

DIRECT EXAMINATION

7
8 BY MR. WOOLDRIDGE:

9 Q Mr. Pitts, would you state your name, please,
10 sir?

11 A Jack Pitts.

12 Q Where do you live?

13 A Bloomington, Illinois.

14 Q By whom are you employed?

15 A EBASCO Services, Incorporated.

16 Q At what location?

17 A At the Clinton Power Station in Clinton,
18 Illinois.

19 Q Would you provide for us a brief background
20 of your education and work record up until this time?

21 A I have a GED with approximately two years
22 of college. I'm not a graduate.

23 I have-- Since 1978 when I dropped out of
24 the college program, I started working at Diablo Canyon
25 Nuclear Power Station for Howard T. Foley Company. And

1 at that time, I worked there for about a year, and then I
2 went to Washington State and worked for the railroad for
3 about ten months.

4 And then I started to work for Fischbach &
5 Moore at Satsop at Alma, Washington for approximately a
6 year and a half from May of 1981 to January of 1983.

7 I then was employed by EBASCO Services,
8 Incorporated and was transferred down from Washington State
9 to Comanche Peak. And I worked at Comanche Peak for a year
10 and a couple of months up to April of '84 or the last part
11 of March, and then I was transferred to Clinton Power Station
12 up-- and am employed there at this time.

13 Q What was your position while you were at
14 Comanche Peak?

15 A Quality Control Electrical Inspector.

16 Q Had you ever been involved in quality control
17 work prior to coming to Comanche Peak?

18 A Yes.

19 Q Would you describe that for us, please?

20 A I worked at Diablo Canyon Nuclear Power
21 Station as a quality control inspector doing electrical--
22 verifying and witnessing electrical insulation there.

23 And I worked at Satsop, which is up at Alma,
24 Washington, and I worked for-- did quality work for
25 Fischbach & Moore at that power station.

1 And then, I did electrical inspection at
2 Comanche Peak, and now I'm at Clinton Power Station.

3 Q All right, sir.

4 What was your reason for leaving the
5 Comanche Peak project?

6 A I had a chance for advancement in the company
7 that I worked for, so I decided to benefit myself and
8 further my career with the company. I chose to be transferred
9 up to Clinton Power Station.

10 Q Was that a voluntary choice on your part?

11 A Yes, sir.

12 Q What was your position at Comanche Peak in
13 early March of this year, 1984?

14 A Quality Control Electrical Inspector.

15 Q All right, sir.

16 Did you, in that time frame, early March
17 1984, have occasion to wear a black T-shirt that had a
18 phrase or phrases on it concerning Comanche Peak?

19 A Yes, I did.

20 Q Were you wearing that T-shirt on March 8,
21 1984?

22 A Yes, I was.

23 Q Was anyone else wearing a similar or identical
24 T-shirt on the same day?

25 A Yes.

1 Q How many other persons?

2 A Seven.

3 Q What positions-- What was the job functions
4 of the other seven people that were there?

5 A They were also electrical quality control
6 inspectors.

7 Q Why did you wear that T-shirt on that day,
8 Mr. Pitts?

9 A Oh, I was just trying to fit into the group
10 and more or less as a joke.

11 Q Would you tell us what events took place on
12 March 8, 1984 in connection with the wearing of the T-shirts?

13 A At approximately nine o'clock in the morning,
14 I was in our QC office, and Mark Welch came in and asked
15 us, seven or eight of us, to go home and change our shirts.

16 And there was a rebuttal from a couple of
17 inspectors asking, "Why do we have to change them?"

18 And Mark Welch stated, "Well if you have a
19 problem in changing them, we can go talk to Mr. Tolson."

20 So, at that time, the decision was made that
21 the whole group just go over and talk to Mr. Tolson. We
22 were escorted over there by Mark and Stan Vore, my lead
23 inspector at the time.

24 And when we got to Mr. Tolson's office, Eddie
25 Snyder asked Mr. Tolson if we could record the meeting, and

1 at that point in time, Mr. Tolson got up and walked out
2 of the room, and he didn't say anything to us.

3 And then we were escorted from Mr. Tolson's
4 office into a empty office, and we were given a chance to
5 voice any differences or conflicts that we were having out
6 in the field to Boyce Greer, and he singly interviewed
7 each one of us.

8 And in that waiting period, I talked to Tom
9 Brant, my immediate supervisor, with EBASCO.

10 Q Tell us about that conversation with Mr.
11 Brant.

12 A Well, Mr. Brant explained to me that he felt
13 that was not a very professional attitude and did not
14 approve of my conduct in wearing the T-shirt, even though
15 I stressed that I was wearing it just to fit in with the
16 group since I was the only EBASCO quality control inspector
17 in our group.

18 And he sympathized with that, but he held
19 the position that the shirt was not in very good taste, and
20 I agreed that it was a lack of professionalism on my part
21 to wear a shirt that would imply any kind of derogatory
22 remark toward the utility.

23 Q How did that conversation end up?

24 A Mr. Brant asked me if I was going to wear the
25 shirt any more, and I said, "No," that I totally agreed

1 with his look at the professionalism, that I liked to
2 be considered professional in what I do.

3 And so, I told him that he could rest
4 assured that I would not wear a shirt of-- that shirt or
5 any other shirt that would imply any kind of remarks
6 regarding the utility.

7 Q What did you then do?

8 A Then I went back to-- Then he took me back
9 to the empty office space where everybody else was, and
10 I went in and talked to Boyce Greer at that time.

11 Q Tell us about your conversation with Mr.
12 Greer.

13 A Well, Mr. Greer asked me if I had any
14 quality concerns out in the power block, and I told him that
15 I did have some concerns, that I felt that they were
16 working the problems that I was concerned with and that I
17 thought there was a little misunderstanding and lack of
18 communication between the inspectors and that the intent--

19 Some people were overidentifying with what
20 the purpose of the -- and scope of the procedures were,
21 and that whatever they called out in the procedures that,
22 as an inspector, that I felt I was doing a job that they
23 were asking of me.

24 Q Did you tell Mr. Greer that you believed
25 those problems were already being resolved?

1 A Yes, I did.

2 Q What happened after your conversation with
3 Mr. Greer?

4 A I was escorted back to the empty office.

5 Q And what happened at that time?

6 A At that time, we sat around for a little bit.
7 Pretty much, nobody was saying anything. And we were in
8 the process of getting coats and lunch bucket when they
9 brought the lunch bucket and coats and everything, they
10 escorted us out toward the gate.

11 And Bill Cromeans asked us if anybody would
12 like to see Mr. Tolson tomorrow when we returned to work.

13 I replied that I didn't need to meet with
14 Mr. Tolson the next day.

15 Q All right, sir.

16 Were you sent home with pay?

17 A Yes, I was.

18 Q And did you thereafter wear the T-shirt?

19 A No, I haven't.

20 Q Mr. Pitts, at any time while you were working
21 on the Comanche Peak project, have you personally felt
22 harassed, intimidated or threatened in connection with
23 the performance of your job?

24 A No, I haven't.

25 Q Did you feel harassed, intimidated or

1 threatened, in any manner, in connection with the T-shirt
2 incident or in the way in which that matter was handled,
3 as you have described?

4 A No, I didn't.

5 MR. WOOLDRIDGE: Pass the witness.

6 CROSS-EXAMINATION

7 BY MS. GARDE:

8 Q Mr. Pitts, did you wear the T-shirt that
9 you've described that you wore on March 8th, which I believe
10 was a Thursday, but I'm not positive that that's accurate,
11 did you wear the same T-shirt on Monday?

12 A Yes, I did.

13 Q How many others wore their T-shirt on Monday?

14 A I would say approximately twenty.

15 Q Now, on Monday, did anyone in management in
16 your supervision say anything to you about not wearing the
17 T-shirt again?

18 A No, they didn't.

19 Q Did anyone say anything to you on either
20 Tuesday or Wednesday about not wearing the T-shirt again?

21 A No.

22 Q Now, you testified that there were seven
23 other individuals that had the T-shirt on at nine o'clock
24 in the morning when Mr. Welch came in there. Is that your
25 testimony?

1 A Yes.

2 Q Are you aware of any other individuals who
3 wore the T-shirts to work on that day?

4 A I know that some people brought them in, but
5 they didn't wear them.

6 Q Do you know who those people are?

7 A No, I don't.

8 Q Did you go immediately to your QC area when
9 you got to work in the morning?

10 A Yes, I did.

11 Q Now, Mr. Pitts, I want you to think back
12 to that time of the day after you had immediately checked
13 into work and gone to your QC area prior to any of these
14 events beginning with Mr. Welch's coming into the office,
15 and I want you to recall or think very hard and see if
16 can remember if you saw more than the seven other individuals
17 and yourself with the T-shirt on at that time.

18 Take a minute to think about it.

19 A No, I can't think of anybody else, besides
20 myself and the six or seven others that were wearing them.

21 Q Okay.

22 A Like I said, I saw some people bring them
23 in, but they weren't-- either they were wearing them
24 underneath, or they just brought them in and weren't wearing
25 them.

1 Q And you don't recall who those individuals
2 are.

3 A No, I don't.

4 Q Okay. Now, who was your lead?

5 A Stan Vore.

6 Q And who was your supervisor?

7 A Mark Welch.

8 Q And that was on Thursday or the day the
9 incident occurred.

10 A Yes.

11 Q And how long had Mr. Welch been your super-
12 visor on the day that that occurred?

13 A I think approximately a week.

14 Q Who was your supervisor before Mr. Welch?

15 A Gregg Bennetzen.

16 Q Now, my understanding of the assignment of
17 the electrical QC inspectors during this time period, the
18 time period immediately preceding this particular incident,
19 is that they were divided up into, this is my characterization,
20 building task forces. Is that an accurate characterization?

21 A That's correct.

22 Q And were you assigned to one of those
23 building task forces?

24 A Yes.

25 Q And what building task force were you

1 assigned to?

2 A Safeguards-1.

3 Q And did the Safeguard Task Force have its own
4 lead, so to speak?

5 A Yes.

6 Q And who was that?

7 A Stan Vore.

8 Q So Mr. Vore was only the lead over the Safeguards
9 Building Task Force?

10 A Safeguards Building; yes.

11 Q Okay.

12 Now, you made a comment in your direct testimony
13 about -- my notes say, "over-identify the intent of the
14 procedures" -- and that may not be exactly your words. As I
15 said, my notes.

16 Perhaps, counsel, you can help me out on this?

17 You were describing what I understood to be some kind
18 of overreaction to procedures. Did I understand your testi-
19 mony correctly? Or would you further explain what you meant
20 by that statement?

21 A I think that's correct, the way you feel.

22 Q An overreaction to the procedures?

23 A Yes, at that time we were changing, there was a lot
24 of changes in the procedures.

25 Q And what procedure number, specifically, if you

1 recall, would it have been?

2 A It was the post-construction procedure.

3 Q Is that 11.3-45?

4 A I think it's 40.

5 Q Was it also the lighting procedure?

6 A I believe that they had made a change in that, also.

7 Q Do you recall the number of that?

8 A I think it was 25.

9 Q 11.3-25?

10 A Right.

11 Q Now, you said that you think that there may have been
12 some over-identification -- using your word -- of the intent
13 of the procedures.

14 Is it your testimony that this over-identification
15 or overreaction to the procedures led to a communication
16 problem between the inspectors and management?

17 A Yes, at a moment in time there was somewhat.

18 Q Now, Mr. Pitts, you hesitated in your answer. And
19 let me say something that I usually say at the beginning of
20 each of these, and that is, that if you don't understand the
21 question that I'm asking, or you want me to rephrase it or
22 restate it, ask me to do so.

23 Also, that any time you want to confer with your
24 counsel, you have a right to do do; and you can just indicate
25 that you would like to do that.

1 And I apologize I didn't say that at the
2 beginning.

3 Now, I have some questions, Mr. Pitts, specifically
4 about the day of the T-shirt incident; but I want to continue
5 with a few more questions on these particular procedures
6 that you identified were a cause of a communication problem.

7 And you said that, I believe your answer to the
8 last question was that they did at one time period.

9 Can you identify the approximate time period that
10 they led to a communications problem?

11 A Probably about a week or two before the T-shirt
12 incident.

13 Q That would have been about the last week of
14 February?

15 A Yes.

16 Q Now, who were the other electrical quality control
17 inspectors on the Safeguards-1 Task Force?

18 A I can't remember all their names.

19 Q All right.

20 Is it true that the Safeguards Task Force --
21 Safeguards-1 Task Force was divided into a post-construction
22 verification task force, and others, also working in the
23 Safeguards Building?

24 A Yes, there was a --

25 Q Post-construction?

1 A There was a lot of inspectors, that's what they did.

2 Q Um-huh.

3 A Was just post-construction.

4 Q Um-huh.

5 A And they had other inspectors handling the rest of
6 the workload.

7 Q Um-huh.

8 And was your workload with the post-construction
9 inspectors, or with the other workload?

10 A I did both.

11 Q You did some of each?

12 A Right.

13 Q Can you give me an approximation of how much of your
14 work was post-construction, and how much of your work was
15 parallel inspections or other inspections, regular inspections
16 being done?

17 A I would say 60-40, post-construction, 60-percent, and
18 40-percent other --

19 Q Um-huh.

20 A -- areas of electrical work.

21 Q If I limit the request to name the inspectors to the
22 inspectors doing the post-construction verification work,
23 could you name them?

24 A Not all of them.

25 Q If I named some of them, could you identify them, if

1 you could -- let me -- strike that.

2 Let me give you some names, and I would like you to
3 identify them as part of the post-construction effort,
4 verification task force effort, if you know?

5 A Okay.

6 Q Okay.

7 Ron Jones?

8 A Yes.

9 Q Gerald Pryor?

10 A Yes.

11 Q Scott Shamblin?

12 A He did a little bit of both.

13 Q Like yourself?

14 A Yes.

15 Q Milton Barfield?

16 A Yes.

17 Q Eddie Snyder?

18 A Yes.

19 Q And yourself, did a little bit of both?

20 A Right.

21 Q Did I name Gerald Pryor?

22 A Yes.

23 Q Now, what level inspector were you?

24 A My job title was -- I was level-1 at this -- my
25 job title with EBASCO is different

1 Q Different names and titles than Brown & Root's
2 titles?

3 A Right.

4 Q Okay.

5 But as far as the Brown & Root situation, you were
6 a level-1?

7 A Right.

8 Q Okay.

9 All those individuals that I just named, you
10 identified Mr. Pryor, like yourself doing partially task
11 force verification, post-construction verification, and
12 partially parallel inspections.

13 A No, I didn't say that.

14 Q Okay.

15 A Not Mr. Pryor.

16 Q Okay. Excuse me.

17 I thought you identified Mr. Pryor as also doing --

18 A No. Scott Shamblin and I did.

19 Q Okay, I'm sorry. I misunderstood your testimony.

20 Of those individuals, who else was a level-1?

21 A Let's see, Gerald Pryor was a level-1, Scott Shamblin
22 was a level-1; Milton Barfield was a level-1; Ron Jones was a
23 level-1; and Eddie Snyder was level-2.

24 Q All right.

25 Do you know Mr. Wayne Whitehead?

1 A Yes, I do.

2 Q Did Mr. Whitehead also work with the post-
3 construction verification task force?

4 A Yes.

5 Q Now, let's go back to the communication problem
6 that you identified regarding the procedures: you said
7 approximately a week before the T-shirt incident that there
8 were -- you said that that was a point in time in which these
9 issues resulted in some kind of communication problem.

10 A Yes.

11 Q Can you tell me what you recall about that?

12 A Well, the post-construction procedure changed
13 and possibly at that time we were taking a little, a few days
14 -- it was unclear to most of the inspectors what the intent
15 of the new procedure was.

16 Q Um-huh.

17 A And we had a meeting on that subject and we all
18 discussed it in an informal type meeting, just discussing
19 what each attribute and what the intent was as far as the
20 new revision to the procedure.

21 Q When you say "we had a meeting," are you referring
22 to the inspectors?

23 A The inspectors and Mike Welch.

24 Q Was Mr. Vore also there?

25 A Yes, I believe he was.

1 Q At this meeting was there some concern voiced by
2 the inspectors about the procedures?

3 A Yuh, there was some concern, from a quality aspect
4 you're always going to be concerned.

5 Q Um-huh, um-huh.

6 And do you recall any of the inspectors at that
7 meeting voicing a concern that problems were not going to get
8 identified with the new procedures?

9 A There were some people that were -- that was their
10 interpretation of the procedure.

11 Q Do you recall a statement being made that the
12 current revision of the procedure was not going to take care
13 of the termination problems they'd been finding?

14 A No.

15 Q Do you recall at the meeting a comment being made
16 by one of the inspectors that building management --
17 building supervision, craft supervision, had forced this
18 procedure to be written?

19 A No.

20 Q Do you recall any comments being made regarding the
21 implementation -- withdraw that.

22 Do you recall any comments being made at this meeting
23 that the change in the procedures would result in loopholes,
24 things falling through the cracks?

25 A No.

1 Q What do you recall Mr. Welch's reaction to the
2 comments by the inspectors?

3 A Mr. Welch was very explanatory on why the changes
4 came about and he satisfied myself as far as why the changes
5 were there.

6 Q Um-huh.

7 A And I didn't feel that we were compromising quality
8 by the change.

9 Q Um-huh.

10 Do you recall at this particular meeting comments
11 made by -- excuse me -- what explanations were given by
12 Mr. Vore about the changes in the procedures?

13 A I don't remember Mr. Vore's input.

14 Q Um-huh.

15 And do you recall a concern being voiced at that
16 meeting about why Mr. Bennetzen was no longer the supervisor?

17 A That was by choice, is all I know.

18 Q All right, that's not what I asked you.

19 I asked you if you remember a comment was made at the
20 meeting with Mr. Vore and Mr. Welch present, about why
21 Mr. Bennetzen was no longer a supervisor?

22 A No, I don't.

23 Q Okay.

24 Now, did you ever hear of the term "destructive
25 examination"?

1 A At any time? Are you asking specifically about
2 this meeting?

3 Q No. I'm asking another line of questions.

4 A Okay.

5 Q I'm off the meeting.

6 During this particular time period -- I don't mean
7 your Diablo Canyon or your current experience -- I mean during
8 the last several months of your employment at Comanche Peak,
9 do you remember the term "destructive examination" being
10 used?

11 A No, I do not.

12 Q Do you remember the term "destructive inspection"
13 being used?

14 A No.

15 Q Are you aware of any investigations conducted into
16 "destructive examinations" or "destructive inspections"?

17 A Not that I know of.

18 Q On the Monday that you wore the T-shirt, Mr. Pitts,
19 did you ever receive any threats from craft about your
20 personal safety?

21 A No, I didn't.

22 Q Did you ever fear for your personal safety?

23 A No.

24 Q Now, as an inspector at Comanche Peak, you testified
25 that you never felt harassed, intimidated or threatened in any

1 way?

2 A Right.

3 Q Do you have any personal knowledge of anyone else
4 being harassed, intimidated or threatened?

5 A No, I do not.

6 Q Has anyone ever told you that they believed they
7 were being harassed, intimidated or threatened?

8 A No.

9 Q Has any one of the people involved in the T-shirt
10 incident ever say to you that they felt that they were being
11 harassed, intimidated or threatened as a result of the T-shirt
12 incident?

13 A No.

14 Q And when did you leave the site?

15 A The end of March.

16 Q Now, since the time period that you left the site,
17 have you been in contact with Mr. Barfield?

18 A No, I haven't.

19 Q Have you been in contact with Mr. Snyder?

20 A No, I haven't.

21 Q Have you been in contact with Mr. Jones?

22 A No, I haven't.

23 Q Mr. Pryor?

24 A No.

25 Q Mr. Shamblin?

1 A No.

2 Q Do you know if they still work at the site?

3 A I don't know.

4 Q You have no knowledge of whether or not any of those
5 individuals still work at the site?

6 A I don't know who had plans to go to Virginia or
7 something.

8 Q Um-huh?

9 A I think he did; I don't know if he did or not.

10 Q Um-huh.

11 Do you recall Mr. Barfield ever making the statement
12 to you that post-construction verification task force
13 procedures, procedures involved with that; and I'm talking
14 about 11.3-40, to your recollection, or -45, is my recollec-
15 tion, was a violation of the Atomic Energy Act?

16 A No, not that I know of.

17 Q He never made that --

18 A No.

19 Q -- you don't recall that comment being made to you?

20 A No, I don't.

21 Q Now, the day after the T-shirts were worn, do you
22 recall an article in the Fort Worth Star Telegram regarding
23 the wearing of the T-shirts?

24 A Yes.

25 Q Did you read that article?

1 A. Yes.

2 Q. Do you recall in that article whether -- let
3 me ask you just a broad question. Do you recall whether or
4 not the article was accurate or inaccurate?

5 A. Uh --

6 Q. Do you have any recollection of reading the
7 article and thinking?

8 A. Well, I remember reading it. I was trying to
9 think about what the article said.

10 Q. It's fine if you don't recall. It was a long
11 time ago.

12 A. I'd rather make no comment on that --

13 Q. Uh-huh.

14 A. -- because I don't recall it that well.

15 Q. Uh-huh, uh-huh.

16 MS. GARDE: Counsel, I'd like to let him look
17 at a copy of that newspaper article, unless you have some
18 objection we should argue about.

19 MR. WOOLDRIDGE: Let's let us both look at
20 and then I'll --

21 MS. GARDE: All right.

22 MR. WOOLDRIDGE: Then we'll determine
23 whether or not we have any objections.

24 MR. BACHMANN: Could I ask --

25 MR. WOOLDRIDGE: Let's go off the record a

1 minute.

2 MR. BACHMANN: All right.

3 MR. WOOLDRIDGE: Excuse me. I'm sorry. I
4 didn't mean to interrupt.

5 MR. BACHMANN: I was going to ask what is
6 the purpose of introducing this article.

7 MS. GARDE: Well, I have a few questions on
8 it.

9 MR. BACHMANN: Then why don't you just ask
10 him the questions.

11 MS. GARDE: Pardon?

12 MR. BACHMANN: I am going to object.

13 MS. GARDE: You're going to object to the use
14 of the article?

15 MR. BACHMANN: Yes, I think --

16 MR. WOOLDRIDGE: Is he quoted in there or
17 something?

18 MR. BACHMANN: I don't think so.

19 MR. WOOLDRIDGE: If it's just a recitation
20 of what happened, I'm satisfied I will have the same objec-
21 tion.

22 MR. BACHMANN: My objection is the fact that
23 you've got the witness here. You can ask him about what
24 his personal knowledge is. I see no reason to produce the
25 article.

1 MS. GARDE: Uh-huh, uh-huh.

2 MR. BACHMANN: If you don't, I also --

3 MS. GARDE: I may not have the article.

4 (Laughter.)

5 MS. GARDE: And the whole question may become
6 moot in about two minutes if I don't have the article.

7 MR. BACHMANN: Let me finish my objection
8 while you're looking.

9 MS. GARDE: All right.

10 MR. BACHMANN: I object on authenticity
11 grounds.

12 MS. GARDE: Authenticity of the newspaper
13 article?

14 MR. BACHMANN: Yes.

15 MS. GARDE: Well, let me respond to your
16 objection by saying that there has been testimony in this
17 particular proceeding with another witness that there were
18 inaccuracies in this article which caused the inspectors the
19 next day to take certain actions in signing a document
20 which is identified in this proceeding as Exhibit 43-3,
21 which Mr. Pitts has signed.

22 In order to get into that particular document,
23 I would like to have him review the newspaper article. The
24 purposes of -- the purpose of my questions is to determine
25 whether or not this witness's testimony or recollection

1 about the purpose of this particular document is the same.

2 And there's a very limited number of ques-
3 tions, but we found it, that in the last deposition when it
4 got into this subject and I did not have the newspaper
5 article, that that would have been helpful.

6 MR. BACHMANN: Why don't you do this. Why
7 don't you let the witness read it as to refresh his recol-
8 lection and then just ask him direct questions.

9 MS. GARDE: That's fine. That's basically
10 what I intended do.

11 MR. BACHMANN: Since this is an evidentiary
12 deposition, he can read it over but then just ask him direct
13 questions without --

14 MS. GARDE: That's fine. That's what I
15 intended to do.

16 MR. BACHMANN: Fine. I have no objection to
17 that.

18 MS. GARDE: Okay. Counsel, the article for
19 purposes of refreshing his recollection.

20 MR. WOOLDRIDGE: Sure. Let's go off the
21 record.

22 (Whereupon, a short break was taken.)

23 MS. GARDE: All right. During a short break,
24 the witness reviewed a copy of a newspaper article which
25 he had recalled -- let me rephrase that.

1 BY MS. GARDE:

2 Q Is this the same article that you recall
3 reading the morning of -- the morning after the T-shirt
4 incident?

5 A Yes.

6 Q Okay. During the break, did you have an
7 opportunity to review this newspaper article?

8 A Yes.

9 Q Now, do you recall reading it the morning
10 after the T-shirt incident?

11 A Yes.

12 Q Okay. I'm sure counsel will object if I
13 ask this question incorrectly, but let me make a stab at it.

14 (Laughter.)

15 What I'm interested in ascertaining, Mr.
16 Pitts, is whether you recall, now that you have looked at
17 this newspaper article, whether on March 9th when you first
18 read the article, you identified at that time obvious
19 inaccuracies in the story.

20 A Yes.

21 Q Okay. Do you recall what inaccuracies those
22 were that you identified on that morning?

23 A The last part of the article was --

24 MR. WOOLDRIDGE: Just state what they are.

25 Q State what they are.

1 MR. WOOLDRIDGE: Rather than --

2 Q. Just state what you --

3 MR. WOOLDRIDGE: Let's get his best
4 recollection.

5 Q. What's your best recollection of what those
6 are or were?

7 A. That the statement on there saying that they
8 were changing procedure and junction boxes and terminal
9 blocks and stuff like that weren't going to be reported or
10 fixed. That's inaccurate.

11 Q. Uh-huh. Okay. Is that the only inaccuracy
12 you recall identifying?

13 MR. WOOLDRIDGE: At that time?

14 Q. At that time.

15 A. Yes.

16 Q. Okay. Now, on March 9th when you came back
17 to work -- I assume you came back to work the next day.

18 A. Yes.

19 Q. I assume you did not wear the T-shirt.

20 A. That's correct.

21 Q. Did you have an occasion to sign a statement
22 regarding the newspaper article which you've just reviewed?

23 A. Yes.

24 Q. Now I would like to show you a copy of a
25 document which is entered into this proceeding in another

1 deposition on the 17th of July, and I'm not sure whose
2 deposition it was entered in, but it's Deposition Exhibit
3 43-3, and I believe it is in the Wayne Whitehead deposition.
4 Yes, it is. So, Exhibit 43-3 is to the Whitehead deposition.

5 Could you please identify your name on that
6 piece of paper, sir?

7 A. Right here. (Pointing.)

8 Q. Is that your signature above your name?

9 A. Yes, it is.

10 Q. Okay. Could you please tell me what is your
11 recollection of the purpose of that document and why you
12 signed it?

13 A. The purpose was to not be -- have any
14 association with going to the newspaper or any other media
15 to disclose any type of statements.

16 Q. And whose idea was this particular statement?

17 A. Lan Davis's.

18 Q. And as close as you can recall, Mr. Pitts,
19 what did he say when he came up with the idea or at least
20 when he told you about it?

21 A. He said something to the statement that we
22 were the ones that wore the T-shirt, but we did not want to
23 be held responsible for going to the media. And he rewrote
24 that and we all -- he rewrote it about three or four times,
25 and we all had it typed up and we signed it.

1 Q And do you -- strike that.

2 Is it your recollection that this was all your
3 own idea?

4 A As far as I know, it was just within the
5 eight people.

6 Q And do you have a secretary within your
7 office?

8 A No.

9 Q Do you recall who typed up this statement?

10 A I don't have any idea.

11 Q Did someone have it typed up and bring back
12 for you to sign?

13 A Yes.

14 Q Okay. Do you recall who brought it back for
15 you to sign?

16 A Lan Davis.

17 Q And after that, did you see it again?

18 A I received a copy of it.

19 Q Now, the statement indicates that the
20 individual or the individuals responsible for said release,
21 and it refers to the newspaper article that we've discussed
22 in this deposition, acted entirely independent of those
23 involved without regard to fact or circumstance.

24 Do you have any idea who that individual or
25 individuals are or were?

1 A Yes.

2 Q Do you know who they -- would you like to
3 name them? Could you name them, please?

4 A There was just one person.

5 Q And who was that?

6 A Scott Shamblin.

7 Q And you have personal knowledge of him telling
8 the newspaper about this particular incident?

9 A Yes.

10 Q Did he tell you that he told the newspaper?

11 A Yes.

12 Q Did he tell you why he told the newspaper?

13 A He said he was worried about us, the eight.

14 Q Did he tell you why he was worried about you?

15 A I don't know. I can't really recall the
16 brief reasons why he...

17 Q Did he talk to you personally about it?

18 A Yes.

19 Q Not you and him within the group?

20 A No, we talked one-on-one.

21 Q And did he initiate the conversation or did
22 you?

23 A I did.

24 Q Soon after the incident?

25 A That morning when I read the article.

1 Q Uh-huh. As soon as you read the article, did
2 you know it was Mr. Shamblin?

3 A Yes.

4 Q You did?

5 A I knew it before I read the article.

6 Q And how did you know it?

7 A Some other people told me.

8 Q That Mr. Shamblin had called the newspaper?

9 A Yes.

10 Q Do you remember whether Mr. Shamblin
11 contacted anyone else?

12 A Not that I know of.

13 MR. BACHMANN: You just made a statement I
14 think needs to be clarified.

15 MS. GARDE: Uh-huh.

16 MR. BACHMANN: You stated that Mr. Shamblin
17 had called the newspaper.

18 MS. GARDE: Uh-huh.

19 MR. BACHMANN: I don't think that's ever been
20 established.

21 MS. GARDE: Okay. If the record reflects
22 that -- I think what it should reflect is that this witness
23 believes that Mr. Shamblin called the newspaper.

24 MR. BACHMANN: Would you ask him that, please?

25 MS. GARDE: Yes.

1 BY MS. GARDE:

2 Q Do you believe Mr. Shamblin called the news-
3 paper?

4 A Yes.

5 Q And do you believe that based on conversation
6 that you and Mr. Shamblin had subsequent to the T-shirt
7 incident and this newspaper article appearing?

8 A Yes.

9 Q Okay. Before that, you'd had conversations
10 with others but not Mr. Shamblin, and they told you Mr.
11 Shamblin had called the newspaper.

12 A Yes.

13 Q Okay.

14 MS. GARDE: Does that clarify the record?

15 MR. BACHMANN: Yes, thank you.

16 MS. GARDE: Okay.

17 BY MS. GARDE:

18 Q Now, while you were -- strike that.

19 There's a document, Mr. Pitts, which has been
20 provided in discovery which has evidently been returned to
21 Washington already with some of my documents which has your
22 signature on it.

23 MS. GARDE: And, counsel, I'll ask if you
24 have a copy of this.

25 MR. HARTMAN: Could you say what the document

1 is?

2 MS. GARDE: Sure. It's a memo, a counselling
3 record signed by Mr. Pitts by Mr. Brandt. And I think I
4 identified it in another deposition but intended it to --
5 did not intend to enter it into the record because I didn't
6 know we were having Mr. Pitts.

7 MR. HARTMAN: Well, I'll check and see if I
8 have it here.

9 MR. WOOLDRIDGE: Yeah, let's just...

10 MS. GARDE: All right. Thank you. Off the
11 record.

12 (Whereupon, a short break was taken.)

13 MS. GARDE: Back on the record.

14 BY MS. GARDE:

15 Q Mr. Pitts, your counsel is showing you a copy
16 of a document on EBASCO letterhead. I have two questions
17 that I want to ask about this document. One is just a
18 clarification question which has been of some confusion to
19 me in reviewing the documents associated with the T-shirt
20 incident.

21 Do you notice in the subject line where it
22 says, "Counselling session held March 3rd, 1984"?

23 A That looks like it's just a bad copy.

24 Q Okay. If it's a bad copy, Mr. Pitts, all
25 the copies I've seen of this document say March 3rd, 1984.

1 What I want to ask you, sir, is whether or not that is
2 either a bad copy or a typographical error and if, in fact,
3 the counselling session that that discusses with Mr. Brandt
4 did, in fact, occur on March 8th, 1984.

5 A. Yes, it did on March 8th.

6 Q. Okay. Now my second question, sir, is -- does
7 this counselling memo accurately reflect your session with
8 Mr. Brandt, which you've also testified to today in your
9 direct?

10 A. Yes.

11 Q. Okay. And have you had an opportunity to
12 review it, sir?

13 A. Yes.

14 Q. Okay.

15 MS. GARDE: I have no further questions on
16 that. If counsel for the Applicant wishes to mark it for
17 identification, I'll put it in. Otherwise, I don't think
18 it's a --

19 MR. WOOLDRIDGE: No.

20 MS. GARDE: Okay.

21 BY MS. GARDE:

22 Q. Now you indicated that you were interviewed
23 by Mr. Boyce Grier in connection with this incident. Have
24 you ever been interviewed by the Nuclear Regulatory
25 Commission in relation to this incident?

1 A No.

2 Q Okay. I have a few questions, Mr. Pitts,
3 about what happened on the day of the T-shirt incident,
4 March 8, 1984.

5 It's been your testimony, as well as the
6 testimony of others in this particular proceeding, that Mr.
7 Welch came to the QC trailer, found eight of you in the
8 trailer with T-shirts on, asked you to give your name and
9 badge number.

10 You opted as a group -- I don't know what
11 your individual position was, but in any event you were
12 within the group that then went to see Mr. Tolson. During
13 the brief meeting with Mr. Tolson, I believe it's been
14 your testimony today, and correct me if I'm wrong, counsel,
15 that Mr. Snyder asked Mr. Tolson if he could tape the
16 meeting.

17 Mr. Tolson said no, and left. And that some-
18 time soon after that, you went to Mr. Brandt's office.

19 Is that an accurate --

20 MR. WOOLDRIDGE: I'll object. I don't
21 believe that's an accurate characterization of what he said.

22 MS. GARDE: Okay.

23 MR. WOOLDRIDGE: I don't believe he testified
24 to any statement, one way or the other, made by Mr. Tolson.

25 MS. GARDE: Did I say that Mr. Tolson said

1 anything?

2 MR. WOOLDRIDGE: Yes.

3 MS. GARDE: Okay. Okay. I will withdraw that
4 part of the characterization of your testimony and get it
5 from testimony on this point from other witnesses.

6 BY MS. GARDE:

7 Q Let me ask you then, do you recall Mr. Tolson
8 saying anything in response to Mr. Snyder's request to tape
9 the meeting?

10 A I do not recall him saying anything.

11 Q Well, what do you recall him doing after Mr.
12 Snyder asked him that question?

13 A He just got up and walked out of the room.

14 Q Uh-huh. Did you understand that to mean he
15 didn't want the meeting to be tape recorded?

16 MR. WOOLDRIDGE: I'm going to object to what
17 he understood somebody else to mean. I don't think that's --

18 MS. GARDE: Okay. Let me rephrase the
19 question.

20 No, let me withdraw that question. It's not
21 a necessary question.

22 BY MS. GARDE:

23 Q Now, were you -- strike that.

24 Did you go from Mr. Tolson's office to Mr.
25 Brandt's office?

1 A No, I went to the --

2 Q Auditor's office?

3 A Yeah, whatever, just the empty office space.

4 I don't know what it --

5 Q An empty office space?

6 A Yeah.

7 Q Okay. And how long were you in that empty
8 office before you went to see Mr. Brandt?

9 A Probably 10, 15 minutes.

10 Q And how long were you with Mr. Brandt?

11 A For about 15, 20 minutes?

12 Q Were you then returned to the empty office?

13 A Yes.

14 Q During the timeperiod in the office, do you
15 recall --

16 MR. WOOLDRIDGE: The empty office?

17 MS. GARDE: In the empty office.

18 Q Do you recall an individual coming into the
19 office that you were in, which is now no longer empty, and
20 reading a statement to all of you as a group that you were
21 being kept there to protect you from craft?

22 A I don't recall anybody reading anything.

23 Q Do you recall anybody telling you that?

24 A Tom Brandt said that there was some implica-
25 tions that the craft was hostile.

1 Q He said that in your meeting with him?

2 A Yes.

3 Q Did you respond to that in any way?

4 A I said I didn't know one way or the other.

5 As far as I knew, they weren't.

6 Q Did you tell Mr. Brandt you wore the T-shirt
7 on Monday?

8 A Yes.

9 Q Did Mr. Brandt know you wore the T-shirt on
10 Monday?

11 A Not until I told him.

12 Q Uh-huh. Did Mr. Brandt say anything to you
13 about any possible involvements that you may have had in a
14 destructive inspection?

15 A No.

16 Q Did he ask you about anybody else being
17 involved in a destructive inspection?

18 A No.

19 Q Now, how long were you then in the empty
20 office that's no longer empty until lunch?

21 A Two hours, I guess -- something like that.

22 Q Okay. And did you have lunch?

23 A Yes.

24 Q And how did you get your lunch?

25 A Some other inspectors brought it.

1 Q Do you recall who those inspectors were?

2 A I think one of them was Ron Jones. I'm not
3 sure about that, though.

4 Q Okay. Assuming it was Mr. Jones, do you
5 recall anyone, this particular inspector, Mr. Jones or
6 someone else, saying anything to you when they brought the
7 lunch -- to you as a group?

8 A He said that they locked up their trailer.
9 That was about it.

10 Q He said that they locked up the trailer?

11 A Yeah, the trailer office.

12 Q Meaning your offices?

13 A Yes.

14 Q Do you recall Mr. Jones or the other inspec-
15 tors saying anything to you about them -- someone taking
16 documents out of your desk?

17 A No, he didn't say. He said that they were
18 looking -- searching the office for documents that were
19 controlled.

20 Q Uh-huh. This particular inspector who
21 brought the lunch?

22 A Right. He didn't say anything about them
23 taking anything out of there.

24 Q Uh-huh. Did you discover at any point after
25 leaving this office on March 8th that documents had been

1 taken from your desk?

2 A. No documents had been taken from my desk.

3 Q. To the best of your knowledge.

4 A. Yes.

5 Q. Do you recall this inspector, whether Mr.

6 Jones or someone else, saying anything about them having the

7 drug dogs in the office?

8 A. I don't really recall. They might have,

9 but --

10 MR. WOOLDRIDGE: Don't speculate.

11 Q. Don't speculate. If you know or if you don't

12 know.

13 A. I don't know. I don't know about that.

14 Q. Okay. Do you recall them saying anything

15 about that?

16 A. No.

17 Q. Okay. Now during the timeperiod that you

18 were in the office, do you recall there being several super-

19 visors in the area to escort you?

20 A. Yes.

21 Q. Do you recall who those QC inspector leads

22 or supervisors were?

23 A. Bill Cromeans and C. C. Randall.

24 Q. Also Curtis Biggs?

25 A. I don't know.

1 Q Do you know Curtis Biggs?

2 A No.

3 Q Uh-huh.

4 A There could have -- there was another
5 gentleman in there, but I didn't know him.

6 Q Uh-huh, uh-huh. And what is your understand-
7 ing of what they were there for?

8 A To just keep us isolated until management
9 decided how they were going to handle the situation that
10 they had.

11 Q Uh-huh. And did they provide some sort of
12 escort service?

13 A Yes.

14 Q And where would they escort you?

15 A To the bathroom.

16 Q Did they escort you to the coffee machine or
17 a Coke machine?

18 A There's no coffee machine or Coke machine.

19 Q So it was simply to the restroom.

20 A Yes.

21 Q Did you feel free to leave that office?

22 A I didn't have any desire to. I was just
23 patiently waiting to see what they had to say or do.

24 Q Okay. I'd like you to explain that a little
25 bit more, please. You said that you were in this office

1 and they were escorting you, or there was someone there to
2 escort you to the restroom. And you were waiting to find
3 out what management's action or response was going to be
4 to this particular incident.

5 Now, what were you waiting for them to
6 decide?

7 A. I really can't answer that. I don't know
8 what -- I don't know what they were going to decide.

9 Q. Was there discussion among the inspectors
10 about what was going to happen?

11 A. No.

12 Q. You didn't talk to each other at all?

13 A. No. Oh, just small talk, nothing concerning
14 the situation.

15 Q. You don't recall any discussion about the
16 fact that you might be terminated?

17 A. No, they -- we -- none of us really talked
18 because we didn't want -- one of the supervisors was writing
19 down everything that we said, so we didn't say anything.

20 Q. Was that Mr. Cromeans?

21 A. Yes.

22 Q. And do you recall any of the inspectors
23 making statements to Mr. Cromeans about wanting to get out
24 of there?

25 A. No.

1 Q None at all?

2 A Most everybody might have made a comment
3 that we'd just like to go home.

4 Q Uh-huh. Did you go home?

5 A Yes.

6 Q Did you go home before the end of the regular
7 workday?

8 A Yes.

9 Q You were eventually paid for that day, were
10 you not?

11 A Yes, I was.

12 Q Now, you testified that you've worked on a
13 number of what I would consider large projects -- Diablo
14 Canyon. You said you worked for the railroad for ten
15 months, and you also worked at Comanche Peak.

16 What is Fischbach & Moore in Alma, Washington?
17 Is that on WPPSS?

18 A Yes.

19 Q Okay. So then you also spent almost two
20 years -- or over two years?

21 A Almost two years.

22 Q Almost two years at WPPSS.

23 A Right.

24 Q Have you ever been involved in an incident
25 similar to this before?

1 A. No, I haven't.

2 Q. Have you ever had any personal experience
3 with a group of inspectors at any other plant that you've
4 worked at that were involved in some kind of prank, but some
5 type of incident in which management had to take some type
6 of action?

7 A. No.

8 Q. So you had no experience prior to this
9 particular incident with management dealing with a group of
10 inspectors on -- I don't want to be too ambiguous, counsel.
11 I'm trying to figure out how to characterize this.

12 Other than to call it an incident, I'm not
13 quite sure what else I could call it.

14 Do you have any other experience with some-
15 thing similar to this?

16 A. No.

17 Q. Now you testified that you and Mr. Brandt
18 discussed the lack of professionalism on your part in
19 wearing the T-shirt. I'm going to ask you your opinion. I
20 don't want you to speculate. I want you to give me your
21 opinion.

22 Do you feel that your management handled
23 this incident in a professional manner?

24 A. Yes.

25 Q. And if you were a manager, would you have

1 handled it the same way?

2 A. You'll have to be more specific. Are you
3 referring to EBASCO management or --

4 Q. Yes.

5 A. -- what management are you referring to?

6 Q. EBASCO management, recognizing that you were
7 the only EBASCO employee in the group.

8 A. Yes, I would have done the same thing.

9 Q. With you individually?

10 A. Right.

11 Q. So you would consider the way this was
12 handled to be good management practice.

13 A. Yes.

14 MS. GARDE: Counsel, if you'll give me a
15 minute to review my notes, I think that may be all.

16 (Pause.)

17 BY MS. GARDE:

18 Q. You testified in your direct that on the way
19 out the gate you were asked, I believe by Mr. Welch, if you
20 wanted to see --

21 A. No, Mr. Cromeans.

22 Q. Okay. I'm sorry. Mr. Cromeans. If you
23 wanted to see Mr. Vega or Mr. Tolson the next day. Is that
24 your testimony?

25 A. Mr. Tolson. I didn't know -- I didn't even

1 know Tony Vega existed at that point.

2 Q Okay. So, Mr. Tolson. And you testified
3 that you didn't need to see Mr. Tolson.

4 A That's right.

5 Q Was there any of the other inspectors who
6 said that, to the best of your knowledge?

7 A Yeah, there was about half of us that said
8 we didn't need to --

9 Q Uh-huh.

10 A -- meet with Mr. Tolson the next day.

11 Q Uh-huh. Now, do you have any personal
12 knowledge of whether or not the rest of the inspectors or
13 some of the inspectors met with Mr. Tolson the next day?

14 A They met with somebody but I do not know who.

15 Q No personal knowledge about that meeting?

16 A No.

17 Q Okay. Now, you testified that to the best
18 of your knowledge, nothing was taken from your desk.

19 A That's correct.

20 Q Okay. Now --

21 MS. GARDE: Counsel, I have a question
22 regarding that particular statement, but let me first show
23 you what has been provided to me by the Nuclear Regulatory
24 Commission under the Freedom of Information Act as documents
25 taken from Mr. Pitts' desk. And I would like to show him

1 that for identification purposes only.

2 MR. BACHMANN: I object to your characteriza-
3 tion or representation that the NRC stated that it was taken
4 from Mr. Pitts' desk.

5 MS. GARDE: I will be glad to show you and
6 counsel for TUGCO the handwritten agenda or index of the
7 documents which was prepared by someone from Region 4. On
8 the last page of that is Mr. Pitts' name and an indication
9 of one document.

10 MR. BACHMANN: Let me see if I can clarify
11 this so we don't --

12 MS. GARDE: Please do.

13 MR. BACHMANN: -- mess this thing up.

14 The statement that you made was that the NRC
15 represented to you that certain documents were taken from
16 his desk. Did you mean to indicate physically taken, copies
17 made?

18 MS. GARDE: Yes.

19 MR. BACHMANN: I mean, document taken, not
20 copy made? In other words, what are we talking about when
21 you say "documents taken"?

22 MS. GARDE: Well, this is a very small
23 question. I don't want to belabor the record with a lot of
24 explanation.

25 MR. BACHMANN: The only thing is that I -- I

1 object to the statement standing on the record without my
2 saying something as to what the --

3 MS. GARDE: Uh-huh.

4 MR. BACHMANN: -- NRC told you.

5 MS. GARDE: Uh-huh.

6 MR. BACHMANN: Now, that smacks of some form
7 of testimony, and I would object to --

8 MS. GARDE: Uh-huh.

9 MR. BACHMANN: -- having someone agree that
10 this had been stated by the NRC without some sort of corrobo-
11 ration.

12 MS. GARDE: Well, that's why I made the
13 preliminary comment. It's a small question. It's for
14 identification purposes, if the witness knows.

15 But I wanted to explain where these documents
16 I'm showing counsel came from.

17 MR. WOOLDRIDGE: Yeah, I understand.

18 MS. GARDE: And they did not come from TUGCO
19 through discovery. And so, I wanted to lay a basis for
20 where I had these from.

21 MR. WOOLDRIDGE: Yes. Well, why don't you
22 ask him what he knows about them without regard to where
23 they came from or who made what kind of representation
24 about --

25 MS. GARDE: All right.

1 MR. WOOLDRIDGE: -- where they came from.

2 MS. GARDE: All right. Okay.

3 MR. BACHMANN: I'd also might point out that
4 since you're not under oath and you're not testifying, that
5 any of your statements bear no evidentiary value.

6 MS. GARDE: I don't want them to bear any
7 evidentiary value. I appreciate counsels both being
8 patient with my muddling through this deposition.

9 MR. WOOLDRIDGE: You're doing fine.

10 BY MS. GARDE:

11 Q. Mr. Pitts, do you have any personal knowledge
12 of where those documents came from?

13 A. This is just a list of all the drawings for
14 the different elevations.

15 Q. Uh-huh.

16 A. I don't know if these are the ones that came
17 out of my desk or not.

18 Q. And is this your handwriting on -- the record
19 should reflect I'm showing Mr. Pitts a piece of paper with
20 his -- with the name, Jack Pitts, handwritten in the middle
21 of the page.

22 A. No, I did not write that.

23 Q. Okay. You have no knowledge of whether or
24 not this came from your desk or where it came from.

25 A. That's correct.

1 Q And this isn't your handwriting.

2 A That's right.

3 Q While you were working in the Safeguards
4 Building, did you work with an inspector named James Griffith?

5 A Yes.

6 Q Was he part of the Safeguards Task Force?

7 A Yes, he was.

8 Q Was he part of the "T-shirt eight"?

9 A I don't think so.

10 Q Do you recall whether or not Mr. Griffith
11 wore the T-shirt on the Monday when you testified approxi-
12 mately 20 people wore the T-shirt?

13 A I really honestly can't answer that one way
14 or the other.

15 Q Okay. Do you recall anytime when Mr. Griffith
16 told you that he felt the appointment -- strike that.

17 Did you ever have occasion to talk to Mr.
18 Welch on a one-on-one basis? I'm sorry -- Mr. Griffith.

19 A I've talked to him, yes.

20 Q Do you recall any conversations with Mr.
21 Griffith regarding Mr. Welch?

22 A No.

23 Q Okay.

24 MS. GARDE: No further questions.

25 //

CROSS-EXAMINATION

1
2 BY MR. BACHMAN:

3 Q Mr. Pitts, exactly what did the T-shirts
4 say? What was the message on them?

5 A They said, "Comanche Peak Nit-Pickers. We're
6 in the business of picking nits."

7 Q Where did -- to the best of your knowledge,
8 where did that phrase or statement come from?

9 A I'm -- I'm not too clear because I didn't
10 have anything to do with the design or anything. It was
11 thought of by somebody else, and I've -- they just asked me
12 if I wanted to buy a T-shirt.

13 Q Okay. Who is "they" that asked you?

14 A Milton Barfield and Eddie Snyder, but I
15 gather they designed it.

16 Q Do you have any idea or anywhere in your
17 knowledge as to how many of these T-shirts were distributed
18 or purchased by people at the site?

19 A I wouldn't -- Milton had a list of approxi-
20 mately about 20 to 30 people. I don't know how many were
21 actually distributed.

22 Q In your opinion, what did the message on the
23 T-shirt mean?

24 A It was a joke.

25 Q Could you explain that, please?

1 A. From reading different articles in The Fort
2 Worth Star and following what's happening through the media
3 about Comanche Peak. I lost my train of thought there.

4 Q. Take your time.

5 A. Would you rephrase that?

6 Q. Okay. I just wanted to know in your opinion
7 what the message meant. I think you answered as a joke.
8 And I asked you to explain the significance of the joke.
9 I'd just like to know what you thought it meant as far as
10 being a joke.

11 A. Right, okay. Like I said, reading through
12 the media about Comanche Peak, having read these articles
13 and certain people saying certain things and making obliga-
14 tions about the plant, and them saying that they were called
15 nit-pickers.

16 And the T-shirt to me was sort of comical
17 and of little significance as far as the plant is actually
18 concerned.

19 Q. Okay. To whom -- let me see if I can phrase
20 it here. Who were the nit-pickers in your opinion on the
21 T-shirt?

22 A. Nobody.

23 Q. You don't think it referred to a particular
24 group or a --

25 A. No.

1 Q Turning to the counselling session you had
2 with Mr. Brandt on March 8th, what was your impression of
3 Mr. Brandt's mental or emotional state when he was talking
4 to you?

5 A Calm.

6 Q This is a question I should have asked before
7 but I realized I had skipped over it. What was your
8 impression of Mr. Welch's mental or emotional state when
9 he first -- you first -- the group of you encountered in
10 the morning and he saw the T-shirts?

11 A He was calm and conducted himself in a
12 supervisor's capacity and nothing -- he wasn't jumping off
13 the walls or anything.

14 (Laughter.)

15 MS. GARDE: Unlike us after several weeks
16 down here.

17 (Laughter.)

18 MR. BACHMANN: I'll leave that in the record
19 so they can read it back in Bethesda.

20 I have no further questions of this witness.

21 MR. WOOLDRIDGE: Half a minute.

22 No redirect.

23 MS. GARDE: No further questions.

24 MR. BACHMANN: Thank you very much, Mr.

25 Pitts.

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THE WITNESS: Yeah, I appreciate it.

MR. BACHMANN: We're off the record.

(Whereupon, at 6:00 p.m. the deposition was
concluded.)

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Jack Pitts, Deponent

CERTIFICATE OF PROCEEDINGS

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

In the matter of: TEXAS UTILITIES ELECTRIC COMPANY, et al
(Deponent: Jack Pitts)

Date of Proceeding: July 31, 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