

# ORIGINAL

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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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: Debra Anderson, Susan Spencer,  
Albert Boren

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Location: Glen Rose, Texas

Pages: 72,500 - 72,681

Date: Tuesday, July 31, 1984

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PANEL OF WITNESSES:	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
DEBRA ANDERSON	72,504	72,513	72,654	72,655
SUSAN SPENCER		72,576	72,655	72,670
ALBERT BOREN		72,603	72,679	72,680

E X H I B I T S

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>
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Panel Anderson No. 1	72,523
Boren No. 1	72,608

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Exhibit  
Clearance  
25/11/11

P R O C E E D I N G S

4:20 p.m.

1  
2  
3 Whereupon,

4 DEBRA ANDERSON,

5 SUSAN SPENCER,

6 and

7 ALBERT BOREN

8 were collectively duly sworn and were examined and testified  
9 upon their oath as follows:

10 MR. BELTER: My name is Leonard Belter,  
11 Attorney for Applicants in this proceeding.

12 This afternoon, Tony, we have a panel of three  
13 witnesses, Debra Anderson, Susan Spencer, and Al Boren,  
14 and the subject of their testimony will be the 1979 surveys.

15 Two other Applicant witnesses, Mr. Vega  
16 and Mr. Purdy, were also involved in this interview process,  
17 and we intend to have them on for other matters later this  
18 week. It may be that we'll ask a few questions of them  
19 with respect to the same subject.

20 Mr. Vega is out of town due to a death in  
21 the family, and Mr. Purdy, we just didn't want to have  
22 him coming in and out and in and out.

23 So I'll go ahead and present the testimony  
24 through this panel.

25 MR. ROISMAN: Okay.

1 MR. BELTER: And I think it would be easier,  
2 panel, if we go in order through Ms. Anderson, Ms. Spencer,  
3 and Mr. Boren.

## 4 DIRECT EXAMINATION

5 BY MR. BELTER:

6 Q. Would you state your names, please?

7 BY WITNESS ANDERSON:

8 A. Debra Anderson.

9 BY WITNESS SPENCER:

10 A. Susan Spencer.

11 BY WITNESS BOREN:

12 A. Albert Boren.

13 Q. And what is your present position?

14 BY WITNESS ANDERSON:

15 A. Supervisor, QA Audits.

16 BY WITNESS SPENCER:

17 A. QA auditor.

18 BY WITNESS BOREN:

19 A. Supervisor of Vendor Compliance.

20 MR. ROISMAN: I didn't understand that.

21 WITNESS BOREN: Supervisor, Vendor Compliance.

22 MR. ROISMAN: Okay.

23 BY MR. BELTER:

24 Q. Did each of you have occasion to conduct  
25 any interviews in connection with the 1979 survey of QC



1 personnel on the Comanche Peak site?

2 BY WITNESS ANDERSON:

3 A. Yes, I did.

4 BY WITNESS SPENCER:

5 A. Yes, I did.

6 BY WITNESS BOREN:

7 A. Yes.

8 Q. And did each of you have occasion to take  
9 notes on any interview sheets in the course of that survey?

10 BY WITNESS ANDERSON:

11 A. Yes.

12 BY WITNESS SPENCER:

13 A. Yes, I did.

14 BY WITNESS BOREN:

15 A. Yes.

16 Q. Could you tell us, please, again, one at  
17 a time, what information were you trying to obtain by this  
18 process?

19 BY WITNESS ANDERSON:

20 A. Anything and everything that the inspector  
21 wanted to talk about.

22 BY WITNESS SPENCER:

23 A. Basically, anything and everything that  
24 the inspector wanted to talk about.

25 MR. ROISMAN: I'm glad this panel has not

1 been coached in any way.

2 MR. BELTER: They like to listen to each  
3 other.

4 BY MR. BELTER:

5 Q. Mr. Boren?

6 BY WITNESS BOREN:

7 A. I don't have anything to add to that. It  
8 was basically anything that they wanted to talk about.

9 Q. Were you basically trying to get at any  
10 problems or concerns that they had?

11 BY WITNESS ANDERSON:

12 A. Yes.

13 BY WITNESS SPENCER:

14 A. Yes.

15 BY WITNESS BOREN:

16 A. Yes.

17 Q. Were the notes that you took verbatim notes?

18 BY WITNESS ANDERSON:

19 A. No, they were not. They were whatever was  
20 the thoughts that came into mind as you were sitting there  
21 listening to them.

22 BY WITNESS SPENCER:

23 A. They were not verbatim notes.

24 BY WITNESS BOREN:

25 A. They were not verbatim notes. They were

1 summaries of what was said.

2 Q. Was it your intent to retain the notes at  
3 the time that you took them?

4 BY WITNESS ANDERSON:

5 A. No, it was not.

6 BY WITNESS SPENCER:

7 A. No. It was my understanding that they wouldn't  
8 be retained.

9 BY WITNESS BOREN:

10 A. No.

11 Q. What was your understanding as to what was  
12 to happen to the notes?

13 BY WITNESS ANDERSON:

14 A. After the summaries were prepared, they  
15 were to be destroyed.

16 Q. Is that the same for the other two witnesses?

17 BY WITNESS SPENCER:

18 A. Yes.

19 BY WITNESS BOREN:

20 A. Yes.

21 Q. During the course of these interviews, did  
22 you elicit hearsay information as well as information based  
23 on the direct knowledge of the person being interviewed?

24 BY WITNESS ANDERSON:

25 A. Yes.

1 BY WITNESS SPENCER:

2 A. Yes, we did.

3 BY WITNESS BOREN:

4 A. Yes.

5 Q. In taking your notes, did you attempt to  
6 distinguish between hearsay and direct knowledge?

7 BY WITNESS ANDERSON:

8 A. No.

9 BY WITNESS SPENCER:

10 A. No, we did not.

11 BY WITNESS BOREN:

12 A. No.

13 MR. BELTER: That's all right. You want  
14 to take a short break?

15 (A short recess was taken.)

16 MR. BELTER: Back on the record.

17 BY MR. BELTER:

18 Q. Let me ask each of you if during the course  
19 of an interview there was related to you a significant  
20 incident of harassment or intimidation reportedly occurring  
21 at the Comanche Peak site, would you have reported such  
22 an incident directly to Mr. Chapman?

23 BY WITNESS ANDERSON:

24 A. Yes, I would.

25 //



1 BY WITNESS SPENCER:

2 A. Yes, I would.

3 BY WITNESS BOREN:

4 A. Yes.

5 Q. Were any such incidents related to you?

6 BY WITNESS ANDERSON:

7 A. Not to me.

8 BY WITNESS SPENCER:

9 A. Yes, there was.

10 Q. How about you, Mr. Boren?

11 BY WITNESS BOREN:

12 A. No.

13 Q. Ms. Spencer, would you describe briefly  
14 the incident that was related to you?

15 BY WITNESS SPENCER:

16 A. One of the inspectors that we interviewed  
17 relayed an instance where she had been physically threatened.  
18 She had been picked up by the collar by one of the craft  
19 personnel.

20 Q. And what did you do as a result of this  
21 information being relayed to you?

22 A. I thought it was something that our management  
23 should be aware of immediately and called my boss up in  
24 Dallas, the Manager of Quality Assurance.

25 Q. Mr. Chapman?

1 A. Yes, Mr. Chapman.

2 Q. Would any of you consider an incident of  
3 name-calling or swearing between craft and QC to be a  
4 significant incident?

5 BY WITNESS ANDERSON:

6 A. No.

7 BY WITNESS SPENCER:

8 A. No.

9 BY WITNESS BOREN:

10 A. No.

11 Q. Mr. Boren, in particular, why would you  
12 not consider it to be significant?

13 A. I have been around and associated with  
14 construction sites for approximately 20 years, and swearing  
15 and name-calling is just part of a construction site, and  
16 there's no reason to get upset over cursing or name-calling.

17 MR. ROISMAN: Excuse me. Are you offering  
18 these witnesses as experts on this question, or are we  
19 just getting anecdotal information?

20 MR. BELTER: We're getting anecdotal informa-  
21 tion, but you can consider Mr. Boren to have had some  
22 experience around construction sites. I don't consider  
23 his answer to be an expert opinion on the subject of what's  
24 normally going on on construction sites, but he is relating  
25 what his experience has been.

1 MR. ROISMAN: Okay. I think it is of dubious  
2 relevance, but I'd rather just have it go in and worry  
3 about it later than fuss about it now. Go ahead.

4 BY MR. BELTER:

5 Q. Was each person interviewed asked to indicate  
6 to you what they thought were major problems in quality  
7 control at the Comanche Peak site?

8 BY WITNESS ANDERSON:

9 A. Yes.

10 BY WITNESS SPENCER:

11 A. Yes, they were.

12 BY WITNESS BOREN:

13 A. Yes.

14 Q. Do any of you recall any of the persons  
15 that you interviewed relating to you harassment, intimidation,  
16 or threats directed at QC personnel to be a major problem  
17 at Comanche Peak site?

18 BY WITNESS ANDERSON:

19 A. Was the question if we interviewed them --  
20 I mean, if I interviewed the person?

21 Q. Yes.

22 A. No, I did not.

23 BY WITNESS SPENCER:

24 A. Other than the instance I just spoke about, no.

25 BY WITNESS BOREN:

A. No.

1 Q. Did each of you take part in compiling the  
2 results of the surveys?

3 BY WITNESS ANDERSON:

4 A. Yes.

5 BY WITNESS SPENCER:

6 A. Yes.

7 BY WITNESS BOREN:

8 A. Yes.

9 Q. In compiling the results of the surveys,  
10 do any of you recall any of the persons being interviewed  
11 relating or listing harassment, intimidation, or threats  
12 directed at QC as a major problem at Comanche Peak?

13 BY WITNESS ANDERSON:

14 A. I don't recall any.

15 BY WITNESS SPENCER:

16 A. Other than the one instance I've already  
17 talked about, no.

18 BY WITNESS BOREN:

19 A. No.

20 Q. In the course of interviewing these persons,  
21 were any of you advised of any incidents where a QC inspector  
22 passed an item that he or she felt should have been rejected?

23 BY WITNESS ANDERSON:

24 A. No one indicated that to me.

25 //



1 BY WITNESS SPENCER:

2 A. Nor to me.

3 BY WITNESS BOREN:

4 A. No.

5 MR. BELTER: That's all I have, Tony.

6 CROSS-EXAMINATION

7 BY MR. ROISMAN:

8 Q. At the time that you did the interviews  
9 that have produced this summary, which I believe is marked  
10 as Purdy Exhibit 42-1 --

11 MR. BELTER: I think you will have to identify  
12 them individually, Tony.

13 MR. ROISMAN: All right. Well --

14 MR. BELTER: Is the whole set marked as  
15 Purdy 1?

16 MR. ROISMAN: Yeah, it is. The whole set  
17 is Purdy 1.

18 Let me withdraw that question and ask just  
19 a foundation one.

20 BY MR. ROISMAN:

21 Q. Is it my understanding that each of you  
22 were responsible for the interviews within one discrete  
23 area; in other words, one of you did electrical QC personnel  
24 or one of you did mechanical QC personnel? Or did you  
25 do them across the disciplines?

6/2/83  
BY WITNESS BOREN:

A. Across the disciplines.

BY WITNESS ANDERSON:

A. Across.

BY WITNESS SPENCER:

A. Across.

Q. All right. That makes it more complicated.

Have you seen this document that's called  
Purdy Exhibit 42-1, which is the summary sheets of these --  
Are these familiar to you so I can ask you some questions  
about them and know that you know what I'm talking about?

BY WITNESS ANDERSON:

A. I've seen them.

BY WITNESS SPENCER:

A. We've seen them.

Q. All right. Will you understand what I'm  
talking about when I say with respect to Purdy Exhibit 42-1  
and then ask you a question about it? I'm not going to  
get down to a particular sentence, but I want to ask you  
some questions about them.

When you conducted the interviews that are  
summarized in Purdy Exhibit 42-1, did the people to whom  
you speak know that you were employees of TUGCO?

BY WITNESS ANDERSON:

A. Yes.

6/2/83

1 BY WITNESS SPENCER:

2 A. Yes.

3 BY WITNESS BOREN:

4 A. Yes.

5 Q. What did they know about your relationship,  
6 if any, with the people who were working at the plant site,  
7 such as Mr. Tolson, or any of the other people who were  
8 then in management positions at the plant site?

9 A. They generally knew that Mr. Tolson worked  
10 for TUGCO and we worked for TUGCO, but there was no --  
11 In other words, we didn't work for Mr. Tolson, and he didn't  
12 work for us, but we both worked for TUGCO. We were out  
13 of Dallas, and he was at Comanche Peak.

14 Q. Did any of you in the course of your interviews  
15 make a point of telling people that you were from Dallas  
16 and didn't work for Mr. Tolson or any of the people on  
17 the plant site? Was that part of your patter as you --

18 A. Yes.

19 Q. -- introduced yourself?

20 BY WITNESS SPENCER:

21 A. I believe it was.

22 BY WITNESS ANDERSON:

23 A. I believe so.

24 Q. Did you have any instructions that you received  
25 regarding how you should go about doing these interviews

1 from any person?

2 BY WITNESS BOREN:

3 A. I don't guess I understand.

4 Q. Well, did anyone tell you how to do the  
5 interview?

6 A. Not that I recall.

7 BY WITNESS SPENCER:

8 A. I don't recall it other than the basic charge  
9 to perform the interviews themselves.

10 Q. Okay. So there wasn't a training session  
11 or anything like that?

12 BY WITNESS BOREN:

13 A. No.

14 BY WITNESS SPENCER:

15 A. No.

16 Q. And there weren't any written instructions?

17 BY WITNESS BOREN:

18 A. No.

19 BY WITNESS ANDERSON:

20 A. No.

21 Q. Had any of you ever had experience as inter-  
22 viewers in situations similar to this?

23 Let's ask you each individually. Ms. Anderson?

24 BY WITNESS ANDERSON:

25 A. No, not specifically to this.



1 Q. Ms. Spencer?

2 BY WITNESS SPENCER:

3 A. No.

4 Q. Mr. Boren?

5 BY WITNESS BOREN:

6 A. No.

7 Q. In preparing the summaries, did each of  
8 you work on preparing all of the summaries, or did some  
9 of you work on preparing particular summaries?

10 Ms. Anderson?

11 BY WITNESS ANDERSON:

12 A. I don't recall.

13 Q. Ms. Spencer?

14 BY WITNESS SPENCER:

15 A. I believe we worked -- all worked on preparing  
16 all of the summaries.

17 Q. Mr. Boren?

18 BY WITNESS BOREN:

19 A. Each -- Yeah, we worked -- All of us  
20 eventually worked on preparing all the summaries, as best  
21 I recall.

22 Q. How many people, roughly, did you interview,  
23 Ms. Anderson?

24 BY WITNESS ANDERSON:

25 A. I can't remember the exact number.

1 Q. Was it like 10 or 50 or --

2 A. It was probably closer to 50.

3 Q. Ms. Spencer?

4 BY WITNESS SPENCER:

5 A. As a group that we interviewed or --

6 Q. No. No. You individually.

7 A. -- individually?

8 Individually, there was about 35 to 50.

9 Q. That you did?

10 A. Uh-huh.

11 Q. How about you, Mr. Boren?

12 BY WITNESS BOREN:

13 A. Roughly 50, as opposed to 10.

14 Q. Yeah. Okay.

15 After you completed the interview process  
16 and did the summary sheets, what did you do with the summary  
17 sheets?

18 MR. BELTER: By "summary sheets," are you  
19 referring to Purdy Exhibit --

20 MR. ROISMAN: 42-1, yes.

21 BY MR. ROISMAN:

22 Q. What did you do with those?

23 BY WITNESS SPENCER:

24 A. Transmitted them to Mr. Chapman and Tolson.

25 Q. And did you have any further connection

1 with these subsequent to that time?

2 A. No.

3 Q. I mean up until these hearings.

4 BY WITNESS BOREN:

5 A. No.

6 BY WITNESS SPENCER:

7 A. No.

8 MR. BELTER: With this exhibit, you mean?

9 MR. ROISMAN: Yeah, with these summary sheets.

10 BY WITNESS ANDERSON:

11 A. I did. I participated in a follow-up of  
12 the results of the summaries.

13 Q. Okay. Let me just -- I'm going to put you  
14 aside and come back to that in a second. Let me just make  
15 sure the record is clear.

16 Ms. Spencer and Mr. Boren, you had no further  
17 connection with it subsequent to the transmittal of this  
18 to Messrs. Chapman and Tolson; is that right?

19 BY WITNESS BOREN:

20 A. I don't believe I ever saw these again until  
21 today.

22 BY WITNESS SPENCER:

23 A. Up until the point I gave them to -- During  
24 the hearings process was the next time that I referred  
25 to them.

1 Q. Okay. All right. Now, Ms. Anderson, what  
2 was your further involvement with these documents?

3 BY WITNESS ANDERSON:

4 A. I participated in an audit, a management  
5 audit to go back and basically do a sample interview process  
6 to determine if actions taken by site management had improved  
7 the situation.

8 Q. What was that audit?

9 A. It was TCP-7 and 7 follow-up.

10 MR. MIZUNO: Excuse me. Are those two separate  
11 things, TCP-7 and --

12 WITNESS ANDERSON: They are all in the same  
13 file. It was just a further --

14 BY MR. ROISMAN:

15 Q. And what was the nature of the interview  
16 process that you conducted in that follow-up?

17 BY WITNESS ANDERSON:

18 A. As best I recall, based on the problems  
19 or the items that we had identified in the summaries, it  
20 was to go back and ask in those areas and talk with people  
21 to determine had there been improvements or if there hadn't  
22 or whatever the case was.

23 Q. Did you go back to particular individuals  
24 who you could identify from your earlier notes were the  
25 ones who had raised concerns, or did you just do an across-

1 the-board sample?

2 A. We just did an across-the-board sample.

3 Q. And when did that happen?

4 A. It was end of '79, first of '80. I'm not  
5 sure on the exact dates.

6 Q. How many interviews did the total review,  
7 the total TCP-7 and 7 follow-up review encompass?

8 A. I don't recall.

9 Q. More like 10 or a hundred?

10 A. Probably somewhere around 25 to 30.

11 Q. Did the interviews that you undertook focus  
12 on some specific actions? Did it say, "What did you think  
13 of X?" and identify something that had been done, or did  
14 it just go back and ask the same questions that you had  
15 asked before?

16 A. I don't recall exactly what questions were  
17 asked at that time.

18 Q. To your knowledge, is it still in existence;  
19 that is, the results of that follow-up?

20 A. The results are, yes.

21 Q. And how are they memorialized?

22 A. They are documented in an audit report,  
23 the TCP-7.

24 MR. BELTER: Tony, it is my understanding  
25 that TCP-7 and, indeed, a lot of other -- or that all



1 the TCP audits have been made available to Ms. Ellis.

2 For your information, I discovered this  
3 morning that there was this document relating to it. I  
4 know you've had it but didn't know it.

5 MR. ROISMAN: Yeah.

6 MR. BELTER: And I didn't know it was there,  
7 and, obviously, we'll --

8 MR. ROISMAN: Do you have a copy around  
9 here?

10 MR. BELTER: Well, I have one copy that  
11 we got this morning.

12 MR. ROISMAN: Okay. I guess I'd like to  
13 look at it.

14 MR. BELTER: Sure.

15 MR. MIZUNO: The Staff would also like to  
16 look at it. If it is possible -- If we could get a copy,  
17 I could go up to the site and make my own copy.

18 MR. BELTER: Well, I'll be glad to give  
19 you my copy of it. If you want to identify it, maybe we  
20 can work off of what we have.

21 MR. ROISMAN: Can I?

22 MR. BELTER: Sure.

23 BY MR. ROISMAN:

24 Q. Well, my first question is: Do I understand  
25 that the name of the audit that was -- that we've identified

1 as Purdy Exhibit 42-1 is TCP-7?

2 BY WITNESS ANDERSON:

3 A. No. That was not an audit.

4 MR. ROISMAN: Okay. Can we mark this? Well,  
5 what do you want to call it?

6 MR. BELTER: Let's call it Anderson Exhibit 1.

7 MR. ROISMAN: All right. Could that be  
8 marked Anderson Exhibit 1?

9 (The document referred to was  
10 marked Panel Anderson Exhibit  
11 No. 1 for identification.)

12 You're going to be memorialized here.

13 MR. MIZUNO: Maybe we should mark it Survey  
14 Exhibit 1 since we've got another --

15 MR. BELTER: Well, we've only had one member  
16 of the panel that took part or even identified it.

17 MR. ROISMAN: I don't think the name has  
18 to be --

19 MR. BELTER: It doesn't matter.

20 MR. ROISMAN: It only has to be distinctive,  
21 not descriptive. Certainly, Purdy 42-1 is not very  
22 descriptive.

23 BY MR. ROISMAN:

24 Q. Ms. Anderson, I'm going to now hand you  
25 what has been marked as Anderson Exhibit 1 and would like

1 you to look at the first paragraph, and, in particular,  
2 the reference there to "As a follow-up to Audit TCP-7,"  
3 and then references later down there apparently to that,  
4 some interviews being conducted in September and October  
5 of '79.

6                   Would you just identify what are the interviews  
7 that are being referred to there as having been conducted  
8 in September and October of '79?

9 BY WITNESS ANDERSON:

10           A.       The interviews that are being talked about  
11 September and October, '79, I believe are Purdy 42-1.

12                   MR. BELTER: Those are the interviews that  
13 resulted in Purdy 42-1?

14                   WITNESS ANDERSON: Right. I'm sorry. Yes,  
15 the summaries.

16                   MR. BELTER: Okay. The subject of this  
17 panel.

18                   WITNESS ANDERSON: Right.

19                   MR. ROISMAN: Right.

20 BY MR. ROISMAN:

21           Q.       And then this document that's now been marked  
22 Anderson 1 is the follow-up to Audit TCP-7.

23                   What is Audit TCP-7?

24           A.       It was a management audit. I can't remember  
25 the specifics of what was looked at in it.

1 Q. You don't know what its relationship, if  
2 any, is to Purdy Exhibit 42-1?

3 A. I don't recall.

4 BY WITNESS SPENCER:

5 A. I believe TCP-7 was an audit conducted to  
6 verify commitments made in some letter to the NRC. I don't  
7 know.

8 Q. Okay. May I have it back?

9 Thank you.

10 Now, Ms. Anderson, in conducting the interviews  
11 which formed the heart of this follow-up to Audit TCP-7, was  
12 there any difference in the way in which the interviews  
13 were conducted as compared to the interviews that were  
14 conducted to prepare the Purdy Exhibit 42-1?

15 BY WITNESS ANDERSON:

16 A. I don't think I understand exactly what  
17 you're saying.

18 Q. Well, did you approach the interviewing  
19 process any differently? Did you have a different group  
20 of questions that you asked? Were they framed differently?  
21 Did you meet the people in a different environment than  
22 you had met them before?

23 A. I think as far as I recall that our questions  
24 were very similar to the ones that we initially asked but  
25 were gearing in on the concerns that had been identified



1 within the summaries.

2 Q. And how were the people selected? How was  
3 the sample group selected?

4 A. I don't recall.

5 Q. Was it -- Do you recall whether you did  
6 the selection or someone else did?

7 A. I don't recall.

8 Q. Do you remember what was the origination  
9 of having this follow-up to Audit TCP-7, who initiated  
10 the follow-up?

11 A. It's part of our program when we have items  
12 that have been identified to go in and close them out through  
13 verification by whatever appropriate means. In this instance,  
14 we deemed that a follow-up was appropriate.

15 Q. Were you following up Audit TCP-7, or were  
16 you following up Purdy Exhibit 42-1?

17 A. Initially, we were following up TCP-7. As  
18 I remember, we decided to broaden the scope slightly to  
19 include these.

20 Q. And when you say "we," who made that decision?

21 A. Tony Vega and myself. Mr. Chapman may have  
22 been involved in the decision, also. I don't recall exactly.

23 Q. So that the interviews that are contained  
24 here in follow-up Audit TCP-7 had a multiple use. They  
25 were to follow-up on some open items from the TCP-7 audit,



1 as well as to follow-up on some items contained in Purdy  
2 Exhibit 42-1?

3 A. I believe so.

4 Q. How was it possible that they could -- that  
5 you could ask essentially the same questions in Purdy Exhibit  
6 42-1 and get answers to two different sets of concerns,  
7 one identified in TCP-7 and the others identified in Purdy  
8 Exhibit 42-1?

9 A. I don't know. I'm confused here.

10 Q. Well, you testified --

11 MR. BELTER: Can I ask a question, Tony --

12 MR. ROISMAN: Sure.

13 MR. BELTER: -- before we waste a lot of  
14 time here because I think there's some confusion here?

15 Ms. Anderson, were there technical items  
16 involved in TCP-7 that were totally unrelated to the subjects  
17 of the interviews?

18 WITNESS ANDERSON: As I recall, yes.

19 MR. BELTER: Okay. I'm sorry I interrupted  
20 you.

21 MR. ROISMAN: That's all right.

22 MR. BELTER: Whatever your preference is,  
23 Tony, I'm --

24 MR. ROISMAN: No. No.

25 //

1 BY MR. ROISMAN:

2 Q. All right. But this exhibit, now, that  
3 we've marked as Anderson Exhibit 1, is this the entire  
4 follow-up to TCP-7? Does this contain the entire follow-up,  
5 this document?

6 Here, would you like to look at it?

7 MR. BELTER: Do you understand the question,  
8 Ms. Anderson?

9 WITNESS ANDERSON: I'm not sure.

10 MR. BELTER: Well, Tony, I'm objecting.

11 I realize the question sounds fine, but I think it is ambiguous  
12 in the context in which you are asking it.

13 I think you'll get some clearer answers  
14 and a clearer record if you make a distinction between  
15 the interviews and the problems that the interviews addressed  
16 and the technical matters that were the subject of TCP-7.  
17 My suggestion is that TCP-7 as a title for this thing is  
18 really misleading. It is a technical matter that I don't  
19 know what it is and don't begin to understand it because  
20 I took a quick look through the file myself once, but,  
21 you know, continue as you wish.

22 MR. ROISMAN: All right.

23 MR. BELTER: But I think we're just going  
24 to confuse things by referring to TCP-7 and the follow-  
25 up to TCP-7 even though that's what the title reads.

1 MR. ROISMAN: All right. Let me see if  
2 I can get at it.

3 BY MR. ROISMAN:

4 Q. Is there a set of activities that can be  
5 properly called the follow-up to TCP-7?

6 BY WITNESS ANDERSON:

7 A. Yes.

8 Q. Does this document that's been marked as  
9 Anderson Exhibit 1 have in it a summary of all of those  
10 activities?

11 A. Without looking at TCP-7, I can't say that  
12 without a doubt.

13 Q. Does this document that's marked as Anderson  
14 Exhibit 1 have anything in it that represents something  
15 other than a follow-up to the concerns expressed in Purdy  
16 Exhibit 42-1?

17 A. I believe so, yes.

18 Q. All right. Where is that contained in Anderson  
19 Exhibit 1? Just tell me which pages for right now.

20 A. Attachment B is an evaluation of three items  
21 which remained open from TCP-7, and, like I said, until  
22 I could see TCP-7, I can't say without a doubt.

23 Q. Okay. Who prepared this summary page here  
24 that describes -- that's on the first page of Anderson  
25 Exhibit 1?

1 A. Mr. Vega and myself.

2 Q. Did you co-author it, or did you author  
3 some of it and he authored other parts of it?

4 A. I don't recall.

5 Q. Are any of you-all familiar with a gentleman  
6 whose name is Munisteri, M-u-n-i-s-t-e-r-i?

7 Ms. Anderson?

8 A. I believe he was vice-president of Brown & Root.

9 BY WITNESS SPENCER:

10 A. He was a high official in Brown & Root some  
11 time ago.

12 BY WITNESS BOREN:

13 A. As I recall.

14 Q. Are you familiar with a speech delivered  
15 by Mr. Munisteri to persons working at the Comanche Peak  
16 site sometime in the fall of 1979 on the subject "Corporate  
17 Management's Support of the QA/QC Effort For Assuring  
18 That Project Quality Objectives Are Met"?

19 MR. BELTER: Could you read the title again?

20 MR. ROISMAN: Uh-huh. "Corporate Management's  
21 Support of the QA/QC Effort For Assuring That Project Quality  
22 Objectives Are Met."

23 BY MR. ROISMAN:

24 Q. Ms. Anderson?

25 //



1 BY WITNESS ANDERSON:

2 A. I believe I may have heard of it, yes.

3 BY WITNESS SPENCER:

4 A. I knew Mr. Munisteri had a talk with QA/QC  
5 personnel at Comanche Peak.

6 Q. Mr. Boren?

7 BY WITNESS BOREN:

8 A. I knew that he had a talk with them.

9 Q. Do any of you have any knowledge of why  
10 that talk was given and what its purpose was.

11 A. I don't.

12 BY WITNESS SPENCER:

13 A. I don't.

14 BY WITNESS ANDERSON:

15 A. I don't recall.

16 Q. Are any of you familiar with any interviews  
17 or evaluations that were made subsequent to that talk  
18 of the people who attended it?

19 Ms. Anderson?

20 A. I don't recall.

21 Q. Ms. Spencer?

22 BY WITNESS SPENCER:

23 A. I remember seeing something as I was giving  
24 documents away, but other than that, no.

25 Q. Okay. Mr. Boren?



1 BY WITNESS BOREN:

2 A. No.

3 Q. Ms. Anderson, your connection with the Purdy  
4 Exhibit 42-1 -- After you completed the summaries, when  
5 was the next time that you got involved with any matters  
6 related to Purdy Exhibit 42-1?

7 BY WITNESS ANDERSON:

8 A. To the best of my recollection, with regard  
9 to the TCP-7 activities.

10 Q. Now, when you say "the TCP-7 activities,"  
11 do you mean the TCP-7, the audit follow-up activities or  
12 the original TCP-7 document?

13 A. I don't recall until -- like I said, without  
14 seeing that report.

15 MR. ROISMAN: Did you-all try to find that  
16 report and didn't find it, or --

17 MR. BELTER: Tony, I looked through that  
18 file once some time ago. Again, it is in a bunch of files  
19 that I'm sure Ms. Ellis looked through at one time, too.  
20 And I didn't see anything in it other than a bunch of,  
21 to me, unintelligible technical concerns or matters not  
22 related to this interview.

23 I know I'm testifying here, but --

24 MR. ROISMAN: No. No.

25 MR. BELTER: -- you asked me and I'm telling

1 you.

2 MR. ROISMAN: That's right. I'm trying  
3 to get these witnesses to testify to that same effect so  
4 we can take --

5 MR. BELTER: That's why I think it would  
6 help if we phrased our questions in terms of the follow-up  
7 to the interview process and not use this title because  
8 it is just --

9 MR. ROISMAN: Okay. All right.

10 MR. BELTER: -- confusing as heck.

11 BY MR. ROISMAN:

12 Q. Well, when was the next time that you had  
13 a follow-up to -- had any work related to Purdy Exhibit 42-1  
14 in terms of time, now, not the name of the document?

15 BY WITNESS ANDERSON:

16 A. To the best of my recollection, in May of  
17 '80.

18 Q. Okay. In the intervening period, who had  
19 responsibility for the -- Ms. Anderson, who had responsibility  
20 for the follow-up to Purdy Exhibit 42-1?

21 MR. BELTER: Could I ask what you mean by  
22 "follow-up" in that sense? Taking action?

23 BY MR. ROISMAN:

24 Q. Taking any action or doing anything about  
25 it if anything was warranted.

1 BY WITNESS ANDERSON:

2 A. I believe Mr. Chapman and Tolson.

3 Q. At the time of the interviews in May of  
4 1980 that are described in TCP -- in your -- in Anderson  
5 Exhibit 1, did you -- were you made aware of what specific  
6 actions had been taken in response to Purdy Exhibit 42-1?

7 A. I believe so as part of the follow-up.

8 Q. When you interviewed the people, did you  
9 make mention of those specific actions as part of your  
10 interviewing?

11 A. I don't recall.

12 Q. Did you have any instruction sheet for conduct-  
13 ing those interviews?

14 A. I don't recall. I don't believe so.

15 Q. Did anybody give you any oral instructions  
16 on conducting those interviews?

17 A. It was discussed as part of the audit process  
18 between myself and Mr. Vega.

19 MR. ROISMAN: I'm going to leave this for  
20 a little bit, but at a break or something I'd really like  
21 to be able to sit down and take a look at it. I just can't  
22 ask her the questions or anyone the questions very effectively  
23 based on trying to read it and think about it in this short  
24 period of time. So I'm going to go on to some other things.

25

1 BY MR. ROISMAN:

2 Q. At the time that you did your interviews  
3 in 1979, each of you, and I want you to think back to then,  
4 did you at that time have in your minds a definition of  
5 the concepts "harassment and intimidation"?

6 Ms. Anderson?

7 BY WITNESS ANDERSON:

8 A. I don't understand exactly what you mean.

9 Q. Well, did those words have any special meaning  
10 to you in 1979 at the time you did these interviews? Did  
11 you -- Let's start with the first question.

12 Did you interview with the thought that  
13 you were looking to see if there was any harassment and  
14 intimidation?

15 A. We basically went into it with the idea  
16 to find out any type of problems that the QC inspectors  
17 might have been having.

18 Q. Did you know or have -- Did that terminology,  
19 harassment and intimidation, have any meaning to you in  
20 the context of problems that QC inspectors might have?

21 A. I don't believe so.

22 Q. Had you ever heard the phrase used with  
23 reference to QC inspectors?

24 A. Not that I recall specifically.

25 Q. Did you remember in the interviews ever



1 asking anybody, "Were you harassed, or were you intimidated"?

2 A. We asked them the questions that were in  
3 the questionnaires.

4 Q. And those -- And nothing beyond that?

5 A. As best I recall.

6 Q. How about you, Ms. Spencer? At the time  
7 that you were doing the interviews, did you have any opinion  
8 about whether the phrase "harassment and intimidation"  
9 had any relationship to QC personnel at the Comanche Peak  
10 site?

11 BY WITNESS SPENCER:

12 A. I don't think that those particular words  
13 were part of my vocabulary at that time.

14 Q. Did you want to add something?

15 A. But -- Well, no.

16 Q. Okay. Mr. Boren?

17 BY WITNESS BOREN:

18 A. I didn't place any more emphasis on that  
19 than anything else, I guess, that we were looking for.

20 Q. Well, all right. Let's start again.

21 Ms. Anderson, if one of the people had said  
22 to you in the course of the interview that certain events  
23 had happened to them which made them feel discouraged about  
24 reporting safety problems, would you necessarily have related  
25 that to the phrase "harassment and intimidation"? Would



1 that label have occurred to you to have applied to that?

2 BY WITNESS ANDERSON:

3 A. Not necessarily.

4 Q. Ms. Spencer?

5 BY WITNESS SPENCER:

6 A. Not the terms "harassment and intimidation,"  
7 but it would have certainly stuck out in my mind.

8 Q. I understand.

9 BY WITNESS ANDERSON:

10 A. Yes. The same for me.

11 Q. Yeah. Mr. Boren?

12 BY WITNESS BOREN:

13 A. Harassment may have.

14 Q. You mean you might have associated that  
15 description that they were discouraged from reporting  
16 safety problems as being harassment?

17 A. Yeah.

18 Q. And how about --

19 A. Or intimidated, you know.

20 Q. Ms. Anderson, when was the first time that  
21 you had occasion to link the phrase "harassment and  
22 intimidation" with QC inspectors at the Comanche Peak site?

23 BY WITNESS ANDERSON:

24 A. Basically, in the context of these hearings.

25 Q. And when you say "these hearings," you mean

1 the ones that have been going on here in Glen Rose for  
2 the last several weeks?

3 A. Yes.

4 Q. And how did that come to your attention?

5 A. I don't recall. Discussions. Reading  
6 Board notifications, information, things like that.

7 Q. Did you have a discussion with any persons  
8 about what harassment and intimidation meant?

9 A. I don't recall specifically.

10 Q. Did anybody give you their opinion as to  
11 what they thought the importance or unimportance of harassment  
12 and intimidation were for QC and QA functions at the plant  
13 site?

14 A. I'm sorry. I don't understand.

15 Q. Did anyone express to you an opinion as  
16 to -- in the context of these hearings as to what the impor-  
17 tance of harassment and intimidation was to the QA/QC function  
18 at the Comanche Peak site?

19 A. There may have been discussions on it. I  
20 don't recall any specific examples.

21 Q. How about you, Ms. Spencer? When did you  
22 first have the harassment and intimidation phrase linked  
23 up in any way with QC inspectors or QA/QC functions at  
24 the Comanche Peak site?

25 //

1 BY WITNESS SPENCER:

2 A. It must have been at the time when CASE  
3 submitted one of their sets of interrogatories on the subject  
4 and I subsequently got involved somewhat in it.

5 Q. And roughly, do you -- Was that within the  
6 last year?

7 A. Uh-huh. Within the last year.

8 Q. All right. How about you, Mr. Boren? This  
9 is the same question. When did you first learn of any  
10 connection between harassment and intimidation, that phrase,  
11 on the one hand, and the QA/QC function at the Comanche  
12 Peak site on the other?

13 BY WITNESS BOREN:

14 A. I don't really have any idea.

15 Q. Ms. Anderson, you testified earlier in response  
16 to a question that you would not call name-calling and  
17 cursing ... would not in your mind be a significant incident.

18 Do you remember that?

19 BY WITNESS ANDERSON:

20 A. Yes, I do.

21 Q. Would you call name-calling and cursing  
22 harassment or intimidation by a craft person of a quality  
23 control person?

24 A. Not necessarily.

25 Q. Have you a well-defined concept of what

side 2

1 BY WITNESS SPENCER:

2 A. It must have been at the time when CASE  
3 submitted one of their sets of interrogatories on the subject  
4 and I subsequently got involved somewhat in it.

5 Q. And roughly, do you -- Was that within the  
6 last year?

7 A. Uh-huh. Within the last year.

8 Q. All right. How about you, Mr. Boren? This  
9 is the same question. When did you first learn of any  
10 connection between harassment and intimidation, that phrase,  
11 on the one hand, and the QA/QC function at the Comanche  
12 Peak site on the other?

13 BY WITNESS BOREN:

14 A. I don't really have any idea.

15 Q. Ms. Anderson, you testified earlier in response  
16 to a question that you would not call name-calling and  
17 cursing ... would not in your mind be a significant incident.

18 Do you remember that?

19 BY WITNESS ANDERSON:

20 A. Yes, I do.

21 Q. Would you call name-calling and cursing  
22 harassment or intimidation by a craft person of a quality  
23 control person?

24 A. Not necessarily.

25 Q. Have you a well-defined concept of what



1 you believe harassment and intimidation means?

2 A. I have what I feel in my mind harassment  
3 or intimidation would mean as far as what the end result  
4 would be.

5 Q. All right. And when did you form that view?

6 A. I don't remember.

7 Q. In the last year? In the last ten years?

8 The last week?

9 A. Oh, probably in the last seven, eight years.

10 Q. Okay. What is that concept? What do you  
11 understand that phrase means?

12 MR. BELTER: Which phrase are you talking  
13 about?

14 BY MR. ROISMAN:

15 Q. Harassment and intimidation.

16 BY WITNESS ANDERSON:

17 A. Basically, something that would prevent  
18 someone from doing their job, fulfilling their responsibilities.  
19 An external or, I guess, perhaps an internal feeling that  
20 there was something to prevent them from doing their job such  
21 as a QA person or QC person.

22 Q. Ms. Spencer, when did you develop a  
23 definition, if you have one, of what you believe harassment  
24 and intimidation means?

25 //



1 BY WITNESS SPENCER:

2 A. Sometime within the last several, be it,  
3 three to seven years, I would imagine.

4 Q. Okay. And what is that definition?

5 A. Basically, just a feeling that a person  
6 has been coerced or felt pressure to do something that  
7 they had no intentions of doing or --

8 Q. A feeling by the person who received the  
9 pressure or the person who applied the pressure?

10 A. Well, it depends on if you are -- I don't  
11 understand the question.

12 Q. Well, you said a feeling, and I'm just trying  
13 to find out whose feeling you're talking about. The person  
14 who is applying the pressure, their feeling that what they  
15 are doing is going to discourage this person from doing  
16 something, or the feeling of the person who is having the  
17 pressure applied to them that the result of the pressure  
18 is to make them feel that they are being discouraged from  
19 doing something.

20 A. I would say if it is the intent of the person --  
21 the feeling of the person who may be harassing or intimidating  
22 somebody else. You know, if they are -- If they have the  
23 intent to apply pressure to somebody else, then they are  
24 harassing somebody or intimidating somebody.

25 Q. And that is irrespective of how the person

1 who is the object of those actions might receive them?

2 A. They may perceive them to be harassment  
3 or intimidation when, in fact, they aren't, or, I guess,  
4 you know, they could be, too, depends on --

5 Q. Right. But you are saying how the person  
6 perceives it is not how your definition of harassment and  
7 intimidation is defined. It is how the person who sends  
8 it intends it to be. That's how you would define harassment  
9 and intimidation.

10 A. I guess it would be a little of both.

11 Q. In doing your interviews in 1979, did you  
12 interview any of the supervisory personnel or craft personnel  
13 to find out whether what they were doing was in their judgment  
14 intended to pressure QC personnel?

15 A. I don't believe we did, no.

16 Q. How do you have an opinion about whether  
17 you learned of any harassment and intimidation without  
18 having talked to that half of it in light of your answer  
19 to me about what you consider to be the nature of harassment  
20 and intimidation?

21 A. Well, we were talking to the QC inspectors  
22 to see if they had any problems. We would record or find  
23 out about any perceptions that they had of any instances  
24 of pressure or, now as we call it, harassment and intima-  
25 tion.

1 Q. But you wouldn't know whether, in fact,  
2 there was an effort to engage in harassment and intimidation  
3 from those interviews; isn't that correct?

4 A. We would be aware of the possibility.

5 Q. But if the person who received it said --  
6 didn't tell you that they -- that they had been pressured,  
7 you wouldn't know if, in fact, somebody had been intending  
8 to pressure them or trying to pressure them; isn't that  
9 true?

10 A. The individual who was the recipient of  
11 any pressure would surely know if he had been pressured  
12 or intimidated or harassed.

13 Q. Well, is it your testimony that every time  
14 someone intends to harass and intimidate, the person who  
15 is going to be harassed and intimidated knows that that's  
16 happening? Is that --

17 MR. BELTER: Do you understand the question?

18 WITNESS SPENCER: Phrase it again, please.

19 BY MR. ROISMAN:

20 Q. Every time someone engages in an action  
21 that's intended to be harassing and intimidating, is it  
22 your testimony that the person who is the object of that  
23 harassing and intimidating action knows that they are being  
24 harassed and intimidated?

25 //

1 BY WITNESS SPENCER:

2 A. I don't know if I can answer the question.

3 Q. You don't know whether or not somebody who  
4 is the object of harassment and intimidation knows or doesn't  
5 know that they are the object of it?

6 A. It is a matter of perception on that person's  
7 part and whether or not they perceive that they are being  
8 harassed or intimidated.

9 Q. All right. So let's go back and tell me  
10 where do you find the source of the harassment and  
11 intimidation, in the person who is receiving it or the  
12 person who is sending it? Which constitutes harassment  
13 and intimidation?

14 MR. BELTER: Do you understand the question?  
15 I'm particularly referring to the word "which".

16 "Which" has no predicate in your question,  
17 Tony. I think the problem we're having here is that you  
18 and I and the other lawyers have been dealing with these  
19 ethereal intellectual concepts for the last several weeks,  
20 and you are going to have a confused record here asking  
21 people this for the first time. We haven't attempted to  
22 come up with a definition.

23 We recognize and you have on the record  
24 that the craft personnel were not interviewed here, and  
25 I'm not cutting off the questions, but I'm telling my



1 witnesses, if you don't understand the questions and can't  
2 answer them, don't speculate here. I'm having difficulty  
3 following you.

4 MR. ROISMAN: Well, part of your direct  
5 exam was the question would you report any incident of  
6 harassment and intimidation that was related to you.

7 MR. BELTER: Right. You can ask where you  
8 have, give me examples, if you want --

9 MR. ROISMAN: Well, I'm trying to find out  
10 whether these people had any firm idea of what was harassment  
11 and intimidation so that if it was related to them they  
12 would have known it.

13 MR. BELTER: Fine.

14 MR. ROISMAN: And I'm now trying to find  
15 out from Ms. Spencer, and I'll ask the question again with  
16 a predicate for which even clearer.

17 BY MR. ROISMAN:

18 Q. One person is engaging in conduct that he  
19 intends to be harassing and intimidating. A second person  
20 is the object of that conduct.

21 BY WITNESS SPENCER:

22 A. Uh-huh.

23 Q. Okay? In your judgment of what you understand  
24 harassment and intimidation is, does it require anything  
25 more than that the person who has the intent to harass



1 and intimidate has that intent? Does it also require that  
2 the person who is the object believes that they are being  
3 harassed and intimidated?

4 A. I believe so.

5 Q. It requires both?

6 A. It requires two parties.

7 Q. If the person who believes they are being  
8 harassed and intimidated, if they have that belief and  
9 the person who is harassing and intimidating them has no  
10 intend to do it, in your definition of harassment and  
11 intimidation, would that be harassment and intimidation?

12 A. No, I don't think so. It is an internal --  
13 It is how that person internalizes that.

14 Q. So to you the harassment and intimidation  
15 is dependent only on the objective event and not on how  
16 the person receives the event?

17 MR. BELTER: Are you making a distinction  
18 between the event and whether the person even perceives  
19 the event? For example --

20 MR. ROISMAN: No. I'm not saying that they  
21 don't know it happened. I'm saying they know the event  
22 happened, and whether or not Ms. Spencer --

23 MR. BELTER: Uh-huh.

24 MR. ROISMAN: -- is telling me that given  
25 that the event happened, it's still not harassment and

1 intimidation unless the person views it as harassment and  
2 intimidation. And then I'm asking for the question does  
3 the intent of the person who is engaging in the conduct  
4 have anything to do with whether it is harassment and  
5 intimidation, or is it all dependent upon what the person  
6 who feels harassed and intimidated says?

7 MR. BELTER: Relate it back to the incidents  
8 described in the interview sheet because we're only talking  
9 here about what Ms. Spencer understands for purposes of  
10 putting incidents down. It doesn't matter what you and  
11 I and the Board may define.

12 BY MR. ROISMAN:

13 Q. In the Purdy Exhibit 42-1, one of the major  
14 problems it identified, major problem No. 2 is, and I quote,  
15 "There is a consistent feeling among QC inspectors that  
16 the main emphasis of CPSES is production at all cost and  
17 not on quality. Equipment is installed to take credit  
18 for footage and production quotas. The fact that a high  
19 percentage of this work must be redone is not being given  
20 due consideration. This creates an atmosphere of arguments,  
21 hot discussions, yelling and name-calling between craft  
22 and QC, occasional threats, and even one act of violence."

23 Now, I assume that the "even one act of  
24 violence" refers to the woman QC inspector that said that  
25 she was grabbed by the collar.

1 BY WITNESS SPENCER:

2 A. Correct.

3 Q. Okay? And I believe it was your testimony  
4 that that was an act of harassment and intimidation or  
5 harassment -- Was it "harassment and" or "harassment or"?  
6 Which is it?

7 A. I don't -- I would say it was harassment.  
8 I don't know.

9 Q. What about occasional threats? Explain  
10 to me in the context of your understanding of the meaning  
11 of the phrase "harassment and intimidation" why occasional  
12 threats are not in the context of this summary harassment  
13 and intimidation.

14 A. Repeat the question.

15 Q. Why are occasional threats not harassment  
16 and intimidation? I'm using the words "occasional threats"  
17 as they appear in the summary which you participated in  
18 preparing as it relates to the site electrical QC personnel.

19 A. That is a summary of all of the interviews  
20 that were conducted. Is that your understanding?

21 Q. I understand that.

22 A. May I look at the document?

23 Q. Uh-huh. Absolutely.

24 That is the front, and this doesn't have  
25 Purdy Exhibit 42 marked on it, but it is the same.

1           A.       A lot of this was probably somewhat of a  
2 communication problem.

3           Q.       I'm sorry. A lot of what was a communication  
4 problem?

5           A.       This portion of it right here [indicating].

6           Q.       You mean -- I'm sorry.

7           MR. BELTER: The reference to the paragraph  
8 you quoted, Mr. --

9 BY MR. ROISMAN:

10          Q.       Was the communication problem between the  
11 person being interviewed and the person conducting the  
12 interview or between QC and craft?

13 BY WITNESS SPENCER:

14          A.       Between the QC and craft personnel.

15          Q.       Explain to me how a threat is a communication  
16 problem.

17          A.       Well, I think you'd have to ask me a specific  
18 about what particular threat.

19          Q.       Well, that is your summary, isn't it?

20          A.       It is the board's summary, yes.

21          Q.       And I believe your testimony was that you  
22 participated in the preparation of those summaries.

23          A.       Based on the interviews that I conducted,  
24 yes.

25



1 Q. Now, you have no recollection of conducting  
2 any interview with anybody that mentioned a threat?

3 A. No, I do not.

4 Q. How about you, Ms. Anderson?

5 BY WITNESS ANDERSON:

6 A. No, I do not.

7 Q. How about you, Mr. Boren?

8 BY WITNESS BOREN:

9 A. (Motioned negatively.)

10 Q. So none of you have any idea where that  
11 phrase "occasional threats" could have come from in terms  
12 of your own personal knowledge of an interview that you  
13 conducted.

14 A. I haven't seen the data sheets or the interview  
15 sheets in over five years. I haven't seen them since the  
16 time that they were taken. So I do not recall any over the  
17 past five years, the specifics on which that was put in  
18 there from.

19 BY WITNESS SPENCER:

20 A. And I haven't looked at any of them that  
21 I took notes on either since the original review process.

22 Q. Ms. Anderson?

23 BY WITNESS ANDERSON:

24 A. I don't recall the specific conversations  
25 and events. I have looked at a couple of the interview



1 sheets, but I do not recall the specifics of the discussions.

2 Q. What about yelling and name-calling between  
3 craft and QC? Ms. Spencer, do you have any recollection  
4 of that?

5 BY WITNESS SPENCER:

6 A. No, I don't. I don't recall.

7 Q. Ms. Anderson?

8 BY WITNESS ANDERSON:

9 A. Not specifics.

10 Q. Mr. Boren?

11 BY WITNESS BOREN:

12 A. I recall that there were some of the people  
13 that I talked to commented that there was name-calling  
14 between QC and craft.

15 Q. Do you have any recollection of what you --  
16 what that meant, name-calling?

17 A. Cursing between QC and craft. Most of the --  
18 As I recall, most of the time in most of the instances  
19 that they were talking about it was craft wanting QC to  
20 do their inspections faster than what QC was performing  
21 the inspections, and there would be shouting contests or  
22 name-calling, cursing going on between them. But it was  
23 usually even -- From what I recall questioning some of  
24 the people that I interviewed, it was never more than that.

25 Q. By "more," what do you mean?

*Clearance*

1           A.       Oh, there was never any, you know, threats  
2 of "I'm going to cut your wife's throat tonight," or, you  
3 know, any -- what I would consider the be violent threats.  
4 It was, "Hey, you SOB, where have you been? Why can't  
5 you get over here and inspect this thing when we call you?  
6 You know, you're holding up people that are doing the work  
7 putting this thing together." That would be like from  
8 the craft, and the QC people would feel harassed, intimidated  
9 by it, but there was never usually -- That I recall, there  
10 was never anyone that paid that much attention to it.

11           Q.       Well, what do you think, and you testified  
12 about your experience on construction sites. What do you  
13 think is the impact on the person who is being name-called?  
14 I mean, how do they feel based upon your experience?

15           A.       Most of them mouth right back at the guy  
16 that just mouthed to them and go on and forget about it.  
17 I mean, it is no big deal one way or the other.

18           Q.       Does it have anything to do with the relative  
19 physical size or position in the hierarchy of the organization  
20 as to who is making the statements as to how the person  
21 might perceive them, in your judgment?

22           A.       I guess that it could, but not in the context  
23 that we're talking about here. We're talking about craft  
24 and QC personnel. We're talking about, generally, people  
25 of the same level.

1                   Whoever the plant construction manager is,  
2 if he goes out there, he's going to have more of an impact  
3 on a craft person, say, talking to a QC guy than just the  
4 common craft would.

5           Q.           What about a craft foreman?

6           A.           I don't think that he would have that much  
7 more effect than the craft would.

8           Q.           Ms. Spencer, what is your feeling about  
9 yelling and name-calling between craft and QC? Does that  
10 fit your definition? Could it fit your definition of harass-  
11 ment and intimidation?

12 BY WITNESS SPENCER:

13           A.           I wouldn't consider name-calling and yelling  
14 harassment and intimidation.

15           Q.           What would you consider it?

16           A.           What would I consider it? Part of the job  
17 or everyday activity. I'm sure it happens during the normal  
18 course of a job, construction site.

19           Q.           How about up at your office? Would you  
20 see it differently if it happened up at your office?

21           A.           No.

22           Q.           Huh?

23           A.           No.

24           Q.           You'd see it the same.

25           A.           Yeah

1 Q. If someone came up there and cursed you  
2 out and told you to get moving on whatever it was you were  
3 doing and not take so long with it, that would not, for  
4 you, be harassing or intimidating?

5 A. No, I'm afraid it wouldn't.

6 Q. Would you do that to anybody yourself?

7 A. Me? No. I would -- In a joking manner,  
8 I may call somebody a dummy or something, you know, but  
9 no, I wouldn't consider it anyway harassment or intimidation.  
10 And I wouldn't consider myself harassing or intimidating  
11 somebody if I did something of a similar nature.

12 Q. If the person who was yelled at or had names  
13 called with respect to, if they thought they were being  
14 harassed and intimidated, would that change your view as  
15 to whether you think that was harassing and intimidating?

16 A. If I hollered at somebody?

17 Q. No. No. Let's take you out of it for a  
18 moment. Someone comes to you and they say in these interviews,  
19 "I was yelled at, and I was called terrible names, and  
20 it made me feel very uncomfortable about doing my job.  
21 I didn't feel comfortable in doing my work with people  
22 doing that, and it inhibited me."

23 They are telling you that, and you found  
24 the person who did the name-calling. They said, "Nah."  
25 They said what Mr. Boren said, "We do it all the time down



1 here. I don't want to harass or intimidate them at all."

2 In your definition of harassment and intima-  
3 tion, would that be harassment and intimidation or not?

4 A. If it prevented somebody from doing their  
5 job as they knew it. Is that the question?

6 If it prevented somebody, it may be considered  
7 some form of harassment or intimidation.

8 Q. Even if it wasn't intended to, it just had  
9 that effect.

10 A. Possibly. Possibly.

11 Q. Mr. Boren, what is the time frame in which  
12 you developed a view as to what the phrase harassment and  
13 intimidation means?

14 BY WITNESS BOREN:

15 A. You mean when did I?

16 Q. Uh-huh.

17 A. I guess we all have some type of a definition  
18 of harassment and intimidation from probably the first  
19 time that we have a boss.

20 Q. So you are saying for a long time you've  
21 had a definition of that?

22 A. Yeah.

23 Q. Has it evolved much in recent years?

24 A. Oh, it probably changed some. I don't --  
25 You know, I certainly didn't write it down back when I



1 first started work.

2 Q. Well, has it changed any in the last five  
3 years, would you say?

4 A. I don't think so.

5 Q. And what is that? What is your definition  
6 of harassment and intimidation?

7 A. Someone being either feels like that they  
8 cannot properly perform their job because of either verbal  
9 or physical threats on them.

10 Q. So that in your definition, looking at it  
11 in the terms that Ms. Spencer testified, the critical element  
12 is how the person receiving the action perceives what's  
13 happening as opposed to what the person intended who did  
14 it.

15 A. I think for it to really be true harassment  
16 and intimidation, it has to be a combination of both.

17 Q. You must have both the intent and the  
18 recipient's reaction to the intent?

19 A. Yes. To me, you do.

20 Q. Okay. And is it -- Are they in lockstep  
21 with each other? In other words, if -- Let's say that  
22 the actor only intends to just give a -- just a little --

23 A. I don't know who the actor is.

24 Q. Well, let's say a craft person.

25 A. Okay.

1 Q. All they really want to do is to give this  
2 QC inspector a little scare.

3 A. Okay.

4 Q. That's all they've got in mind. They  
5 certainly don't want him not to do his job, but they would  
6 like it if he could do it a little faster.

7 The QC inspector, hearing this statement,  
8 perceives it not as a little scare but a life-threatening  
9 statement --

10 A. Uh-huh.

11 Q. -- and reacts as though they had been --  
12 as though their life has been threatened, and they are  
13 terribly upset and feel as though they cannot remain and  
14 do their job at all properly for fear that they may lose  
15 their life. So he's got an entirely different perception  
16 than what the actor said.

17 A. Uh-huh.

18 Q. In looking at both sides of the equation,  
19 how would you evaluate what -- What would we call that  
20 event? First, would you call that harassment and intimidation?  
21 at all?

22 A. No. I'd call it a misunderstanding.

23 Q. So that wouldn't be harassment and intimidation?

24 A. Not to my mind.

25 Q. Okay. Well, that's the only mind we have

1 got for you to testify about. I'm not going to let you  
2 testify about anybody else's mind.

3 Ms. Anderson, after the surveys were  
4 completed, the 1979 surveys were completed, did you have  
5 occasion to look at or become aware of what steps were  
6 taken in response to the survey by management before you  
7 did your May, 1980 follow-up audit?

8 BY WITNESS ANDERSON:

9 A. I don't recall the exact sequence. It was  
10 before because it was used as part of the follow-up activities,  
11 but I don't know the exact time frame before.

12 Q. There were no particular events that --  
13 or changes that took place at the plant that stick in your  
14 mind, no major change that you can remember?

15 A. Not related to the follow-up activities?

16 Q. That's right. Not -- I'm not talking about  
17 the TCP follow-up. I'm talking about any follow-up  
18 activities to the Purdy Exhibit 42-1.

19 A. The activities that I participated in in  
20 May were to look at actions that had been taken as a result  
21 of those Purdy 42-1.

22 Q. Okay. And that's what I'm trying to find  
23 out. When did you first become aware of what actions had  
24 been taken in response to Purdy Exhibit 42-1? Was it as  
25 they were occurring or at the time that you began to

1 do your TCP-7 follow-up?

2 A. It was probably as they were occurring.  
3 I don't recall exactly.

4 Q. Do you recall what they were?

5 A. Not specifically.

6 Q. How about you, Ms. Spencer?

7 BY WITNESS SPENCER:

8 A. Would you repeat the question?

9 Q. Do you recall what the actions were that  
10 were taken in response to Purdy Exhibit 42-1?

11 A. The only thing that I recall was that Tolson  
12 had some what he called fireside chats with some of the  
13 inspectors.

14 Q. Uh-huh.

15 A. That's the only information I recall.

16 Q. How about you, Mr. Boren?

17 BY WITNESS BOREN:

18 A. His fireside chats is the only thing I recall.

19 Q. Do you recall whether there were other things  
20 and you just can't remember what they were, or do you think  
21 that's all there were?

22 A. No. I wasn't implying that there wasn't  
23 any other thing. I'm saying that that was the only thing  
24 that I was really made aware of. There may have been other  
25 things and I wasn't made aware of it. There was no reason



1 for them to make me aware of any of them.

2 Q. Okay. During this whole time between the  
3 fall of 1979 and let's say the summer of 1980, were you  
4 employed in Dallas during that whole time?

5 A. Yes.

6 Q. And you, Ms. Spencer, in Dallas?

7 BY WITNESS SPENCER:

8 A. In Dallas.

9 Q. And Ms. Anderson?

10 BY WITNESS ANDERSON:

11 A. Yes, in Dallas.

12 Q. Okay. How did it happen that you would  
13 be made aware of the fireside chats, Ms. Anderson?

14 I'm sorry. You didn't remember.

15 Ms. Spencer?

16 BY WITNESS SPENCER:

17 A. I'm sure it was through just everyday  
18 conversations. That's the only -- With Chapman or Tolson  
19 or somebody.

20 Q. Were you working with Mr. Chapman at that  
21 time?

22 A. Yes. I've always been employed by Mr. Chapman.

23 Q. And how about you, Mr. Boren? How would  
24 you have become aware of the fireside chats?

25 //

1 BY WITNESS BOREN:

2 A. Mr. Tolson told me that he was doing some  
3 of the follow-up on the early, what do you want to call  
4 it, report summaries that were put out, and he was having  
5 some early morning, as he called them, fireside chats.

6 Q. Would you expect that he would have told  
7 you if he was doing anything else of any significance?

8 A. Not necessarily.

9 Q. Why do you think he told you about the fireside  
10 chats?

11 A. Just as a matter of conversation.

12 Q. You mean not in any way related to the fact  
13 that you were one of the authors of the management review  
14 report?

15 A. No. That had nothing to do with it. It  
16 was just over dinner. He started some of those quite early  
17 after we finished issuing these reports, in fact.

18 Q. Mr. Boren, when did you join the TUGCO organi-  
19 zation?

20 A. How exact do you want?

21 Q. Give me the year or the decade.

22 A. Roughly, 1973.

23 Wait a minute. What do you mean by TUGCO  
24 organization?

25 Q. Well, I'm sorry. I realize that's -- Any --

1 TUGCO or any of its affiliate organizations.

2 A. 1956, roughly, was the first, as I recall.

3 Q. When did you have your first connection  
4 with any nuclear facility?

5 A. 1972 or '3. '3, I think.

6 Q. And that was which facility?

7 A. Comanche Peak.

8 Q. And were you on the site at one time?

9 A. No, sir.

10 Q. You've always been in Dallas?

11 A. Yes, sir.

12 Q. Your on-site construction experience, then,  
13 is with non-nuclear facilities?

14 A. Yes.

15 Q. Based upon your current knowledge about  
16 nuclear facilities, do you feel that there is any sub-  
17 stantive difference between the potential implications  
18 of harassment and intimidation at a nuclear facility as  
19 opposed to a non-nuclear construction site?

20 MR. BELTER: I'm going to object, Tony,  
21 unless you can define "substantive" for me. I have no  
22 idea what you mean.

23 BY MR. ROISMAN:

24 Q. Well, I mean is there -- Is it more important  
25 to prevent harassment and intimidation at a nuclear facility

1 than it would be at the average construction site in your  
2 experience?

3 BY WITNESS BOREN:

4 A. I think it is always important to prevent  
5 harassment and intimidation no matter where it occurs.

6 Q. Okay. Now, my question was: Is it more  
7 important to prevent it at a nuclear facility in which --  
8 than it is in the average construction site?

9 A. Again, I'll answer you I think that it is  
10 important to prevent harassment and intimidation regardless  
11 of where it occurs. I don't think that it is the -- what  
12 you are building should have anything to do with it.

13 Q. So the fact that the nuclear facility is  
14 built under some federal regulations that prohibit  
15 harassment and intimidation whereas many other construction  
16 sites there's no such prohibition doesn't make any difference  
17 to you in terms of whether it is important to prevent it.

18 A. That's right.

19 Q. They are equally important.

20 A. Yes.

21 Q. Did you-all participate in the decision  
22 to do the interviews without having the interview sheet  
23 disclose the name of the person who had been interviewed?  
24 Was that part of the decision? Did any of you --

25 A. What is your question, again?



1 Q. Did any of you participate in the decision  
2 to have these interviews conducted, the 1979 interviews  
3 I'm talking about now, without having the name of the person  
4 disclosed -- who was being interviewed disclosed on the  
5 interview sheet?

6 A. Did we have any?

7 Q. Input into making that decision.

8 Ms. Anderson?

9 BY WITNESS ANDERSON:

10 A. I don't recall specifically. It was  
11 discussed and basically that's what was agreed upon, but  
12 I don't recall specific input.

13 Q. Ms. Spencer?

14 BY WITNESS SPENCER:

15 A. I don't recall.

16 Q. Mr. Boren?

17 BY WITNESS BOREN:

18 A. Yes, I recall.

19 Q. Okay. What do you recall?

20 A. I recall Mr. Tolson and Mr. Chapman and  
21 I believe Mr. Vega and myself decided not to put the names  
22 on the interview sheets to keep it as strictly confidential  
23 as possible.

24 Q. And why? Why did you make that decision?

25 A. We felt like that with as much confidentiality

1 as we could obtain in something like this we would get the  
2 people to open up better and tell us more about what was  
3 going on and any problems that they would be having out  
4 there in construction than any other way, and so our attempt  
5 was to try to do that.

6 Q. Is it not the case that every employee at  
7 the plant site and certainly QC employees are obligated  
8 to report any problems that they know exist that would  
9 interfere with them fulfilling their responsibilities?

10 A. Yes.

11 Q. What made you think that these employees  
12 would be in any way reluctant to do that openly, just stand  
13 up, say their names, tell you their problems?

14 A. Repeat the question.

15 Q. What made you feel that any of these  
16 employees would be reluctant to tell you any problems that  
17 they perceived at the site? I think your words were --

18 A. I'm not saying that it would make them feel  
19 less reluctant. I'm just saying that we felt like it would  
20 make them feel more comfortable.

21 Q. In what way? Would you expect -- Well,  
22 let me take a hypothetical.

23 If you asked them, "Do you love your country,"  
24 do you think you would need to give them anonymity in order  
25 to make them feel more comfortable to answer that question?

1 A. Do what?

2 Q. If you asked them the question, "Do you  
3 love your country," do you think you would have to give  
4 them anonymity in order to make them feel more comfortable  
5 in answering that question?

6 A. No.

7 Q. Then why would you think you'd need to give  
8 them anonymity in order to make them feel more comfortable  
9 in answering the question do you think there are any problems  
10 here at the plant site?

11 A. The reason that we were doing it was so  
12 that -- We didn't want to and didn't want them to feel  
13 like that we would immediately run out and say, "Hey, do  
14 you know that old Joe Blow over here, he said this? He  
15 went out and told those people over there that this craft  
16 person said that he was intimidating him."

17 We didn't want that type of rumors to get  
18 out.

19 Q. Why not?

20 A. Why would we?

21 Q. Well, fortunately for me, I don't have to  
22 answer the questions. Unfortunately for you, you do.

23 Why not? Why would you not want to have  
24 that --

25 A. I don't think that it is a good healthy

1 working atmosphere to have rumors going around that aren't  
2 true and can't be really substantiated, and to make these  
3 interviews publicly known to all of the plant personnel,  
4 all four or five or six thousand of them, would have done  
5 just that.

6 Q. No. I only asked you the question why did  
7 you need to have anonymity, not whether you should publish  
8 the interviews in The Circuit Breaker.

9 Why did you have to --

10 A. Well, you were relating the two together.

11 Q. No. No. I wasn't at all. In fact, until  
12 just this minute, I never even said anything about  
13 The Circuit Breaker.

14 I want to know why you felt that you needed  
15 to have anonymity on the interview. Why couldn't the inter-  
16 view sheets, kept confidential to those people who were  
17 on the management review team and Mr. Tolson and Chapman  
18 and some of the other upper management people, why shouldn't  
19 the names of each person have been at the top and say,  
20 "Smith complained of this and that"?

21 MR. BELTER: Tony, you are arguing with  
22 him.

23 MR. ROISMAN: No. I'm asking him the question.

24 MR. BELTER: He's already -- He's already  
25 answered the question.



1 WITNESS BOREN: I answered the question.

2 MR. ROISMAN: No.

3 WITNESS BOREN: Yes, I did. I answered  
4 your question, and I told you that we felt like it would  
5 let the people open up more.

6 BY MR. ROISMAN:

7 Q. And I'm asking you what was it that made  
8 you believe that was so. Now, that's the question you  
9 haven't answered yet.

10 BY WITNESS BOREN:

11 A. I don't know, then. We just felt like that  
12 it would be better, a better atmosphere and would let the  
13 people open up more by not having their names identified  
14 on the sheet.

15 Q. Ms. Anderson, when you did the interviews  
16 that formed the TCP-7 follow-up, did you also follow the  
17 approach of anonymity with regard to the people who you  
18 interviewed?

19 BY WITNESS ANDERSON:

20 A. I believe so, but I don't recall specifically.

21 Q. Do you recall anything very specifically  
22 about either the surveys or the TCP-7 follow-up, or would  
23 it be fair to say that most of it is not in your memory  
24 any longer?

25 A. That's a pretty fair statement as far as

1 specific details and people.

2 Q. Do you remember if you used in the TCP-7  
3 audit follow-up the same questionnaire as the one that  
4 you used in the survey questions back in 1979?

5 A. I don't remember.

6 Q. Do you know what happened to the actual  
7 interview sheets that were -- that you used to take the  
8 information down when you did the TCP-7 follow-up interviews?

9 A. No, I don't remember.

10 Q. Were you the only one who conducted those  
11 interviews?

12 A. No. They were conducted jointly between  
13 myself and Mr. Vega. We worked as a team.

14 Q. So both of you went and interviewed each  
15 of the people who was interviewed?

16 A. Yes.

17 Q. Did you both take notes?

18 A. As I remember, we switched off. One person  
19 would do the talking and one person would take the notes,  
20 and then we would switch.

21 Q. Did you go to the plant site to do them,  
22 or did you have the people come to Dallas?

23 A. We went to the plant site.

24 Q. Do you remember if you interviewed them  
25 in the same setting as what -- as you had interviewed

1 the people during the '79 survey?

2 A. I believe we brought them individually into  
3 an office to talk with them. It was the same.

4 Q. But that was the same.

5 MR. MIZUNO: Can I request a short restroom  
6 break at this point?

7 MR. ROISMAN: Sure.

8 MR. BELTER: You can request it, but you  
9 won't get it from me.

10 (A short recess was taken.)

11 BY MR. ROISMAN:

12 Q. I believe you-all testified, all of you,  
13 that it was your understanding that your notes were not  
14 going to be retained and you thought that they were going  
15 to be destroyed.

16 Is that correct, Ms. Anderson?

17 BY WITNESS ANDERSON:

18 A. Yes.

19 Q. Ms. Spencer?

20 BY WITNESS SPENCER:

21 A. Yes.

22 Q. Mr. Boren?

23 BY WITNESS BOREN:

24 A. Yes.

25 Q. Do you remember, any of you, why that was

1 going to happen? Why did you believe that was going to  
2 happen?

3 Ms. Anderson, I'm sure --

4 MR. BELTER: Well, is your question --

5 MR. ROISMAN: The reason they were supposed  
6 to be destroyed.

7 MR. BELTER: -- knowing that this was going  
8 to happen, did that affect the way they -- the care they  
9 took in making them, or is it -- I've got a chicken and  
10 egg problem with your question.

11 MR. ROISMAN: Okay. Well, I'm just trying  
12 to -- For right now, I'm just trying to find out what was  
13 the reason, as they understood it, that the notes were  
14 going to be destroyed. Why were the notes going to be  
15 destroyed as opposed to saved or attached to the final  
16 summaries or --

17 MR. BELTER: As opposed to going into it  
18 with the concept that you are creating a permanent record?

19 MR. ROISMAN: Yeah.

20 MR. BELTER: Okay.

21 BY MR. ROISMAN:

22 Q. Ms. Spencer, do you have a recollection  
23 of --

24 BY WITNESS SPENCER:

25 A. Not as to why they were going to be --



1 we expected them to be destroyed, no.

2 Q. Mr. Boren?

3 BY WITNESS BOREN:

4 A. The -- What was supposed to have been  
5 destroyed, and it was from the standpoint of the keeping  
6 anonymous who said what on these interview sheets, was  
7 the cross-reference sheet.

8 Q. Not the interview notes?

9 A. Not the interview notes themselves. The  
10 interview notes, you know, I mean they could be kept, and  
11 if you didn't know who said what and so forth, it would  
12 make no difference.

13 There was no attempt or whatever as far  
14 as I know to ever really destroy those. What was going  
15 to be destroyed was the cross-reference sheets that identified  
16 the code letter at the top to the individual.

17 Q. Ms. Anderson, when you did your --

18 MR. BELTER: Do you have the same question  
19 for her about the understanding of why the notes were to  
20 be destroyed?

21 MR. ROISMAN: You mean do I have it for  
22 Ms. Anderson?

23 MR. BELTER: Yeah. I mean, if she needed  
24 to answer, I don't think she did.

25 WITNESS ANDERSON: I forgot to answer.

1 MR. ROISMAN: I thought she and I had an  
2 understanding that she didn't remember, and I didn't feel  
3 like subjecting her to one more of those. If you want  
4 me to ask her that --

5 MR. BELTER: I'm sorry. I may have missed  
6 it.

7 MR. ROISMAN: -- then I'll do that.

8 WITNESS ANDERSON: I'll answer the question.

9 BY MR. ROISMAN:

10 Q. Good. Okay.

11 A. Okay. No. Basically, the summaries were --  
12 The notes were an attempt just to take down anything and  
13 everything, and the summaries were to document what came  
14 out of those notes. There was no need to keep the notes.

15 Q. So your recollection different from  
16 Mr. Boren's is that the notes themselves as well as the  
17 cross-index sheet were to have been destroyed?

18 A. Yes.

19 Q. When you did the follow-up interviews, I  
20 think you've already testified that those two were done  
21 anonymously; is that correct?

22 A. As best I remember.

23 Q. Right. And do you remember whether a cross-  
24 index sheet was kept for those so that if Mr. Chapman or  
25 Mr. Tolson or Mr. Vega wanted to cross-reference them,

1 they could.

2 A. I don't believe there was, no.

3 Q. Was any attempt made to match up the sample  
4 that you had interviewed with any of the people who had  
5 expressed concerns back in the 1979 interview?

6 A. As far as developing the sample?

7 Q. Well, no, not so much developing it. I  
8 believe you had already testified that it was -- that you  
9 don't know exactly how it was done, but you think it was  
10 at random. No. But, rather, after you got the results  
11 to see have we got a person here who had one set of concerns  
12 in '79 and now has expressed in '80 that they are all gone.  
13 Was there any effort made to do that?

14 A. I don't recall that there was.

15 MR. ROISMAN: Well, subject to looking at  
16 this and wanting to have a chance to ask some subsequent  
17 questions, I have no further questions for this panel at  
18 this time.

19 MR. BELTER: Geary?

20 MR. MIZUNO: Yeah, I have some.

21 MR. ROISMAN: Do you want this?

22 MR. MIZUNO: Before I ask questions, I guess,  
23 from understanding the testimony of the witnesses, these  
24 people are being proffered just to provide information  
25 on how the 42-1, the management review board interviews

1 were conducted, but not to discuss what higher management  
2 did with the results of the interviews.

3 MR. BELTER: That's correct. But there  
4 were some questions asked --

5 MR. MIZUNO: Right.

6 MR. BELTER: -- and answered about what  
7 knowledge they may have had about the response.

8 MR. MIZUNO: And there will be further  
9 witnesses? You will be presenting further evidence on  
10 that later?

11 MR. BELTER: I don't know.

12 MR. MIZUNO: You don't know.

13 MR. ROISMAN: I believe, just so the record  
14 is clear --

15 MR. BELTER: Mr. Tolson testified about  
16 it in his deposition.

17 MR. ROISMAN: That's correct. And you  
18 indicated that Messrs. Vega and Purdy might --

19 MR. BELTER: I indicated Mr. Vega and  
20 Mr. Purdy were basically part of the same panel, Mr. Purdy  
21 to a lesser extent, and we do intend to present testimony  
22 on other subjects from them this week. And I think it  
23 is fair to say if you've got questions of them along the  
24 same lines here, you'd be free to ask it. I don't know  
25 whether I have or not. In all likelihood, it would be



1 cumulative here. It may not.

2 MR. MIZUNO: Okay.

3 CROSS-EXAMINATION

4 BY MR. MIZUNO:

5 Q. Members of the panel, were you told the  
6 reason why these management review board interviews were  
7 being conducted?

8 BY WITNESS ANDERSON:

9 A. I don't remember the specific reasons.

10 BY WITNESS SPENCER:

11 A. As best I recall, there was a newspaper  
12 article or NRC report or something that identified low  
13 morale for plant employees, and in response to that, the  
14 review board performed the interviews to find out if that  
15 was true.

16 Q. Mr. Boren?

17 BY WITNESS BOREN:

18 A. The best I recall, Mr. Tolson wanted to  
19 know was there any problems out there with these QC  
20 inspectors -- He and I were discussing it -- and what  
21 the best way would be to find out if we did have any problems,  
22 morale problems, how deep did they go and these sort of  
23 things, and I suggested this type of arrangement to do it.

24 MR. ROISMAN: Before you go on any further,  
25 it seems to me that that is clear hearsay, and Mr. Tolson

1 has already testified as to why this was done. These witnesses'  
2 understanding of why they thought it was done, I don't  
3 see -- It is either irrelevant or it is hearsay.

4 And you got one question and you got one  
5 answer, and if that's all you've got, we can just go by  
6 it. If this is going to be a line of questions, I'd like  
7 you to explain where you are headed and why it is appropriate.

8 MR. MIZUNO: Okay. I guess I was going  
9 to clarify with Ms. Spencer and Mr. Boren where they received  
10 their knowledge about the purpose of that, and I was going --  
11 I believe that it is relevant to the question as to how  
12 they then went in and actually conducted the interview.

13 I don't know whether there's a line of  
14 questions that I'm going to develop on that.

15 MR. BELTER: Well, why don't you go on to  
16 the next question and see where we wind up?

17 MR. ROISMAN: Well, let's try one more.  
18 It looks to me like you are skating on thin ice.

19 BY MR. MIZUNO:

20 Q. Okay. Ms. Spencer, this discussion -- You  
21 indicated that you believe that the management review board  
22 interviews were a result of some NRC --

23 BY WITNESS SPENCER:

24 A. Report.

25 Q. -- report.

1 Who told you that?

2 A. Who told me that?

3 MR. BELTER: If you recall.

4 BY MR. MIZUNO:

5 Q. Let me take that back.

6 Was this made known to you at the time that  
7 you were told to do these interviews?

8 BY WITNESS SPENCER:

9 A. I don't recall.

10 Q. Do you recall who told you that?

11 A. No, I sure don't, not specifically.

12 Q. Mr. Boren, you indicated that you discussed  
13 the -- I believe you talked about Mr. Tolson and some  
14 discussions with -- Those discussions were with you?

15 BY WITNESS BOREN:

16 A. Mr. Tolson and I?

17 Q. Yes.

18 A. Yes.

19 Q. Okay. Did you have similar discussions  
20 with Mr. Chapman or Mr. Vega regarding the --

21 A. I believe Mr. Tolson -- Either Mr. Tolson  
22 then had discussions with Mr. Chapman, or Mr. Tolson and  
23 myself had discussions with Mr. Chapman. I don't remember.

24 Q. Okay. You don't recall whether you had --

25 A. I did not go in and approach Mr. Chapman

1 with it. It was either with -- By myself, I mean. It  
2 was either with Mr. Tolson, at his suggestion, or either  
3 he himself did it.

4 Q. Okay.

5 A. Mr. Vega was not, I would say, in the  
6 discussions at that point in time, as I recall.

7 Q. Okay. Now, although I might appear to be  
8 asking the same question, it is a slightly different question.

9 Were you told what you were supposed to  
10 do as part of this interview process?

11 A. What do you mean?

12 Q. As far as were you told that you were to --  
13 I take that back.

14 Did anyone tell you whether you were supposed  
15 to merely summarize what the QC inspectors told you, or  
16 were you told to do something else?

17 A. Just that.

18 Q. Just that.

19 And, Ms. Spencer?

20 BY WITNESS SPENCER:

21 A. I don't recall specifically.

22 BY WITNESS ANDERSON:

23 A. I don't recall specifically.

24 Q. Okay.

25

//



1 BY WITNESS BOREN:

2 A. Are you talking about on writing down on  
3 the interview sheets?

4 Q. Right.

5 A. We were just summarizing what the people  
6 told us.

7 Q. Okay. Is that, in fact, what you did?

8 A. Yes.

9 BY WITNESS SPENCER:

10 A. That's what I did, yes.

11 Q. Okay. And --

12 BY WITNESS ANDERSON:

13 A. Yes. That's what I did.

14 Q. Okay. You didn't screen what people were  
15 telling you? In other words, let's suppose someone told  
16 you that they felt there was a problem. You in your mind  
17 did not say, well, I don't think that that's a problem  
18 and then not write it down on the interview sheet. Is  
19 that --

20 BY WITNESS BOREN:

21 A. You know, when you are summarizing -- I  
22 don't know how I can answer that.

23 Q. Okay. Let's say there was a specific  
24 incident which a QC inspector told you about and indicated  
25 that he wanted to bring this out.

1           A.       Okay. No. As I understand, if you're talking  
2 about specific instances, no, not that I recall did I not  
3 write any of those down.

4           Q.       Okay.

5           A.       Okay. If you're talking about just the  
6 general flow of conversation did I capture every thought  
7 that came out and that he said, then, you know, I don't  
8 know.

9           Q.       Okay. Ms. Spencer?

10 BY WITNESS SPENCER:

11           A.       Basically, the same. I mean, I take notes  
12 like you are taking notes. Are you -- Well --

13           Q.       Okay.

14 BY WITNESS ANDERSON:

15           A.       The same thing here. Basically, getting  
16 down the idea of what was said in phrases, words, whatever,  
17 but not an intent to take dictation of every word that's  
18 said.

19           Q.       Okay. Now, I understand that all three  
20 of you participated in actually drafting the summaries  
21 which are contained in -- which are Purdy Exhibit 42-1.  
22 Is that okay?

23 BY WITNESS BOREN:

24           A.       Yes.

25 BY WITNESS ANDERSON:

          A.       Yes.

1 Q. When you were preparing these summaries,  
2 did you use your notes that you -- the notes of the  
3 interviews?

4 BY WITNESS ANDERSON:

5 A. Yes.

6 BY WITNESS BOREN:

7 A. Yes.

8 BY WITNESS SPENCER:

9 A. Uh-huh.

10 Q. Now, from going from the notes to the  
11 summaries, did you perform a screening function? And by  
12 "screening function," again, saying -- looking through  
13 your notes and saying is this -- taking an incident and  
14 saying, well, this is not really a problem and not including  
15 it in your summary.

16 BY WITNESS BOREN:

17 A. I guess you'd have to say yes, to some degree.  
18 You are going from the notes, and I don't know how many  
19 people was in each one of those groups now, but if you  
20 had 50 in a group and you were trying to take and condense  
21 that down to something that management or Mr. Tolson can  
22 understand and do something about. Okay. That was the  
23 purpose for the whole thing. So you were trying to take  
24 that and condense it down into something that would be  
25 meaningful for him, and if you got one guy out there that

1 says, "I don't like to park way back on the back parking  
2 lot" out of 50, then, no, that would not show up in the  
3 summary sheet to Mr. Tolson.

4 MR. ROISMAN: Mr. Mizuno, were you aware  
5 that the Applicant produced the original interview sheets?

6 MR. MIZUNO: No. I have not received those.

7 MR. BELTER: You've got them.

8 MR. ROISMAN: We have them, and I assume  
9 that you have them.

10 MR. MIZUNO: Well, the fact that I have  
11 the original summary sheets does not --

12 MR. ROISMAN: I know.

13 MR. BELTER: You have the interview sheets,  
14 too.

15 MR. MIZUNO: But that's still not important.  
16 I want to --

17 MR. BELTER: I don't have an objection.

18 MR. ROISMAN: No. No. I just wasn't aware  
19 whether you knew that, that they were out there.

20 MR. MIZUNO: No. I don't -- I recall someone  
21 saying in one of these depositions that they had just found  
22 these sheets, the interview notes, and --

23 MR. BELTER: No, Geary. I want to make  
24 the record clear. That didn't occur during the course  
25 of the depositions. It occurred before the depositions.



1 MR. MIZUNO: Well, the first time I heard  
2 about it --

3 MR. BELTER: And I gave copies of all these  
4 interview sheets specifically before these depositions  
5 began because I remember very well building up my forearms  
6 lugging it over to you guys.

7 Excuse me.

8 MR. MIZUNO: It might not have gone to me  
9 personally. I'm just stating that I don't know personally.  
10 I haven't seen them.

11 MR. BELTER: I'm a little bit defensive  
12 about discovery in this case. Forgive me.

13 BY MR. MIZUNO:

14 Q. Okay. Mr. Boren, if someone described to  
15 you an incident and said that they -- Well, let me ask  
16 you something.

17 Did anyone describe to you an incident  
18 and indicate to you that they felt harassed or intimidated  
19 by it?

20 BY WITNESS BOREN:

21 A. Not to the point -- No. I never talked  
22 to anyone that felt like that things that were being said  
23 out from the craft to the QC affected their job and what  
24 they were doing.

25 MR. ROISMAN: This has been asked and

1 answered. It was in the direct. The witnesses have already  
2 answered the question.

3 MR. MIZUNO: Well, I'm getting to a different --

4 BY MR. MIZUNO:

5 Q. Did you --

6 (Pause.)

7 MR. MIZUNO: Let me take a break here. I  
8 want to look something over.

9 MR. BELTER: Have you got much more, Geary?

10 MR. MIZUNO: Well, the problem that I have  
11 is -- Are we off -- Can we go off the record just one second?

12 MR. BELTER: Sure.

13 (Discussion off the record.)

14 MR. BELTER: Back on the record.

15 BY MR. MIZUNO:

16 Q. Did you perform any screening function when  
17 you transferred your -- when you prepared the summary sheets?

18 BY WITNESS SPENCER:

19 A. There was somewhat of a screening. We  
20 summarized a concern. We determined if there were a number  
21 of those concerns. We didn't write each of the concerns  
22 down if they were the same type concern, you know, that  
23 dealt with pay or a concern about pay or something. I  
24 mean, that type of thing was generalized. That's the screen-  
25 ing process, as I recall, that we went through in transferring

1 information from the notes to the summaries.

2 Q. Okay. Ms. Anderson?

3 BY WITNESS ANDERSON:

4 A. That's basically the same screening process  
5 I recall.

6 Q. Okay. Were you told specifically to look  
7 for -- Excuse me. Drop that.

8 In your minds, do you perceive a difference  
9 between the concept of harassment and the concept of  
10 intimidation?

11 BY WITNESS BOREN:

12 A. Who is he asking?

13 Q. All of you.

14 MR. BELTER: Why don't you pick a victim  
15 to start with?

16 WITNESS BOREN: Which one do you want to  
17 start with?

18 Yes. There is a difference to me. Intimida-  
19 tion is worse than harassment.

20 BY MR. MIZUNO:

21 Q. Okay. And what do you mean by "worse"?

22 BY WITNESS BOREN:

23 A. More severe.

24 Q. Okay. Severe in terms of --

25 A. Harassment --

1 Q. -- the action being --

2 A. Harassment is more of an interfering with  
3 you doing your job maybe properly. Intimidation can --  
4 to me, can lead up to threatening. That's what I mean  
5 by more severe.

6 Q. Ms. Spencer?

7 BY WITNESS SPENCER:

8 A. I think the significance of harassment and  
9 intimidation and threats are just that, more significant.  
10 Harassment is the least [unintelligible].

11 THE REPORTER: I'm sorry. I can't hear you.

12 WITNESS SPENCER: I'm sorry.

13 MR. BELTER: Did you get her answer down?

14 THE REPORTER: Not the last few words.

15 MR. BELTER: The last few words of your answer,  
16 Mr. Spencer. I believe you were giving us a one, two, three  
17 in terms of severity.

18 WITNESS SPENCER: The severity would be  
19 harassment is the least severe, moving to intimidation  
20 and threats being the most severe.

21 BY MR. MIZUNO:

22 Q. Okay. Ms. Anderson?

23 BY WITNESS ANDERSON:

24 A. I will agree with that description.

25 Q. Ms. Spencer's?



1 A. Ms. Spencer's, yes.

2 Q. Okay. Okay. Once you prepared all these  
3 summaries contained in 42-1 and you submitted them, were  
4 you responsible for any further assessment of the content,  
5 the concerns which were summarized in 42-1?

6 BY WITNESS ANDERSON:

7 A. What do you mean by "assessment"? I'm not  
8 sure I understand the question.

9 Q. Okay. The concerns which were expressed  
10 in 42-1 --

11 A. Right.

12 Q. Okay. Once you had finally finished  
13 compiling these and you had submitted them to higher manage-  
14 ment, were you consulted or did you participate in any  
15 further action with regards to 42-1?

16 A. As I stated, I participated in some follow-  
17 up activities.

18 Q. That was it?

19 A. Specifically, yes.

20 Q. Okay.

21 A. There may have been discussions in general  
22 within the QA organization about actions taken, but I don't  
23 remember those specifically.

24 Q. Do you recall being in any meetings in which  
25 you presented the results of 42-1 and gave your interpretation

1 of what it all meant?

2 A. I don't recall such a meeting.

3 Q. Ms. Spencer, the same question.

4 BY WITNESS SPENCER:

5 A. I don't recall.

6 Q. Mr. Boren?

7 BY WITNESS BOREN:

8 A. What was the question?

9 Q. Okay. The question is: Once you had finished  
10 compiling the summaries in Purdy 42-1 --

11 A. Okay.

12 Q. -- and had submitted it --

13 A. Yes.

14 Q. -- did you participate in any further follow-  
15 up action with regards to the concerns which were expressed  
16 in the document?

17 A. No.

18 Q. Do you recall participating in any meeting  
19 or conversation in which you explained the concerns that  
20 were identified in 42-1 and gave your assessment of this  
21 document?

22 A. Yes.

23 Q. And who was that with?

24 A. It was with our upper management.

25 Q. Can you recall any specific persons?

1           A.       Mr. Bob Gary and Lew Fikar.  
2                    You want to spell it for her?

3 BY WITNESS SPENCER:

4           A.       F-i-k-a-r.

5           Q.       This was in a face-to-face meeting with  
6 these gentlemen?

7 BY WITNESS BOREN:

8           A.       Yes. They -- You know, they were sitting  
9 on one side of the table and I'm sitting on the other.

10          Q.       Okay.

11          A.       We had those documents, and we presented  
12 the summary of the entire package on what we had found.

13          Q.       Okay. You said "we presented the summary."  
14 Who were those other people?

15          A.       I believe Mr. Vega was there. Mr. Chapman  
16 was also there.

17          Q.       Okay. Did you have any discussions prior  
18 to this meeting with Mr. Vega or Mr. Chapman concerning  
19 42-1?

20          A.       About what?

21          Q.       Just about what I'm just saying.

22          A.       I mean, we discussed it, I guess, but that's,  
23 you know -- They had copies of it by that time.

24          Q.       Okay. Once they received copies --

25          A.       Mr. Vega, obviously, his name is signed

1 to it, and Mr. Chapman received a copy of it.

2 Q. Yes. I'm not asking you whether they received  
3 a copy or not, though.

4 A. Okay.

5 Q. The question is whether you spoke with  
6 Mr. Chapman or Mr. Vega prior to this meeting with  
7 Mr. Fikar and Mr. Gary --

8 A. Mr. Vega --

9 Q. -- the subject of those meetings or  
10 conversations being 42-1.

11 A. Mr. Vega participated with me in the  
12 presentation of this document.

13 Am I -- What is his question, Len? I don't  
14 understand, I guess.

15 MR. BELTER: Yeah. If you don't understand  
16 the question, then don't answer it. Okay? Just say you  
17 don't understand.

18 WITNESS BOREN: I'm trying to answer the  
19 question, but maybe I don't -- From the look on your face,  
20 somewhere I'm missing something.

21 MR. BELTER: When you said "your face,"  
22 are you looking at Mr. Mizuno?

23 WITNESS BOREN: Yes.

24 MR. BELTER: Thank you. I hope I don't  
25 have a quizzical look on my face.



1                   Geary, are you trying to get from him was  
2 there a preparation session before they went into the meeting  
3 with --

4                   MR. MIZUNO: Yes.

5                   MR. BELTER: Well, why don't you ask that?

6                   MR. MIZUNO: I don't have to use those --  
7 I just asked a meeting --

8                   MR. BELTER: Oh.

9                   MR. MIZUNO: -- or a conversation. What  
10 could be clearer? Do I have to use --

11                   MR. BELTER: People talk to each other every  
12 day about a hundred things. That's where you're confusing  
13 him. You've got to make it a specific question or he doesn't  
14 understand it.

15                   Mr. Boren, if you don't understand a question,  
16 just don't answer it and say you don't understand it.

17                   WITNESS BOREN: No. I --

18                   MR. MIZUNO: I think that's a fairly clear  
19 question, did you have a meeting or a conversation --

20                   MR. BELTER: This man has obviously had  
21 probably 20 or 30 meetings --

22                   MR. MIZUNO: He can say that.

23                   MR. BELTER: -- and 10 years ago he had  
24 meetings, Geary. You've got to direct his attention to  
25 a specific time and ask a specific question.

1 MR. MIZUNO: I asked him a specific time,  
2 prior to the meeting --

3 MR. BELTER: Ask your question again. Just  
4 ask it.

5 MR. MIZUNO: -- with Mr. Gary and Mr. Fikar.  
6 If there were many meetings, he can say so, and we can  
7 talk about each of those or --

8 MR. BELTER: Ask a question.

9 MR. ROISMAN: Can I just have a clarification?  
10 I thought you had testified that the people  
11 there were Mr. Gary, Mr. Fikar and Mr. Clements.

12 WITNESS BOREN: No.

13 MR. BELTER: No. Clements was not onboard  
14 then.

15 MR. ROISMAN: Okay.

16 WITNESS SPENCER: I think he said Chapman.

17 MR. BELTER: Chapman.

18 WITNESS BOREN: I said -- We were talking  
19 about upper management --

20 MR. ROISMAN: Who was present at the meeting.

21 WITNESS BOREN: -- at the meeting, and that  
22 was Mr. Gary and Mr. Fikar, as I recall. And then he  
23 asked me something about who else was at the meeting --

24 MR. ROISMAN: That's fine. I just wanted  
25 to get my notes straight. I don't want to interrupt.

1 I'm sorry.

2 WITNESS BOREN: Whoever it was, Chapman  
3 and Vega.

4 We did not have any other meetings. This  
5 meeting -- Other than that one, as far as I recall, that  
6 was the one and only meeting to let them know because they  
7 wanted to keep informed on everything at Comanche Peak  
8 and what we found on this.

9 BY MR. MIZUNO:

10 Q. Okay. You're saying you had no other  
11 meetings, meaning no other meetings with Mr. Vega or  
12 Mr. Chapman?

13 BY WITNESS BOREN:

14 A. Not that I recall.

15 Q. Okay. Do you recall any conversations that  
16 you had with Mr. Vega and Chapman prior to this meeting  
17 with Mr. Fikar and Mr. Gary on 42-1?

18 A. (Motioned negatively.)

19 Q. You don't recall talking with them at all  
20 prior to going to this meeting with Mr. Fikar and Mr. --

21 A. Mr. Vega and I might have sat down and gone  
22 over, you know, he was going to present this part and I  
23 was going to present that or something like that, but that  
24 was -- But Mr. Chapman wasn't involved with any of those,  
25 as I recall.

1 Q. Okay. Once you -- Once you had the meeting  
2 with Mr. Fikar and Mr. Gary, did you have any further  
3 discussions, either conversations or additional meetings,  
4 with Mr. Chapman or Mr. Vega on 42-1?

5 A. You mean --

6 Q. After the meeting.

7 A. No, not that I recall.

8 Q. Did you have any further meetings on 42-1  
9 with Mr. Gary and Mr. Fikar, subsequent meetings?

10 A. No.

11 Q. Okay. At this meeting that you attended  
12 with Mr. Fikar and Mr. Gary, were you -- What did you say  
13 at that meeting, or can you summarize what you said?

14 A. We essentially took those sheets and high-  
15 lighted those, the items on those sheets that fell  
16 consistent problems between groups -- Okay? Are you with  
17 me?

18 You're confused.

19 Q. No. No. I'm listening.

20 A. Okay. And I put those on an opaque projector,  
21 flashed them up on the wall, and we went through them.

22 Q. Okay. I take it that not every concern  
23 that was listed in the 42-1 was flashed on the wall on  
24 an opaque projector.

25 A. No.



1 Q. Now, were you the person that selected which  
2 things you felt should be highlighted?

3 A. Mr. Vega, I think I said, and I probably  
4 got together, as I recall, beforehand and went through  
5 the thing and made the selection.

6 Q. Okay.

7 A. It was primarily trying to give a representa-  
8 tion as to what that was on the whole QC, not QC concrete  
9 or QC electrical but QC. So we tried to look at it from  
10 an overview standpoint of the entire group.

11 Q. Okay. Did you present concerns just  
12 generally, or did you talk about concerns in specific  
13 disciplines such as electrical QC inspectors have these  
14 concerns and welding QC inspectors have these concerns?

15 A. No. I said that most of the things that  
16 we were presenting to him may be across-the-board. They  
17 may be in more than one discipline.

18 Q. Okay.

19 A. Okay. We did not get down and talk about --  
20 I'm talking about generally. Now, I can't remember what  
21 all was said exactly five years ago in this meeting, but  
22 generally we were talking about, you know, here is this  
23 concern and, you know, it was in three out of the 12  
24 disciplines or whatever.

25 Q. At the time that you had this meeting

1 where you presented your concerns -- I'm sorry -- presented  
2 the concerns which were identified in 42-1, your summary,  
3 did you personally perceive that there was an across-the-  
4 board problem with intimidation and harassment of QC  
5 inspectors at Comanche Peak?

6 A. No.

7 Q. Did Mr. Vega convey to you his -- any opinion  
8 as to whether he felt that the results of 42-1 suggested  
9 in his mind a problem with harassment and intimidation  
10 at Comanche Peak?

11 A. Not as far as I'm aware.

12 Q. What was -- Why did you believe at that  
13 time that there was no concern with intimidation and harass-  
14 ment of QC inspectors at Comanche Peak? And I mean "at  
15 that time" meaning the time that you presented the results  
16 of Purdy 42-1 to Mr. Gary and Mr. Fikar.

17 A. We just hadn't heard really that much evidence  
18 on it or any evidence from the however many numbers of  
19 people that had been interviewed during this entire process  
20 to warrant us thinking along those lines. I think there  
21 was one out of however many hundreds there were.

22 Q. Did you express your opinion in that regard  
23 to the participants at the meeting; in other words,  
24 Mr. Fikar and Mr. Gary, or was it just something which  
25 you had formed in your mind but had not said in a meeting?

1 A. What do you mean?

2 Q. Okay. You had come to a conclusion that  
3 there was not a problem with intimidation or harassment  
4 of QC inspectors --

5 A. Yes.

6 Q. -- at Comanche Peak based upon the --

7 A. Did I express that to them?

8 Q. Yes.

9 A. I don't recall.

10 Q. You don't recall. Okay.

11 Do you recall whether Mr. Vega expressed  
12 his conclusion that he didn't think there was intimidation  
13 or harassment?

14 A. I don't recall.

15 Q. Okay. I have a few more questions on the  
16 42-1 interview process.

17 Where were the interviews conducted? Can  
18 you identify a building?

19 A. They were conducted in rooms in what was  
20 considered -- I have to have some help.

21 What building, the general --

22 BY WITNESS SPENCER:

23 A. Admin, construction admin.

24 BY WITNESS BOREN:

25 A. Construction building, main construction

1 building at that time.

2 Q. Could -- Would people coming to be interviewed  
3 have to pass the doors of any, I guess, higher management,  
4 construction management or utility management?

5 A. Not that I know of.

6 BY WITNESS ANDERSON:

7 A. The offices change out there every week.  
8 I don't recall the setup.

9 Q. Okay.

10 A. They do.

11 Q. These interviews were conducted one-on-  
12 one?

13 A. No. There were two people.

14 BY WITNESS BOREN:

15 A. Two on one.

16 Q. Two on one. Okay.

17 What process was used to bring the QC  
18 inspectors into the building?

19 MR. BELTER: Geary, I'm going to object  
20 to the relevance of it, and let me explain it a little  
21 bit.

22 If we're talking about people being, you  
23 know, kept confidential, the problem I'm having with your  
24 question is that every single QC was called in. So there  
25 wouldn't be any point in hiding them from -- hiding from



1 anyone else the fact that they were being called in  
2 when they all were called in. What was kept confidential  
3 was the key, who said what. Okay?

4 MR. MIZUNO: Well --

5 MR. BELTER: I mean if they had all been  
6 conducted in public in front of a thousand people it wouldn't  
7 have made any difference as long as you didn't know what  
8 was put down on the sheet and coded with who.

9 MR. MIZUNO: Well, let me ask a question,  
10 then.

11 BY MR. MIZUNO:

12 Q. Were the QC inspectors told ahead of time  
13 that everyone would be participating in these -- the manage-  
14 ment review board interviews?

15 BY WITNESS ANDERSON:

16 A. I believe so.

17 BY WITNESS BOREN:

18 A. I believe they were, yes. They were told  
19 that this was going to be going on and that everybody would  
20 have, you know, time with the interviewees and that they  
21 were from Dallas.

22 MR. MIZUNO: Okay. On that basis, then,  
23 that's fine. I will drop that line of questioning.

24 BY MR. MIZUNO:

25 Q. Okay. Ms. Anderson, I guess my remaining

1 questions will be addressed to you, and these are with  
2 regards to the follow-up on 42-1. I won't call it the  
3 TCP-7 follow-up.

4 BY WITNESS ANDERSON:

5 A. Okay.

6 Q. Were these -- Where were these interviews  
7 held?

8 MR. BELTER: You've already asked and --  
9 That's been asked and answered.

10 MR. MIZUNO: No. This is --

11 MR. BELTER: I'm sure it was in Mr. Roisman's,  
12 but go ahead and answer.

13 WITNESS ANDERSON: They were conducted in  
14 offices in the construction administration building.

15 BY MR. MIZUNO:

16 Q. Okay. And you didn't interview all the  
17 QC inspectors. They were a sample.

18 BY WITNESS ANDERSON:

19 A. Correct.

20 Q. Okay. What method was used to bring the  
21 QC inspectors into the building for the interviews?

22 A. I don't recall.

23 Q. Okay. Were you the only one conducting  
24 the interviews?

25 A. No. Mr. Vega and I conducted them together.

1 Q. Okay. Other than you and Mr. Vega, there  
2 was no one else conducting a separate set of interviews  
3 for the follow-up?

4 A. No. We were the only two.

5 Q. Okay. Were the QC inspectors told ahead  
6 of time of your audit?

7 A. I don't know.

8 Q. Okay. Once you had finished preparing the  
9 results of the follow-up, in other words, prepared the  
10 document that we're calling Anderson 1 --

11 MR. BELTER: We're calling it now Anderson  
12 Panel Exhibit 1.

13 BY MR. MIZUNO:

14 Q. -- Anderson Panel 1, did you have any further --  
15 Did you participate in any further actions with regards  
16 to following up on the audit?

17 BY WITNESS ANDERSON:

18 A. I don't recall. I may have reviewed  
19 additional information or responses as part of the audit  
20 process, but, specifically, I don't remember.

21 Q. Do you recall having any meetings or conversa-  
22 tions with anyone regarding what you had -- what you and  
23 Mr. Vega had found in your follow-up?

24 A. Oh, I'm certain we had conversations with  
25 probably Mr. Chapman, Mr. Tolson and various other

1 individuals in the QA department.

2 Q. Okay. Is it fair to say that the results  
3 as -- I guess, the discussion as contained on the office  
4 memorandum for this audit represents your view as well  
5 as Mr. Vega's?

6 A. Yes, that's fair to say.

7 Q. Okay. I assume these interviews were  
8 confidential or anonymous interviews with the QC inspectors.

9 A. To the best of my recollection, they were.

10 MR. MIZUNO: Okay. I guess I don't have  
11 any more questions.

12 MR. BELTER: Tony, do you have any further  
13 cross as a result?

14 MR. ROISMAN: As a result of Geary's  
15 questions, I have just a clarification.

16 FURTHER CROSS-EXAMINATION

17 BY MR. ROISMAN:

18 Q. And I think this is clear, Mr. Boren.

19 When you did the projections at the meeting  
20 you had with Mr. Fikar and Mr. Gary, you were only attempt-  
21 ing to highlight for them those problems that were in at  
22 least two or more of the areas and not to give them  
23 problems that showed up only in one area.

24 Was that your testimony, that that's what  
25 you were projecting for them?



1 BY WITNESS BOREN:

2 A. That's -- You know, we were trying to give  
3 them an overview, if you will, of the whole thing, you  
4 know. Now, you can go through and you can say, "Okay.  
5 We've got 10 different QC groups," and I don't know how  
6 many. But let's say we've got 10. We've got problems,  
7 the same type of problem, in four of these. So that would  
8 definitely be one that we would have in this overview picture  
9 that we would have highlighted.

10 If we had two, you know, it would depend.  
11 We would take a look at it and maybe say, you know, what  
12 is it. If it was something that two of the groups felt  
13 like that they were being asked to contribute too much  
14 to the United Way Fund or something, that's not something  
15 that Mr. Gary and Mr. Fikar would care about. First of  
16 all, it was with Brown & Root. So it was nothing they  
17 had control over.

18 Q. I understand.

19 A. So that's what I'm trying to say.

20 On the other hand, if there's one out here  
21 that was in one group that represented a large group  
22 that had one problem and if we felt like that, you know,  
23 was a significant item, it may be in there, too, or it  
24 may have been presented --

25 Q. Well, can you remember whether the -- Looking

1 at the QC electrical personnel group in that paragraph  
2 number two that Ms. Spencer and I discussed, the one that  
3 elicited the comment regarding the one person who was  
4 physically grabbed by the collar, can you remember whether  
5 that was one of them that was highlighted?

6 A. I cannot tell you for sure. You know, that's  
7 been five years ago, and it was done by Mr. Vega and myself  
8 in, you know, one afternoon and presented the next morning.

9 MR. ROISMAN: Okay. Nothing further.

10 MR. BELTER: Shall we take a break now  
11 and I'll get redirect, and if you want to look at the document  
12 if you have --

13 MR. ROISMAN: Okay. How long? Can we break  
14 for -- I'd like 30 minutes with it, if that's not unreason-  
15 able.

16 MR. BELTER: That's fine.

17 (A short recess was taken.)

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

19 Mr. Roisman.

20 MR. ROISMAN: All right. I have brought  
21 into the room a pile approximately four inches high that  
22 consists of what appear to be QC personnel interview sheets,  
23 and I believe that these are some, but not all, of the  
24 actual QC personnel interview sheets that were used in  
25 the interviews that make up the basis for the summary

1 that has been marked as Purdy Exhibit 42-1.

2 And I would like to have the pile, as such,  
3 marked as an exhibit, and let's call it Boren Exhibit 1.

4 I will then make an index of what the numbers  
5 are as noted on the sheets. There's a code. For instance,  
6 the one on top of my pile is G-9 and the next one is I-1  
7 and the one after that is K-9. And we'll keep this pile  
8 intact in this form and give the reporter the index to  
9 attach to the back.

10 And I'm going to ask some questions of the  
11 witnesses about these QC personnel interview sheets, and  
12 I believe that they are admissible through these witnesses.

13 I believe that Mr. Belter believes they  
14 are not, and so because we do not intend at any point to  
15 physically attach this to the many copies of the transcript  
16 that the reporter would be making, we will simply make  
17 our arguments about their admissibility at this point and  
18 let the Board resolve the question of admissibility at  
19 the time of the hearing. The index will, however, identify  
20 what it is that we are offering, which is by everyone's  
21 agreement a sub-set of all the actual interviews conducted.

22 MR. BELTER: Well, I can't object or not  
23 object to your index until I see it.

24 MR. ROISMAN: I understand.

25 MR. BELTER: I do understand and I do agree



1 with you, Mr. Roisman, that what you have, based upon a  
2 quick review of it, appears to be some of the interview  
3 sheets that we provided to you. It is my understanding  
4 that we made available to you all that exists and that  
5 you requested copies of some, but not all, of the interview  
6 sheets.

7 My position, of course, is that the sheets  
8 themselves are not admissible. They are not competent  
9 evidence. They are hearsay, and they contain double and  
10 triple hearsay within them.

11 I'll leave it at that. You haven't offered  
12 it into evidence yet.

13 MR. ROISMAN: No. That's right. I'm going  
14 to ask some questions about it, and then I will make the  
15 formal offer, and you can either reiterate or not reiterate  
16 that statement of your objection.

17 MR. BELTER: I think your offer should await  
18 questions and the use of either some or all of these  
19 documents.

20 MR. ROISMAN: Okay. All right. That is  
21 fine.

22 What I would like to do is to take -- First  
23 of all, Ms. Reporter, would you just put your little sticker  
24 up there.

25 //



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

4 Okay. And let the record show that the  
5 Boren Exhibit 1 sticker appears on the first page of the  
6 QC personnel interview with code G-9 on it, and I am going  
7 to take that one off and ask you, Ms. Anderson, and then  
8 you, Ms. Spencer, and then you, Mr. Boren, to take a look  
9 at that. I'm going to ask you a few questions about it  
10 and not about the details of what is written there, but,  
11 rather, as to whether it is, in fact, the type of interview  
12 sheet that you filled out and maybe one of you actually  
13 filled that one out.

14 MR. BELTER: You don't mind if I look at  
15 it, do you?

16 MR. ROISMAN: Well, if you'll be quick about  
17 it.

18 MR. BELTER: Well, how many of these are  
19 we going to go through?

20 MR. ROISMAN: I'm not going to go through  
21 very many at all unless you want to make me go through  
22 that.

23 If you are willing to stipulate that whatever  
24 they say about this one, other than that they filled it  
25 out if one of them happens to have filled it out, is true

1 as to all of them, then we don't have to go through them.

2 MR. BELTER: Well, let's go through your  
3 questions.

4 MR. ROISMAN: Okay.

5 MR. BELTER: See where we come out.

6 WITNESS SPENCER: What is your questions  
7 now with regard to this?

8 BY MR. ROISMAN:

9 Q. Well, first, I just wanted you to look at  
10 it and see if you recognize it as the form that you used  
11 in getting answers when you did your personnel interviews.

12 BY WITNESS SPENCER:

13 A. Uh-huh. That's it.

14 Q. Mr. Boren?

15 BY WITNESS BOREN:

16 A. Yes.

17 Q. Okay. Ms. Anderson?

18 BY WITNESS ANDERSON:

19 A. Yes.

20 Q. Okay. All right. Now, in the preparation  
21 of these QC personnel interviews, did you always use the  
22 form that's shown here as code G-9? Was this the form  
23 that you used for all of them?

24 MR. BELTER: By the form, you mean the type-  
25 written portion of it?

1 BY MR. ROISMAN:

2 Q. The typewritten portion of it, correct.

3 BY WITNESS BOREN:

4 A. Yes.

5 BY WITNESS ANDERSON:

6 A. To the best of my recollection.

7 Q. Ms. Spencer?

8 BY WITNESS SPENCER:

9 A. It looks like it, yeah, to the best of my  
10 recollection.

11 Q. Okay. And was this form prepared by any  
12 one of you personally, the actual form?

13 BY WITNESS BOREN:

14 A. I contributed.

15 Q. You did, Mr. Boren. And who else contributed  
16 to the preparation of the form?

17 A. I believe Mr. Vega. Mr. Tolson might have  
18 had some input on it. Mr. Chapman probably had some input  
19 on it.

20 Q. All prepared by people in-house at TUGCO?

21 A. Yeah.

22 Q. And in the preparation of this, how did  
23 you make the selection of the particular questions that  
24 you would put on the form?

25 A. We just tried to get a list of questions

1 that we felt would get the people to talking about their  
2 jobs and the problems with their job, if they had any with  
3 their jobs, and asking them direct questions in some cases to  
4 try to get as much information about any problems that  
5 they had.

6 Q. Okay. Now, Ms. Anderson, when you used  
7 the QC personnel interview form, did you ask each of the  
8 questions on the form of the people, or did the other person  
9 in the interview ask each of the questions on the form  
10 of the person you were interviewing?

11 BY WITNESS ANDERSON:

12 A. Yes.

13 Q. And what was the procedure that you followed  
14 as you heard the answer?

15 A. As we heard the answer, we would converse  
16 about it, ask different questions, depending on what the  
17 statement that they made was, you know, further questions,  
18 getting more details, you know, talking about it.

19 Q. And were you making a genuine effort to  
20 write down as best as you could an accurate, but not a  
21 verbatim, statement of what the person was telling you?

22 A. Yes.

23 Q. Ms. Spencer, is your answer to those questions  
24 the same as Ms. Anderson's?

25 //



1 BY WITNESS SPENCER:

2 A. Yes, it is.

3 Q. And yours, Mr. Boren?

4 BY WITNESS BOREN:

5 A. Yes.

6 MR. ROISMAN: Okay. I'm going to offer  
7 them. I believe that they are a formalized document used  
8 in the normal course of business of the Applicant. They  
9 were used consistently in a course of interviews. They  
10 were used in a consistent way in the course of interviews.  
11 And I offer them for the purpose of the demonstration of  
12 what the people who were doing the interviews perceived  
13 the people who they were interviewing were telling them;  
14 that is, it represents a sub-group of management's perception  
15 of what, if any, problems existed at the plant with regard  
16 to QC personnel as identified on these forms.

17 MR. BELTER: You're contending that the  
18 sub-group of management is, in effect, the management review  
19 board --

20 MR. ROISMAN: Correct.

21 MR. BELTER: -- represented here as the  
22 panel.

23 MR. ROISMAN: Well --

24 MR. BELTER: First of all, let me get it  
25 clear. You are certainly not contending that, number one,

1 what is shown on the sheets is a verbatim of what the  
2 persons --

3 MR. ROISMAN: No. The testimony is already  
4 to the contrary.

5 MR. BELTER: And you are not contending  
6 that what is shown on the sheets is competent evidence  
7 to indicate that what is stated on the sheets actually  
8 happened.

9 MR. ROISMAN: I believe that there is an  
10 argument to be made that it is, but I am not at this point  
11 making that argument. All I am making the argument is  
12 that this represents an accurate description of the management  
13 review board's perception of what QC personnel believed  
14 their problems were in the areas identified in the form --

15 MR. BELTER: I don't --

16 MR. ROISMAN: -- and that that, in turn,  
17 was passed on through the summary sheets into higher levels  
18 of management.

19 MR. BELTER: I don't believe that the record  
20 supports that. I think the record supports the management  
21 review board put it all together in the summaries, and  
22 I would not object to the summaries on that same basis.  
23 But I would object to the admissibility of these documents,  
24 first of all, on the grounds that they are hearsay. To  
25 the extent that they say anything intelligible, they

1 are hearsay.

2           They are not only hearsay in the sense that  
3 the person taking down the notes was only attempting to  
4 take rough notes, not verbatim notes, of what the person  
5 being interviewed was relating to them, but the person  
6 being interviewed was also being asked -- As they indicated,  
7 hearsay was elicited during the course of the interview.  
8 What have you heard? Tell me anything that you have heard  
9 were taken down here.

10           So you've got double, triple, even farther  
11 type hearsay involved here.

12           On that basis, I think these things are  
13 not competent evidence and are not admissible.

14           MR. ROISMAN: All right. Let me --

15           MR. BELTER: You can go ahead.

16           MR. ROISMAN: Yeah. Let me just clarify  
17 it because we may be talking about two different things.

18           At this point what I'm offering it for  
19 is I'm offering it to establish what it was that management  
20 knew its QC people were telling the management review board  
21 interviewers.

22           MR. BELTER: No. You haven't established  
23 that yet unless you say that management is the interviewers.

24           MR. ROISMAN: Well, this is --

25           MR. BELTER: Are you intending --

1 MR. ROISMAN: -- a management review board  
2 set up by two undeniably management people and made up  
3 of the head of QA Audit at the time, the -- Well, Purdy  
4 was new on the site then. So I don't know what his role  
5 was. But that it represents a legitimate extension of  
6 management and that the interview sheets represent the  
7 information that they gathered.

8 MR. BELTER: The interview sheets represent  
9 exactly what they have described that it was, rough notes  
10 of what happened during the interview.

11 MR. ROISMAN: Well, I think they were a  
12 little more --

13 MR. BELTER: Sheets that they understood --

14 MR. ROISMAN: During your direct, I think  
15 they were a little bit better than rough notes. They were  
16 less than verbatim.

17 MR. BELTER: Let me finish.

18 Sheets that they understood were to be  
19 destroyed. Okay? Put together --

20 MR. ROISMAN: Not all of them. Mr. Boren  
21 said only the tally sheet was to be destroyed, the key.  
22 He did not believe that these were to be destroyed.

23 MR. BELTER: Whatever. Rough notes.

24 MR. ROISMAN: Ms. Anderson and Ms. Spencer  
25 have said that.



1 MR. BELTER: Geary.

2 MR. MIZUNO: The Staff agrees with the  
3 Intervenor that there's no hearsay problem here. The  
4 Intervenors are not offering the statements for proving  
5 the truth of the concerns or the particular words which  
6 are presented in the statements. I don't think there is  
7 any hearsay problem.

8 If there is a problem with the accuracy  
9 of these notes, then there is a problem with the accuracy  
10 of the report upon which it is based upon. I think my  
11 cross-examination was sufficient to show that the witnesses  
12 believe that these notes were an accurate summary of what  
13 was told to them by the QC inspectors.

14 MR. BELTER: All right.

15 MR. ROISMAN: Okay. I think we have  
16 articulated our positions on the record.

17 I don't have any additional questions to  
18 ask the witnesses about these at this point, but the offer  
19 has been made, and at a later date we will argue about  
20 that. I just want to be clear --

21 MR. BELTER: Now, when are you going to  
22 give us the index of the sheets that you've got there  
23 because I don't know what is in --

24 MR. ROISMAN: Okay. I'm going to go back  
25 this evening. I'm going to write up -- I don't have

1 available any secretarial typing, but I will write up and  
2 it will be fairly clear just a listing of the code letters  
3 that are on this pile.

4 And all we're doing is we're agreeing that  
5 for convenience the coded sheet will be the equivalent  
6 as though we had physically attached this as an offered  
7 exhibit to the transcript of this deposition to be ruled  
8 upon its admissibility at a later date.

9 MR. BELTER: You can take that up at the  
10 next deposition once we see the index, and I will agree  
11 that -- give me a chance to do a quick check -- that you've  
12 made an accurate index.

13 MR. ROISMAN: Okay. That's fine. I'll  
14 bring the pile back so that it can -- and either you or  
15 Mr. Mizuno can review the pile against the index and make  
16 sure that the pile is still the pile. If there's a concern,  
17 we could now count and get a count.

18 MR. BELTER: I'm not going to ask that.

19 MR. MIZUNO: My concern is just that I haven't  
20 seen these at all, and even though it was represented by  
21 Applicant's counsel that they were provided to the Staff,  
22 I would like to go through our stuff and pull it out just  
23 so that I'll have something to refer to.

24 MR. ROISMAN: All right.

25 MR. MIZUNO: Make sure I have a complete

1 set for the Staff.

2 MR. ROISMAN: All right. It may be quite  
3 possible, and I don't want to -- I don't want to mislead  
4 anyone. It may be quite possible that this is even a differ-  
5 ent pile than the pile which CASE received from Ms. Spencer  
6 through the document production process; that is, that  
7 there are one or two or five or ten that were in that pile  
8 that aren't --

9 MR. BELTER: That you've already weeded  
10 out.

11 MR. ROISMAN: -- that aren't in this pile  
12 that if they are out, they are out inadvertently. I had  
13 Ms. Garde check the notes that we had that accompanied  
14 this pile. This is the pile that we got. We've shifted  
15 it and moved it around and banded it differently, but it  
16 is the same pile.

17 But I can't attest on my own personal knowledge  
18 that it is the same.

19 MR. BELTER: Can we call it the pile?

20 MR. ROISMAN: We can call it the pile, absolute-  
21 ly. It may be known as the pile.

22 WITNESS BOREN: Can we call that Pile No. 1  
23 instead of Boren No. 1?

24 MR. ROISMAN: We cannot do that, Mr. Boren.  
25 This is going to be Boren's pile, whether you like it or not.

1 MR. BELTER: All right. Are you finished with  
2 your --

3 MR. ROISMAN: I'm finished with Boren's  
4 pile for now, and I will have that list for tomorrow morning.

5 Now, during the recess, which was approxi-  
6 mately 45 minutes, I have had an opportunity to review  
7 Anderson Exhibit -- Panel Anderson Exhibit 1 and now have  
8 some questions for Ms. Anderson with respect to this document,  
9 and let me just be clear.

10 BY MR. ROISMAN:

11 Q. Ms. Anderson, you were one of the co-authors  
12 of this document that has been marked as Panel Anderson  
13 Exhibit 1, correct?

14 BY WITNESS ANDERSON:

15 A. Correct.

16 Q. And, Ms. Spencer and Mr. Boren, you have  
17 no direct personal knowledge of this document at all; is  
18 that correct?

19 BY WITNESS BOREN:

20 A. Correct.

21 BY WITNESS SPENCER:

22 A. Correct.

23 Q. All right. I just want to make sure I'm  
24 asking the right person the questions.

25 Ms. Spencer -- Excuse me.



1 Ms. Anderson -- Let the record show it is  
2 7:30 p.m.

3 In conducting the interviews which form  
4 the basis for the statements contained in Panel Anderson  
5 Exhibit 1, did you attempt to find from the people who  
6 you interviewed all the problems that they perceived existed  
7 in the QC program at Comanche Peak in the same way in which  
8 you attempted when you did the survey, 1979 survey  
9 interviews?

10 BY WITNESS ANDERSON:

11 A. To the best of my recollection, yes. We  
12 did not limit it to just specific problems. It was any  
13 concerns that they had, whether they had previously been  
14 identified or were new ones.

15 Q. But as I remember your testimony is, you  
16 can't remember whether you used, in fact, the same interview  
17 form that we just marked as Boren Exhibit 1; is that correct?

18 A. I can't remember if it was that exact same  
19 form, no.

20 Q. All right. But you do remember that it  
21 was your intent to get at all the problems through the  
22 interview in the same way that the original survey was  
23 to have done.

24 A. Yes.

25 Q. All right. In the first paragraph of

1 Panel Anderson Exhibit 1 the statement appears, "The  
2 questions involved problems that were identified during  
3 the original interviews conducted during September and  
4 October, 1979."

5 Does that provide you with any further  
6 recollection of whether, in fact, the questionnaire that  
7 you used for the interviews identified in Panel Anderson  
8 Exhibit 1 were more selective than the general question  
9 that we've just been talking about?

10 A. I don't recall.

11 Q. In the preceding sentence, it indicates,  
12 "Included were personnel from," and then there's several  
13 different groups listed.

14 Is it correct that that is a sub-set of  
15 all the groups that were interviewed in the original 1979  
16 survey?

17 A. I'm sorry. I don't quite understand.

18 Q. In the sentence that's the second sentence  
19 of the first paragraph of the document, it says, "Included  
20 were personnel from the electrical, mechanical, QA vault,  
21 QA records, and quality engineering groups."

22 My question to you is: Is it the case that  
23 that represents a sub-set of all the groups that were  
24 originally interviewed for the September/October, '79 survey?

25 A. It is a sub-set, yes.

1 Q. And were there personnel interviewed from  
2 any other groups for purposes of preparing the follow-  
3 up TCP-7 audit?

4 A. There may have been. I don't recall.

5 Q. In the last sentence of the first paragraph  
6 where it says, "The questions involved problems that were  
7 identified during the original interviews," do you remember  
8 whether the questions attempted to involve all the problems  
9 that were identified during the original interviews or  
10 only some of them?

11 A. I don't recall.

12 Q. In the first sentence of the next paragraph  
13 you say, "On the whole, the morale of the quality control  
14 personnel has greatly improved."

15 To the best of your recollection, what is  
16 the basis for that statement?

17 A. The basis was that the interviews and talking  
18 with people and discussing problems and asking questions  
19 on what kind of problems they may have had and, you know,  
20 determining that there was -- that certain areas there  
21 had been improvements and there were a lesser number of  
22 problems and things of this nature. We felt there had  
23 been improvement, a lot of improvement since the previous  
24 interviews.

25 Q. Do you remember whether you asked them

1 specifically whether your morale is improved?

2 A. I don't know that we asked them that specific  
3 question.

4 Q. Do you remember whether you asked them a  
5 question such as appeared in the original interview under  
6 "System Adequacy Question 1," looking now at code sheet  
7 G-9 of Boren Exhibit 1, which stated in 1-D, "How comfortable  
8 do you feel in your job?" And then there are two sub-  
9 questions under that.

10 Do you remember whether that question was  
11 asked specifically of the people in your follow-up interviews  
12 in 1980?

13 A. I don't recall specifically.

14 Q. Can you remember whether the interview form  
15 that you used in 1980 was as long as the form that you  
16 used in 1979? And I'll ask you to take a look at the form  
17 and indicate for the record how many pages long that is.

18 A. The form that I'm looking at now is 11 pages,  
19 and I do not recall if the form that we used at that time  
20 was -- Was your question longer or shorter?

21 Q. That's right. Whether it was as long  
22 and by that time meaning the 1980 interviews.

23 A. Okay. I don't recall.

24 Q. Does the document marked Panel Anderson  
25 Exhibit 1, does it contain in its Attachment A the only



1 summary that was made of the results of the 1980 interviews?

2 A. To the best of my knowledge, yes.

3 Q. In the second sentence of the second paragraph  
4 of the first page of this document there's reference to,  
5 "Major improvements were cited in the areas of" and then  
6 several are listed there.

7 When you say that major improvements were  
8 cited, where were they cited?

9 MR. BELTER: I'm sorry. I don't have the  
10 reference. Which paragraph are you on?

11 MR. ROISMAN: The very first page, the second  
12 paragraph --

13 MR. BELTER: Okay.

14 MR. ROISMAN: -- the second sentence.

15 BY MR. ROISMAN:

16 Q. Where were major improvements cited when  
17 you say major improvements were cited?

18 A. To the best of my recollection, in the inter-  
19 view process.

20 Q. And what did you understand -- Strike that.  
21 What did you mean by the phrase "QC working  
22 environment and relationships with construction personnel"?  
23 To what were you referring?

24 A. Specific examples, I don't recall.

25 Q. Well, in general what does that phrase mean?

1 What did it mean when you wrote it?

2 A. It meant that we felt that based on our  
3 interviews with the inspectors that previous concerns that  
4 they may have had in their -- with their working environment  
5 or relationship with construction personnel, that that  
6 had improved.

7 Q. What is covered in working environment?  
8 Do you mean air conditioning, or did you mean something  
9 else?

10 A. It could mean -- Not having specific examples,  
11 it could mean anything from air conditioning to procedures,  
12 things that affected them doing their job, working environ-  
13 ment.

14 Q. Now, in the summary of the interviews that  
15 appears in Attachment A to the document Panel Anderson  
16 Exhibit 1, could you tell me was the purpose of this summary  
17 to highlight both the problems found and the sense of  
18 solution to previously identified problems which were cited  
19 by the people who were interviewed?

20 A. Could you repeat the question?

21 Q. Uh-huh. Was the purpose of this summary  
22 that comprises Attachment A to Anderson Panel Exhibit 1,  
23 was it to give a full summary of the problems identified  
24 as well as the improvements noted by the people who were  
25 interviewed?

1           A.       Well, basically stated that it was additional  
2 comments. In looking at it, some of them were positives;  
3 some were negatives.

4           Q.       Well, for instance, if these comments had  
5 included a reference to the improved working environment,  
6 would you expect that it would be in the summary?

7           A.       I believe that it is in the front sheet.

8           Q.       The front sheet being?

9           A.       The cover letter.

10          Q.       And the portion of it that you are referring  
11 to is the sentence that we have just been discussing,  
12 sentence two of paragraph two of the first sheet?

13          A.       Yes.

14          Q.       And no greater summary was done of that  
15 than that sentence?

16          A.       Not that I recall.

17          Q.       Why was this detailed or -- Strike that.

18                    Why was this more detailed summary given  
19 of the additional comments in Attachment A provided at  
20 all in light of that much less detailed summary of the  
21 original comments?

22          A.       I don't know.

23          Q.       Does the phrase in Attachment A in the first  
24 line as it appears, "The following is a summary of additional  
25 comments," jog your memory as to the possibility that there

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1 may be a summary of the original comments somewhere else  
2 that we don't have in this document?

3 A. Not that I'm aware of, no.

4 Q. Can you remember why it was decided to do  
5 a summary of additional comments separate and apart from  
6 the cover sheet?

7 A. No, other than it would have been perhaps  
8 a little bit bulky to put it in the letter as far as --  
9 By putting it in the attachment, you know, you summarize  
10 and make some points and then reference back to the attach-  
11 ment. It is just a -- It could have been a means to just  
12 not, you know, have an endless long letter. But I don't  
13 recall specifically why we did it this way.

14 Q. In the third paragraph on the first page  
15 of Panel Anderson Exhibit 1, the statement appears, "Attach-  
16 ment A contains other positive or negative items identified  
17 which were specific to a certain group."

18 Does that in any way refresh your memory  
19 as to perhaps what the distinction is between Attachment A  
20 on the one hand and the summary paragraph that's paragraph  
21 two on the first page of this document?

22 A. Can I speculate somewhat?

23 MR. BELTER: No.

24 BY MR. ROISMAN:

25 Q. No. You're not supposed to. Yeah. You've



1 just got to give me the best of your memory.

2 A. To the best of my memory, the statement  
3 "other positive or negative items" would indicate that  
4 those probably had not been identified on the initial  
5 interviews and that what we discussed above were areas  
6 that had previously been discussed through the original  
7 interviews, the summaries.

8 Q. Is it your recollection that there were  
9 two or more sets of interviews when you say "the original  
10 interviews"?

11 A. I'm talking the Purdy 42-1 interviews.

12 Q. I see. Okay. Not 1980 --

13 A. No.

14 Q. -- there weren't two sets of interviews.

15 Do you remember whether the actual interview  
16 sheets were shown to any persons other than Mr. Vega and  
17 yourself after the interviews had been completed?

18 A. I don't remember.

19 Q. Do you remember how you went about evaluating  
20 the interview results to form the basis for your opinions  
21 as they are contained in paragraph two of the first page  
22 of Panel Anderson Exhibit 1?

23 A. To the best of my recollection, based on  
24 notes taken during the interviews and discussions between  
25 Mr. Vega and myself.

1 Q. Did you go back and look at what has been  
2 marked as Purdy Exhibit 42-1 and compare the comments that  
3 you received to the comments that you had summarized in  
4 that earlier document to see whether the problem that had  
5 been expressed was now clearly responded to by some new  
6 information in the interview?

7 A. I don't recall specifically, but I believe  
8 that we did.

9 Q. Looking at Attachment A to Panel Anderson  
10 Exhibit 1, under the Quality Engineering heading there  
11 were a number of specific problems identified there.

12 Do you have any recollection of what, if  
13 any, action was taken in response to those problems?

14 A. Basically, I don't see them -- When you  
15 say problems, we indicated that they were suggestions for  
16 improvement on effectiveness, not necessarily that they  
17 were a problem.

18 As far as a specific effort on any of these,  
19 I don't recall.

20 Q. The very last one, which is on the second  
21 page of the attachment, makes reference to "Other suggestions  
22 were made which were of a management nature."

23 Do you have any recollection of what kind  
24 of suggestions we're talking about that fell into the category  
25 "management nature"?

1 A. I don't recall.

2 Q. All right. I'd now like to have you take  
3 a look at Purdy Exhibit 42-1.

4 Do you have a copy of that there?

5 And I'd like you, if you would, to turn  
6 to the interviews of site electrical QC personnel and the  
7 last page thereof, which is identified "Major Problems."

8 Can you explain to me what specifically  
9 did you learn in the interviews in 1980 that indicated  
10 to you that the concern expressed in paragraph two had  
11 been substantially improved, that the problem had been  
12 substantially reduced?

13 A. I don't recall specific details.

14 Q. Do you remember anything at all about that?

15 A. Not on this specific one, no.

16 Q. Do you remember whether when you went back  
17 to check the 1980 interviews against the problems identified  
18 in 1979 this was one of the problems that you looked at?

19 A. I'm sure it was. I don't have it written  
20 down somewhere that this particular one, but I'm certain  
21 it was.

22 Q. You're certain that you did look at it,  
23 but you have no recollection of doing so?

24 A. It was our intent based on problems that  
25 had been previously identified to determine if we felt

1 there was still a problem. This was identified in the  
2 summaries as a major problem, and I feel very confident  
3 that we would have looked at this, and that that is the  
4 basis of the statement that we made in the front page of  
5 the Panel Anderson 1 or whatever with regard to the working  
6 environment and relationships between craft and QC.

7 Q. Was comparing the interviews in 1980 with  
8 the answers given in 1979 by the electrical group?

9 A. By the electrical group and if it was in  
10 any of the other areas.

11 Q. Do you remember how many of the people from  
12 the electrical QC were interviewed in 1980?

13 A. No, I do not.

14 Q. How many total were there in that group?  
15 Do you remember that?

16 A. I don't recall. I think I said earlier  
17 approximately 30, something like that.

18 Q. All right. Let me have you take a look  
19 further down in Purdy Exhibit 42-1 to the interviews with  
20 QA/QC site surveillance group, which is about 20 more pages  
21 into the document.

22 A. I'm there.

23 Q. Okay. And I'd like to direct your attention  
24 to the single page that comprises Attachment A of that  
25 and ask you to take a look at items 3, 5, and 7.



1 A. Okay.

2 Q. Do you remember looking at those specific  
3 items in connection with evaluating the personnel information  
4 that you obtained in your 1980 interviews and in forming  
5 your opinion that is in paragraph two of what has been  
6 marked as Panel Anderson Exhibit 1?

7 A. I don't recall these specific three areas,  
8 no.

9 Q. Do you have an opinion as to whether you  
10 did look at them?

11 A. 3, 5, and 7?

12 Q. Uh-huh.

13 A. I don't know i. I did or not.

14 Q. In looking at 3, 5, and 7, would you say  
15 that those concerns expressed there fall within the general  
16 category of QC working environment and relationships with  
17 construction personnel?

18 A. Yes.

19 Q. Looking at paragraph one of Panel Anderson  
20 Exhibit 1, is it not the case that there is no mention  
21 in there of any interviews being conducted with the site  
22 surveillance group?

23 A. That group is not specifically mentioned.  
24 As it says, it says "included were," and there may have  
25 been other individuals that were talked to.

1           Q.           I understand that.  If there were no  
2 individuals talked to from the site surveillance group  
3 in the course of conducting the 1980 interviews, would  
4 you say that there would be no basis for you to make a  
5 statement that the QC working environment and relationship  
6 with construction personnel in the site surveillance area  
7 had improved or not improved?

8           A.           I'm sorry.  What was your question again?

9           Q.           If there were no personnel from the site  
10 surveillance group who were interviewed in 1980, would  
11 there be any basis for you to say that the QC working environ-  
12 ment and relationships with construction personnel had  
13 improved or not with respect to the site surveillance  
14 personnel?

15          A.           With specific reference to the site  
16 surveillance group, because of their function on site,  
17 these three items that you've addressed are basically  
18 concerns between QC and craft.  The site surveillance group  
19 was quality assurance.  So these three areas have been  
20 identified within other QC interviews, as I recall, I think  
21 in the electrical one or the one that we looked at.  They  
22 perform an overview function, and this may have been their  
23 perceptions that they saw.

24                       So as far as if we didn't talk -- If we  
25 saw from talking with the other inspection groups that

1 their involvement with the crafts, et cetera, had improved,  
2 then we could have concluded that these people -- perhaps  
3 concluded these people were seeing the same thing. They --  
4 I'm sorry.

5 Q. Go ahead. No. No.

6 A. No.

7 Q. No. I want you to finish.

8 A. They did not perform a direct in-line QC  
9 function, this group.

Side 6 10 Q. But you would have no way of knowing whether  
11 whatever they originally perceived they were still perceiving  
12 unless you had actually interviewed at least one of them  
13 or some of them; isn't that true?

14 A. That's true.

15 Q. All right. Let me direct your attention  
16 to the next group down, which is protective coatings QC  
17 personnel, and, first, am I correct that they are not  
18 one of the groups that's specifically listed in paragraph  
19 one of Panel Anderson Exhibit 1?

20 A. That's true, protective coatings is not  
21 specifically addressed.

22 Q. All right. I'd like to direct your attention  
23 to the page in this packet which is marked "Management,"  
24 and would you please look at items 2 and 3.

25 A. Okay.

1 Q. Do you have any specific recollection of  
2 looking at those two items in evaluating the results of  
3 the 1980 interviews and reaching the opinions that you've  
4 reached in paragraph two of Panel Anderson Exhibit 1?

5 A. I do not recall those two specific examples,  
6 no.

7 Q. Do you have an opinion as to whether you  
8 would have necessarily had to have looked at those as part  
9 of the process that you engaged in?

10 A. I'm sorry. What was your question?

11 Q. Do you have an opinion as to whether you  
12 must, in fact, have looked at those in order to have engaged  
13 in the process of reaching the judgments that you've reached  
14 in paragraph two?

15 A. I would have thought, yes. Yes, I would  
16 have thought we would have looked at that.

17 Q. If you had no interviews with members of  
18 the protective coatings QC personnel group, what would  
19 be the basis for any opinions that you would form about  
20 resolution of the concerns expressed in paragraph two and  
21 three of the management page of their 1979 survey summary?

22 MR. BELTER: I'm sorry. What was the first  
23 part of your question, if you had no interviews with which  
24 group?

25 MR. ROISMAN: With the QC coatings personnel.



1 It is the group of which the management page is a sheet.

2 MR. BELTER: Or the QC engineering?

3 MR. ROISMAN: No. It is protective coatings  
4 QC.

5 MR. BELTER: I'm sorry. What was your --  
6 Did you lose the question?

7 WITNESS ANDERSON: I lost it somewhere,  
8 yes.

9 BY MR. ROISMAN:

10 Q. Okay. I'll ask it again.

11 If you conducted no interviews with the  
12 QA/QC protective -- the protective coatings QC personnel,  
13 would you have any basis for determining whether the concerns  
14 expressed on this management page in paragraph two and  
15 three had, in fact, been addressed adequately?

16 MR. BELTER: Are you including in the question  
17 paint quality engineering?

18 BY MR. ROISMAN:

19 Q. I am including in the question the people  
20 who are identified as the ones who were interviewed who  
21 form the base for these two concerns, and, as I understand  
22 it, it was interviews of the site protective coatings QC  
23 personnel and no others in this group.

24 If I'm wrong on that, please correct me,  
25 Ms. Anderson. That the summary that appears behind the

1 heading interviews of the site protective coatings QC  
2 personnel is a summary of the comments obtained from the  
3 interviews of the site protective coatings QC personnel.

4 BY WITNESS ANDERSON:

5 A. In the organization that existed at that  
6 point in time, yes.

7 Q. Okay.

8 A. At the point in time that these follow-  
9 ups were conducted, I'm not certain if that organization  
10 as it was there still existed.

11 Q. Well, my question to you is: If you did  
12 not talk to any of the people who were in the site  
13 protective coatings QC personnel, and to take into account  
14 what you just added, who were not in it as of 1979 when  
15 you did the original interviews, what basis would you have  
16 in 1980 for knowing whether their concerns that they expressed  
17 then were now resolved in their opinion?

18 A. If we did not talk with anyone that was  
19 a protective coatings QC inspector, then we could not have  
20 made that distinction.

21 Q. Now, are paragraphs two and three on the  
22 page called management, would those, in your opinion, be  
23 within the general category QC working environment and  
24 relationships with construction personnel?

25 MR. BELTER: Are you asking the question

1 of both or taking them one at a time?

2 MR. ROISMAN: Well, if there is a distinction --

3 MR. BELTER: I'd like you to take it one  
4 at a time.

5 MR. ROISMAN: All right.

6 BY MR. ROISMAN:

7 Q. Paragraph two.

8 BY WITNESS ANDERSON:

9 A. So you want to know what again?

10 Q. Whether you include that in the phrase  
11 QC working environment and relationships with construction  
12 personnel.

13 A. Two, I would say yes.

14 Q. And what about three?

15 A. I would say yes.

16 Q. All right. Now moving on through Purdy  
17 Exhibit 42-1, I'd like to direct your attention to the  
18 summary of interviews of the site QA/QC staff personnel.

19 Now, am I correct that they also are not  
20 one of the specifically listed groups in the first paragraph  
21 of Panel Anderson Exhibit 1?

22 A. The term QA/QC staff personnel is not included,  
23 that's true.

24 Q. Are QA/QC staff personnel part of any one  
25 of those listed groups in the normal structure of the plant?

1           A.        I don't recall who those QA/QC staff personnel  
2 were. So I really cannot say at this point.

3           Q.        Was QA/QC staff personnel not a definable  
4 group of people? I don't mean that you would know their  
5 names, but I mean were they a known group like QC coatings  
6 personnel were?

7           A.        Not that I recall. I don't really remember.

8           Q.        Mr. Boren, do you have any recollection  
9 of this sub-grouping of the 1979 survey, who these people  
10 are, these QA/QC staff personnel?

11 BY WITNESS BOREN:

12           A.        Not really. I'd just be guessing.

13           Q.        So, Ms. Anderson, you don't know necessarily  
14 who these people are, I mean short of going back, finding  
15 the interview, getting the code sheet and digging out the  
16 name. They don't represent a definable group to you?

17 BY WITNESS ANDERSON:

18           A.        They may have been quality engineering at  
19 that time, but I don't remember specifically.

20           Q.        If you didn't know, would there be any way  
21 for you to determine through the 1980 interviews whether  
22 you had talked to any of the people who might have been  
23 within the group that had expressed those concerns in the  
24 first instance?

25           A.        I feel confident that I knew then, but I



1 cannot recall after this many years.

2 Q. Do you -- And is your testimony that you  
3 had any knowledge as to whether, in fact, any of the  
4 QA/QC staff personnel were included in the people who you  
5 interviewed in 1980?

6 A. I do not remember.

7 Q. I'd like you to turn and look at the  
8 management sheet, which is the third sheet in this sub-  
9 set, and I'd like to direct your attention to items 2, 3,  
10 4, 5, 8, and 9.

11 Would you like me to go over those again?

12 A. Please.

13 Q. All right. 2, 3, 4, 5, and then 8 and 9.

14 A. Okay.

15 Q. And can you tell me, starting with 2 and  
16 working your way through, which of those are included in  
17 the definition QC working environment and relationships  
18 with construction personnel?

19 A. On 2, I don't recall the specifics of what  
20 the discussion is there. I don't know if that would have  
21 been included in QC working environment and relationships  
22 with construction personnel.

23 Q. You're not sure whether a statement involving  
24 a power struggle between construction and QC personnel  
25 relates to the relationship of QC with construction

1 personnel?

2 MR. BELTER: Relates to the? Was your  
3 question before to the working environment or the relation-  
4 ship?

5 MR. ROISMAN: Well, it was both, QC working  
6 environment and relationships with construction personnel.

7 WITNESS ANDERSON: Yes. I'm sorry. I guess  
8 it could be the same or part of that concept.

9 BY MR. ROISMAN:

10 Q. Okay. All right. What about No. 3?

11 A. Now, this is specifically to QC working  
12 environment and relationship with construction personnel?

13 Q. That's right. I'm referring to that phrase  
14 as you wrote it in the second paragraph of Panel Anderson  
15 Exhibit 1.

16 A. I would say no, that would not be included  
17 in that.

18 Q. And what about No. 4?

19 A. Yes, that could be part of it.

20 Q. And how about No. 5?

21 A. No, I would not consider that a part of  
22 it.

23 Q. And how about No. 8?

24 A. It could have an indirect involvement there.

25 Q. And what about No. 9?

1 A. That could be part of it.

2 Q. Now, with regard to items 3, 5 and that  
3 portion of 8 that you were so very uncertain about, which,  
4 if any, of the areas identified in the first two sentences  
5 of the second paragraph of Panel Anderson Exhibit 1 would  
6 you say is encompassed, if it is at all -- encompasses,  
7 if they do at all, the concerns expressed in 3, 5, and 8?

8 A. I would say in 3 that could have been  
9 encompassed in management support and training.

10 The other one was 5?

11 Q. 5, uh-huh.

12 A. I would say that is management support.

13 And No. 8?

14 Q. 8. Yeah. You had been uncertain as to  
15 whether it really belonged in QC working environment.

16 A. Well, my uncertainty was I feel that it  
17 more strongly goes under management support, but with that  
18 management support, it would have resulted in better  
19 conditions or improved.

20 Q. Okay. Now, let's go to the next page,  
21 Communication, still in the QC personnel -- staff personnel --  
22 QC staff personnel, and look under Communication at item 2.

23 Would that be included in the phrase  
24 QC working environment and relationships with construction  
25 personnel?

1 A. Yes.

2 Q. Do you have any recollection of looking  
3 at that particular item in evaluating the 1980 interviews  
4 and reaching the conclusions that are contained in paragraph  
5 two of Panel Anderson Exhibit 1?

6 A. Specifically, with QA/QC staff personnel?

7 Q. Well, looking at this statement as it appears  
8 in this summary. Do you remember looking at that when  
9 you did your evaluation of the 1980 interviews and reached  
10 your conclusions as they appear in paragraph two of Panel  
11 Anderson Exhibit 1?

12 A. I don't recall that specifically, that item 2.

13 Q. Would you believe that you would have looked  
14 at that?

15 A. Yes.

16 Q. All right. I'd like you to look over now  
17 to -- It is about one more over -- to QC document personnel --  
18 excuse me -- QC documentation personnel.

19 Do you have that one?

20 A. Yes.

21 Q. Okay. Again, is this a group which is not  
22 identified in paragraph one of Panel Anderson Exhibit 1  
23 specifically?

24 A. The title QC documentation personnel is  
25 not identified, that's true.



1 Q. Okay. Do you have any recollection that  
2 any of the QC document personnel who were interviewed in  
3 1979 were interviewed in 1980 or any persons from that  
4 group were interviewed in 1980?

5 A. I don't recall specific persons, no.

6 Q. Or even whether there were any people in  
7 the QC document group that were interviewed in 1980?

8 A. As I was discussing earlier, I am not certain  
9 that this group existed with this title and this organiza-  
10 tion at that time.

11 Q. Okay. Let me direct your attention to the  
12 Management page of Attachment A of this summary and ask  
13 you to look at item 1 and the last sentence of item 6,  
14 and tell me with respect to first 1 and then the last  
15 sentence of No. 6 which, if any, of the areas identified  
16 in the first two sentences of paragraph two of Panel Anderson  
17 Exhibit 1 you believe that those paragraphs relate to.

18 A. That was paragraph 1?

19 Q. One and the last sentence of paragraph 6

20 A. I would say management support for 1, and  
21 the last sentence of 6, I would say management support.

22 Q. If you did not interview in 1980 any of  
23 the people who had indicates those concerns in 1979, would  
24 you have had any basis for indicating that that particular --  
25 those two particular concerns had, in fact, had major

1 improvements?

2 A. If we did not -- I mean, if we did not inter-  
3 view the specific personnel that made those statements  
4 or people that were involved in those same activities?

5 Q. If you did not interview any of the people  
6 who were in the QC document personnel group in 1980, would  
7 you have had a basis for indicating major improvements  
8 with respect to those two items?

9 A. Not as it relates to the group called QC  
10 documentation, no.

11 Q. Okay. You just indicated a sort of sub-  
12 set of this, and I'll ask you just to think back over what  
13 we have been discussing for the last several minutes.

14 If a particular problem as summarized in  
15 these 1979 summaries was expressed by one or two as opposed  
16 to most of the people within the group, and if in 1980  
17 you did not talk to any of those people who originally  
18 expressed the problem in 1979, would you have had a basis  
19 for knowing whether the problem as expressed by that person  
20 in 1979 was as of 1980 now significantly improved in that  
21 person's opinion?

22 A. If we did not talk to the specific  
23 individual that was initially talked to, I would say that's  
24 true.

25 Q. Still in this same documentation group,

1 would you look over at the page called Morale, which is  
2 two pages over, and, in particular, would you look at  
3 paragraphs 1, 5, and 6, and then with respect to them  
4 indicate to me in which area, if any, of the areas identified  
5 in the first two sentences of paragraph two of Panel Anderson  
6 Exhibit 1 those paragraphs are covered by.

7 A. Paragraphs 1 -- What were the others?

8 Q. 5 and 6.

9 A. No. 1 I would say could be included under  
10 management support.

11 No. 5 could also be under management support.

12 The same on No. 6.

13 Q. And do you have a recollection of looking  
14 at those particular items when you reached your conclusions  
15 as they are contained in paragraph two of Panel Anderson  
16 Exhibit 1 about management support?

17 A. I do not recall those specific items.

18 Q. Would you expect that you would have looked  
19 at them given the nature of the kind of evaluation that  
20 you did?

21 A. Yes.

22 Q. And would you also indicate that if you  
23 had not spoken to any of the persons who originally made  
24 those concerns in 1980 that you would not have had a basis  
25 for concluding that as to the concern as they expressed

1 it there had been a major improvement as of 1980?

2 A. I'm sorry. The statement again?

3 Q. Would you also agree that if you had not  
4 spoken to any of the persons who expressed those concerns  
5 in 1979 when you did your interviews in 1980 that you would  
6 not have a basis for concluding that as to those concerns  
7 there had been a major improvement as of 1980?

8 A. Those specific statements, that's true.

9 Q. Now I'd like you to look at what will be  
10 the last group of these that we'll look at, interviews  
11 with QC NDE personnel. And I'll direct your attention  
12 first to paragraph one of Panel Anderson Exhibit 1.

13 Can you tell me whether the NDE personnel  
14 are specifically identified in that first paragraph?

15 A. No, they are not specifically identified.

16 Q. Now, turning to the Communication page of  
17 Attachment A to that summary, I would like you to look  
18 at paragraph 3 and tell me which of the categories identified  
19 in the first two sentences of paragraph two of Panel Anderson  
20 Exhibit 1 you would say that fits under.

21 A. That's item 3 under Communication?

22 Q. Correct.

23 A. I don't know that it would fit in any of  
24 them.

25 Q. Okay. Look at Management, please, the



1 next page, and, in particular, paragraph 3-A, C, E, and G.

2 Do you want me to say those again?

3 A. 3-A, C, E, and G?

4 Q. E and G, correct.

5 And as to, first, A, and then through the  
6 others, would you indicate into which of the categories  
7 identified in the first two paragraphs of -- first two  
8 sentences of paragraph two of Panel Anderson Exhibit 1  
9 they would fit into.

10 A. "A" could have been under QC working environ-  
11 ment. C, the same thing. E, the same thing. G, the same  
12 thing.

13 Q. In reaching your conclusions with regard  
14 to the QC working environment in Panel Anderson Exhibit 1,  
15 do you have a recollection of looking at these particular  
16 subparagraphs?

17 A. Not these specific subparagraphs, no.  
18 I don't recall.

19 Q. Would it be your opinion that you would  
20 have looked at them given the nature of the kind of analysis  
21 that you did in reaching these conclusions?

22 A. Yes.

23 Q. And if you did not speak to the particular  
24 persons in the NDE -- QC NDE personnel group who had expressed  
25 those concerns, would you have had any basis for concluding

1 that there had been a major improvement with respect to  
2 those items identified in paragraph 3-A, C, E, and G?

3 A. No.

4 Q. Now, in Panel Anderson Exhibit 1, the first  
5 sentence of paragraph two on the first page, the statement  
6 appears, "On the whole, the morale of the quality control  
7 personnel has greatly improved."

8 Is that intended to be a summary of what  
9 you believe is shown by the second sentence, or is that  
10 intended to be an independent conclusion which is separate  
11 from the conclusions in the second sentence of that paragraph?

12 A. As I recall, the first sentence was based  
13 on the major improvement cited in the second sentence.

14 Q. Okay. I'd like to direct your attention  
15 to the last page of Panel Anderson Exhibit 1, Evaluation  
16 of Open Items from Audit TCP-7, and looking at Deficiency  
17 No. 3.

18 Is it your understanding that the origin  
19 of the deficiency that is discussed there --

20 MR. BELTER: I don't see a reference to  
21 deficiency.

22 MR. MIZUNO: Deficiency No. 3.

23 MR. BELTER: Okay. I'm sorry.

24 BY MR. ROISMAN:

25 Q. Is it your understanding that the origin

1 of that concern was the 1979 survey?

2 BY WITNESS ANDERSON:

3 A. I don't recall.

4 Q. Mr. Boren, do you remember from the 1979  
5 survey whether one of the points of concern was the CPM-6.9  
6 and training problems, whether that was one of the things  
7 identified?

8 BY WITNESS BOREN:

9 A. As I recall.

10 Q. I'm sorry?

11 A. As I recall, it was, 6.9 was a --

12 Q. Do you remember whether that was one of  
13 the items that you discussed in your briefing?

14 A. Not specifically, no.

15 Q. Ms. Anderson, let me --

16 BY WITNESS ANDERSON:

17 A. It may have been identified. The only point  
18 I guess I'm making, this was an open item from Audit TCP-7,  
19 and I don't have Audit TCP-7 here.

20 Q. Okay.

21 A. So it is hard for me to say that that is  
22 the only place that that came from.

23 Q. Nor am I asking you was it the only place,  
24 but whether it is -- Is it a source of, not the only or  
25 whether there was only one source?

1 A. It may have been. I --

2 Q. I'm going to ask you to look again at  
3 these to see if we can refresh your memory and look at  
4 the site mechanical QC personnel summary, which is about  
5 the second or third one in, and under the major problems  
6 area. And if you would read the first paragraph.

7 A. Oh, I'm sorry. To myself.

8 Q. Yeah. Not out loud.

9 A. Okay.

10 Q. And then take a look at the very next one,  
11 which is QC -- instrumentation QC personnel, and look at  
12 item 5 under the summary in Attachment A.

13 A. Okay.

14 Q. All right. And do those two instances help  
15 to refresh your memory as to whether or not CPM-6.9 may  
16 have been or was one of the sources of the concern that's  
17 identified here as Deficiency No. 3?

18 A. It may have been, yes.

19 Q. Did you prepare this part of the summary  
20 of the -- of Panel Anderson Exhibit 1, the portion that's  
21 contained in Appendix B? Was that also prepared by you  
22 in part?

23 A. In part, yes.

24 Q. Okay. The sentence -- The second sentence  
25 under Deficiency No. 3 said -- Well, the first sentence



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says that the CPM-6.9 has been revised, re-issued, and appears to be a more workable document.

Do you know what the basis was for that statement, that it appears to be a more workable document?

A. I don't recall specifically.

Q. Can I direct your attention back to Attachment A of this same document and under the category Mechanical Discipline, the first page of Attachment A. Take a look at that.

Does that refresh your memory at all?

MR. BELTER: Tony, is it your contention that this particular items relates to the issue of harassment or intimidation of QC inspectors? I don't see it.

MR. ROISMAN: What I am trying to do is to get some sense of how this Panel Anderson Exhibit No. 1 was put together; in other words, how were the conclusions reached, and this is one conclusion which appears to have had some origin back in the 1979 survey. I'm trying to find out whether there was any different procedure used in reaching conclusions about the resolution of this problem as distinct from conclusions regarding the resolution of what we'll call for shorthand the morale problems.

WITNESS ANDERSON: On an item such as this in an audit function, we would have looked at the procedure, had it been revised, re-issued, looked at documentation

1 on training classes which had been conducted, and, basically,  
2 it appears, as you say, refreshing my memory, that, you  
3 know, in talking with the personnel that that is what came --  
4 the more workable document came from, origin of it. That  
5 is part of an audit function. You talk with people.

6 BY MR. ROISMAN:

7 Q. So the interview would have been one piece  
8 of the process that you would go through to indicate whether  
9 the deficiency had been resolved or not.

10 BY WITNESS ANDERSON:

11 A. Yes.

12 Q. Now, did you go through anything other than  
13 the interviews in order to reach the conclusions that are  
14 identified in the first two paragraphs -- I'm sorry --  
15 the first two sentences of the second paragraph on page  
16 one of Panel Anderson Exhibit 1?

17 A. I'm sorry. In the second paragraph?

18 Q. The first two sentences of the second paragraph.  
19 Did you do anything other than the interviews  
20 in order to reach your conclusions regarding those items?

21 A. Not that I recall.

22 MR. ROISMAN: I have no further questions  
23 at this time.

24 MR. BELTER: I want to put one redirect  
25 question on the record just because I want it in the same

1 area --

2 MR. ROISMAN: Okay.

3 MR. BELTER: -- and then I think we better  
4 talk about a break or dinner or something.

5 MR. ROISMAN: Okay.

6 REDIRECT EXAMINATION

7 BY MR. BELTER:

8 Q. Ms. Anderson, is there a particular reason  
9 relating to your job function of why you would find it  
10 difficult to recall specific details about things that  
11 you worked on in 1979 and 1980?

12 BY WITNESS ANDERSON:

13 A. Yes, I believe there is. Since this audit,  
14 I have probably myself participated in approximately a  
15 hundred and reviewed numerous other reports that personnel  
16 that work for me have written, and that includes the  
17 specific details of the deficiencies, the summaries, the  
18 areas, the organizations. I've looked at a tremendous  
19 amount of documentation relating to Comanche Peak since  
20 that point in time that would be, you know, an audit.

21 Q. Does part of your job function in conducting  
22 audits entail going down to the site and talking with people?

23 A. Yes, it does. That is a major portion of  
24 it.

25 MR. BELTER: Tony, I'd like a -- Let's go

1 off the record for a second and talk about it.

2 MR. ROISMAN: Can I just ask her one  
3 clarifying question on that?

4 RE-CROSS-EXAMINATION

5 BY MR. ROISMAN:

6 Q. With respect to the 1980 follow-up to Audit  
7 TCP-7, who better than you would be likely to have a memory  
8 about these items?

9 MR. BELTER: That is going to call for a  
10 lot of speculation. Why don't you ask her who else was  
11 involved? We all know there was only one other person  
12 involved.

13 MR. ROISMAN: Okay. All right.

14 BY MR. ROISMAN:

15 Q. And that's the only other person involved  
16 in it who could have any memory as far as you know?

17 BY WITNESS ANDERSON:

18 A. Yes, that is correct.

19 MR. ROISMAN: Okay. Fine. I did not mean  
20 to ask her to speculate, certainly not at 8:30.

21 MR. BELTER: Why don't we go off the record.

22 (A short recess was taken.)

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

24 FURTHER REDIRECT EXAMINATION

25 BY MR. BELTER:



1 Q. Panel, I'm going to start with a few questions  
2 about the interview process itself and what you were taking  
3 down as a result of some of the questions asked by  
4 Mr. Roisman.

5 Ms. Anderson, you indicated that you first  
6 formed an understanding or a definition, if you will, of  
7 the term harassment and intimidation in recent months.

8 Are you certain in your own mind today  
9 that based upon your current understanding of the phrase  
10 harassment and intimidation you would have recorded in  
11 the interview sheet any instance that constitutes harassment  
12 or intimidation?

13 BY WITNESS ANDERSON:

14 A. Yes, I'm certain.

15 Q. Even though you weren't familiar with the  
16 term of art, harassment and intimidation, was the same  
17 concept in your mind during the '79 interviews?

18 A. Yes, it was.

19 Q. Ms. Spencer --

20 MR. ROISMAN: Can I just note for the record  
21 that that must be the essence of the leading question?  
22 I have already noted that that objection seems to fall  
23 on deaf ears in the NRC process in which we normally prefile  
24 direct testimony, but I'd just like to note for the honor  
25 of the profession that that was a real leading question.

1 And I assume we're not going to get it asked of the next  
2 two people.

3 MR. BELTER: No, I'm not going to go through  
4 that.

5 MR. ROISMAN: All right.

6 MR. BELTER: She was the only one that had  
7 a recent definition of harassment and intimidation.

8 MR. ROISMAN: All right.

9 BY MR. BELTER:

10 Q. Ms. Spencer, you were asked a question about  
11 your knowledge of the fireside chats conducted by  
12 Mr. Tolson.

13 Do you know how many such fireside chats  
14 he conducted?

15 BY WITNESS SPENCER:

16 A. No, I do not know.

17 Q. Do you know whether he had them with some  
18 inspectors or with all inspectors?

19 A. I do not know.

20 Q. To the panel, if one person during the course  
21 of one of these interviews had indicated, for example,  
22 that he or she felt there was excessive pressure from craft  
23 to buy off on work, would this have been listed on the  
24 interview sheet and then on the summary of identified concerns?

25

//

WILLERS FALLS  
WATER RISE

1 BY WITNESS BOREN:

2 A. Yes.

3 BY WITNESS ANDERSON:

4 A. Yes.

5 BY WITNESS SPENCER:

6 A. Absolutely.

7 Q. You were asked a question with reference  
8 to the phrase "occasional threats," and that phrase appears  
9 in the same paragraph with a reference to "hot discussions,  
10 name-calling, and yelling."

11 To the panel, would you consider every  
12 occasional threat to be an instance of harassment or  
13 intimidation?

14 BY WITNESS BOREN:

15 A. No.

16 BY WITNESS ANDERSON:

17 A. No.

18 BY WITNESS SPENCER:

19 A. No.

20 Q. Would some occasional threats constitute  
21 harassment or intimidation?

22 BY WITNESS BOREN:

23 A. Yes.

24 BY WITNESS ANDERSON:

25 A. Yes.

1 BY WITNESS SPENCER:

2 A. They may, yes.

3 Q. Mr. Boren, could you give us an example  
4 of one or the other?

5 BY WITNESS BOREN:

6 A. If an inspector was told by a craft to either  
7 accept his weld or he was going to hit him in the head  
8 with a hammer, that would be harassment and intimidation.

9 If a craft told an inspector that if he  
10 cursed around him anymore he was going to knock his teeth  
11 out, that would not be harassment or intimidation.

12 Q. Could some reference to occasional threats  
13 be contained in the interview sheets where the threat has  
14 no relationship to job performance?

15 BY WITNESS ANDERSON:

16 A. Yes.

17 BY WITNESS SPENCER:

18 A. Uh-huh.

19 BY WITNESS BOREN:

20 A. Yes.

21 Q. At one point, and this may have been cleared  
22 up later, Ms. Anderson, you indicated that you followed  
23 the questions listed on the sheet.

24 Did you also ask follow-up questions?

25 //



1 BY WITNESS ANDERSON:

2 A. Yes. Depending on the answers or the statements  
3 that were made by the inspectors, we had further discussions.

4 Q. Is that true of the rest of the panel?

5 BY WITNESS SPENCER:

6 A. Sure.

7 BY WITNESS BOREN:

8 A. Yes.

9 Q. I'm going to direct the next couple of questions  
10 now to the entire process that went on back in 1979.

11 I'm sorry. I do have one more question  
12 just on the interviews.

13 Would follow-up questions occur for you  
14 to determine whether or not a serious incident was being  
15 related to you?

16 BY WITNESS BOREN:

17 A. Yes.

18 BY WITNESS ANDERSON:

19 A. Yes.

20 BY WITNESS SPENCER:

21 A. Yes.

22 Q. If you felt a serious incident was being  
23 related to you, would the details of that incident likely  
24 appear on the sheets as a result of follow-up questions?

25 //

1 BY WITNESS ANDERSON:

2 A. Yes.

3 BY WITNESS BOREN:

4 A. Yes.

5 BY WITNESS SPENCER:

6 A. Yes.

7 MR. ROISMAN: Could you describe which sheets  
8 you were referring to?

9 MR. BELTER: The 1979 interview sheets.

10 MR. ROISMAN: Not the summary?

11 MR. BELTER: Not the summary.

12 BY MR. BELTER:

13 Q. To the panel, do you feel that as a result  
14 of the process that was undertaken in September and October  
15 of 1979 you accurately found and transmitted to upper  
16 management whatever problems may have existed in 1979?

17 BY WITNESS SPENCER:

18 A. Restate the question.

19 BY WITNESS ANDERSON:

20 A. Yes.

21 Q. Do you feel that you accurately found and  
22 put down on the sheets and then on the summaries whatever  
23 problems had been identified by anyone during the course  
24 of this process back in 1979?

25 //

1 BY WITNESS BOREN:

2 A. Yes.

3 BY WITNESS ANDERSON:

4 A. Yes.

5 BY WITNESS SPENCER:

6 A. Yes.

7 Q. Ms. Anderson, you in particular were asked  
8 a series of questions about items that appear on the various  
9 summary sheets.

10 First of all, am I correct that the cover  
11 page to each of the summary sheets indicates that each  
12 summary sheet, and I'm quoting here, contains the problems  
13 identified, close quote? That phrase or a virtually identical  
14 phrase was used in each cover sheet.

15 BY WITNESS ANDERSON:

16 A. That's true.

17 Q. With respect to the items listed, does the  
18 listing of the item on the sheet indicate in your mind  
19 that you had found that there was a real or a significant  
20 concern there, or is it a reflection of the fact that someone  
21 had made such a statement or concern in the course of an  
22 interview?

23 BY WITNESS ANDERSON:

24 A. It was strictly a reflection of a statement  
25 that was made or voiced by a person during an interview.

1 Q. Is that true for the rest of the panel?

2 BY WITNESS SPENCER:

3 A. Yes. And that statement that was made may  
4 have been based on hearsay, you know, him relating another  
5 instance that he had heard third-hand, that kind of thing.

6 Q. Are any of you, for instance, vouching  
7 to management in these reports that any of these items  
8 that Ms. Anderson was asked specifically about were indeed  
9 significant problems that management needed to address?

10 BY WITNESS ANDERSON:

11 A. No.

12 BY WITNESS BOREN:

13 A. No.

14 BY WITNESS SPENCER:

15 A. No.

16 Q. As a result of the entire process, do each  
17 of you have an opinion as to whether or not in 1979 there  
18 existed a significant problem with respect to harassment,  
19 intimidation, or any other form of discouraging quality  
20 control inspectors from doing their jobs?

21 MR. ROISMAN: Objection. The question calls  
22 for the witnesses to give an opinion on a subject on which  
23 they have not been qualified. In fact, they have just  
24 stated, I believe, in answer to your questions that all  
25 they were doing was passing on what they heard, not



1 evaluating it.

2 MR. BELTER: I'll withdraw the question  
3 and ask a couple of foundation questions.

4 BY MR. BELTER:

5 Q. Did each of you conduct a series of  
6 interviews?

7 BY WITNESS ANDERSON:

8 A. Yes.

9 BY WITNESS BOREN:

10 A. Yes.

11 BY WITNESS SPENCER:

12 A. Yes.

13 Q. And did each of you participate in summarizing  
14 all of the interview sheets that were involved in this  
15 process?

16 BY WITNESS BOREN:

17 A. Yes.

18 BY WITNESS ANDERSON:

19 A. Yes.

20 BY WITNESS SPENCER:

21 A. Yes.

22 Q. As a result of that process, did you read  
23 these sheets and did you do some thinking about what  
24 problems you were presenting to management?

25 //

PLEASE  
BOTTOM CONTENT

1 BY WITNESS ANDERSON:

2 A. Yes.

3 BY WITNESS SPENCER:

4 A. Yes.

5 BY WITNESS BOREN:

6 A. Yes.

7 MR. BELTER: All right. I'm going to ask  
8 the question again, Tony. I assume you have the same objection.

9 MR. ROISMAN: Yes.

10 BY MR. BELTER:

11 Q. Do each of you have an opinion as to whether  
12 or not in 1979 as a result of the process that you took  
13 part in whether or not there existed a significant problem  
14 with respect to harassment, intimidation, threats or any  
15 other form of discouraging quality control inspectors from  
16 doing their job?

17 BY WITNESS ANDERSON:

18 A. Yes, I have an opinion.

19 BY WITNESS SPENCER:

20 A. I have an opinion.

21 BY WITNESS BOREN:

22 A. Yes, I have an opinion.

23 Q. And I'll take it one at a time.

24 Ms. Anderson, what is your opinion?

25 MR. ROISMAN: I object. For the reason

1 stated, I do not believe the witness is qualified, and  
2 the testimony that would be given is not relevant or  
3 probative. It represents the opinion of essentially an  
4 amateur on a matter that she has no basis for an opinion  
5 on, nor is she management, which you've also established.

6 MR. BELTER: Let me ask you, Tony. Is it  
7 your belief that based upon the entire interview process  
8 no one is capable of rendering such an opinion? Because  
9 if that's the case, I don't think you or anybody on your  
10 side is as capable of rendering such an opinion as the  
11 persons that took part in the interview and conducted the  
12 process and were there at the time and summarized the results  
13 at the time and reported it to management and had the  
14 responsibility to do that. And these folks had the  
15 responsibility, and they did it, and they have an opinion.

16 MR. ROISMAN: I have the following things  
17 to say: They had a responsibility to report to management  
18 what they gathered in the interviews. And they've been  
19 asked whether they believe and gave their opinion that  
20 they believe that they accurately reported to management.

21 On that matter they are qualified to give  
22 that opinion. That was their job, and they have an opinion  
23 to give.

24 Now you are asking them to give an opinion  
25 about what was management's job, to take this raw data

1 which was given to them by the interviews and make their  
2 judgment. These people were not making that judgment,  
3 and --

4 MR. BELTER: An hour ago you were elevating  
5 them to the level of extended management. These folks  
6 were management in your view an hour ago.

7 MR. ROISMAN: They were --

8 MR. BELTER: And now you are putting them  
9 down to the information gatherer stage --

10 MR. ROISMAN: No. They were --

11 MR. BELTER: -- incapable of forming an  
12 opinion.

13 MR. ROISMAN: They acted as an arm of  
14 management to gather the data. They did not perform the  
15 function of management to have an opinion on that. And  
16 the opinion, the proper place for those opinions to come  
17 are from no level lower than the two recipients of the  
18 raw data, which are Mr. Tolson and Mr. Chapman, both --

19 MR. BELTER: I totally disagree with you.

20 MR. ROISMAN: -- of whom have been asked  
21 about that.

22 In addition, I don't believe, short of an  
23 expert, that there is anyone who has an outside basis for  
24 an opinion.

25 It is relevant in this proceeding how the



1 management of this corporation responded to this information,  
2 but what the opinion of these three people are with respect  
3 to it does not represent anything that is relevant.

4 MR. BELTER: I note your objection. I couldn't  
5 disagree more. I think there's no one that's more qualified  
6 to render this opinion, and whether or not they held a  
7 title or not has nothing to do with their individual ability  
8 to render this kind of an opinion.

9 MR. ROISMAN: All right. Well, as you know  
10 under the rules here, I have stated it, and you can how  
11 have them answer the question.

12 The Staff may have a view on this.

13 MR. MIZUNO: I think at this time the Staff  
14 will withhold any position on this.

15 BY MR. BELTER:

16 Q. Ms. Anderson, what is your opinion?

17 BY WITNESS ANDERSON:

18 A. Based on the interviews that I conducted  
19 and the summaries that I helped prepare, I did not feel  
20 and do not feel that there was a significant problem with  
21 harassment and intimidation at Comanche Peak.

22 Q. Ms. Spencer?

23 BY WITNESS SPENCER:

24 A. I also do not feel that there was a  
25 significant problem at Comanche Peak on harassment or

1 intimidation or undue pressure with the exception that  
2 there was the one incident that I feel and as I acted  
3 deserved management attention. I brought it to their  
4 attention. But other than that, absolutely, there was  
5 no harassment and intimidation and pressure at Comanche  
6 Peak site.

7 Q. Mr. Boren?

8 BY WITNESS BOREN:

9 A. Based on the interviews that I conducted  
10 at Comanche Peak in 1979, I did not feel that at that time  
11 there was any basis or grounds that we could see of any  
12 harassment or intimidation.

13 Q. Ms. Anderson, in the follow-up series of  
14 interviews conducted in 1980, do you have any way of knowing  
15 whether an individual or individuals who had identified  
16 any of the listed concerns that Mr. Roisman specifically  
17 asked you about were still present on site?

18 BY WITNESS ANDERSON:

19 A. I'm sorry. Could you --

20 Q. Do you have any way of knowing whether,  
21 for example, the persons that might have listed item 3,  
22 4, 5, or 8 of any of these specific summaries that  
23 Mr. Roisman identified for you, whether such a person might  
24 still have been on site?

25 A. No. I have no way of knowing.

1 MR. BELTER: Give me just a moment, please.

2 (Pause.)

3 BY MR. BELTER:

4 Q. In conducting the follow-up interviews in  
5 1980, you indicated that -- correct me if I'm wrong --  
6 that the persons interviewed were selected randomly.

7 BY WITNESS ANDERSON:

8 A. Yes. To the best of my recall.

9 Q. In selecting the random group to re-interview --  
10 Strike that.

11 MR. BELTER: I have nothing further.

12 Tony.

13 MR. ROISMAN: I just have a couple.

14 FURTHER RECROSS-EXAMINATION

15 BY MR. ROISMAN:

16 Q. Mr. Belter asked all of you whether if in  
17 the interviews you learned of excessive pressure from craft  
18 to sign off, pressure applied to QC to sign off on items  
19 when they weren't proper, whether you would have mentioned  
20 that in the summary sheet.

21 Do you remember that question and answer?

22 MR. BELTER: They are nodding affirmatively.

23 MR. ROISMAN: Yeah.

24 WITNESS SPENCER: Yes.

25

1 BY MR. ROISMAN:

2 Q. Would you have similarly recorded it if  
3 the pressure had not been excessive?

4 BY WITNESS SPENCER:

5 A. We recorded any information that they gave  
6 to us. You know, we relayed the -- The information that  
7 they gave to us we recorded on the summary sheets -- on  
8 the forms.

9 Q. Interview sheets.

10 A. Interview sheets.

11 Q. I think Mr. Belter had asked about the  
12 summary sheets, though.

13 A. Oh, I'm sorry.

14 Q. If your interview sheet had not disclosed  
15 that the pressure was excessive, would it have made it  
16 to the summary sheet nonetheless?

17 A. I would think so, yes.

18 Q. Ms. Anderson?

19 BY WITNESS ANDERSON:

20 A. I would think so. I'm not positive.

21 Q. Mr. Boren?

22 BY WITNESS BOREN:

23 A. In all probability.

24 Q. Would you say that was true even if the  
25 pressure was very slight but nonetheless was there according



1 to the interview sheet, Ms. Anderson?

2 BY WITNESS BOREN:

3 A. How slight are you -- You are going to have  
4 to get definitive now. What do you mean? How slight?

5 Q. Well, if you asked the question of someone  
6 in the interview and they said yes, I have felt pressure  
7 from craft for me to sign off on things that were not okay,  
8 that's the sum of it. They didn't say a lot. They didn't  
9 say I was threatened or yelled at. They didn't say anything  
10 except I felt pressure from craft to sign off on things  
11 that I didn't think were proper.

12 Would that have been reported? I assume  
13 from Ms. Spencer's answer that would have been reported  
14 in the interview sheet.

15 Would that have been reported in the summary  
16 sheet?

17 A. Yes.

18 Q. Ms. Spencer?

19 BY WITNESS SPENCER:

20 A. I believe so.

21 Q. Ms. Anderson?

22 BY WITNESS ANDERSON:

23 A. I believe so.

24 Q. In answer to Mr. Belter's question, you  
25 indicated that the -- that when you made a recording of

1 information on the interview sheet that you did not have  
2 a basis other than the statement of the person themselves  
3 to believe that the statement was correct.

4 Is that an accurate statement of what you  
5 said, Ms. Anderson?

6 BY WITNESS ANDERSON:

7 A. That's true.

8 BY WITNESS SPENCER:

9 A. Repeat it for me.

10 BY WITNESS BOREN:

11 A. Yes.

12 Q. Okay. When you record -- Well, wait a minute.  
13 Mr. Boren, was your answer yes, also?

14 A. My answer was yes.

15 Q. Okay. Ms. Spencer, the question was: When  
16 you recorded something on the interview sheet, was it your  
17 testimony that you did not have an independent basis to  
18 determine whether the statement was correct or not. All  
19 you can say is that you were recording as accurately as  
20 possible what you were being told.

21 BY WITNESS SPENCER:

22 A. Yes.

23 Q. Not whether it was correct.

24 A. Yes.

25 Q. Ms. Anderson, is that equally true about

1 the interview that you did in 1980, that you had no  
2 independent basis for determining whether what you were  
3 told in the interview was correct or not?

4 BY WITNESS ANDERSON:

5 A. As far as the specific interviews, yes.  
6 As it would have related to a finding from the report,  
7 a deficiency, per se, there would have been other things  
8 looked at.

9 Q. I'm sorry?

10 A. Well, as far as yes, in the interviews  
11 and specifically addressing the questions and what they  
12 were telling us, that's a true statement.

13 With regard to addressing deficiencies or  
14 whatever that we may have been, there would have been  
15 other things that were looked at.

16 Q. But I believe your testimony already was  
17 that in forming your opinions that are contained in the  
18 first two sentences of paragraph two of what is marked  
19 as Panel Anderson Exhibit No. 1, that the only thing that  
20 you looked at was the interviews; isn't that correct?

21 A. That's true, yes.

22 Q. Okay. So as to those two sentences, all  
23 you had was the interview answers. And as to the interview  
24 answers --

25 Answer that one first. All you had was

1 the interview answers in order to form the basis of the  
2 opinions expressed in those first two sentences of  
3 Panel Anderson Exhibit No. 1, paragraph two; is that correct?

4 A. True.

5 Q. All right. And that you had no more basis  
6 to know whether the answer you got in those interviews  
7 was accurate than you did as to whether the answers you  
8 got in the 1979 survey interviews were accurate; is that  
9 correct?

10 A. That's correct.

11 Q. All right. The third -- Maybe it is the  
12 fourth.

13 You indicated in an answer to Mr. Belter's  
14 question about your opinion that you have the opinion that  
15 there was no harassment and intimidation at Comanche Peak  
16 based upon the information that you got from the surveys;  
17 is that correct, that that was what formed the basis of  
18 your opinion, Ms. Anderson?

19 MR. BELTER: I think Ms. Spencer indicated  
20 one instance where she felt there had been.

21 BY MR. ROISMAN:

22 Q. I'm sorry. I'm sorry. With the one exception  
23 Ms. Spencer indicated, is that true for you, Ms. Spencer?

24 BY WITNESS SPENCER:

25 A. Repeat the question. I'm sorry.



1 Q. That's all right. It is very late. We  
2 haven't any of us eaten. I'm sure my questions are as  
3 confusing to me as they are to you.

4 That the basis for your statement that in  
5 your opinion there was no Comanche -- there was no  
6 harassment and intimidation at Comanche Peak as of 1979,  
7 with the one exception noted, was the information that  
8 you got in the interviews; is that correct?

9 A. Correct.

10 Q. And, Mr. Boren, is that correct?

11 BY WITNESS BOREN:

12 A. It is.

13 MR. BELTER: You are missing one aspect  
14 of it, Tony. I don't think you are doing it deliberately --

15 MR. ROISMAN: Okay.

16 MR. BELTER: -- but you are mischaracterizing  
17 the question because I did ask them specifically about  
18 the only interviews they conducted and as a result of  
19 the activity of sitting down and summarizing all the other  
20 interviews, also.

21 MR. ROISMAN: Okay. Fine. I'm sorry. I  
22 didn't mean to exclude that.

23 BY MR. ROISMAN:

24 Q. Is it not correct that the information that  
25 you were evaluating, whether based upon your own interview

1 or the summaries of all the interviews, still had its  
2 base back in the interview itself, the accuracy of which  
3 you have no basis to know whether it is correct or not?  
4 Is that true?

5 BY WITNESS ANDERSON:

6 A. That's true.

7 BY WITNESS SPENCER:

8 A. That's true.

9 BY WITNESS BOREN:

10 A. Yes.

11 Q. Ms. Anderson, you were asked the question  
12 whether in 1980 you would have any way of knowing whether  
13 the persons who had raised concerns in the 1979 survey  
14 were still present on the site in 1980. And I believe  
15 you said no way of knowing.

16 Is that a correct summary of what --

17 BY WITNESS ANDERSON:

18 A. That's what I said, yes.

19 Q. Isn't it true that you knew all the people  
20 who had been surveyed in 1979 because every QC person was  
21 surveyed?

22 A. The only people I would have had knowledge  
23 about were the ones that I talked with specifically, their  
24 names.

25 Q. But that's not -- My point is: Isn't it

1 true that in 1979 every QC person was interviewed?

2 A. I'm not sure if everyone was interviewed.

3 Q. Was it --

4 MR. BELTER: Mr. Chapman indicated that  
5 as they went discipline-by-discipline there may have been  
6 some who were on vacation or had been missed.

7 WITNESS BOREN: There were some that were  
8 sick.

9 BY MR. ROISMAN:

10 Q. Of the people who were interviewed in 1979,  
11 wouldn't it have been possible for you in 1980 to at least  
12 determine how many of the people who were present in '79  
13 were still present in 1980?

14 BY WITNESS ANDERSON:

15 A. We could have found out, that's true.

16 Q. And isn't it possible that when you conducted  
17 the interview in 1980 you could have asked the person,  
18 "Were you a person who raised this concern in 1979?" and  
19 found out from the interviewee whether they were, in fact,  
20 the same person?

21 MR. BELTER: Do you understand the question?

22 WITNESS ANDERSON: That for every person  
23 that we talked to we would have had to ask them with every  
24 specific item had they made that statement.

25 MR. ROISMAN: No.

1 WITNESS ANDERSON: We could have asked them,  
2 and I believe that we did, "Were you interviewed in 1979?"

3 BY MR. ROISMAN:

4 Q. Okay. So you could have found that much  
5 out at least, right?

6 BY WITNESS ANDERSON:

7 A. Yes. That's true.

8 Q. And you could have also found out if they  
9 were interviewed whether they had raised any concerns in  
10 1979.

11 A. Yes.

12 Q. And you could have found out, could you  
13 not, if that concern in their opinion had now been addressed?

14 A. Yes.

15 Q. But you have no recollection of whether  
16 you, in fact, did that. Isn't that not your prior testimony?

17 A. I do not recall specifically, yes.

18 MR. ROISMAN: Okay. That's it.

19 MR. BELTER: One more.

20 FURTHER REDIRECT EXAMINATION

21 BY MR. BELTER:

22 Q. Following up on Mr. Roisman's theory, in  
23 order to determine whether or not a person you re-interviewed  
24 in 1980 was a person who had raised a particular concern  
25 back in 1979, would you not have had to ask them whether



1 or not they had raised and then list for them the 60 or  
2 70 items that appear in the summary sheets, some of which  
3 Mr. Roisman asked you about?

4 BY WITNESS ANDERSON:

5 A. That's true.

6 MR. ROISMAN: I've got to do one more.

7 FURTHER RECROSS-EXAMINATION

8 BY MR. ROISMAN:

9 Q. If the person was in the group of QC  
10 personnel, staff personnel, you would only had to ask them --  
11 in 1979, you would only have had to ask them in 1980 about  
12 the concerns expressed by people in that group in '79,  
13 wouldn't you, not for all the groups? Is that true?

14 BY WITNESS ANDERSON:

15 A. That's true.

16 MR. ROISMAN: Okay. No more.

17 One more?

18 MR. BELTER: No.

19 MR. ROISMAN: Thank you all very much.

20 MR. BELTER: Off the record, please.

21 (Discussion off the record.)

22 MR. BELTER: On the record.

23 MR. MIZUNO: The Staff has no further questions  
24 at this time. However, it did request of the Applicants  
25 to provide for me the professional qualifications or a

1 resume for each of the three witnesses on this panel.

2 That's it.

3 (Whereupon, at 9:17 p.m., the deposition  
4 was concluded.)

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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  
4 (Panel 3, Anderson, Spencer & Boren)  
5 Date of Proceeding: July 31, 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 Glenna M. Wright  
Official Reporter - Typed

11  
12   
13 Glenna M. Wright  
Official Reporter - Signature

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### SUMMARY

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Attachment A

to

QTQ-33

The following is a summary of additional comments made during the interviews the week of May 12, 1980:

#### Electrical Discipline

Inspectors commented that on the whole their inspection procedures had been improved. However, concern was expressed that the termination and cable pulling procedures contain gray areas which require further clarification. No specific examples were cited even though they were asked to elaborate.

#### Mechanical Discipline

The revisions to CPM-6.9 were generally well received. It is now considered a "workable" document. In the pipe hanger group the feeling was that some of the substance has been taken out, such as fit-up inspections, and not all necessary items are being addressed. Again, no further elaboration was given. The inspectors doing hanger inspections are also having problems with the drawings that are being prepared by on-site drafting in which weld symbols are not being accurately transferred.

#### QA Vault

The frequent changes to procedures are causing confusion at the QA Vault. Changes to procedures (forms, etc.) which may affect the activities of the vault personnel are not being communicated to them.

#### Quality Engineering

Quality Engineering personnel made several suggestions which they feel will improve the effectiveness of the QA/QC efforts at CPSES.

- There is a need to put more emphasis on on-going qualification of personnel. There is a need to bolster QA confidence in areas where activities are infrequent.
- There is a need to put more emphasis in setting standards for and testing for reading comprehension when hiring inspectors.
- There is a need to promote the use of problem-solving sessions wherein personnel from the different affected groups meet to discuss and seek solutions to problems. At the present, meetings on problems appear to be forums for expressing and defending positions already established among individual groups, rather than problem-solving meetings.

- Duplicating machines appear to be "bottlenecking" work efforts. There is a need for a cost effective solution to this problem.
- Other suggestions were made which were of a management nature. These have been made known to appropriate personnel.



Attachment B

to

QTQ-33

## Evaluation of Open Items from Audit TCP-7

### Deficiency No. 3

CPM-6.9 has been revised, re-issued and appears to be a more workable document. Training classes have been conducted with both craft and QC personnel on the revised procedures and the changes appear to address the majority of problems originally expressed by the inspectors. This item is considered closed.

### Unresolved Item 1 - QC Training Program

No action has been taken on selecting OJT instructors on the basis of their teaching ability or their willingness to administer OJT. The only requirement for selection of an OJT instructor is that the inspector be fully certified in the area being taught. This item remains open.

### Unresolved Item 3 - Site Surveillance

Since the December audit, the Site Surveillance group has been re-organized under the Dallas QA organization. They are presently conducting approximately 15-20 surveys and re-surveys per month. The surveillances are being performed in more depth than in the past. A month-to-month schedule is used with changes made to accommodate requests from the Dallas office and provide support to priority site needs. The more in-depth surveys and the concentration of efforts in priority areas has improved the Site Surveillance function. The group is still short of personnel, particularly in the electrical and I&C disciplines. Efforts are continuing to fill these staffing needs. This item is considered closed.