# 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: James N. Scarbrough , David Ethridge

Location: Glen Rose, Texas

Pages: 74,500 - 74,521

Date: Wednesday, August 1, 1984

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### UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the matter of:

COMPANY, et al.

TEXAS UTILITIES ELECTRIC

(Comanche Peak Steam Electric : Station, Units 1 and 2) :

v

Room 46
Glen Rose Motor Inn
Glen Rose, Texas

: Docket Nos. 50-445-2

50-446-2

August 1, 1984

Deposition of: JAMES N. SCARBROUGH & DAVID ETHRIDGE called for examination by counsel for Applicants, taken before Margaret Schneider, Court Reporter, beginning at 10:20 a.m., pursuant to agreement.

#### APPEAPANCES:

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

McNEILL WATKINS, ESQUIRE Bishop, Liberman, Cook, Purcell & Reynolds 1200 Seventeenth Street, Northwest Washington, D. C. 20036

For the Deponents, James N. Scarbrough and David Eldon Ethridge, Personally:

R. JEFFREY COPPOCK, ESQUIRE Winson & Elkins First City Tower Houston, Texas 77002

\* \* \*

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2	DEPOSITION OF:	DIRECT	CROSS	REDIRECT	RECROSS
3	James N. Scarbrough and	74,504			
4	David Eldon Ethridge	9			
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10					
11	<u>E X E</u>	H I B I I	S		
12	NUMBER	FOR IDE	ENTIFICA	TION	
13	Ethridge Exhibit No. 1		74,519		
14	Ethridge Exhibit No. 2		74,520		
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#### PROCEEDINGS

10:20 a.m.

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MR. WATKINS: Good morning.

My name is McNeill Watkins, counsel for Applicant in these proceedings.

This is the deposition of a panel consisting of Mr. Scarbrough and Mr. Ethridge. The testimony of Mr. Scarbrough and Mr. Ethridge will be part of an offer of proof which Applicants will make to the Board in this proceeding. Because it is an offer of proof, the deposition will consist solely of direct examination of Mr. Scarbrough and Mr. Ethridge by Applicants.

Off the record.

(Discussion off the record.)

MR. WATKINS: On the record.

Would counsel like to identify himself,

please?

MR. COPPOCK: Yes. My name is Jeff Coppock. I am associated with the law firm of Vinson & Elkins in Houston. I'm here today representing Mr. Scarbrough and Mr. Ethridge, both panel members, who are Brown & Root employees.

I'd like to note that both panel memebers are appearing here voluntarily and are not under subpoena. 11

1	Whereu	pon,	
2			JAMES N. SCARBROUGH
3			and
4			DAVID ELDON ETHRIDGE
5	the de	ponents,	having first been simultaneously duly sworn,
6	were e	xamined	and testified upon their oath as follows:
7			DIRECT EXAMINATION
8	BY MR.	WATKINS	
9		Q.	Mr. Scarbrough, would you state your full
10	name,	please?	
11	BY WITH	NESS SCA	RBROUGH:
12		Α.	James Neal Scarbrough.
13		Q.	By whom are you employed?
14		Α.	Brown & Root at Comanche Peak Steam Electric
15	Station	n.	
16		Q.	What is your current job title?
17		Α.	I'm a paint general foreman.
18		Q.	How long have you been a paint general foreman
19		Α.	About five months.
20		Q.	What was your title prior to the time that
21	you bed	came a p	aint general foreman?
22		Α.	I was a paint foreman.
23		Q.	Did you know a QC paint inspector named
24	Robert	Hamilto	n when he worked at Comanche Peak?
25		Α.	Yes.

1	Q.	Did you know a QC inspector named Joe Krolak
2	when he worked	at Comanche Peak?
3	Α.	Yes.
4	Q.	Did you know a QC paint inspector named
5	Sherman Shelto	n when he worked at Comanche Peak?
6	Α.	Yes.
7	Q.	Do you remember the day that these three
8	gentlemen were	terminated?
9	Α.	Yes.
10	Q.	Do you recall the month and year that they
11	were terminate	d?
12	Α.	Yeah.
13	Q.	And what was the month and year?
14	A	It was March of '82.
15	Q.	To the best of your recollection?
16	Α.	Yeah.
17	Q.	Were you at that time a paint foreman?
18	Α.	Yes, I was.
19	Q.	Please describe your duties as a paint foreman
20	Α.	I'm responsible for scheduling work for
21	my crew and th	eir productivity and safety is my responsi-
22	bility.	
23	Q.	Where was your crew working in March of
24	1982?	
25	Δ	In Reactor 2.

gmw

1	Α.	Yes, sir.
2	Q.	And what was your job?
3	Α.	Spray painter.
4	Q.	How long were you a spray painter?
5	Α.	Since October of '79.
6	Q.	In March of 1982, were you working in
7	Mr. Scarbrough	s crew?
8	Α.	Yes, sir.
9	Q.	How many craftsmen were in that crew?
10	Α.	Approximately 10 to 12.
11	Q.	Do you remember Robert Hamilton at the time
12	that he worked	at Comanche Peak?
13	Α.	Yes, sir.
14	Q.	Was he a QC inspector?
15	Α.	Yes, sir.
16	Q.	Do you remember a QC inspector named
17	Joe Krolak at	the time he worked at Comanche Peak?
18	Α.	Yes.
19	Q.	Do you recall a QC inspector named Sherman
20	Shelton at the	time that he worked at Comanche Peak?
21	Α.	Yes.
22	Q.	Do you remember the day that these three
23	gentlemen were	terminated?
24	Α.	Yes, I do.
25	Q.	Where were you working on the day that they

amw

Q.

1	coatings and applying coatings to the liner plate?	
2	A. Yes.	
3	Q. How long had your crew been working on or	
4	about the rotating access platform rail?	
5	A. I believe we had been up there about a mor	nt
6	Q. Did your crew use scaffolding in connection	n
7	with its work?	
8	A. Yes, we had to use scaffolding. You can't	
9	reach the liner plate without scaffolding.	
10	Q. In other words, a painter cannot paint the	2
11	liner plate simply by standing on the rail.	
12	A. No.	
13	Q. Was the scaffolding located between the	
14	rail and the wall of the liner?	
15	A. Yes.	
16	Q. And your crew could not have worked without	ıt
17	the scaffolding; is that your testimony?	
18	A. No. That's right.	
19	Q. Mr. Ethridge, on the morning of the day	
20	Mr. Hamilton, Mr. Krolak and Mr. Shelton were terminated,	
21	what was your job activity?	
22	BY WITNESS ETHRIDGE:	
23	A. I was preparing a section of the liner and	1
24	steel substraight for coatings, primer application.	

In relation to the rail itself, could you

Q.

1	describe the i	ocation of that area?
2	Α.	We were up right at the rail level or a
3	little bit bel	ow it.
4	Q.	Were you working on scaffolding?
5	Α.	Yes.
6	Q.	Could you have worked on the liner plate
7	without scaffo	lding?
8	Α.	No, sir.
9	Q.	Did you finish the job activity that you
10	have described	that morning?
11	Α.	Yes.
12	Q.	Did you request a QC inspection of that
13	work?	
14	Α.	Yes.
15	Q.	How did you request the inspection?
16	Α.	Through the foreman.
17	Q.	Is that Mr. Scarbrough?
18	Α.	Yes.
19	Q.	Mr. Scarbrough, do you recall Mr. Ethridge
20	requesting an	inspection that morning?
21	BY WITNESS SCA	RBROUGH:
22	Α.	I don't remember exactly who it was. I
23	remember someo	ne telling one of my crew members telling
24	me that they h	ad some liner plate ready for primer.

And what did you do as a result?

1	A. I phoned the QC field shack, told them what
2	I had.
3	Q. Did you identify the area that needed
4	inspection as located on the rotating access platform rail?
5	A. Yes, I did.
6	Q. Did you follow normal procedure that morning
7	in requesting the inspection?
8	A. Yes.
9	Q. And was that procedure to telephone the
10	QC inspectors?
11	A. It was.
12	Q. Do you remember who you talked to?
13	A. No, I don't.
14	Q. Did a QC inspector show up for the inspection
15	that morning?
16	A. No, sir.
17	Q. How long did you wait?
18	A. Well, we waited all day, really. I waited
19	about an hour before I got in touch with my boss,
20	Jim Brackin, and let him know that we weren't getting QC
21	coverage.
22	Q. Where were you while you were waiting for
23	the QC inspector?
24	A. I was in the area.
25	Q. Were you on the rotating access platform
	[1] [1] [1] [1] [1] [1] [1] [1] [1] [1]

1	rail itself?	
2	Α.	Not at all times.
3	Q.	Part of the time you were?
4	Α.	Yes, part of the time I was.
5	Q.	Mr. Scarbrough, would you describe the
6	physical acces	ss to the rotating access platform rail?
7	Α.	It is a series of ladders going up the liner.
8	Q.	Is there only one ladder that actually goes
9	to the rail it	cself?
10	Α.	There's only one means of access to it.
11	There's only	one series of ladders.
12	Q.	Okay. Were you within sight of that ladder
13	during the tir	me that you waited for a QC inspection that
14	morning?	
15	Α.	I was.
16	Q.	Mr. Ethridge, where were you while you
17	awaited the	
18		Mr. Ethridge, did you await the QC inspection
19	at your work a	area?
20	BY WITNESS ETH	HRIDGE:
21	Α.	Yes, sir.
22	Q.	How long did you wait?
23	Α.	T'd say several hours.
24	Q.	What did you finally do?
25	Α.	We moved to another area.

and I was looking for the inspectors. 1 Did you have your eye on the ladder at all 2 3 times? No, I didn't, not at all times. 4 A. Is it possible that Mr. Krolak could have 5 Q. sneaked up the ladder without your seeing him and sneak 7 back down again? 8 No, he couldn't. It is 95 foot of climb straight up, and for a man that's not in perfect shape that's a pretty good climb, and he would stop and rest 10 11 on one of the landings. It would probably take just about 12 anyone five minutes to make the climb. I would have looked and seen had : y gone 13 14 up. Mr. Ethridge, would you have noticed 15 Mr. Hamilton or Mr. Krolak had they climbed the ladder? 16 17 BY WITNESS ETHRIDGE: 18 Yes, sir. A. Why would you have seen them? 19 0. I was looking for an inspector, waiting 20 on them, and it is part of my job to make sure that I was 21 22 there available. Q. Mr. Scarbrough, prior to the events on the 23 day that you have just described, do you recall Mr. Krolak 24 performing inspections on the rotating access platform rail? 25

#### BY MR. SCARBROUGH: 1 Yes, I do. A. Prior to that day, do you recall Mr. Shelton 3 being on the rotating access platform rail? 4 A. Yes. 5 You observed him personally? 6 Yes, I did. 7 A. Mr. Ethridge, prior to the day we've been Q. discussing, did you observe Mr. Krolak on the rotating 9 access platform rail? 10 BY WITNESS ETHRIDGE: 11 12 Yes. Α. Was Mr. Krolak performing inspections? 13 2. 14 Yes. A. Did Mr. Krolak inspect work that you had 15 16 performed as a craftsman? 17 A . Yes. 18 Prior to that day, did you observe Mr. Shelton 0. 19 on the rotating access platform rail? 20 Yes. A. 21 Was he performing an inspection? Q. 22 Yes. Α. 23 Was Mr. Shelton inspecting work that you 0. 24 had performed as a painter? 25 Yes. A .

1	Q. Mr. Scarbrough, would you describe the safety
2	features for persons working on the rotating access platform
3	rail?
4	BY WITNESS SCARBROUGH:
5	A. Yes. Everyone of them that worked at that
6	elevation wears a safety belt and a lanyard with a safety
7	belt. Going all the way around the reactor is a steel
8	cable that's attached to the liner plate by about a three-
9	foot support. It stands out about arm's height and is
10	within arm's length of anyone standing on the rail, and
11	they attach their lanyard to that cable.
12	Q. To hook onto the rail, does a person have
13	to lean over?
14	A. No.
15	Q. Mr. Ethridge, during the time that you worked
16	on the rotating access platform rail, did you ever observe
17	oil or grease on the rail?
18	BY WITNESS ETHRIDGE:
19	A. Yes, on occasion.
20	Q. How frequently would you say?
21	A. Very occasionally.
22	Q. What did you do when you saw oil or grease
23	on the rail?
24	A. We'd clean it up.

Why did you clean it up?

25

Q.

11

1	BY WITNESS SCA	RBROUGH:
2	Α.	Yes, I did.
3	Q.	Why was that?
4	Α.	For their safety. That was my responsibility
5	for them to ha	ve a safe work area.
6	Q.	Mr. Ethridge, I'm going to hand you a document
7	and ask you if	you can identify it.
8	BY WITNESS ETH	RIDGE:
9	Α.	Yes, sir. It is the inspection report used
10	in protective	coatings.
11	Q.	What was the item inspected in that
12	inspection?	
13	Α.	Liner plate.
14	Q.	What reactor building was the inspection
15	performed in?	
16	Α.	Reactor Building No. 2.
17	Q.	At what elevation was the inspection
18	performed?	
19	Α.	Elevation 998 to 1001.
20	Q.	Who signed that inspection report?
21	А.	Joe Krolak.
22	Q.	And what is the date on that inspection
23	report?	
24	Α.	March 1st, '82.
25	0	Mr. Ethridge in your judgment as a graft

rainter who worked on the rotating access platform rail 1 and with your experience as a QC inspector familiar with inspection reports for protective coatings, is it your judgment that in order to perform that inspection Mr. Krolak would have to traverse, have to walk on the 5 rotating access platform rail? Yes, sir, definitely. MR. WATKINS: I'd like the reporter to mark this two-page document for identification as Ethridge 1, 9 if you would bind that in the transcript, please. 10 (The document referred to was 11 12 marked Ethridge Exhibit No. 1 for identification.) 13 14 BY MR. WATKINS: 15 Q. Mr. Ethridge, I show you a second document 16 and ask you if you can identify it. 17 Yes, sir. It is also an inspection report 18 used in protective coatings. 19 What was the item being inspected? Q. 20 Liner plate. A. 21 What reactor building? 0. 22 A. No. 2. Q. At what elevation in the reactor building? 24 Elevation 999 to 1001-6. A. 25 Whose signature appears on that inspection Q.

Ethridge 2, if you would bind that into the transcript,

22

23

24

please.

(The document referred to was marked Ethridge Exhibit No. 2 for identification.)

1	Mr. Coppock, do you have any additional
2	questions?
3	MR. COPPOCK: No, I do not.
4	MR. WATKINS: That concludes the testimony
5	of Mr. Scarbrough and Mr. Ethridge.
6	Thank you, gentlemen.
7	(Whereupon, at 10:42 a.m., the deposition
8	was concluded.)
9	* * *
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#### CERTIFICATE OF PROCEEDINGS

,	
	This is to certify that the attached proceedings before the
2	NRC COMMISSION
3	In the matter of: TEXAS UTILITIES ELECTRIC COMPANY, et al (Scarbrough & Ethridge) Date of Proceeding: August 1, 1984
5	
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	Margaret K. Schneider
10	Official Reporter - Typed
11	
12	Marga Ax Dolumide
13	Official Reporter - Signature
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## COMANCHE PEAK STEAM ELECTRIC STATION QI-QP-11.4-5, Rev. & INSPECTION REPORT Sheet 2 of 2

(SUPPLEMENTAL)

NO.	INSPECTION ATTRIBUTES	SAT	UNSAT	DATE	Q.C. SIGNATURE
9.	Trap, filter or separator installed per para. 3.3.4.	1/6			
10.	Air supply free of contamination.	1/6			
11.	Qualfication of applicator. (List Applicators:)	Ý			
12.	Verify Mixing Operations per para. 3.2.2.h.	V			
13.	Coating Material Product Identification: CZII 16AL	V			
	a. Base Lot No.: 165723m PART A: NA	V			
	b. Filler Lot No.: 172551m	V			
	c. Thinner Lot No.: 1K3190m	V			
	d. Time Mixed: 1:12 pm	V			
	e. Shelf Life Not Exceeded	V	_		
14.	Pressure pot agitated.	76			
15.	Pot life not exceeded.	1			
16.	Hose less than 75 feet.	1/6			
		1			
		-	-		

REMARKS: 10WGS, SPECS, ETC)

FOWER TOOLOND PRIME Tea Spots

ON LINER PLATE BRUSH PRINTED.

OIL LESS TLEN ONE SQ JT.

FOR INFORMATION ONLY

RELATED	NCR NO	10	CLOSED	Va	DATE AL	SIGNATURE	- 4			
	N/A 15	1.17.	CLUSED	70-	TA	TA	QC	INSPECTOR	16	

#### (SUPPLEMENTAL)

NO.	INSPECTION ATTRIBUTES	SAT.	UNSAT	DATE	Q.C. SIGNATURE
9.	Trap, filter or separator installed per para. 3.3.4.	1			
10.	Air supply free of contamination.	V			
11.	Qualfication of applicator (List Applicators:)	V			
	Qualfication of applicator. (List Applicators:)  5. Humphries				
12.	Verify Mixing Operations per para. 3.2.2.h.	V			
13.	Coating Material Product Identification: CZ-1/	~			
	a. Base Lot No.: 125723m PART A:	V			
	b. Filler Lot No.: IJ2551 M	v			
	c. Thinner Lot No.: 1K3190 M  d. Time Mixed: 2:30 9 m 1:20 9 m the shelts 2/2482	V			
	d. Time Mixed: 2:30 Pm 1:20 Pm mighton 424/82	~			
	e. Shelf Life Not Exceeded	V			
14.	Pressure pot agitated.	V			
15 -	Pot life not exceeded.	V			
16.	Hose less than 75 feet.	V			

REMARKS: (DWGS, SPECS, ETC.) 2 EA. AREAS SP-3 completely.

IEA. Az. 137°-143° Elu. 999'-1001'6"

IEA. 149°-154° Elu. 999'-1005'

PRE SA-3 TEMPS: 11:30 Am 2/25/82

WB DB ST DP RH
43° 54° 67° 29° 37%

RELATED NCR NO NA IS IR CLOSED DA NA SIGNATURE NA OCC INSPECTOR