

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

'84 AGO 20 P5:10

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of: :

TEXAS UTILITIES ELECTRIC :
COMPANY, et al. :

Docket Nos. 50-445
50-446

OL-2
OL-2

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

Room 46
Glen Rose Motor Inn
Glen Rose, Texas

August 1, 1984

Deposition of: SAMUEL T. HOGGARD

called for examination by counsel for Applicants,
taken before Margaret Schneider, Court Reporter,
beginning at 9:50 a.m., pursuant to agreement.

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APPEARANCES:

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

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

For the Deponent, Samuel T. Hoggard, Personally:

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

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I N D E X

DEPOSITION OF:	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
Samuel T. Hoggard	74,004	--	--	--

E X H I B I T S

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>
Hoggard Exhibit No. 1	74,004

P R O C E E D I N G S

9:50 a.m.

MR. WATKINS: We'll go on the record.

Good morning. My name is McNeill Watkins. I'm counsel for the Applicants in this proceeding. This is the deposition of Sam Hoggard, senior safety supervisor at Comanche Peak Steam Electric Station.

Applicants are taking Mr. Hoggard's deposition as part of an offer of proof which Applicants will submit to the Board in this case.

Because this is an offer of proof, Mr. Hoggard's deposition will consist solely of direct examination by Applicant. There will be no cross-examination by other parties.

Madam Reporter, would you swear the witness, please?

Whereupon,

SAMUEL TRUESDELL HOGGARD, JR.,
having been first duly sworn, was examined and testified upon his oath as follows:

MR. WATKINS: I wonder if counsel could identify himself?

MR. COPPOCK: Yes. My name is Jeff Coppock. I'm associated with the law firm of Vinson & Elkins in Houston. I'm here today representing Mr. Sam Hoggard, a

1 Brown & Root employee.

2 For purposes of the record, I'd like to
3 note that Mr. Boggard is appearing here voluntarily and not
4 under subpoena.

5 EXAMINATION

6 BY MR. WATKINS:

7 Q Please state your full name.

8 A Samuel T. Hoggard, Jr.

9 Q Mr. Hoggard, where are you employed?

10 A Brown & Root Construction Company at
11 Comanche Peak Steam Electric Station.

12 Q What is your title?

13 A Project Senior Safety Supervisor.

14 MR. WATKINS: I'll ask the reporter to mark
15 this document for identification as Hoggard 1.

16 (The document referred to was
17 marked for identification as
18 Hoggard Deposition Exhibit
19 No. 1.)

20 BY MR. WATKINS:

21 Q Mr. Hoggard, I show you this document which
22 has been identified as Hoggard 1 and ask if you can identify
23 it.

24 A Yes, sir. It's a photostatic copy of my
25 resume.

1 Q Did you prepare that resume?

2 A Yes, I did.

3 Q Is it accurate and up to date?

4 A Yes, it is.

5 MR. WATKINS: Applicants move the admission
6 of Exhibit Hoggard 1. If you will bind that into the
7 transcript, please, Ms. Reporter.

8 BY MR. WATKINS:

9 Q Mr. Hoggard, please describe your duties as
10 Project Senior Safety Supervisor.

11 A Well, my duties consist of the implementation
12 of project safety and concerns for employee protection,
13 employee health environments. I prepare documents for rules
14 and regulations pertaining to work. It's safety-related,
15 non-nuclear for the project employees.

16 I also maintain the medical staff, fire
17 department, safety inspectors for the project.

18 I do work with the Environmental Protection
19 Agency, Texas Department of Public Health, Department of
20 Public Transportation.

21 Q Are you responsible for a compliance program
22 with those agencies?

23 A Yes, sir, I am.

24 Q Are you also responsible for the Comanche
25 Peak Compliance Program for the Occupational Safety and

1 Health Administration?

2 A Yes, sir, I am.

3 Q How many employees do you supervise?

4 A Twenty-one.

5 Q Would you describe their functions, please?

6 A I have line safety inspectors, both days
7 and nights, that continually walk the plant. They do
8 continual safety inspections of areas of construction.

9 I have five medics, both days and nights.
10 And their main function is first-aid treatment. Two of those
11 personnel are Registered Nurses.

12 I have five firemen, consisting of a fire
13 chief and four firemen under him, both days and night shift.
14 Their total responsibility is for fire safety inspections
15 of the project, to answer fire calls on the project, to fight
16 those fires officially. They are also, at the present
17 time, supplying the fire brigade for TUGCO for fuel building
18 where fuel is stored.

19 Q To whom do you report, Mr. Hoggard?

20 A I report to Eddie Greer in Houston at the
21 Power Division Safety Offices. I work closely with Mr.
22 Franklin on the project and answer to him as project leader.

23 Q And who is Mr. Franklin?

24 A Mr. Franklin is the Project Manager for
25 Brown & Root.

1 Q Can Mr. Fanklin fire you?

2 A No, sir.

3 Q How do you and your safety inspectors enforce
4 safety rules?

5 A Well, if a saftey inspector and myself come
6 up on a situation where there is imminent danger to employees,
7 we have the power to shut that operation down 'til such
8 time as corrections have been made, as necessary.

9 Q Is it usually necessary to use that authority?

10 A No, sir, it is not.

11 Q If you see an unsafe condition, however, that
12 in your judgment would threaten the safety of an employee,
13 would you immediately shut that operation down?

14 A Yes, sir, I would.

15 Q And if that included access to a particular
16 part of a building, would you restrict access to that part
17 of the building?

18 A Yes, sir, I would.

19 Q Is the Safety Department subject to cost
20 considerations and construction schedules?

21 A No, sir.

22 Q Are you familiar with the rotating access
23 platform ring in Reactor Containment Building 2?

24 A Yes, sir, I am.

25 Q Why are you familiar with it?

1 A During the time that the platform was
2 installed, I was on the project. Also, at the time that
3 the work was having to be performed and installation, I
4 was responsible for having the lifeline system installed
5 in the building.

6 Q Did you suggest that the lifeline safety
7 system be installed on the platform?

8 A Yes, sir, I did.

9 Q Please describe the rotating access platform
10 ring in Unit 2.

11 A The rail is at approximately a thousand foot
12 elevation. It runs completely around the interior of the
13 building, attached to the stainless steel liner wall by
14 means of a large basin.

15 The rail itself is approximately two, two
16 and a half feet in width with a railroad type rail running
17 through the center of it.

18 Q Approximately how far from the liner wall
19 is the rail?

20 A Approximately five feet.

21 Q And where is the safety cable located?

22 A The safety cable is attached to the liner
23 wall by means of braces. The lifeline's approximately
24 between 36 and 42 inches high from the base of the top
25 base of the rail and is approximately four, four and a

1 half feet from the liner wall itself.

2 Q For a person standing on the rotating access
3 platform rail, at what height, body height, would the cable
4 be located?

5 A For the normal, average-sized person,
6 approximately shoulder height.

7 Q And how far would the employee have to
8 reach to hook into the cable?

9 A Approximately arm's length or less.

10 Q Could you describe the method by which
11 employees working on the rail attach themselves to the
12 cable?

13 A All employees working at that height are
14 required to wear a safety belt and lanyard. The safety
15 lanyard is attached to the belt and then to the wire rope
16 cable.

17 Q Do you have particular reason to recall your
18 assessment of the rotating access platform ring?

19 A Yes, sir, I do.

20 Q Did you receive an inquiry or inquiries
21 regarding the safety of that ring?

22 A Yes, sir, I did.

23 Q Do you remember the date?

24 A It was on or about March 8, 1982.

25 Q How do you remember the date?

1 A I have-- had written myself a memo concerning
2 the incident that took place.

3 Q Who inquired of you regarding the safety of
4 the rail?

5 A The first inquiry that I had was from a
6 QC supervisor by the name of Meil Britton.

7 Q What was Mr. Britton's inquiry?

8 A Mr. Britton called me by phone and asked if
9 the lifeline system that we had at the rotating platform
10 rail was safe.

11 Q What was your response?

12 A My response was that it was safe and did meet
13 requirements.

14 Q On what did you base your response?

15 A Well, the fact that I had been up there in
16 the past, that I had safety inspectors that physically been
17 up there in the past, also that the foremen of the crews
18 that were working up there were responsible to see that the
19 area was safe prior to their employees going to work, and
20 we had had no complaints or no employees hurt up 'til this
21 point.

22 Q Did you receive a second inquiry regarding
23 the safety of the rail?

24 A Yes, sir, the following day.

25 Q From whom?

1 A From Neil Britton's supervisor, Mr. Harry
2 Williams.

3 Q And what did Mr. Williams ask?

4 A Mr. Williams asked basically the same question,
5 if, in fact, that the system that we had up there was a
6 safe and adequate lifeline.

7 And I referred to him that it was safe, it
8 was adequate, and it did meet the appropriate Federal
9 regulations for fall protection.

10 Q Was the basis for your response to Mr.
11 Williams' inquiry the same basis as your response to Mr.
12 Britton's inquiry?

13 A I didn't know the reason for Mr. Britton's
14 inquiry. Mr. Williams did relate to me the reason his
15 inquiry was that he was having some difficulty getting
16 QC inspectors to go up there and perform their tasks.

17 Q At the time you talked to Mr. Williams,
18 had you been up to see the rotating access platform ring
19 within a day or two-day period?

20 A The day prior.

21 Q Did you, after your conversation with Mr.
22 Williams, personally inspect the rotating access platform
23 rail?

24 A Yes, sir.

25 Q Why did you do so?

1 A Just because of the two inquiries, I wanted
2 to go up personally, put my hands on it, and visually see
3 it myself so that if anything were to arise out of it I
4 would be able to say that I had personally inspected the
5 rail.

6 Q Would you describe your inspection, please?

7 A Yes, sir. I went up through using the
8 access ladder, I went up and physically hooked off my
9 safety belt lanyard to the lifeline, reversed it completely
10 around the lifeline, and I found everything to be in order.
11 The lifeline itself was taut. There was not an excessive
12 amount of slack in it. It was properly secured.

13 Q Approximately how much slack did you note
14 in the cable?

15 A Approximately three to six inches from static
16 position.

17 Q Did you completely traverse the circumference
18 of the rail as it travels around the containment?

19 A Yes, sir, I did.

20 Q Did you notice any oil or grease on the
21 rail at that time?

22 A No, sir, I did not.

23 Q Did you notice any other foreign objects on
24 the rail?

25 A Not on the rail itself, no, sir.

1 Q Did you notice any miscellaneous ropes or
2 cables or other safety equipment hanging from the safety
3 cable?

4 A No, sir, the cable was clean.

5 Q Were you looking for those items?

6 A Yes, sir, I was.

7 Q How much weight would the cable, the safety
8 cable on the rotating access platform rail, hold?

9 A Approximately 10,000 pounds.

10 Q It would easily, therefore, hold the weight
11 of three men.

12 A Most definitely.

13 Q After you performed your inspection, did you
14 report the results of your inspection to anyone?

15 A No, sir, I did not.

16 Q The purpose of your inspection, therefore,
17 was simply to satisfy yourself that your earlier judgments
18 regarding the safety of the rail were correct.

19 A Yes, sir, it was.

20 Q On the day that you inspected the rail, did
21 you observe any Brown & Root or any Comanche Peak personnel
22 working on the rail?

23 A Prior to my going up, I had been in the
24 building on 905 elevation and had observed employees working
25 on both the polar train rail, which is directly below the

1 rotating platform rail, plus employees working up on the
2 rotating platform rail itself.

3 Q At what elevation is the rotating access
4 platform rail, Mr. Hoggard?

5 A It's approximately a thousand foot elevation.

6 Q Mr. Hoggard, what regulations prescribe th
7 safety features for an item such as a rotating access
8 platform rail?

9 A Well, are you referring to a lifeline itself?

10 Q Yes.

11 A Okay. There's two different sets of
12 standards, the CFR 29.1926 has a section in it requiring
13 the use of such lifelines and American National Standards
14 ANSI.

15 Q Is that A-S-N -- A-N-S-I?

16 A Right.

17 American National Standards Institute, they
18 also have a standard for it.

19 Q Now, does the OSHA standard to which you
20 referred require a particular thickness of cable?

21 A Yes, sir, it does. One-half inch.

22 Q And is the cable on the rotating access
23 platform rail one-half inch?

24 A Yes, sir, it is.

25 Q Mr. Hoggard, at the time that you inspected

1 the rail, were you familiar with a QC inspector named
2 Robert Hamilton?

3 A NO, sir, I was not.

4 Q Did you know a QC inspector named Joe Krolak?

5 A No, sir.

6 Q Did you know a QC inspector named Sherman
7 Shelton?

8 A No, sir.

9 Q Your judgment as to the safety of the rail
10 was, therefore, in no way related to these three individuals;
11 is that correct?

12 A No, sir, it was not.

13 Q Subsequent to your inspection, did you
14 become familiar with these three names?

15 A Only later.

16 Q In what context?

17 A It was brought to my attention several days
18 after I had received a phone call from Mr. Williams that
19 three QC inspectors had been terminated because they had
20 failed to go up and perform their duties on the rotating
21 platform rail.

22 Q Do you know whether Mr. Hamilton, Mr. Krolak,
23 and Mr. Shelton took any further action regarding the safety
24 aspects of the rail?

25 A In May of 1982, I received a letter from the

1 Occupational Safety and Health Administration where the
2 three QC inspectors that you had mentioned had filed an
3 apparent employee complaint with OSHA.

4 Q What was the result of that complaint?

5 A The letter to me from OSHA stated that they
6 had dismissed the complaint and that they would take no
7 further action.

8 MR. WATKINS: Mr. Coppock, do you have any
9 questions?

10 BY MR. COPPOCK:

11 Q Okay. Just one clarifying question in your
12 last remark. You said that "they" had dismissed the
13 complaint and that "they" would take no further action.

14 Does the "they" refer to the employees or to
15 OSHA?

16 A To OSHA.

17 MR. COPPOCK: Thank you.

18 MR. WATKINS: That will conclude Mr. Hoggard's
19 deposition.

20 Thank you, Mr. Hoggard.

21 We'll go off the record.

22 (Whereupon, at 10:10 a.m., the deposition
23 in the above-entitled matter 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, et al
4 (Deponent: Samuel T. Hoggard)
5 Date of Proceeding: August 1, 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 Margaret K. Schneider
Official Reporter - Typed

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12 *Margaret K. Schneider*
13 Official Reporter - Signature
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BROWN & ROOT, INC.

PERSONAL RESUME

NAME:

Samuel Truesdell Hoggard, Jr.

CLASSIFICATION:

Safety Supervisor (Sr.)

DATE OF BIRTH:

May 31, 1944

PLACE OF BIRTH:

Fort Worth, Texas

MARITAL STATUS:

Married

EDUCATION:

High School Graduate
R.L. Pascal High School
Fort Worth, Texas
1963

Jet Aircraft Mechanics School
Amarillo AFB C130A/B
Amarillo, Texas
1963

Air Force Management Course
Hickam AFB
Hawaii
1967

Cleveland Institute of Electronics
Basic Electrical Course
Cleveland, Ohio
1969

OSHA Safety POH-302 GT
OSHA Supervisor Training
Brown & Root, Inc.
Glen Rose, Texas
July 15, 1977

Instructors Course
OSHA Standards
Construction & Industry
Brown & Root, Inc.
November 17, 1978



S.T. Hoggard, Jr.
Personal Resume (cont.)

MILITARY BACKGROUND:

Enlisted in the United States Air Force. After Basic Training, was assigned to the 6593rd Test Squadron at Hickam Air Force Base in Hawaii. My duties included that of Flight Engineer on HC130-H aircraft. I attained the rank of Sergeant and was awarded the following decorations.

National Defense Service Medal
Good Conduct Medal (2)
Air Force Longevity Service Award
Ribbon

I received my honorable discharge at the Air Force Flight Training Command Center, Edwards Air Force Base, California on February 2, 1968.

PROFESSIONAL ASSOCIATIONS:

Member of American Society of Safety Engineers.

PREVIOUS EXPERIENCE

November 27, 1978 to present

Brown & Root, Inc.
Glen Rose, Texas
Senior Safety Supervisor

May 1978 to Nov. 22, 1978

Brown & Root, Inc.
Glen Rose, Texas
Safety Supervisor

Oct. 3, 1977 to May 1978

Brown & Root, Inc.
Glen Rose, Texas
Safety Specialist IV

Feb. 1976 to Oct. 3, 1977

Brown & Root, Inc.
Glen Rose, Texas
Safety Inspector
Duties were to inspect main plant site, to insure that employees are working in a safe manner, to make sure that safety equipment was kept in good condition, and I was also responsible for field safety sampling and documenting same.

May 1975 to Dec. 1975

Las Colinas Security
Irving, Texas
Patrol Officer responsible for security, safety of a multi-million dollar housing area, country club, and construction site.

S.T. Hoggard, Jr.
Personal Resume (cont.)
Previous Experience (cont.)

September 1973 to April 1975

Leonards Department Store
Fort Worth, Texas
Security Manager
Investigated thefts, fires and was also
Safety Inspector for a department with
five hundred employees.

June 1971 to August 1973

Dynalectron Corporation
Fort Worth, Texas
Aircraft Mechanic and Safety Inspector,
Electrical Maintenance on aircraft. As
Safety Inspector, examined tools, work
areas, and prepared weekly inspection
reports. Worked with Air Force person-
nel on Fire Protection.

February 1968 to January 1971

L.T.V. Corporation
Dallas, Texas
Aircraft Rigger, sheet metal mech. and
department Safety man.

DETAILED PROFESSIONAL EXPERIENCE

November 27, 1978 to present

Brown & Root, Inc.
Glen Rose, Texas
Project Senior Safety Supervisor

1. Advise project management, foremen and supervisors, of all matters pertaining to safety hazards that may occur from day to day.
2. Conduct or instruct others with the orientation of new employees.
3. Coordinate local medical facilities for the treatment and care of injured employees from job site.
4. Investigate all job site accidents.
5. Work with the project manager, superintendents, and foremen, to administer corrective action for job site accidents.
6. Supervise medics and Safety personnel on the job site.
7. Maintain accurate and complete records set forth by Brown & Root, Inc. and the Federal Government.

S.T. Hoggard, Jr.
Personal Resume
Detailed Professional Exp. (cont.)

8. Requisition necessary personal protective equipment for specific tasks.
9. Hazardous waste management.
 - a. Apply to the Federal EPA and local State EPA for proper license or permits.
 - b. Identification and listing of all hazardous chemicals and waste used on site.
 - c. Inspection, control and training of hazardous chemicals and waste.
10. Medical
 - a. Locate properly trained medical personnel for the project to assure proper treatment of injured employees.

May 1978 to November 27, 1978

Brown & Root, Inc.
Glen Rose, Texas
Safety Supervisor

1. As Safety Supervisor, my duties included advising the Project Senior Safety Supervisor on all matters pertaining to safety hazards found by the field Safety Inspectors.
2. Investigate and prepare reports on property damage, motor vehicle damage, and serious accidents involving personnel on the job site.
3. Conduct OSHA type safety inspections of the job site, weekly. Also prepare a written report to the Project Senior Safety Supervisor.
4. Participate in weekly craft safety meetings.

November 27, 1978 to present

Brown & Root, Inc.
Glen Rose, Texas
Senior Safety Supervisor
Comanche Peak Project

S.T. Hoggard, Jr.
Personal Resume (cont.)

CAREER ACCOMPLISHMENTS

1979 - Construction of nuclear power plant with over 4,000 employees, 1,000,000 manhours without a lost time accident.

1980 - Same construction project, over 1,000,000 manhours on two occasions without a lost time accident.

1981 - Same project, over 1,000,000 manhours without a lost time accident, and from mid 1980 to January 1981, 2,300,000 manhours without a lost time accident.

1982 - Same project hit an all time record of 3,800,000 manhours without a lost time accident with over 4,000 employees.

Cost due to employee injuries has been reduced since 1979 by 66%, resulting in a sizeable rebate from the workers comp. carrier.

My major area of interest is in the setting up of safety programs and in refining existing programs to reduce employee exposure to hazards.

I have done some public speaking, mostly with A.S.S.E., Ft. Worth Chapter.

I maintain all required EPA records and supervise removal of all hazardous waste.

I am also working with the Red Cross Disaster Relief Office in Ft. Worth, for Hood and Somervell Counties.