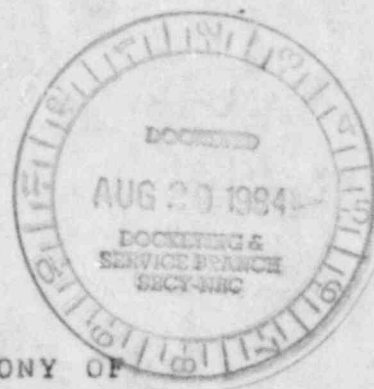


1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 BEFORE THE ATOMIC SAFETY & LICENSING BOARD

4 IN THE MATTER OF:)
5)
6 TEXAS UTILITIES ELECTRIC) DOCKET NOS.
7 COMPANY, ET AL) 50-445
8) 50-446
9 (COMANCHE PEAK STEAM)
10 ELECTRIC STATION, UNITS)
11 1 AND 2))



12 PREFILED TESTIMONY OF
13 ANTONIO VEGA
14 AUGUST 17, 1984

15 DOCKET NUMBER 50-445 01-2
16 PROD. & UTIL. PAC. 50-446 01-2

17 PREFILED TESTIMONY OF ANTONIO VEGA, taken on the
18 17th day of August, 1984, in the above-styled and
19 numbered cause, at Glen Rose Motor Inn located at
20 Highway 67 & FM Road 201, in the City of Glen Rose,
21 County of Somervell and State of Texas, before Janet
22 E. Schaffer, a Certified Shorthand Reporter in and
23 for the State of Texas.

24
25 B408230414 B40821
PDR ADOCK 05000445
T PDR

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I N D E X

WITNESS: ANTONIO VEGA
Examination by Mr. Downey Page 4

DEPOSITION (VEGA) EXHIBITS

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Exhibit Number 2 Page 15
Exhibit Number 3 Page 19

1 the Comanche Peak site QA/QC organization?

2 A. In my previous position I had the audit
3 function reporting to me. As such, I had close
4 contact with all audits that were done at the site,
5 including audits of construction, startup, testing,
6 operations and the Quality Assurance function. I
7 also had a site surveillance organization that
8 reported to me in Dallas that was responsible for
9 making sure that all the different organizations at
10 the site were doing their activities in full
11 compliance with our commitments.

12 Q. As a result of these activities in your
13 prior position, did you become familiar with the
14 operation of the QA/QC Department at Comanche Peak?

15 A. Yes, I did.

16 Q. And did you become familiar with the
17 policies of that organization?

18 A. Yes, I was.

19 Q. When you assumed your current position as
20 site QA manager, did you review the state of QA/QC
21 program?

22 A. I had been in contact with the activities
23 in Quality Assurance at the site, and so to a
24 certain extent -- it wasn't a review that started at
25 that point, but I certainly did take into

1 consideration what I was aware of prior coming over.

2 I did visit with key members of my staff to
3 get their inputs, their insights, their evaluations,
4 their recommendations as to what we could do to
5 improve the program at Comanche Peak.

6 Q. Is it fair to say that you conducted a
7 fairly comprehensive review of the program at the
8 time you assumed your current posit'on?

9 A. Taking into consideration the knowledge
10 that I brought with me from my previous position, I
11 would say yes.

12 Q. And what was your assessment of the program
13 at the time you completed this review?

14 A. It was my conclusion that we had an
15 effective Quality Assurance program at Comanche Peak.
16 It was my conclusion that it would be appropriate to
17 reemphasize some of the existing policies, practices,
18 management policies to all site Quality Assurance,
19 Quality Control people. I felt that it would be
20 appropriate to do this, while at the same time
21 personally embracing these standing policies, and
22 did so primarily in a meeting that took place on
23 March 16th. I subsequently documented those
24 discussions in a memo dated March 22nd, 1984.

25 Subsequent to that memo, I made it a point

1 to visit with the different Quality Control/Quality
2 Assurance Divisions on site, personally reemphasized
3 the key points of the letter and personally
4 expressed support for these policies and provided
5 everybody with an opportunity to come in and express
6 any comments, any concerns letter, any observations
7 they might have relative to any matter that affected
8 their job.

9 Q. Mr. Vega, I want to pick up on a couple
10 points in your last answer. You say that you
11 prepared a memorandum to all site QA/QC personnel.
12 I'd like you to review the document that's been
13 marked for identification as Vega Exhibit 1 and ask
14 you if you can identify that document as the
15 memorandum you prepared.

16 A. Yes. Vega Exhibit 1 is the memo that I
17 referred to. It is dated March 22nd. It is
18 addressed to site QA/QC personnel. The subject of
19 that memo is QA policy.

20 Q. Mr. Vega, you testified that you met with
21 all site QA/QC personnel; is that correct?

22 A. That is correct.

23 Q. Did you meet with them in one meeting, or
24 did you have several meetings with smaller groups?

25 A. We had several meetings with smaller groups.

1 Q. And did you invite those present at these
2 meetings to express any concerns they had to you
3 personally?

4 A. Certainly, I did.

5 Q. And did they do so?

6 A. Yes. There was free communication of ideas,
7 of thoughts, and in some cases, concerns.

8 Q. And did you receive, in these meetings, any
9 complaints or concerns about harassment,
10 intimidation or threats of Quality Control/Quality
11 Assurance personnel?

12 A. No, I did not.

13 Q. Did you form a judgment about whether the
14 harassments, intimidation and threatening of Quality
15 Assurance/Quality Control personnel was a problem at
16 the site?

17 A. I concluded that it was not a problem.

18 Q. Picking up with your testimony on Vega
19 Exhibit 1, Mr. Vega, I'd like to direct your
20 attention to numbered paragraph one of your
21 memorandum.

22 A. Yes.

23 Q. Why did you include the paragraph number
24 one?

25 A. I wanted to emphasize to all personnel that

1 the policies that are stated in this letter had been
2 existing since day one at Comanche Peak. TUGCO
3 management has been and remains totally committed to
4 a safe and reliable plant. I wanted to reemphasize
5 that, and I personally wanted to endorse it myself.

6 Q. Is it fair to say, as the new man on the
7 block, you wanted people to realize that you were
8 committed to these policies?

9 A. That is correct.

10 Q. And would that be true with the other
11 policies identified in Vega Exhibit 1?

12 A. Yes. Again, they repeat policies that have
13 been in place, and I wanted to make sure that
14 everybody understood that I personally endorsed them,
15 I personally supported them, and I wanted to
16 reemphasize some of these key points to some of our
17 people.

18 Q. Mr. Vega, I'd like to direct your attention
19 to paragraph three of Vega Exhibit 1, and in that
20 paragraph particularly I'd like to direct your
21 attention to the sentence, quote, "I wished to
22 encourage the use of the Request for Information and
23 Clarification as a means to communicate questions on
24 procedures and instructions," close quote.

25 My question to you, Mr. Vega, is, was the

1 RFIC an existing procedure at Comanche Peak at the
2 time you assumed your current position?

3 A. Yes, it was. The RFIC has been in place
4 for many years at Comanche Peak. It was a tool that
5 was specifically designed as a means to clarify or
6 provide additional information on any subject that
7 an inspector might have relevant to his procedures.
8 I merely wanted to reemphasize that it is a useful
9 tool and that it should be taken full advantage of
10 and encourage its use.

11 Q. Mr. Vega, the next sentence in paragraph
12 three of Vega Exhibit 1 reads, quote, "I also wish
13 to point out the availability of Mr. Boyce Grier to
14 listen to any of your concerns," close quote.

15 Why did you include that sentence in your
16 policy statement?

17 A. Well, Mr. Grier has been at the site and
18 was at the site before I came on board. Mr. Grier
19 has been available to listen to any concerns. I
20 wanted to again reemphasize his availability and
21 endorse the full availability of Mr. Grier. I
22 wanted to make sure that everybody again was
23 encouraged to take full advantage of this.

24 Q. Is it fair to say you thought Mr. Grier
25 served a useful purpose and you wanted people to use

1 his services?

2 A. Yes, that is correct.

3 Q. Skipping on down a few sentences in
4 paragraph three of Vega Exhibit 1, you stated, quote,
5 "I maintain 'an open door policy.' Please feel free
6 to visit with me at any time," close quote.

7 What was the purpose of including this
8 statement of the open-door policy in your memorandum
9 to site personnel?

10 A. I wanted to make sure that everybody
11 understood that I am interested in any problems that
12 any inspector might have, whether they are real or
13 perceived. My main function at the site is to
14 assure an effective Quality Assurance program and to
15 provide management support for that QA program. To
16 do so, I believe that communication is an absolute
17 necessity.

18 An open-door policy is something that is
19 necessary and something that I certainly wanted to
20 emphasize and again personally endorse and encourage
21 people to use without fear of retribution.

22 Q. Mr. Vega, is the open-door policy you
23 enunciated in Vega Exhibit 1 a corporate policy?

24 A. Yes, it is.

25 Q. And it's one that's in effect at all levels

1 at TUGCO; is that correct?

2 A. That is correct.

3 Q. And when did you first become aware of that
4 policy?

5 A. I can go back to the first day that I
6 reported to work at Texas Utilities Services when we
7 met with the president of Texas Utilities Services,
8 a gentleman named Perry ~~Britton~~ ^{Brittain A.V.}, who is now the
9 chairman of the board and chief executive officer of
10 Texas Utilities.

11 At that time he emphasized his availability
12 and his support and charged us with not only making
13 sure that Comanche Peak met all the regulatory
14 requirements, but that because of our Quality
15 Assurance involvement, Comanche Peak would be a
16 safer and a more reliable plant. In this context
17 then, he offered his support and stated his
18 availability to the Quality Assurance organization.
19 So I can trace that back to early 1973.

20 Q. Mr. Vega, directing your attention to
21 paragraph four of Vega Exhibit 1, I'll summarize
22 that paragraph as being one that describes a
23 reorganization of the Quality Assurance program; is
24 that a fair characterization?

25 A. Yes, it is.

1 Q. What was the nature of the reorganization
2 described in paragraph four?

3 A. Prior to me coming to the site, Quality
4 Engineering ^{reported} ~~reports had to go~~ ^{Q.V.} to the site Quality
5 Assurance supervisor. After --

6 Q. Mr. Tolson?

7 A. That is right. When I came to the site,
8 the Quality Assurance -- the Quality Engineering
9 function reported to Dallas. We felt that this was
10 an improvement to the program, although we didn't
11 believe that there was any problems there.

12 One of the things that I had heard during
13 our discussions and contacts with the site people is
14 that at times Quality Engineering was seen as
15 catering to the construction organization, because
16 they change their inspection procedures to address
17 changes in engineering requirements.

18 I wanted -- and not only myself, but my
19 supervisor, Mr. Chapman, the corporate manager
20 Quality Assurance -- wanted to make sure that there
21 was a very visible independence to address this
22 perception among some of the people, some of the
23 inspectors. Even though this is not a required
24 independence, we believe that it was an enrichment
25 to the previous organization. I wholeheartedly

1 supported it, and I wanted again to personally
2 endorse it and express the belief that the primary
3 function of Quality Engineering organization at
4 Comanche Peak would continue to make sure that
5 inspection procedures address the design
6 requirements, that they would be clear and concise.
7 We saw this as an improvement to the Quality
8 Assurance program at Comanche Peak.

9 Q. Skipping down to the next paragraph in Vega
10 Exhibit 1, which is unnumbered, you state that you
11 intended to emphasize communication in procedural
12 changes of inspectors; is that a fair
13 characterization of that paragraph?

14 A. Yes, it is.

15 Q. Why did you include that paragraph?

16 A. At times, again, when a change is made to a
17 procedure, an inspector may not know the different
18 inspection programs that we have on site, the
19 different testing programs that we have on site. An
20 inspector might not be aware of the different
21 elements of the Quality Assurance program that might
22 render a certain inspection unnecessary.

23 We felt that it was appropriate to explain
24 to the inspectors in a systematic manner instances
25 where changes were made to procedures. Why is this

1 procedure change being made? Why is the overall
2 inspection function as good or perhaps better than
3 what it was before?

4 At our management level we are aware of the
5 different elements of the Quality Assurance program,
6 and in many cases this is the primary reason for our
7 source of confidence in the programs at Comanche
8 Peak. We wanted to share some of this perspective
9 with our inspectors so that they, too, could
10 understand how extensive and how broad, and, in some
11 cases, how redundant our inspection programs are at
12 Comanche Peak.

13 Q. Mr. Vega, I'd like to direct your attention
14 to the second document that's been marked for
15 identification as Vega Exhibit 2, and it's a
16 document of three pages, a cover memorandum and then
17 a two-page attachment. Would you describe, if you
18 could, or identify, if you could, Vega Exhibit 2?

19 A. Yes. This document is an endorsement of an
20 existing policy. I wanted to emphasize --

21 Q. Mr. Vega, could you identify what the
22 policy is, because the written record won't reflect
23 what we're seeing.

24 A. I'm sorry. I was endorsing Section 14,
25 Revision 1, dated November 7, 1983, to the Brown &

1 Root's Supervisors' Handbook. And the document
2 marked Vega Exhibit 2 includes the attached section
3 out of the Brown & Root manual. I wanted to
4 personally endorse this particular standard. I
5 wanted to do this in an effort to ensure that all of
6 our inspectors, regardless of what company they work
7 for, whether they be Ebasco, whether they be United
8 Engineers, whether they be Brown & Root or TUGCO,
9 would be subject to a consistent standard.

10 I wanted to make sure that my supervisors
11 understood that we have a responsibility to
12 communicate our inspectors' performance to them. It
13 is our objective to make every inspector out there
14 as proficient as he can be. In order to do that, we
15 have to provide him feedback as to what he is doing
16 right and what he is doing wrong.

17 The purpose of this memo then was not only
18 to embrace a uniform standard, but also to encourage
19 its implementation and thereby provide feedback to
20 the inspectors as to what the performance is and
21 also to prescribe uniform actions on the part of all
22 supervisors at Comanche Peak to assure consistent
23 implementation on performance matters.

24 Q. Mr. Vega, the date of Vega Exhibit 2 is
25 April 26th, 1984; is that correct?

1 A. That is correct.

2 Q. In issuing this policy statement and this
3 endorsement, were you adopting prior practices, as
4 your own practice, in disciplinary matters at
5 Comanche Peak?

6 A. Yes.

7 Q. Is it a fair characterization of your
8 testimony that you wanted to add your personal
9 endorsement to this policy?

10 A. Yes. I believe I stated that I wanted to
11 add my personal endorsement to this policy.

12 Q. Mr. Vega, I'd like to direct your attention
13 to page three of Vega Exhibit 2, and specifically
14 I'd like to direct your attention to paragraph C
15 Imposition of Discipline, subparagraph four,
16 sub-subparagraph little c. I'll ask you if
17 paragraph C4(c) reflects the entire list of those
18 disciplinary infractions for which somebody would be
19 subject to an immediate termination?

20 A. No, this is not an all-inclusive list.

21 Q. Would you identify some other items that
22 might result in QC/QA inspector being subject to
23 immediate termination?

24 A. Certainly. Fighting on the job would
25 result in immediate termination. Certainly

1 attacking another person, assaulting another person
2 would be a basis for immediate termination. It is
3 not an all-inclusive list.

4 Q. Failure to follow directions of the
5 supervisor would be another cause for immediate
6 termination?

7 A. Certainly, insubordination would be basis
8 for immediate termination, but I would want to make
9 very sure that it is understood that a directive to
10 do an activity in non-compliance with a procedure
11 would not be considered insubordination. Directing
12 somebody to do something at variance with a
13 procedure is not supported by management, and such a
14 direction to a subordinate would not be tolerated.

15 Q. Would a supervisor be subject to serious
16 disciplinary action if he or she instructed an
17 employee to act contrary to the procedures?

18 A. Absolutely.

19 Q. Mr. Vega, I'd like to now direct your
20 attention to an exhibit that's been marked for
21 identification as Vega Exhibit 3, and I'd ask you to
22 identify Vega Exhibit 3, if you can.

23 A. Yes. This document describes Mr. Mike
24 Spence's involvement in meetings that have taken
25 place with QC inspectors at Comanche Peak. Mr.

1 Spence is the president of Texas Utilities
2 Generating Company. Mr. Spence wanted to make
3 himself available -- to use his phrase -- to provide
4 an open season on the president of TUGCO, make
5 himself available to inspectors, to listen to their
6 concerns, their ideas, their input, and to
7 personally emphasize top management's commitments to
8 the policies that are defined in my letter of March
9 22nd, 1982.

10 Q. That's Vega Exhibit 1?

11 A. That is correct. Mr. Spence wanted to
12 state personally top management's commitment to a
13 strong and effective Quality Assurance program, to a
14 safe and reliable plant, to free communication
15 without any fear of recrimination. He wanted to
16 reemphasize Mr. Grier's availability, and he wanted
17 to reemphasize open-door policy at all levels of
18 management within TUGCO.

19 Mr. Spence attended a number of meetings
20 with QC inspectors, different organizations,
21 different times, different dates, to make these
22 points.

23 Q. And the memorandum in paragraph two
24 indicates that there -- strike that.

25 In paragraph one of Vega Exhibit 3 it

1 indicates the attendance rosters for the formal
2 meetings are attached. My review of Vega Exhibit 3
3 suggests they aren't attached to this copy.

4 Mr. Vega, can you state approximately how
5 many QC inspectors met with Mr. Spence in these
6 meetings?

7 A. Mr. Spence met with the inspectors out of
8 the Control Building, Safeguards Building, Reactor
9 Building. If my memory serves me correct, the
10 number probably would run around between 60 and 75.

11 Q. And you personally attended each of these
12 sessions?

13 A. I personally attended these sessions. I
14 might add that Mr. Clements, the vice president of
15 nuclear operations, also attended some of these
16 meetings.

17 Q. And at these meetings did Mr. Spence invite
18 comments and criticisms from those attending?

19 A. Yes, he did.

20 Q. In these meetings did the Quality Control
21 inspectors voice complaints and criticisms to Mr.
22 Spence?

23 During these sessions with Mr. Spence, Mr.
24 Clements, yourself and the Quality Control
25 inspectors, did those inspectors who were in

1 attendance voice complaints and criticisms to Mr.
2 Spence?

3 A. Yes, there were some complaints and
4 criticisms voiced.

5 Q. And were any of those complaints that the
6 Quality Control inspectors had been harassed,
7 intimidated or threatened on the site?

8 A. No, not at all.

9 Q. What were some of the complaints that you
10 recall being voiced, Mr. Vega?

11 A. One of the complaints that I remember being
12 voiced was the controls that we have on the
13 permanent plant records vault. I remember one
14 inspector felt that he should have free access,
15 unrestricted access to the permanent plant records
16 vault.

17 I explained to him that we were responsible
18 for security of those records, and that, by
19 regulation, we had to have controls on the
20 safeguards of those records. I assured him that we
21 would make access as convenient as we could when he
22 had a legitimate need to have access to those
23 records, but that the controls that were in place
24 were indeed necessary.

25 Q. Do you recall other complaints, Mr. Vega?

1 A. Yes. I remember there were several
2 comments, several questions relative to the
3 company's plans for Unit 2. There were some
4 complaints --

5 Q. Let me interrupt, Mr. Vega. You say the
6 company's plans for Unit 2. Would you describe that
7 a little more fully, please.

8 A. Yes. As in any construction project, there
9 are rumors. Inspectors read about some of the other
10 nuclear plants in the country. And they asked Mr.
11 Spence whether the company had the financial
12 resources to continue with Unit 2. Mr. Spence
13 explained to them that, yes, we did, and we had
14 every intention to continue with Unit 2 as soon as
15 we finished up Unit 1.

16 I remember there were also some comments
17 made relevant to the inspectors felt that there were
18 some very positive aspects to our Quality Assurance
19 program at Comanche Peak. They stated a frustration
20 that all too often the only thing that they read and
21 that their families read and that their neighbors
22 read in the newspaper was negative.

23 The inspectors expressed a frustration that
24 we have a very good program at Comanche Peak, and
25 one that should be publicized more, suggesting that

1 the company be more aggressive in presenting the
2 positive side, in presenting the Quality Assurance
3 program at Comanche Peak, which inspectors believed
4 was a very good program.

5 There were also some other comments of
6 general interest relative to nuclear power. There
7 were some questions as to whether fossil plants, I
8 believe, were also, to a certain extent, subject to
9 the same kind of controversy. These are some of the
10 things that I remember were mentioned to Mr. Spence.

11 Oh, I remember the history of the CMC, the
12 Component Modification Card; that question came up,
13 and I addressed that.

14 Q. What was that question, Mr. Vega?

15 A. Some inspectors had a perception that the
16 CMC was merely a convenience tool for construction.
17 We explained how the CMC came into being. And I
18 remember using the specific example of base plates
19 for hangers. At one point we would drill four
20 symmetrical holes on a base plate, and then we would
21 drill the holes into the ceiling. In many cases we
22 would hit rebar. We would then have to go back and
23 redo the plate.

24 The CMC allowed the holes to be drilled in
25 the concrete, and when we got four holes that met

1 design requirements by way of rebar interferences
2 and everything, then we would record the bolt
3 configuration on the Component Modification Card.
4 And that Component Modification Card would then
5 document the successful bolt pattern. And in this
6 particular case, it enhanced the way the engineering
7 and construction activities were recorded. And we
8 explained the benefit of this particular document.

9 These are some of the things that come to
10 mind.

11 Q. Did Mr. Spence follow up on any of the
12 points that were raised at these meetings?

13 A. Yes, he did.

14 Q. Which ones? Do you recall?

15 A. I know that Mr. Spence visited with some of
16 our public information personnel, and he sent a
17 letter back to one of the gentlemen that suggested
18 community involvement in educating the public on the
19 benefits of nuclear power and the merits of our
20 Quality Assurance program. I don't know exactly
21 what was said, but I do know that Mr. Spence sent a
22 letter back to one of the inspectors thanking him
23 for the suggestion and a brief description of the
24 actions that he had taken. And I know this because
25 he copied me on the letter and sent me the letter

1 addressed to the inspector in an envelope which he
2 asked me to deliver personally to the inspector,
3 which I did. And this took place on two occasions
4 that I can remember.

5 Q. So Mr. Spence personally responded to two
6 of the concerns that had been raised at the meeting?

7 A. Yes. Mr. Spence did personally respond to
8 these and personally gave this his personal
9 attention.

10 Q. Did you detect any hesitancy on the part of
11 the inspectors to speak up during these meetings?

12 A. Absolutely not. I believe that there was
13 free discussion. The inspectors, several of them,
14 stopped me in the hall and indicated their pleasure
15 at having met with Mr. Spence and conveyed, in
16 general, a good feeling about the meetings that took
17 place.

18 Q. Mr. Vega, in your cross-examination you
19 indicated that you had conducted some investigations
20 into allegations of harassment and intimidation of
21 inspectors prior to becoming site QA managers; is
22 that correct?

23 A. Yes, I did.

24 Q. How many such investigations did you
25 conduct?

1 A. I conducted one investigation into an
2 alleged incident of harassment, intimidation and
3 threats.

4 Q. Who had raised that allegation?

5 A. Mr. Bill Dunham.

6 Q. And what was the scope of your
7 investigation?

8 A. The scope was to determine whether Mr.
9 Dunham had been terminated because he had expressed
10 any concern or because he complained of alleged
11 harassment, intimidation or threats.

12 I also looked into the technical matters
13 that Mr. Dunham raised. I talked to every
14 protective coatings inspector on site, both day and
15 night shift. I even talked to people who had left
16 the site. In essence, it was an investigation into
17 the protective coatings program and personnel
18 relationships within the protective coatings
19 organization, including engineering.

20 Q. And what were the results of your
21 investigation?

22 A. In summary, I concluded that our protective
23 coatings met all applicable requirements.

24 Q. That was your conclusion on the technical
25 points; is that right?

1 A. That is correct. I also concluded that
2 there had been no incidents of harassment,
3 intimidation or threats. I concluded that there had
4 been instances of poor communication and poor
5 supervisory practices, but these findings were not
6 related to the harassment or intimidation of
7 inspectors.

8 Q. At the time that you conducted this
9 investigation, had the supervisory personnel in the
10 protective coatings area been changed?

11 A. Yes. When I conducted my investigation,
12 the supervisor in question was no longer at Comanche
13 Peak.

14 Q. And who was that supervisor?

15 A. A gentleman by the name of Harry Williams.

16 Q. Did you find any evidence to support Mr.
17 Dunham's allegation that he had been terminated for
18 raising complaints?

19 A. Absolutely not.

20 Q. Mr. Vega, during your cross-examination you
21 testified about several QAI files. I'd like to pick
22 up on the various files that you testified about and
23 some other files and ask you a few more questions on
24 them. I'd like to first ask you about QAI File 0002,
25 a file involving a complaint of Mr. Perlaki.

1 Were you site QA manager at the time the
2 matter involving Mr. Perlaki arose?

3 A. No, I was not on site at that time.

4 Q. Have you reviewed the file of Mr. Perlaki's
5 complaint?

6 A. Yes, I have.

7 Q. What were the findings of that
8 investigation, to the best you recall?

9 A. In summary, Mr. Perlaki had conducted an
10 inspection. During the time of his inspection
11 several construction people had been in the vicinity
12 where he was conducting his investigation, and there
13 was some discussion as to the acceptability of the
14 items that he was looking at. Mr. Perlaki accepted
15 these items. The next day he reconsidered and
16 decided that what he had accepted was rejectable.

17 He went to his supervisor, stated a feeling
18 of uncomfortableness the previous day, identified
19 the item as non-conforming. His supervisor visited
20 with him. It was made very clear to the inspector
21 that he was the person would determine what was
22 acceptable and that any discussions that were held
23 in his presence would have no bearing on the
24 acceptability or rejectability of an item. The
25 inspector acknowledged this. He acknowledged this

1 authority. He acknowledged the support that he had
2 and assured his supervisor that an incident such as
3 this would not occur again. Relevant -- excuse me.

4 Q. On the other side, what action was taken
5 with respect to the construction crew?

6 A. Mr. Tolson counseled the people from the
7 construction side of the house as to what is and
8 what is not appropriate relative to discussions in
9 the presence of QC inspectors.

10 Q. Was Mr. Perlaki a new inspector at this
11 time?

12 A. I could not tell you how much seniority Mr.
13 Perlaki has in this particular area.

14 Q. In your judgment, was the resolution of
15 this complaint satisfactory?

16 A. Yes, it was satisfactory.

17 Q. In your judgment, it was handled properly?

18 A. I believe it was handled properly.

19 Q. Mr. Vega, are you familiar with QAI file
20 0007?

21 A. Yes, I am.

22 Q. Does that file contain two separate
23 allegations, a technical allegation and an
24 allegation of harassment?

25 A. Yes. It involves a technical allegation

1 and an allegation of harassment, but the person
2 making the allegation is described in the document
3 as working outside the Quality Assurance/Quality
4 Control organization.

5 Q. And has that person's name been kept
6 anonymous from you?

7 A. I don't know who the person is.

8 Q. And the technical allegation, has that been
9 addressed in the investigation?

10 A. Yes, it has been.

11 Q. And it's a closed matter; is that correct?

12 A. The technical allegation is a closed matter.

13 Q. Was there any finding that there was a
14 problem with the technical concerns?

15 A. Corrective actions are described in the
16 report. There is nothing that indicates that there
17 is a safety concern as a result of these allegations
18 and our investigation.

19 Q. And had there been a safety concern, would
20 it have been brought to your attention?

21 A. Certainly it would have.

22 Q. And the harassment allegation, is that
23 being closed out?

24 A. No. That particular item has not been
25 closed out. The investigation has been done, but I

1 have not seen the final report on that issue.

2 Q. Mr. Vega, are you familiar with QAI file
3 0012; the matter raised Mr. Winckel.

4 A. Yes.

5 Q. Is Mr. Winckel a Quality Control inspector?

6 A. Yes, he is.

7 Q. Mr. Vega, what is your understanding of the
8 substance of Mr. Winckel's complaint?

9 A. There had been a discussion as to the need
10 for an inspection. The discussion got somewhat
11 heated; voices were raised. Mr. Winckel correctly
12 concluded that he did not have to put up with that,
13 and walked away. He subsequently reported that to
14 his supervisor.

15 Q. And that led to the QAI investigation?

16 A. That led to him visiting with Mr. Grier who
17 initiated an investigation into the entire matter.

18 Q. What were the results of that investigation?

19 A. In summary, the heated language used was
20 unprofessional and would not be tolerated.

21 Accordingly, the crafts person was counseled and
22 informed that such behavior is unacceptable.

23 It was also reemphasized to the inspector
24 that he has the authority to reject any item and to
25 insist on the inspections that he believes are

1 required. In this particular case, there was some
2 confusion on the part of the QC inspector. In that
3 regard, additional training was provided to the
4 gentleman, and there was clarification made to the
5 procedure that was involved.

6 Q. In your judgment, was this an appropriate
7 disposition of this matter?

8 A. Yes, it is.

9 Q. Has it been reported to you that Mr.
10 Winckel is satisfied with the disposition of this
11 matter?

12 A. Yes. Mr. Grier discussed the entire matter
13 with Mr. Winckel who expressed his satisfaction with
14 the corrective actions taken.

15 Q. In your judgment, is this a serious problem
16 that was raised by Mr. Winckel?

17 A. I don't believe that there is a serious
18 problem involved here. If corrective action had not
19 been taken, it is the kind of situation that could
20 conceivably get out of hand.

21 I believe that what happened here was a
22 discussion of interpretations of requirements.
23 There was some confusion; the procedure had to be
24 changed. I believe what we're seeing here is
25 differences of opinion that really got beyond the

1 point that we want them to, but we believe that we
2 certainly got ahold of the situation.

3 I believe that the system that we have on
4 site to address differences of opinion and minor
5 flare-ups of this nature does work. While we do not
6 like for these incidents to occur, we have to be
7 realistic and know that we will not totally
8 eliminate them, but we do feel that we have a system
9 in place that addresses these, that brings parties
10 together where we have a resolution of differences
11 of opinion and continue to have a very excellent
12 working relationship between Quality Assurance and
13 the craft.

14 Q. Mr. Vega, do you recall testifying about
15 QAI file 0015, the file that was initiated because
16 of a complaint by Mr. Perry?

17 A. Yes, I do remember that.

18 Q. What's your understanding of the substance
19 of Mr. Perry's complaint? What was the substance of
20 that complaint?

21 A. An engineering drawing required a certain
22 condition that was considered impractical by Mr.
23 Fred Powers, who was the building manager in the
24 area in question. The inspector inspected the item
25 in accordance with what was on the drawing, even

1 though I believe that he probably felt and agreed
2 that what was on the drawing, strictly speaking, was
3 impractical. However, he stuck to what was on the
4 drawing and inspected accordingly.

5 In describing what was on the drawing, Mr.
6 Powers used the term asinine. Mr. Perry felt
7 perfectly free to express a displeasure at Mr.
8 Powers' statement. Mr. Powers subsequently came
9 into my office, wanting to make sure that I
10 understood that he was not referring to the
11 inspector but, rather, to the interpretation of what
12 was on the drawing.

13 Mr. Powers was counseled by his supervisor,
14 Mr. Merritt, and by myself in my office as to the
15 need to be very careful on how we deal with people
16 on site; that communication has to be in a
17 professional manner.

18 But I do want to point out that Mr. Perry
19 rightfully conducted the inspection to what the
20 drawing said. Mr. Perry did not compromise the
21 inspection; he waited until the drawing was revised,
22 and it was subsequently revised -- but Mr. Perry was
23 complimented for the way that he conducted his
24 examination in strict compliance to the drawing.

25 Again, I believe this is another instance

1 where differences of opinion are going to occur on a
2 project this big. Again, these are instances where
3 we don't like to see disagreements come to this
4 point, but we don't feel that this is significant;
5 we don't feel that it in any way impairs the
6 inspector's ability to do his job or in any way
7 caused him not to do thorough inspections. On the
8 contrary, I believe this very clearly demonstrates
9 that inspectors are free and encouraged and expected
10 to do their inspections in full compliance with
11 engineering drawings. When an engineering drawing
12 is not correct, then the drawing is changed; then it
13 is reinspected to the corrected specifications.

14 Again, I believe this is an excellent
15 example of the effectiveness of our Quality
16 Assurance program at Comanche Peak.

17 Q. In your judgment, was this matter handled
18 properly?

19 A. Yes, it was.

20 Q. Did you personally compliment Mr. Perry on
21 the way he conducted himself in this matter?

22 A. No, I did not. I did ask the person that
23 reports to me personally to get with Mr. Perry and
24 convey my compliments on the way he handled himself
25 during this inspection.

1 Q. Mr. Vega, are you familiar with QAI file
2 0016?

3 A. Yes, I am.

4 Q. Is that a file of investigation of
5 complaint raised by Eddie Needecken?

6 A. Yes, it is.

7 Q. What is your understanding of the substance
8 of Mr. Neidecken's complaint?

9 A. Mr. Neidecken was conducting an inspection
10 in the Reactor Building. The building manager asked
11 him to stop the inspection that he was conducting
12 and handle another inspection. Mr. Neidecken felt
13 that this was inappropriate; we concurred. I got
14 with Mr. --

15 Q. Let me interrupt you there, Mr. Vega.

16 What should the building manager have done
17 when he was faced with this situation?

18 A. The building manager should work through QC
19 supervision. And if a QC supervisor or a QC lead is
20 not available in the immediate vicinity, one should
21 be summoned, one should be found, and the request
22 for inspection, the priority, should be communicated
23 to the QC supervisor and not to the QC inspector.

24 Q. Mr. Vega, I'm sorry. I interrupted you.
25 You just said what happened in the field and you

1 were about to go on to explain Mr. Needecken's
2 complaint.

3 A. What I was going to say was that I defined
4 to Mr. Merit, the project manager, the correct way
5 to communicate with QC inspectors, and I asked him
6 to communicate to his building managers the correct
7 procedure for communicating such priorities to the
8 QC organization.

9 Q. And did he report to you that he did that?

10 A. Yes, he did.

11 Q. And were these actions reported to Mr.
12 Neidecken?

13 A. Yes. Mr. Grier visited with Mr. Neidecken,
14 described to him the results of the investigation
15 and the corrective action that was taken as a result
16 of his allegations. Mr. Neidecken stated that he
17 was satisfied with the results and had no further
18 problems.

19 Q. In your judgment, was this situation
20 correctly handled?

21 A. Yes, it was handled correctly.

22 Q. Mr. Vega, are you familiar with QAI file
23 0018. Do you recall that testimony?

24 A. Yes, I am.

25 Q. And do you recall that as being a QAI file

1 initiated because of a complaint by Mr. Finn?

2 A. Yes.

3 Q. What was the substance of Mr. Finn's
4 complaint, as you understand it?

5 A. Mr. Finn was in the men's restroom and the
6 building supervisor asked him whether he had
7 inspected enough hangers to be doing what he was
8 doing.

9 Q. What did the inspector say or do, as a
10 consequence?

11 A. Frankly, I believe that the inspector at
12 first thought it was funny, but the more he thought
13 about it, the more he wondered whether anything had
14 been meant by it, and he went to Mr. Grier.

15 Q. Did you personally take any action with
16 respect to this matter?

17 A. Yes. When I learned of the situation,
18 I visited with the building supervisor. The
19 building manager assured me that it was nothing more
20 than a statement made in jest, that he was joking.

21 I reemphasized to him the fact that this
22 inspector and he, as a building manager, are not
23 peers, and that where perhaps a joke amongst peers
24 might be appropriate, a joke said in jest by a
25 manager might not be taken as such by somebody in

1 the inspection ranks.

2 He again assured me that it had been a
3 statement made in jest, that he thought the world of
4 this particular -- apparently, he's a young
5 inspector, a very likeable individual. The building
6 manager stated that he thought a lot of this
7 particular person and that he wouldn't do anything
8 to make him feel uncomfortable, and that it was
9 meant to be nothing more than a joke.

10 Q. Proper disposition, in your judgment?

11 A. Yes.

12 Q. Were the results of the investigation
13 communicated to Mr. Finn?

14 A. Yes, they were.

15 Q. And was it reported to you that he was
16 satisfied with the disposition?

17 A. Yes.

18 Q. Mr. Vega, are you familiar with QAI file
19 00197

20 A. Yes, I am.

21 Q. Is that a complaint lodged by Mr. Hundly?
22 Is that correct?

23 A. Yes, it is.

24 Q. What was the substance of Mr. Hundly's
25 complaint?

1 A. Mr. Hundly was conducting inspections;
2 several construction people were in the vicinity and
3 commented as to the acceptability of some items that
4 were being rejected by the QC inspector. Mr. Hundly
5 did not feel comfortable with these comments, and he
6 reported it to his supervisor.

7 Q. Did you personally take any action in
8 response to this matter?

9 A. I personally talked to Mr. Hundly. I also
10 talked to the construction people involved. They
11 expressed to me a feeling of surprise that Mr.
12 Hundly had felt uncomfortable, that the comments
13 were being made amongst the construction people. I
14 advised them that this kind of communication was
15 unacceptable, that it was not to be done in the
16 future.

17 I subsequently visited with Mr. Merritt.
18 Mr. Clements and myself also visited with Mr. George,
19 who is the vice president over engineering and
20 construction. He assured us that he would
21 personally communicate our instruction to the people
22 involved. Mr. Merritt similarly assured us of the
23 same thing. I felt that the action that they took
24 was appropriate.

25 We met with Mr. Hundly, described to him

1 what had been done, and again Mr. Hundly was
2 satisfied with the disposition of the entire matter.

3 Q. Mr. Vega, did you take any additional
4 personal action with respect to QAI files 16, 18 and
5 19?

6 A. Yes, I did.

7 Q. What other action did you take?

8 A. Well, during the course of the 16, 18 and
9 19 occurrences -- these happened within a period of
10 about a week -- I sent a memo to Mr. Merritt saying
11 that we believed in the effectiveness and the
12 desirability of the building management concept, but
13 that other instances of this type would lead us to
14 not support that concept in the future.

15 I certainly did not want to do that because
16 I believe that the building management concept is a
17 very positive one, and I wholeheartedly support it.
18 I do not believe that it, in any way, compromises
19 the independence of the Quality Assurance
20 organization. But I did express our intent to
21 reassess the building management concept.

22 Subsequent to that, I sent a letter to Mr.
23 Merritt stating that we believed that the building
24 management Task Force concept was a good one, that
25 it had been effective and efficient in the past;

1 however, I emphasized to him and asked him to
2 emphasize to his building managers that the QA/QC
3 people do not work for the building manager or
4 anybody else in his organization, and that we would
5 continue to emphasize to our people that the
6 assignments of QA/QC people to the building task
7 forces are totally within the Quality
8 Assurance/Quality Control organization.

9 I emphasized to him that work schedules,
10 work assignments, would similarly come from within
11 the QA/QC organization management. We again
12 emphasized to him that any comments, requests,
13 concerns be communicated through QA/QC management,
14 not to the inspectors directly. And I advised him
15 that recurrence of any incident such as described in
16 QAI 16, 18 and 19 would result in an immediate stop
17 work, and that I would pull the QC inspectors out of
18 the building involved until appropriate corrective
19 action was taken.

20 Q. Do you have the authority to issue such a
21 stop work order?

22 A. I sure do.

23 Q. And do you have to consult with anyone
24 before you do that?

25 A. I don't have to consult with anybody before

1 I do that.

2 Q. Mr. Vega, I'd like you to refer to Vega
3 Exhibit 4. Can you identify it that exhibit?

4 A. Yes. Vega Exhibit 4 is the letter that I
5 referred to.

6 Q. And the letter that you sent to Mr. Merritt,
7 is that correct?

8 A. That is correct.

9 Q. Did you take any other action at this time?

10 A. Yes. I sent a memo to every QA/QC person
11 on site that, in essence, reemphasized the key
12 points in paragraph number two, and that is that
13 they do not report to the building managers or any
14 other person in that organization; that their
15 supervision comes from within the QA/QC organization;
16 that their assignments, their schedules, their
17 priorities are set within the QA/QC organization;
18 and I ask them to convey any concerns they had about
19 these policies to their supervisors so that it would
20 be brought to my attention.

21 Q. At this point did you feel that the
22 independence of the organization had been
23 compromised?

24 A. No, absolutely not.

25 Q. If you didn't feel that the independence

1 had been compromised in any way, why did you prepare
2 this memorandum for all site personnel?

3 A. I know what authority I have. I know what
4 management support I have within the company. There
5 is absolutely no doubt in my mind that I have all
6 the authority and all the management support to
7 enforce and implement a strong, effective and
8 independent Quality Assurance organization at
9 Comanche Peak. There is absolutely no doubt in my
10 mind that that is so.

11 However, I wanted to make sure that the
12 inspectors and everybody in the QA/QC organization
13 understood that that authority and that management
14 backing existed. I did not want a shadow of a doubt
15 to exist as to our independence and our authority,
16 and so I issued these memos.

17 Q. Mr. Vega, have any of the other QAI files
18 involved allegations of harassment, intimidation or
19 threats of Quality Control inspectors?

20 And let me be clear what I mean by other --
21 other than QAI file 0002, QAI file 0007, QAI file
22 0012, QAI file 0015 and QAI files 0016, 0018 and
23 0019 -- other than those QAI files, have any other
24 QAI files included allegations of harassment,
25 intimidation or threats of Quality Control

1 inspectors?

2 A. No, not to the best of my knowledge. There
3 are no other instances reflected in any other QAI's.

4 Q. And you receive copies of the QAI files, do
5 you not?

6 A. Yes, I do.

7 Q. Even if they're anonymous, you receive them
8 indicating their names have been withheld?

9 A. Yes. I know the substance of the
10 statements. I don't know who made the statements,
11 but I certainly do know the points that have been
12 brought forth.

13 Q. Mr. Vega, does TUGCO have a policy about
14 issuing reprimands to employees in a public forum?

15 A. Yes.

16 Q. What is that policy?

17 A. The policy is that we praise in public and
18 reprimand in private, unless the offense is such
19 that a public statement is necessary to correct the
20 effects of the original offense, and then only to
21 the extent absolutely necessary.

22 Q. And in your judgment, has it been necessary
23 to reprimand publicly anyone involved in these QAI
24 incidents about which you've testified?

25 A. No.

1 Q. Mr. Vega, you've testified about the way in
2 which these particular complaints were investigated
3 and resolved. How does this process differ from the
4 way in which complaints of this nature were resolved
5 prior to the appearance of the ombudsman on site?

6 A. Of course, the ombudsman program is
7 relatively new. But even before that program,
8 problems of the kind described in the QAI file were
9 handled in roughly the same way as these incidents
10 were handled. There was another situation of which
11 I am aware, and that involved an allegation of
12 harassment and intimidation by Bill Dunham.
13 I conducted an investigation into the Bill Dunham
14 matter.

15 Q. Prior to that time, had there been
16 instances where inspectors and craftsmen were
17 involved in differences of opinion, or voices were
18 raised?

19 A. Oh, I'm sure there were. Any time that you
20 have that many people involved in a project, as long
21 as you have individuals involved, you are going to
22 have differences of opinion; you are going to have
23 discussions, especially when both organizations are
24 free to speak their mind. And in this particular
25 case, I want to emphasize that QC inspectors are

1 free to speak their mind, and they certainly have
2 and have had all the backing they need to conduct
3 their inspections as they see fit in accordance with
4 their procedures.

5 Human nature being what it is, when a
6 person is inspected there would be a tendency to
7 lead to a discussion; however, I don't believe that,
8 in any case, discussions of this nature have
9 adversely affected the inspector's objectivity or
10 the inspector's commitment to conduct his
11 inspections in full compliance with applicable
12 requirements.

13 Q. Mr. Vega, I'd like to direct your attention
14 to QAI file 0004.

15 A. Okay.

16 Q. Do you recall testifying about the
17 substance of the allegations contained in that file?

18 A. I don't recall testifying about this
19 particular item, but I certainly am familiar with
20 the facts.

21 Q. What is the substance of the complaint
22 raised there in QAI file 0004?

23 A. The substance is with the implementation of
24 a policy that was established in the records vault
25 that required that people call in before nine

1 o'clock if they expected to be absent that day.
2 There were some allegations of inconsistent
3 application of this policy and an instance where the
4 implementation of this policy, to a certain extent,
5 was carried out in other than a private form.

6 This item was investigated. The supervisor
7 was counseled. I visited with him personally. I
8 visited with the people that were involved as far as
9 having been disciplined at variance with an
10 acceptable procedure, and I directed that they be
11 reimbursed for the time during which they were sent
12 home without pay. As a result of administering this
13 program, we reimbursed them for their time and we
14 conveyed to them that it was not our policy to
15 implement discipline in public and certainly not in
16 any way ridiculing an employee.

17 Q. Now, in your judgment, did this complaint
18 have anything to do with harassment and intimidation
19 of inspectors in the performance of their job?

20 A. No. These people were not inspectors.

21 Q. Did the people involved in this matter
22 indicate that they were satisfied with the
23 resolution provided?

24 A. Yes, they did indicate that they were
25 satisfied.

1 Q. Let me back up and be clear on a couple of
2 points in your testimony, Mr. Vega. When you say
3 the people subject to this policy had been
4 disciplined, you meant they had been sent home
5 without pay for failing to call in?

6 A. That is correct. They had been sent home
7 without pay for failure to call before nine o'clock.
8 But there was some question as to whether they had
9 or had not, or whether it was a minute before nine
10 or a minute after nine, and discussions as to
11 whether the call was made on time or not made on
12 time was discussed openly. I did not believe that
13 this was appropriate.

14 Again, I'm a firm believer in disciplining
15 people in private. I did not concur with the way
16 this matter had been handled by the particular
17 supervisor, and the matter was dispositioned
18 accordingly.

19 Q. Mr. Vega, I'd like to direct your attention
20 to QAI file 0021.

21 A. Yes.

22 Q. Do you recall testifying about that QAI
23 file?

24 A. Yes, I do.

25 Q. Is that a file that was initiated because

1 of a complaint of Mr. Scruggs?

2 A. Yes.

3 Q. What was the substance of Mr. Scruggs'
4 complaint?

5 A. Mr. Scruggs stated in his exit interview
6 that he had brought -- well, initially, Mr. Scruggs
7 did not want to discuss concerns. In the
8 questionnaire that he filled out --

9 Q. That's the exit --

10 A. The exit questionnaire, yes.

11 -- he stated that he was aware of quality
12 problems at Comanche Peak and that he was in contact
13 with D. Eisenhutt, Brooks Griffin -- Brooks Griffin
14 of NRC -- and that he would give them a list of his
15 concerns. I was puzzled by this particular
16 interview, because Mr. Scruggs had visited with me
17 perhaps a couple of weeks before the ROF occurred.

18 Q. Was this exit interview filled out at the
19 time he was ROF'd?

20 A. Yes.

21 Q. You were about to relate a conversation you
22 had with Mr. Scruggs about two weeks before that?

23 A. That is correct. Mr. Scruggs had been
24 turned down for security.

25 Q. That is, he was denied a security clearance?

1 A. He was denied a security clearance. I
2 advised him, by memo, that his request for security
3 clearance had been denied, and that if he wished, he
4 would be afforded with the opportunity to visit with
5 corporate security people so that they could explain
6 to him the basis for the denial.

7 He stated to me that he knew why his
8 security was denied, but that he wanted to appeal to
9 another level. I explained to him that the
10 requirements that must be satisfied are defined in a
11 regulatory guide; that we really have no control
12 over the criteria itself. He expressed a desire to
13 talk to our corporate security people, and I
14 arranged for that to happen.

15 Mr. Scruggs stated to me at that time that
16 he was very happy at Comanche Peak, that his father
17 had retired while working at Comanche Peak, that he
18 felt a certain closeness to the project and that he
19 wanted to continue working out here. He didn't
20 express to me any concerns, and so this, to me, was
21 alarming because I had spoken to him two weeks
22 earlier. We had had, I thought, a very warm
23 discussion, certainly a very friendly discussion,
24 and so this was a surprise to me.

25 At the exit interview, which was conducted

1 by Mr. Grier, Mr. Scruggs finally agreed to identify
 2 one area of concern, and he stated that there was a
 3 room in the auxiliary building where he had a
 4 concern relative to a cable tray cover. He stated
 5 that he had talked to Doug Snow about this
 6 particular problem.

7 Mr. Grier initiated an investigation. I
 8 subsequently was talking to Mr. Snow on another
 9 subject and I asked him about this. Mr. Snow told
 10 me that Mr. Scruggs had never brought any problem to
 11 his attention. Mr. Snow did state that Mr. Scruggs'
 12 supervisor had relayed a concern to him concerning a
 13 separation problem. In order to solve a separation
 14 problem, a tray cover was installed.

15 The point that Mr. Scruggs was making was
 16 that in going back to do some work on some of the
 17 cables inside the cable tray ^{G.V.} ~~cover~~, we had to remove
 18 the cable tray ^{cover G.V.}. Mr. Scruggs felt that at that very
 19 instance we had a non-conforming condition and we
 20 should issue an NCR.

21 Mr. Snow explained that it was necessary to
 22 remove the tray ^{cover G.V.} to do the work and explained that
 23 the traveler itself has a provision and required the
 24 cable tray ^{cover G.V.} to be reinstalled and for an inspection
 25 to be redone. In light of the positive controls,

1 there was a disagreement that an NCR was proper. I
2 certainly concurred with that. Had an NCR been
3 issued, I would have voided the thing, had it come
4 to my attention.

5 This is the only item that I know of that
6 he expressed a concern about, and I'm satisfied that
7 the action that was taken was entirely appropriate
8 for this situation.

9 Q. Mr. Vega, in your experience, has the --
10 strike that.

11 How would you describe the effectiveness of
12 the ombudsman program at Comanche Peak?

13 A. I believe the program has been very
14 effective. I believe that every inspector on the
15 site knows of Mr. Grier's presence, and there have
16 been people that have come forward and expressed
17 concerns.

18 Q. And the Hot Line Program, what's your
19 assessment of its effectiveness?

20 A. I don't get involved with the Hot Line
21 Program as much as I do the ombudsman program. Our
22 effort at the site is to make people aware that the
23 Hot Line is available and we encourage people to use
24 it, but these investigations are conducted out of
25 the corporate security office. And while I am aware

1 of the nature of the investigations, especially when
2 they relate to an activity on site, I have reason to
3 believe the program is effective and certainly
4 meeting the intended objective.

5 MR. DOWNEY: What about a break.

6 (Discussion off the record.)

7 Q. Mr. Vega, who is responsible for setting
8 disciplinary policy for QC/QA employees at Comanche
9 Peak?

10 A. I am.

11 Q. Are you satisfied that you have a sound
12 disciplinary policy at Comanche Peak?

13 A. Yes, I am.

14 Q. Have you made any effort to compare the
15 disciplinary policy of the QA/QC Department with the
16 construction group?

17 A. No, I have not.

18 Q. And what factors guided your thinking in
19 establishing disciplinary policy, or, I believe you
20 said, in continuing the disciplinary policy that was
21 in effect when you took over?

22 A. The program, as you mentioned, was already
23 in place. I reviewed it prior to my personal
24 endorsement, and I concurred with its provisions.

25 I want to clarify my previous answer

1 relevant to comparison of disciplinary programs. I
 2 do not get involved with disciplinary matters in the
 3 engineering and construction side of the house
 4 unless the disciplinary action is a result of an
 5 interaction with a QC inspector. In that particular
 6 case, I review the disciplinary action on an
 7 individual basis and determine whether the
 8 disciplinary action adequately addresses the
 9 incident that occurred. From that standpoint, I do
 10 assess adequacy of disciplinary actions, but I
 11 certainly have not reviewed their program to compare
 12 it to ours. I don't see any relevance. It's two
 13 different organizations, two different companies,
 14 perhaps even caliber of people. The degree to which
 15 we test our people, the degree to which we train our
 16 people, the degree to where -- the degree to which
 17 they are trained, examined, certified, certainly, I
 18 believe, would merit a different type of program
 19 dealing with a different level of professionalism.

20 And I'm not saying this is in any way
 21 derogatory to the construction side of the house.
 22 They have very conscientious people, very good
 23 people, but I believe that we're talking two
 24 different organizations and two levels of expertise.

25 Q. Since you have assumed control of site QA

1 function, can you cite for us some examples of the
2 kinds of disciplinary matters that arose in the
3 technical areas of the QC area? Or let me clarify
4 that. Disciplinary action you've taken as a result
5 of perceived technical deficiencies.

6 A. In regard to technical deficiencies, we
7 have had one instance in the Thermalag area where an
8 inspector was found to not have properly inspected
9 his items, the work that he inspected. We
10 subsequently went back and had to redo all of his
11 inspections. We ended up terminating that inspector.

12 Q. As a consequence of his technical
13 deficiencies?

14 A. As a consequence of his technical
15 deficiency or attention to detail. Another instance
16 that comes to mind is an inspector who performed a
17 number of inspections that had to be redone. In
18 that particular case we pulled his certifications
19 and, in essence, demoted him out of an inspector
20 position.

21 Again, those disciplinary actions are taken
22 on an individual case basis, but certainly
23 consistent with our overall.

24 Q. Are disciplinary actions as a result of
25 technical deficiencies a frequent occurrence?

1 A. No, not all.

2 Q. Other than the two examples you have cited,
3 can you think of any other instances where there has
4 been discipline of an inspector because of the
5 technical deficiencies?

6 A. No. As far as disciplinary action is
7 concerned, these are the only ones that come to mind.

8 Q. Now, on the administrative side, have you
9 found occasion to discipline employees as a result
10 of administrative problems since you've been on site?

11 A. Yes. In regard to work habits, in regard
12 to attendance, in regard to sleeping on the job, in
13 regard to the failure to show, return to their job
14 after extended absences.

15 Q. And with respect to those administrative
16 actions, how are those implemented at the site?

17 A. As far as what actions are taken, the
18 actions taken include termination, include
19 furloughing people without pay, sending them home
20 for three days without pay, placing them on
21 probation, combinations of these.

22 Q. What steps have you made to ensure that
23 administrative policies are enforced on a uniform
24 basis within the QA Department?

25 A. Well, one key item is the memo that we

1 talked about earlier, the +-

2 Q. That's Vega Exhibit 2; is that correct?

3 A. Let me check. Yes, that is Vega Exhibit 2.
4 That's correct. That defines the program. Of
5 course, to properly implement a program and
6 consistently implement a program requires a lot of
7 communication with people, reemphasizing to them the
8 importance of communicating with people their
9 strengths, their weaknesses with an overall
10 objective of making your inspectors the most
11 proficient inspection force in the country.

12 Q. Mr. Vega, are you familiar with what has
13 come to be known as the T-shirt incident?

14 A. Yes, I am familiar with that incident.

15 Q. Mr. Vega, what was your first involvement
16 in the T-shirt incident?

17 A. I conducted an investigation on the day
18 following the initial incident.

19 Q. And what was the nature of your
20 investigation?

21 A. It was to determine what was the underlying
22 reasons for the T-shirt incident and to make
23 recommendations on any actions that might be
24 necessary or appropriate.

25 Q. What were your conclusions about the

1 reasons for --

2 A. I concluded that the inspectors did not
3 intend to convey dissatisfaction or concerns but,
4 rather, it was more of an act of levity. They felt
5 that the management had overreacted to the situation.

6 To a certain extent, I agreed with that
7 conclusion. I don't believe that there was any
8 message intended.

9 Q. Did you take this opportunity to ask the
10 inspectors to state any concerns they had?

11 A. We did discuss some concerns that they had.
12 Those were investigated. We subsequently visited
13 with the different inspectors that had different
14 concerns and resolved all of their items, all of
15 their concerns.

16 Q. Did you personally identify each of their
17 concerns?

18 A. Yes, I did.

19 Q. And did you personally?

20 A. Yes. I was involved in it to varying
21 degrees. Let me explain that.

22 The incident occurred on March 8th. I
23 interviewed the inspectors on March 9th. I became
24 QA manager on March 16th. Particularly from March
25 16th on, I did initiate some actions with

1 engineering on resolution of the technical items,
2 and initiated some other actions to address some of
3 the non-technical issues.

4 A. Yes, that is correct.

5 Q. Mr. Vega, could you identify, by name, the
6 eight persons who were in the T-shirt -- wore the
7 T-shirts that day?

8 A. I'm not sure that I can recall their names,
9 but I believe I could recognize most of their names.
10 Wayne Whitehead, Ed Snyder and Milton Barfield came
11 to mind just now.

12 MR. DOWNEY: Off the record.

13 (Discussion off the record.)

14 Q. Mr. Vega, were any of the people involved
15 in the T-shirt matter transferred from the
16 Safeguards Building to another building during March
17 1982?

18 A. Yes, I believe they were.

19 Q. And why was there a transfer of electrical
20 inspectors from Safeguards Building during March
21 1982?

22 A. Well, there was a stop work in Safeguard
23 Unit 1, and at that time we needed to reduce the
24 electrical inspector work force because of this stop
25 work.

1 Q. What is a stop work?

2 A. It means exactly that. You stop the craft
3 and the inspectors -- well, it depends on the scope
4 of the work itself, the work that's defined in the
5 stop work document.

6 Q. What was the scope of the work that was
7 stopped in the Safeguards Building?

8 A. Final post construction electrical
9 inspections and work associated in clearing items
10 from those inspection functions.

11 Q. And that caused there to be less work for
12 electrical inspectors to do in that building; is
13 that right?

14 A. That is correct.

15 Q. So you decided to reduce your work force in
16 that area?

17 A. That is correct.

18 Q. How were the people selected for transfer?

19 First let me ask you, who selected them for
20 transfer?

21 A. The building QC supervisor.

22 Q. Who was that?

23 A. A gentleman by the name of Mark Welch.

24 Q. Did you review his selections?

25 A. Yes, I did review his selections.

1 Q. And did he submit to you a memorandum
2 explaining the basis for his selections?

3 A. Yes.

4 Q. And is that memorandum marked for
5 identification as Vega Exhibit 6?

6 A. Yes, it is.

7 Q. Turning to page -- strike that.

8 Do you know what criteria Mr. Welch applied
9 in making his determinations?

10 A. Yes, I do.

11 Q. What criteria did he apply?

12 A. Mr. Welch wanted the people that had the
13 most certifications to remain, the people who had
14 the best attendance records to remain. And that was
15 the criteria that he used except in one particular
16 instance.

17 Q. And did he commit to paper these various
18 certifications and attendance records of the
19 employees who were electrical inspectors in the
20 Safeguards Building at that time?

21 A. Yes, he did. And that was the basis for
22 his transfer.

23 Q. And is a chart setting out the attendance
24 records and certifications of these personnel
25 included in his memorandum to you which has been

1 marked for identification as Vega Exhibit 67

2 A. Yes.

3 Q. And did he provide a handwritten
4 explanation of the basis for his --

5 A. Yes, he did. He provided a handwritten
6 basis for each inspector that was transferred.

7 Q. Now, who were the inspectors who were
8 transferred?

9 A. The inspectors were Barfield, Jones, Pryor,
10 Shamblin, Snyder and Whitehead.

11 Q. Which of those inspectors was transferred
12 for reasons other than attendance in certifications?

13 A. One person.

14 Q. Who was that?

15 A. That was Wayne Whitehead.

16 Q. Why was Mr. Whitehead transferred?

17 A. Mr. Whitehead does have a lot of
18 certifications, and his attendance has been good.
19 He was acting lead in the Safeguards Building. And
20 Mr. Whitehead is very much of a natural leader. Mr.
21 Welch needed only one lead immediately after the
22 stop work. And so, in order to not compromise the
23 supervisory chain of command, he transferred Mr.
24 Whitehead. It was his feeling, and I concurred,
25 there would be a tendency for some of the inspectors

1 to go to Mr. Whitehead instead of the lead that was
2 remaining in Safeguards 1. And so for this reason,
3 so as not to compromise the supervisory structure,
4 he did transfer Mr. Whitehead to Unit 2.

5 Again, his primary reason is that Mr.
6 Whitehead is very much of a natural leader; he's
7 very knowledgeable; he is looked up to by a lot of
8 the inspectors out there. And there would be that
9 natural tendency to go to Mr. Whitehead.

10 Q. Did he fill that leadership role in Unit 2
11 with respect to these inspectors?

12 A. Yes, I believe he did.

13 Q. Mr. Vega, was the participation in the
14 wearing of the T-shirts a criterion used by Mr.
15 Welch in determining who would be transferred?

16 A. No. The T-shirt incident had nothing to do
17 with the transferring of people.

18 Q. In fact, were some of the people who wore
19 T-shirts transferred?

20 A. Yes. Some of them were transferred; some
21 of them remained.

22 Q. And some of the people who were transferred
23 didn't wear T-shirts, right?

24 A. Yes.

25 Q. And some of them who remained didn't wear

1 T-shirts?

2 A. Yes. It just so happened that some of the
3 people who were transferred wore T-shirts; some
4 remained. And some of the people transferred didn't
5 have anything to do with the T-shirts. It was
6 strictly based on attendance, based on
7 qualifications. With one exception: Mr. Whitehead.

8 Q. Mr. Vega, do you recall Mr. Barfield as
9 being one of the employees who wore a T-shirt and
10 was involved in the T-shirt incident?

11 A. Yes.

12 Q. Is Mr. Barfield currently employed at
13 Comanche Peak?

14 A. No, he is not.

15 Q. Why is he no longer employed?

16 A. He requested an ROF.

17 Q. And I'll ask you to review the document
18 marked for identification as Vega Exhibit 7.

19 A. Okay.

20 Q. Do you recognize that document?

21 A. Yes.

22 Q. What is it?

23 A. It is Mr. Barfield's request for an ROF
24 effective May the 11th of '84. That request was
25 forwarded to me. At that particular time, I wanted

1 to make sure that there was absolutely no holdover
2 from the T-shirt incident. I visited with Mr.
3 Barfield. I asked him how things were going on the
4 job. He was very complimentary. He stated that he
5 was happy working at Comanche Peak, but he also
6 mentioned that his mother and father were up in the
7 eighties, that he wanted to be closer to them and
8 that, accordingly, he had an opportunity back in
9 Virginia where he would be close to them.

10 He assured me that he had experienced no
11 adverse treatment, that he was happy with the way
12 things were going, that he was very complimentary of
13 the program. Having been satisfied that this indeed
14 was the case, I approved the ROF request.

15 Q. And does Vega Exhibit 7 indicate your
16 approval?

17 A. Yes, it does.

18 Q. And do you recognize any other signatures
19 on Vega Exhibit 7?

20 A. I recognize Mr. Purdy's.

21 Q. Did he also approve the ROF?

22 A. Yes. Yes, he did.

23 Q. Mr. Vega, do you recall Wayne Whitehead's
24 having been involved in the T-shirt -- having worn a
25 T-shirt on the day in question?

1 A. Yes, I do recall.

2 Q. Is Mr. Whitehead still employed at Comanche
3 Peak?

4 A. Yes, he sure is.

5 Q. And have you had an occasion to talk with
6 Mr. Whitehead about his perception of the job, his
7 job at Comanche Peak?

8 A. Oh, yes. I visited with him on numerous
9 occasions.

10 Q. Do you have any reason to believe that Mr.
11 Whitehead has ill feelings about the T-shirt
12 incident?

13 A. No, not at all. I have talked to him on
14 several occasions. Some of those discussions have
15 been work related; others have been casual
16 discussions. He has taken the occasion to state
17 that he is happy with his job and has also been
18 complimentary of the program.

19 Q. Do you recall Eddie Snyder as having worn a
20 T-shirt and been involved in the T-shirt matter?

21 A. Yes, I do remember Eddie Snyder.

22 Q. Is Mr. Snyder still employed at Comanche
23 Peak?

24 A. No, he is not. He has resigned.

25 Q. Did you meet with him at the time?

1 A. Yes, I did meet with him. Again, I wanted
2 to make absolutely sure that these people were not
3 in any way experiencing any kind of adverse
4 treatment. I wanted to satisfy myself that they
5 were being treated as any other inspector out there.

6 I visited with him. He assured me that he
7 had received no ill treatment; that he had an
8 opportunity come up -- I believe this was in the
9 state of Louisiana. He indicated that it was a good
10 opportunity for him, that it meant more money for
11 him, and that, accordingly, he was anxious to take
12 advantage of the opportunity. He assured me that
13 there was no other reason for his leaving, and again
14 I thanked him and wished him the best of luck.

15 Q. Mr. Vega, is there an ROF policy in the QA
16 Department at Comanche Peak?

17 A. Yes, there is.

18 Q. Mr. Vega, please review the document that
19 has been marked for identification as Vega Exhibit 8
20 and identify it, if you can.

21 A. It is a copy of Mr. Snyder's letter of
22 ~~verification.~~ *resignation Q.V.*

23 Q. Is that a written policy?

24 A. Yes, it is.

25 Q. And do you know when it was developed?

1 A. I would say probably the latter part of
2 March, perhaps early part of April, although I'm not
3 certain.

4 Q. Before you became site QA manager?

5 A. No. I believe it was finalized after I
6 became QA manager.

7 Q. It was a project that was under way when
8 you assumed the job; is that right?

9 A. Yes. The effort had been ongoing.

10 Q. And why was that policy developed?

11 A. Well, as we wind down the Unit 1 activities,
12 the resource requirements are going to decrease. We
13 want to make sure that we do everything that we can
14 to retain the people that can best help the project
15 from the standpoint of their certifications, the
16 people that are most reliable from the standpoint of
17 their attendance, the people that can work under
18 Unit 1 security conditions when Unit 1 security is
19 fully implemented. And so these three factors are
20 the primary criteria that are used in evaluating ROF
21 status or ROF priorities or ROF susceptibility.

22 There is an additional rating that is used
23 as a tie breaker when the people that are to be
24 ROF'd -- the number of people that are to be ROF'd
25 goes beyond the segregation that is provided by the

1 first three criteria.

2 Q. I'd like to have you review a document that
3 has been marked for identification as Vega Exhibit 9
4 and ask if you can identify it.

5 A. Yes, I can identify it.

6 Q. What is that document?

7 A. The document is entitled CPSES QA Program
8 ROF Rating System, and it involves instructions to
9 reviewing supervisors. It involves instructions to
10 rating supervisors, and it involves several forms
11 that are to be used, depending on whether the ROF is
12 to be in the QA/QC ranks, in the Quality Engineering
13 ranks or in the administrative support ranks.

14 Q. And how many times has this ROF rating
15 system been used at Comanche Peak?

16 A. I believe it's been used three times
17 already.

18 Q. And has this program been followed in
19 determining who is ROF'd at Comanche Peak?

20 A. Yes, it has been followed to the letter.

21 Q. And have you personally reviewed the ROF
22 decisions for compliance with the ROF policy at
23 Comanche Peak?

24 A. Yes, I have reviewed the worksheets; I have
25 reviewed the instruments themselves, the summaries,

1 the total package -- all of the instruments that are
2 used to evaluate inspector force within which the
3 ROF has taken place.

4 Q. Are you satisfied that the ROF system has
5 been followed in every case?

6 A. Yes, it has been.

7 Q. Mr. Vega, did you participate as an
8 interviewer in the 1979 survey of the QC personnel
9 at Comanche Peak?

10 A. Yes, I did.

11 Q. And what was the nature of your
12 participation?

13 A. I was involved in formulating the interview
14 plan, and I participated in the interviews
15 themselves. I participated in drafting the
16 summaries and participated in some followup actions.

17 Q. With respect to the interviews themselves,
18 what instructions did you receive or did you give to
19 people when you conducted those interviews?

20 A. The instructions were really incorporated
21 in the forms that we had prepared. And the way we
22 did this, our objective was to obtain as much input
23 as we could from the inspectors to assess their
24 working environment, the adequacy of their
25 procedures, the interface with the different

1 organizations on site, how they perceived their
2 management. And so we formulated a list of
3 questions that we would ask of each inspector.

4 We agreed that we were after as much
5 information as possible. We agreed that we would
6 not be out there to defend anything that was being
7 done. We were there merely to ask questions, to
8 receive the information. There was absolutely no
9 intent to verify the information, and so
10 consequently, we accepted hearsay together with
11 firsthand information with absolutely no effort to
12 differentiate between it.

13 Q. Is it fair to say that the effort was to
14 get the greatest possible expression of concern with
15 the QC inspectors?

16 A. Yes. We wanted to formulate or come up
17 with as broad a data base as we could on the
18 relevant questions.

19 Q. After the 1979 survey was completed, was
20 there any followup from the Dallas QA group on that
21 survey?

22 A. Yes, there was.

23 Q. And what was the nature of that followup?

24 A. We took some of the key corrective actions
25 that had been agreed upon in different areas and

1 came back and assessed the effectiveness of those
2 corrective actions in addressing the items
3 identified.

4 Q. And who decided to conduct this followup?

5 A. I don't remember the detailed discussions.
6 I'm sure it was a combination of Mr. Chapman, myself,
7 Mrs. Anderson, perhaps Mr. Borne, although I really
8 don't remember the discussions that led up to the
9 followup. I really don't.

10 Q. What actually was done in the followup
11 audit?

12 A. Again, we took the key corrective actions
13 and assessed the level of implementation and the
14 effectiveness in addressing the problems that were
15 identified.

16 Q. I guess I asked the wrong question.

17 How did you do that, Mr. Vega?

18 A. Okay. We did that by primarily talking to
19 people from the organizations within which the
20 corrective action was applicable. And what I mean
21 by that is if we were verifying the effectiveness of
22 a revised procedure -- and taking an example,
23 Procedure 6.9 -- we would talk to inspectors working
24 to that procedure. We certainly wouldn't talk to
25 people from an administrative organization to see

1 how that procedure was working. We would talk with
2 people that worked in the organizations wherein that
3 corrective action was being implemented.

4 Q. Was this the second round of inspector
5 interviews?

6 A. I wouldn't describe it as a second round.
7 It was an assessment on our part to satisfy
8 ourselves that the corrective actions had been
9 implemented. And if we found that that had not been
10 the case, to take followup action from that point on.

11 Q. You actually interviewed inspectors in this
12 process, did you not?

13 A. Oh, yes, we did.

14 Q. Did you participate in those interviews?

15 A. Yes, I did.

16 Q. Who else interviewed inspectors in the
17 followup?

18 A. I believe the followup was done by Mrs.
19 Anderson and myself.

20 Q. Did you render a written report at the
21 conclusion of your audit?

22 A. Yes, we did.

23 Q. And, Mr. Vega, I would like you to review a
24 document that's been marked in another deposition in
25 this proceeding as Panel Anderson Exhibit 1 and ask

1 you if you can identify it.

2 A. Yes. Panel Anderson Exhibit 1 is a report
3 of the followup audit -- the followup survey.

4 Yes. This is a report on the followup
5 survey that we conducted.

6 Q. And did your followup survey find that the
7 problems identified in the 1979 survey had been
8 addressed?

9 A. Yes. The significant items had been
10 addressed. And by that, the things that come to
11 mind was that there was a pay discrepancy between
12 the QC and the craft organizations, and that was a
13 major source of problem. And that was corrected.

14 The other thing that comes to mind is
15 Procedure CPM 6.9. I believe that this was far and
16 away the most common complaint. And when we came
17 back, that procedure had been revised; it had been
18 implemented. And I remember the inspectors being
19 quite satisfied as to how effective that procedure
20 was.

21 Another thing that I remember is that there
22 were combined training sessions wherein the craft
23 and the inspectors attended the same training course
24 so that the inspector would know what the craft had
25 to do and the craft would understand what the

1 inspector had to have before he could accept
2 something. This, I think, greatly contributed to
3 the work relationship and the understanding of each
4 other's jobs between the craft and the QC forces.

5 There were some other minor things that had
6 not yet been addressed, and we addressed those.
7 Those were identified. But in general, we found
8 that the more significant items had been addressed,
9 and we found that the corrective actions were indeed
10 effective.

11 Q. Mr. Vega, you testified that the craft and
12 the QC personnel attended a common training course;
13 is that right?

14 A. Yes.

15 Q. Mr. Vega, you testified that you
16 participated in the 1979 interview process. Did you
17 perceive, as a result of your participation in these
18 interviews, that harassment and intimidation and
19 threats of Quality Control inspectors was a problem
20 at Comanche Peak?

21 A. No, I didn't conclude that it was a problem
22 or a practice. We did come across one incident
23 where a lady inspector had been picked up by the
24 collar by a craft foreman. I remember that that
25 came up during one of the interviews. I remember

1 talking to Mr. Chapman -- I think several of us
2 talked to him -- and we brought the inspector in --
3 the inspectress in. She recounted the incident.

4 This thing happened -- the incident had
5 occurred sometime back. She did not want the craft
6 person fired. She felt that the ~~inspector~~ *craft person G.V.* had
7 changed his attitude after that incident.

8 Apparently, the man recognized that he had done
9 wrong, and he probably also recognized that, had she
10 wanted to, she could have had him fired. But I
11 remember that she was very emphatic in asking that
12 he not be terminated; that as far as she was
13 concerned, it was an ~~accident~~ *incident G.V.* -- and it was an
14 incident that happened. There had been no
15 recurrence, and that her relationship with that
16 particular individual was very acceptable.

17 Q. Mr. Vega, was a certain amount of friction
18 between craft and QC revealed as a result of these
19 interviews in 1979?

20 A. I believe that some craft people believed
21 that inspectors were inspecting beyond their
22 requirements. I believe that some inspectors
23 believed that the craft people were offering for
24 inspection their work before it was really finished.
25 So I believe that there was some suspicion between

1 groups.

2 Q. What corrective action was taken to address
3 that problem?

4 A. I remembered that we suggested that perhaps
5 it might be beneficial if we were to get the
6 inspectors and the craft in a common classroom so
7 that they both could listen as to what the ^{craft a.v.} inspector
8 had to have before he offered his work for
9 inspection and so that the craft person would also
10 hear what the inspector had to have before he could
11 accept something.

12 I remember following this up on a
13 subsequent inspection, and I remember that this
14 particular corrective action was successful in
15 getting both groups to understand what each other's
16 responsibilities were and what each other had to do
17 before each of them could complete their job.

18 Q. When you say you followed up to see if that
19 suggestion had been adopted, are you referring to
20 questions that you pursued in the 1980 followup
21 survey?

22 A. Yes. We certainly did follow up on that
23 point then.

24 Q. And, Mr. Vega, in your followup interviews
25 did you find that in 1980, that harassment,

1 intimidation and threats of Quality Control
2 inspectors was a problem at Comanche Peak?

3 A. No, absolutely not.

4 Q. And did you find that the tension that you
5 found in 1979 had changed in any way, the tension
6 between the two groups had changed in any way?

7 A. I didn't note that there was any residual
8 tension. My conclusion was that the working
9 relationship was very much improved, and I felt
10 quite comfortable with it.

11 MR. DOWNEY: No more questions but at
12 this time the applicant moves that Vega Exhibits
13 1-10 and Anderson Panel Exhibit 1 be received in
14 evidence.

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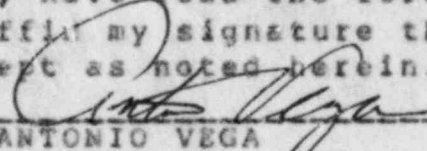
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CORRECTIONS AND SIGNATURE

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PAGE/LINE CORRECTION REASON FOR CHANGE

I, ANTONIO VEGA, have read the foregoing deposition, and hereby affirm my signature that same is true and correct, except as noted herein.



ANTONIO VEGA

SUBSCRIBED and sworn to before me this the _____ day of _____, 1984.

NOTARY PUBLIC for the
State of Texas

My Commission Expires: _____

1 STATE OF TEXAS)

2

3 I, Janet E. Schaffer, RPR, Certified Shorthand
4 Reporter in and for the State of Texas, do hereby
5 certify that there came before me on the 17th day of
6 August, A. D., 1984, at the Glen Rose Motor Inn,
7 Glen Rose, Texas, the following named person, to-wit:
8 Antonio Vega, who was by me duly sworn to testify
9 the truth and nothing but the truth of his knowledge
10 touching and concerning the matters in controversy
11 in this cause; and that he was thereupon examined
12 upon his oath and his examination reduced to writing;
13 same to be sworn and subscribed to by said witness
14 before any notary public.

15

16 I further certify that I am neither attorney or
17 counsel for, nor related to or employed by, any of
18 the parties to the action in which this deposition
19 is taken, and further that I am not a relative or
20 employee of any attorney or counsel employed by the
21 parties hereto, or financially interested in the
22 action.

23

24 In witness whereof, I have hereunto set my hand
25 and affixed my seal this _____ day of August, A.D.,

1 1984.

2

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JANET E. SCHAPPER, 1543, RPR, CSR
IN AND FOR THE STATE OF TEXAS
1226 Commerce, Suite 411
Dallas, Texas 75202
(214) 742-3035

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My commission expires December 31, 1985

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TEXAS UTILITIES GENERATING COMPANY

OFFICE MEMORANDUM

To Site QA/QC Personnel Glen Rose, Texas March 22, 1984
Subject QA Policy

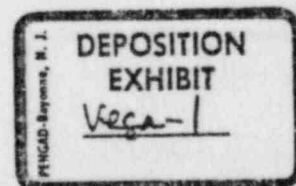
Effective March 16, 1984, I assumed the position of TUGCO Site QA Manager at Comanche Peak.

I ask for your support in carrying out the following policies and objectives:

1. TUGCO Management has been and remains totally committed to a safe and reliable plant in full compliance with all applicable requirements.
2. TUGCO Management is totally dedicated to a strong and effective Quality Assurance/Quality Control program at Comanche Peak.
3. TUGCO Management strongly supports and encourages all QA/QC personnel to express quality related concerns. I wish to promote free discussion between inspectors, their "leads", QC supervisors and QA management. I wish to encourage the use of the Request for Information and Clarification (RFIC) as a means to communicate questions on procedures and instructions. I also wish to point out the availability of Mr. Boyce Grier to listen to any of your concerns. While your first recourse on concerns should be to your supervision, if you are not satisfied with the response from supervision, or for any reason you prefer not to go to supervision, Mr. Grier is available. I maintain an "open-door" policy. Please feel free to visit with me at any time. I encourage you to voice your concerns without fear of retribution. We will make every effort to address your concerns in a complete manner.
4. Quality Engineering is being reorganized reporting directly to the TUGCO Manager, Quality Assurance in Dallas. This provides an added measure of independence for that organization in order to assure that inspection procedures and instructions accurately reflect design requirements. Quality Engineering will also be working toward improving our program for training on inspection procedures and instructions.

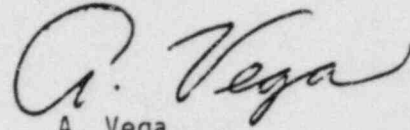
We intend to place more emphasis on systematically informing the affected inspection forces of changes to inspection procedures and instructions, especially when changes appear to relax or delete procedural requirements. Our objective is to communicate reasons for the above changes, such as declassifications, alternate inspection programs or inspections or test provisions during other project phases such as preoperational testing.

Our objective is to continue to promote a high degree of confidence that inspection procedures and instructions, which prescribe inspection work activities, accurately address design requirements.



I again request your support so that together we can continue to work toward a safe and reliable Comanche Peak Steam Electric Station.

Thank you,

A handwritten signature in cursive script that reads "A. Vega".

A. Vega
TUGCO Site QA Manager

AV/b11

OFFICE MEMORANDUM

To All QA SupervisorsDallas, Texas April 26, 1984Subject Policy for Addressing Performance or Conduct Matters

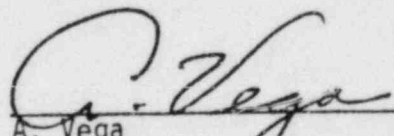
In order to further assure fair and consistent application of performance and disciplinary standards I am hereby endorsing Section XIV, Rev. 1, 11/7/83 of the B&R Supervisor's Handbook, a copy of which is attached.

I am requesting that this be implemented in the work force regardless of organization.

Documentation and recommendations shall be documented on a three part memo initiated by the immediate Supervisor and transmitted and approved up the organization chain of command.

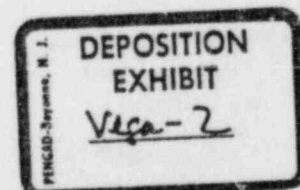
The responsible manager shall perform final review and approval and transmit all documentation by three part memo to the QA Administrative Assistant who shall verify by return copy that the documentation has been incorporated in the proper file.

Please advise your Supervisor if you have any questions on this matter.


A. Vega
TUGCO Site QA Manager

AV/d1

cc: D. N. Chapman
B. R. Clements



TO: Distribution

DATE: November 7, 1983

FROM: G.R. Purdy

SECTION XIV. R.1

SUBJECT: CPSES, 35-1195
Departmental Policy For Handling
Personnel Performance Or Conduct
Problems.

To ensure that fair and consistent decisions are made by Quality Management regarding disciplinary action, the following outline of supervisory action must be understood and implemented by all supervisory personnel.

A. Importance Of Fairness In Disciplinary Standards And Procedures

1. Fair discipline is a critical aspect of sound management.
2. Significance for compliance with legal obligations.

B. Documentation Of Performance And Conduct Problems

The employee's supervisor(s) is responsible for documenting all incidents of employee misconduct, poor performance, etc. Documentation of these incidents shall be in the form of a memo to the individuals personnel file. All such memos must be transmitted by the supervisor to the Group Manager for review, prior to being placed in the employee's personnel file. The following guidelines should be addressed by supervisors when preparing documentation on employee performance or conduct problems.

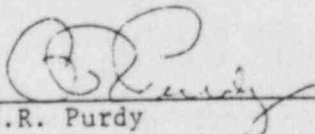
1. All incidents of employee misconduct, poor performance, etc.
 - a. Time and date of incident
 - b. Full description of incident and its significance
 - 1) Specific identification of any established procedures violated
 - 2) Notation of disruptive effect, if any, on work of others
 - 3) Witnesses
 - 4) Specific mention of continuing course of conduct, if applicable
 - 5) Notation of any previous discipline and/or supervisory warnings regarding same/similar conduct
 - 6) Good faith efforts of management to correct problem without resort to discipline
 - 7) Disposition:
 - a) Problem pointed out to and discussed with employee
 - b) Further action recommended
 - i) Counseling
 - ii) Warning
 - iii) Suspension
 - iv) Discharge
 - c. Precise and specific justification for particular level of further action recommended

2. All communications with employees concerning conduct/performance problems
 - a. Record of conversations made as soon after occurrence as possible
 - b. Both sides of conversation recorded
 - c. Conversations may be summarized, but summaries should be detailed
 - 1) Time and date of conversations
 - 2) Witnesses
 - 3) Specific content of conversation
 - 4) Tone and other indications of supervisor's attitude
 - 5) Tone and other indications of employee's attitude

C. Imposition of Discipline

The imposition of discipline for QA Department employees is a QA Management responsibility. The following considerations are implemented by QA Management for all potential disciplinary actions, and are included in the Section for supervisory information.

1. Necessity for full investigation of relevant facts
2. All recommendations for disciplinary action to be carefully reviewed by senior Management
3. Emphasis on progressive discipline for all but the most serious cases
 - a. Written warning and/or counseling
 - b. Suspension without pay
 - c. Discharge
4. No "on the spot" discipline, except as described in 4.C
 - a. Emphasis on investigation and review of recommended action before discipline is imposed
 - b. Where employee's continued presence is itself a problem, he will be suspended with pay for sufficient time to allow full investigation and careful review of recommended action
 - c. Immediate termination shall be administered for the following infractions of Site policy:
 - 1) Use of alcohol or narcotics on site;
 - 2) Stealing/theft on site which is conclusively apparent;
 - 3) Verified falsification of records;
 - 4) Failure to return (after 3 days without call-in);
 - 5) Willful destruction of company or project property; or
 - 6) Failure to comply with safety department directives.



G.R. Purdy
Site QA Manager

OFFICE MEMORANDUM

To File Glen Rose, Texas April 24, 1984Subject Top Management Participation in
Site Meetings with QC Inspectors

This will document Mr. Mike D. Spence's involvement in meetings with QC Inspectors at Comanche Peak S.E.S. These meetings included both informal meetings and formal training classes. The attendance rosters for the formal meetings are attached. Mr. Spence, as President of TUGCO has presented top management's priorities and commitments as they apply to Comanche Peak.

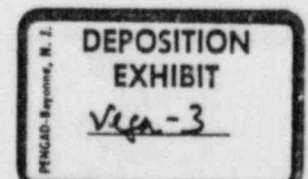
The meetings between Site QA Management and the inspectors were undertaken to personally re-emphasize the QA policy elements documented in memorandum TUQ-1982, dated March 22, 1983, a copy of which is attached.

Mr. Spence stated that Texas Utilities because of its size has many important priorities. However, Texas Utilities has no higher priority than constructing Comanche Peak correctly.

Mr. Spence stated that Site QA Management's commitment to an open door policy and more informative communication is a reflection of his policies. As examples, he stated that inspectors had the right to ask for information and receive information on use-as-is dispositions on NCR's. He supported the intent to inform inspectors of underlying reasons for changes to inspection procedures.

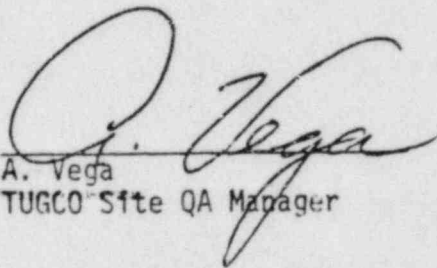
Mr. Spence also emphasized TUGCO's responsibility for the safety of Comanche Peak. He stated his belief that this is a responsibility that TUGCO has accepted and which it cannot delegate to any organization. He stated his belief that quality cannot be legislated; that it must originate with top management support for quality. He further stated that quality cannot be inspected into the plant; that it must be built by the craftsman into the plant. He discussed the economics and the management support for "building it right the first time" as opposed to building it right on the second or third effort. Mr. Spence saw Quality Assurance as an essential tool in assuring an effort is done correctly the first time.

Mr. Spence then opened the meeting for questions, declaring an "open season on the President of TUGCO".



File
Page 2
TUQ-2046

Mr. Spence received a number of questions on a variety of subjects primarily related to plans for Unit 2, financing, state of the nuclear industry and inquiries on what TUGCO is doing to present the positive aspects of Comanche Peak.



A. Vega
TUGCO Site QA Manager

AV/b11
Attachments
cc: M. D. Spence
B. R. Clements
A. Vega

OFFICE MEMORANDUM

To J.T. Merritt

Glen Rose, Texas July 23, 1984

Subject

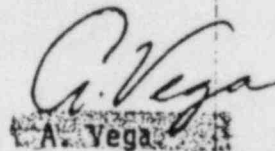
QAI's 016, 018 & 019

My memo logged CQA-003 dated June 18, 1984 advised you that we were examining our practice of assigning QC personnel to the building task forces.

We have concluded the following:

1. We believe the building task force concept is a solid one that has contributed to an effective and efficient QA program at Comanche Peak Steam Electric Station. However, it requires personnel with demonstrated ability to interface positively, in a spirit of cooperation.
2. We do not believe the task force concept in any way compromises our independence. We will continue to emphasize to all QA/QC personnel that they do not report to the building manager or any other person in his organization. We will, continue to emphasize that assignments of QA/QC personnel to the buildings are totally within the responsibility of the QA/QC Organization. This will also be re-emphasized in regard to work schedules and priorities. Accordingly, please emphasize to your managers that any requests for QA/QC support shall be communicated at the supervisory level. Concerns, comments or observations on inspection activities shall not be communicated to the inspector, either directly, or indirectly by talking to a craft person in the inspector's presence. Please be advised that recurrence of an incident described in the subject QAI's and contrary to the above will result in an immediate stop work. We will remove the QC inspectors from the building until corrective action has been implemented.

We sincerely hope to continue working with you in a spirit of cooperation to the benefit of a safe and reliable plant in full compliance with all requirements.

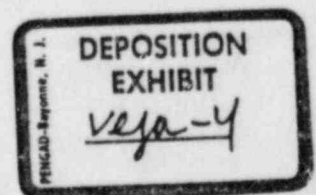


A. Vega

TUGCO Site QA Manager

AV/tj

cc: B.R. Clements
J.B. George
D.N. Chapman
Boyce Grier



TEXAS UTILITIES GENERATING COMPANY

OFFICE MEMORANDUM

To J. D. Hicks Glen Rose, Texas March 15, 1984
Subject Attached TUGCO OFFICE MEMORANDUM Dated March 15, 1984

In accordance with the above referenced memo, the following electrical QC inspectors are released from the Safeguards Building Task Force to report to Bill Cromeans at 7:00 A.M., Monday, March 19, 1984.

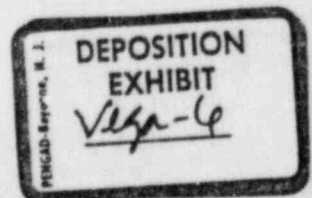
M. Barfield
R. Jones
G. Pryor
S. Shamblin
E. Snyder
W. Whitehead



Mark Welch
Safeguards QC Supervisor

MW/kac

cc: R.G. Tolson
G.B. Crane
B. Cromeans



Aubree, A	II	17	6	5	3	27				
Conroy, K	II	6	2	-	-					
Cross, C	LI	4	1	-	-					
Ford, B	II	1	-	-	-	13				
Gibson, H	II	-	1/2	11	5	1			same res etc by	
Goldstein, J	LI	7	14	17	3	13	2			
Hunter, J	II	-	6	2 1/2	-	1/2	-			
Johnson, E	II	10	-	6	-	-	14			
7 Snyder, E	II	11	1/2	2 1/2	4	-	-	NOTE 1		T
7 Whitehead, W	II	6	6 1/2	15	-	-	-	NOTE 2		T
7 Benfield, W	I	8	2	5 1/2	4 1/2	-	1/2	-	NOTE 3	T
Hearn, B	I	9	7	27	21	7	1	5		
7 Jones, R	I	10	20	4 1/2	3 1/2	10	-	7 1/2	NOTE 4	T
Quirk, A	I	14	11	-	9 1/2	2	-	-		
7 Poyer, G	I	9	2	3	0	7	-	-	NOTE 5	T
Pitts, J	I	12	9	7	2	1	1	2	LAST DAY 3/26/94 laboratory cancelled	
Roberts, T	T	10	-	-	1	-	-	2		
7 Shumaker, S	I	10	10	9 1/2	24	5	1	19 1/2	NOTE 6	T

NOTES

1. Snyder, E - Primarily involved in Post-Construction Inspections (very little other activity noted in recent past); Since "post" is discontinued his absence would have minimal effect.
2. Whitehead, W - Acting as a lead (ext official); creates break-down in chain of command
3. Barfield, M - Least certified inspector in Safeguards Electrical GC. Also, primarily involved in Post-Construction Inspections (very little other activity noted in recent past)
4. Jones, R - excessive absence from work. Most severe attendance problems in Safeguards Electrical GC.
5. Pryce, G - 2nd least certified inspector in Safeguards Electrical GC; equal to Bruce Harris. Harris is needed for lightning and had been in Safeguards longer.
6. Shamblin, S - Involved totally with OCA deficiency closures, already had 2 level II inspectors involved (Gibson, Ford). Smith felt that only 2 inspectors were needed. Also 3rd most severe attendance problem, 2nd was A. Ambrose (level II).

NAME	CLASSIFICATION	1983				1984			
		PERS.	SICK	E.O	LATE	PERS.	SICK	E.O.	LATE
Ambrose, .	Nuc. QC Insp. C	11	6	16	11	1	4	2½	3
er, K.	" B	6	-	2	-	-	2	-	-
Davis, L.	" B	4	-	9	1½	-	-	-	-
Ford, W.	" A (Ld)	-	1	-	-	-	-	15	-
Glover, H.	" A (Ld)	-	-	1½	-	9	1	1	5
Green, D.	" D	-	-	-	-	-	-	-	-
Hearn, B.	" C	5	2	21	27	3	4	5	1
Hunter, J.	" C	-	-	2½	6	-	-	-	½
Mock, C.	" B	7	4	9½	-	2	-	-	-
Oliver, D.	" B	16	-	6	-	-	-	14	-
Pryor, G.	" C	2	-	5	3	2	5	-	-
Roberts, T.	" C	2	-	-	-	-	-	2	-
Shamblin, B.	" C	12	4	24	9½	1	4	19½	1
Whitehead, W.	" A	6	-	15	6½	-	-	-	-
Griffith, J.	" B	5	2	17	14	1	2	2	13
Snyder, E.	" C	11	-	2½	5½	1	3	-	-
Barlick, M		2	-	4½	5½	-	-	-	½
Jones, R.		23	3	30½	4½	4	6	7½	-



Brown & Root, Inc.

P.O. BOX 1001 GLEN ROSE, TEXAS 76043

MESSAGE

To Bill Cromeans
QC Management.

DATE 5-3-84

I do hereby request
a ROF effective 5-11-84,
due to family age and
health problems in Va.

S901

Milton C. Bedford

INSTRUCTIONS TO SENDER:

FILE 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT.

REPLY

DATE Received 5/3/84 10:35A
Ph.

Approved in light
of upcoming ROF
in QC forces.
Visited WJ Milton
to assure there
were no safety
related concerns
underlying
this request. Advised
there are no problems

SIGNED

C. Vega

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB. KEEP PINK COPY. RETURN WHITE COPY TO SENDER.

DEPOSITION
EXHIBIT
Vega-7



Brown & Root, Inc.

P.O. BOX 1001 GLEN ROSE, TEXAS 76043

MESSAGE

REPLY

To

Bill Cremeans
Les Taggart

DATE

3-23-84

DATE

Received 10:35 AM / 3/23/84
Bill Cremeans

I am hereby resigning my
job at this plant at 12:00 noon
on this date.

Thank you
Eddie Snyder HQ 158

SIGNED

INSTRUCTIONS TO RECEIVER:

1. WRITE REPLY. 2. DETACH STUB. KEEP PINK COPY. RETURN WHITE COPY TO SENDER

INSTRUCTIONS TO SENDER:

1. SEND TO JOB FILE 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT

PERICLO-Reprens, N. J.

DEPOSITION
EXHIBIT

Vega 8

CPSES QA PROGRAM ROF RATING SYSTEM

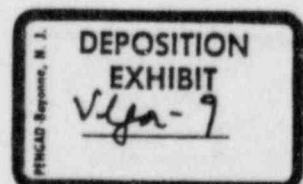
Instructions to Reviewing Supervisors

The CPSES ROF Rating System has been designed to provide as objective a basis as is possible for accomplishing needed workforce reductions. Our goal is to make reductions in stages as they become necessary in a manner that both is fair to the employees, and allows us to retain on the project a workforce that meets the requirements in all respects for completion of the remaining work. The role of the Reviewing Supervisor is critical to our effort to ensure fairness. You should make every effort to be certain that information on each employee's ROF Rating Form is accurate, and that employees are rated equitably by their Rating Supervisors. It is particularly important that employee ratings not be influenced by any factors other than those explicitly identified on the Rating Form.

The following steps should be followed before each stage of the ROF:

1. Identification of Areas Requiring ROF and Size of Reductions Needed: The first step in the ROF System is the identification of the areas of project work that are overstaffed and in which the level of work is not expected to increase substantially above present levels in the foreseeable future. Each Reviewing Supervisor must identify the disciplines or other work groups in which reductions are required, and specify the proportion of the present employee complement that is no longer needed. This proposed ROF plan must be reported to Tony Vega for approval prior to any further action being taken under the ROF System.
2. Identification of Exemptions: Because certain employees have been brought onto the Project for specifically defined purposes and/or possess unique skills that are necessary for completion of Project work, those employees must be exempted from the ROF as long as some part of their function remains to be performed. You should identify such people as soon as possible, and submit a list to Tony Vega and David Chapman for review and approval. The list must include the names of such employees and the specific skill or function that militates in favor of making them exempt.

CONFIDENTIAL



3. Collection of Employee Data: Rating Forms must be completed for all nonexempt employees within any discipline that is targeted for an ROF. All of the personnel data (i.e., information relating to employee name, badge number, security clearance, certifications, dependability, CPSES seniority, and attendance) is to be derived from the most current personnel records available at the time the rating is done, and entered on the employee's ROF Rating Form. If the Reviewing Supervisor does not personally enter the data on the Form, he or she is expected to check all entries made. The attendance and dependability data entered on the Forms of all employees must be for the same time period (e.g., 4/1/83 to 3/31/84). Great care must be exercised to ensure that accurate data are used, that all information is recorded accurately on the Form, and that proper designations of employee categories are entered in the appropriate space in the upper right corner of the first page of the Form.

4. Identification of Size of ROF Pools: Using the applicable ROF Category Rankings and Schematic (attached), separate all nonexempt employees into ROF pools on the basis of the Categories designated in the upper right corner of the first page of the Forms. The purpose of this step is to ascertain whether it will be necessary to have employees rated on the criteria in the second part of the Form. If the number of layoffs required under your ROF plan coincides exactly with the number of employees in one or more ROF pools, you may skip steps 5 and 6 below, and proceed directly to step 7. If that is not the case, proceed to step 5 and complete all other steps in these instructions.

5. Distribution of Forms to and Training of Rating Supervisors: Once all relevant personnel data have been entered on the Forms, all Forms should be grouped according to the appropriate Rating Supervisor. A meeting should then be called by the Reviewing Supervisor to distribute the Forms to the Rating Supervisors and to train them in the use of the Forms. At this meeting, it should be explained that the Rating Supervisor is required to double-check for accuracy the personnel data entered on the Form. If he or she has reason to believe that one or more data entries is incorrect, that fact must be brought to the attention of the Reviewing Supervisor. In addition, Rating

Supervisors are asked to rate employees on the basis of criteria 1, 2, and 3 in the Employee Rating section of the Form. The separate "Instructions To Rating Supervisors" with which you have been provided should be gone over carefully, as well as the instructions on the Forms themselves. It is to be particularly stressed at this meeting that employees are to be rated fairly, that only those factors on the Form itself should be taken into account, and that the Reviewing Supervisor will be required to scrutinize the ratings carefully. Ample time should be allowed at this meeting to permit full instruction on the ROF Rating System, and to allow any questions raised to be fully answered. Explain also that, in those instances in which the Rating Supervisor is not the first-line supervisor, the Rating Supervisor is required to go over the completed ROF Form with the first-line supervisor to ascertain whether the first-line supervisor agrees with the employee's rating. Instruct the Rating Supervisors to put in writing and attach to the employee's ROF Rating Form a full description of the points on which first-line supervisors disagree with them, along with a description of the bases for disagreement. Rating Supervisors should be made aware that you will review any such disagreements and hold a conference with the Rating Supervisor and first-line supervisor to explore the possibility of resolving any differences.

6. Review of Completed ROF Rating Forms: Rating Supervisors are to be instructed to return all ROF Rating Forms to you as soon as they have been completed and applicable first-line supervisors have been consulted. You are then to review each Form to determine whether, based on your own knowledge of the employee, he has been rated equitably. In all cases in which you have doubts about the fairness of a rating, you must discuss the matter with the Rating Supervisor as soon as possible. In those cases in which the ROF Rating Form comes to you with a description of a disagreement between the Rating Supervisor and the applicable first-line supervisor, schedule a conference with both of them as soon as possible. At any conference with a Rating Supervisor whose rating you think may be inequitable or with a Rating Supervisor and first-line supervisor who disagree with one another, your objective should be to identify clearly the basis for disagreement

and to seek a reconciliation of differing views. These sessions should not, however, be used to coerce any participant to change his view. If after the basis for disagreement has been explored to your satisfaction the disagreement still remains, you should thank the participants for their assistance and conclude the meeting. Ordinarily, if differences as to an employee's rating cannot be resolved, you should resolve doubts in the employee's favor. At the bottom of the first page of the Form, briefly record the time, date, and outcome of any conference held to resolve differences regarding an employee's rating.

7. Assignment of Category Rankings: In reviewing the ROF Rating Forms submitted to you by Rating Supervisors, double-check to be sure that the Rating Score was added properly, and that both the Rating Score and Category designations from the first part of the Form have been accurately recorded in the appropriate spaces in the upper right corner of the first page of the Form. Then determine the appropriate arabic numeral Category Rank from the applicable ROF Form Category Rankings and Schematic (attached), and record the Rank in the appropriate space in the upper right corner of the first page of the Form. Please note that there has been no ROF Category Rankings sheet prepared for administrative support personnel. Because the first part of the Form for these employees contemplates categorization only on the basis of dependability, they are to be assigned the Rank of "1," or "2," respectively, depending on whether they receive an "A" or "B" categorization.

8. Development of the Proposed ROF List: All nonexempt employees within a discipline subject to ROF who have been assigned the same Rank are to be grouped to form ROF pools. Within each pool, employees are to be ranked on the basis of their Rating Score. The higher the numerical Category Rank of the Pool, the higher will be the exposure of employees within that pool to ROF (i.e., pool ranked "14" would be laid off before pool ranked "13," etc.). Within the ranked pools, however, employees with higher Rating Scores are less vulnerable to ROF. If the number of excess employees that must be laid off coincides exactly with the number of employees in one or more ranked pools, all employees within those pools are to be recommended for layoff and the Rating Score need

not even be taken into account. If the number of layoffs required does not coincide with the number of employees in one or more ranked pools, however, recommend for layoff all employees in highly ranked pools whose number is sufficient to bring you as close as possible to, without exceeding, the number of layoffs required. The remaining layoffs recommended will be those employees in the next lower ranked pool who have the lowest Rating Scores.

EXAMPLE

No. of layoffs needed: 25

<u>Ranked Pools</u>	<u>No. of Employees In Pool</u>
(14)	2
(13)	2
(12)	3
(11)	0
(10)	0
(9)	5
(8)	1
(7)	4
(6)	4

(cutoff for pool-wide layoffs)	
(5)	8
(4)	10
(3)	6
(2)	4
(1)	5

Ranked pools (6) through (14) would be recommended for layoff, producing a total of 21 employees targeted for ROF. The remaining four layoffs required would be taken from ranked pool (5), and they would be those four employees with the lowest Rating Scores within that pool.

9. Submission of the Proposed ROF List: Once the proposed ROF List has been developed, the ROF Rating Forms of employees whose names appear on the List must be attached, and the entire package must then be submitted to Tony Vega for review by him and by David Chapman. No ROF is to be announced or implemented until Messrs. Vega and Chapman have approved the proposed ROF List, either with or without modifications.

QA/QC INSPECTOR ROF FORM CATEGORY RANKINGS

Category of ROF Eligibility Rankings (pools ranked from lowest to highest vulnerability to layoff)

First Tier

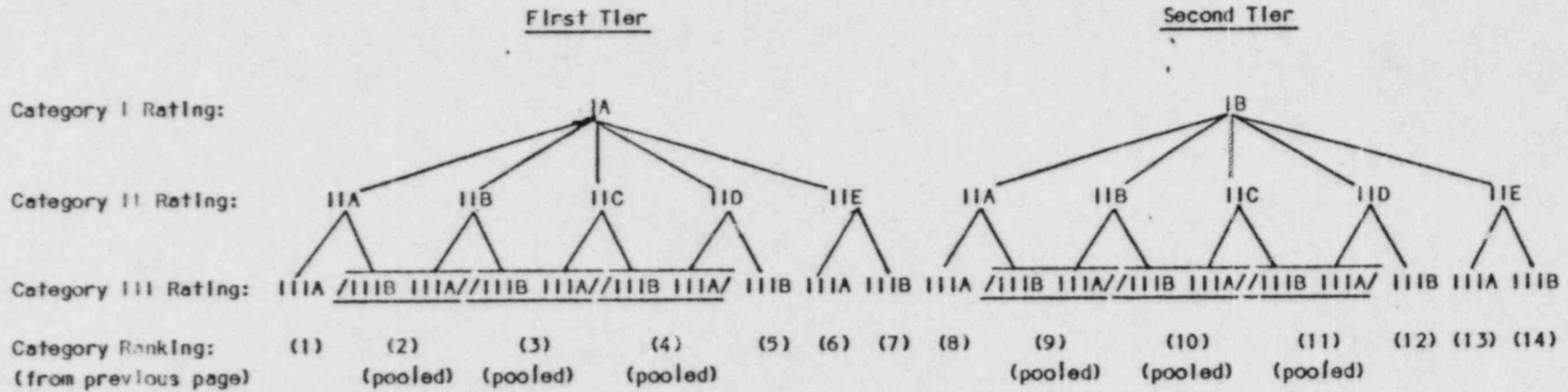
- (1) IA/IIA/IIIA
- (2) IA/IIA/IIIB and IA/IIB/IIIA
- (3) IA/IIB/IIIB and IA/IIC/IIIA
- (4) IA/IIC/IIIB and IA/IID/IIIA
- (5) IA/IID/IIIB
- (6) IA/IIE/IIIA
- (7) IA/IIE/IIIB

Second Tier

- (8) IB/IIA/IIIA
- (9) IB/IIA/IIIB and IB/IIB/IIIA
- (10) IB/IIB/IIIB and IB/IIC/IIIA
- (11) IB/IIC/IIIB and IB/IID/IIIA
- (12) IB/IID/IIIB
- (13) IB/IIE/IIIA
- (14) IB/IIE/IIIB

SCHEMATIC OF QA/QC INSPECTOR ROF CATEGORY RANKINGS

Schematic of Category Rankings (showing pools in increasing vulnerability to layoff from left to right)



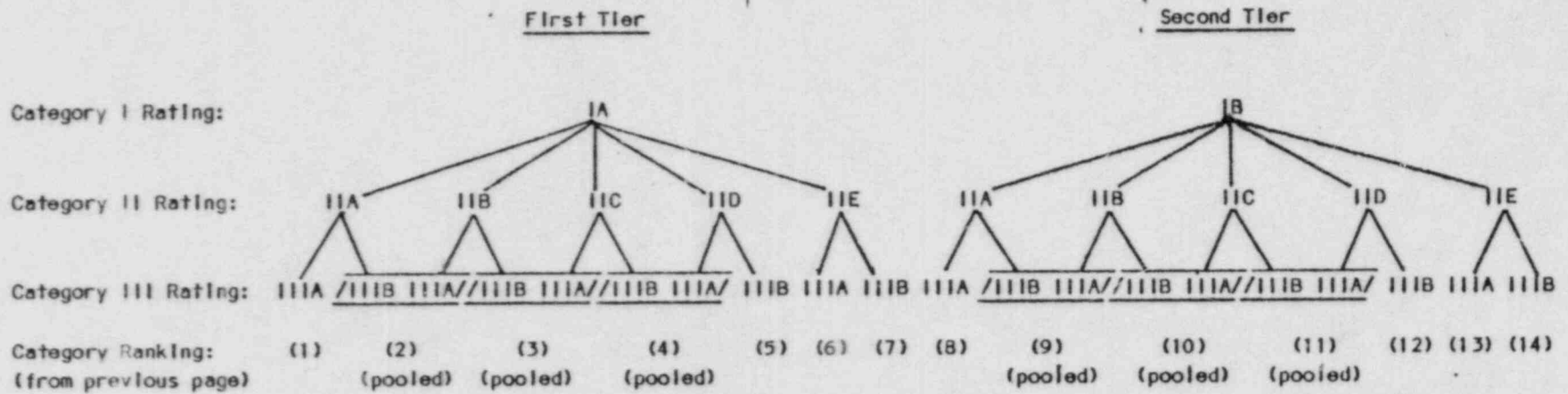
QUALITY ENGINEERING ROF FORM CATEGORY RANKINGS

Category of ROF Eligibility Rankings (pools ranked from lowest to highest vulnerability to layoff)

- | | | |
|-------------|------|------------------------------------|
| First Tier | (1) | IA/IIA/IIIA |
| | (2) | IA/IIA/IIIB <u>and</u> IA/IIB/IIIA |
| | (3) | IA/IIB/IIIB <u>and</u> IA/IIC/IIIA |
| | (4) | IA/IIC/IIIB <u>and</u> IA/IID/IIIA |
| | (5) | IA/IID/IIIB |
| | (6) | IA/IIE/IIIA |
| | (7) | IA/IIE/IIIB |
| Second Tier | (8) | IB/IIA/IIIA |
| | (9) | IB/IIA/IIIB <u>and</u> IB/IIB/IIIA |
| | (10) | IB/IIB/IIIB <u>and</u> IB/IIC/IIIA |
| | (11) | IB/IIC/IIIB <u>and</u> IB/IID/IIIA |
| | (12) | IB/IID/IIIB |
| | (13) | IB/IIE/IIIA |
| | (14) | IB/IIE/IIIB |

SCHEMATIC OF QUALITY ENGINEERING ROF CATEGORY RANKINGS

Schematic of Category Rankings (showing pools in increasing vulnerability to layoff from left to right)



CPSES QA PROGRAM ROF RATING SYSTEM

Instructions To Rating Supervisors

1. Background: We have reached the point in the construction at Comanche Peak at which it is necessary to reduce the QA workforce in areas where the work is declining. This ROF Rating System has been designed to help us achieve that objective in a way that is fair and leaves us with a workforce that is adequate in all respects for completion of the remaining work. All employees of the contractors on the project are subject to ROF and should be evaluated under the ROF Rating system unless specifically exempted by project QA management. Only a few, isolated employees will be granted exemptions because of unique and specialized skills needed for completion of the project. Once employees in a given discipline have been rated, they will be compared only to employees in the same discipline. Actual layoffs will be implemented only after senior QA/QC management has determined which disciplines have workforces in need of reduction and the size of the reductions needed.
2. The ROF Rating Form: Separate ROF Rating Forms have been developed for QA/QC Inspectors, Quality Engineering, and Administrative Support Personnel. You should check each page of the Form when rating an employee to ensure that the Form you are using corresponds to the employee's job. The title to the first page identifies the job category for which that Form is to be used, and each succeeding page has the job category in the upper right corner of the page. You will note that the Form is in two parts. You should check the first part for accuracy and inform the appropriate Reviewing Supervisor if you have reason to believe that information on the first part of the Form is incorrect. You should do the same for items 4 and 5 in the second part of the Form. Then complete the second part by circling the appropriate point score level corresponding to the description that best fits the employee for each of the listed criteria in items 1, 2 and 3. Finally, points should be totaled for the second part (please double check for accuracy), and recorded in the appropriate spaces at the end of the Form and in the upper right corner of the first page of the Form.
3. Consultation With Applicable First-Line Supervisor: After you have completed the Rating Forms of all the employees that you are rating, please meet individually with each of the first-line supervisors whose employees you have rated. You should explain the rating system to the applicable first-line supervisor and show him or her the Rating Forms that you have completed for employees whom he or she supervises. Once this is done, ask the first-line supervisor if he or she agrees with your ratings. If the first-line

supervisor agrees, - the ratings on those employees should be set aside to be forwarded to the Reviewing Supervisor who was identified at the time you were given the ROF Rating Forms. If the first-line supervisor disagrees with your rating of any employee, you should describe in writing on a separate sheet of paper the specific points of disagreement, the name of the disagreeing first-line supervisor, and the specific reason(s) for disagreeing with your rating. This explanation should be attached to the employee's Rating Form, and forwarded to the Reviewing Supervisor.

4. Confidentiality Of Ratings: All ratings and ROF Rating Forms should be treated as confidential documents. Although the purpose of the ratings is to identify potential ROF candidates, the fact that an employee is rated does not necessarily mean that he or she will soon be laid off. It can only harm employee morale if we provide the fuel for rumors on this subject. You should emphasize the need for confidentiality, and the reason for it, when you review your ratings with first-line supervisors.

QA/QC INSPECTOR ROF RATING FORM

ROF Category Rank: _____

NAME: _____
Badge No.: _____
Discipline: _____

Categories: I _____
 II _____
 III _____

Rating Score: _____

Supervisor Completing This Form

Date: _____

Reviewing Supervisor

Date: _____

INSTRUCTIONS

This form is comprised of two parts. In the first part, the employee is to be categorized according to security clearance, level of certification, and dependability factors. In the second part, the employee is to be evaluated on knowledge and application of appropriate inspection acceptance criteria, quality of documentation, cooperation, CPSES seniority and attendance, assigning the appropriate number of points to the employee for each rating factor. All Rating and Reviewing Supervisors should note that this form presumes that the employee being rated shares the strong commitment to quality that is critical to the QA/QC program at Comanche Peak. Any employee whose commitment in this regard is subject to doubt should be brought immediately to the attention of senior management so that an assessment of the need for immediate termination can be made.

Form 88 - Inspector Form

IDENTIFICATION OF EMPLOYEE CATEGORIES

Please identify the category most clearly applicable to the employee by checking the most accurate response for I, II and III below. It is essential that category identifications be done accurately for each employee. After this part of the rating form is completed, therefore, all information should be verified by checking the employee's current personnel file. Once the appropriate categories have been identified and verified, the letter of the response checked for I, II and III below should be recorded in the appropriate space in the upper right corner of the first page of this form.

- I. Security Clearance:
- A. Employee has not been denied clearance for unescorted access to Unit 1. _____
 - B. Employee has been denied clearance for unescorted access to Unit 1. _____
- II. Certifications:
- A. Has sufficient certifications to be classed as a grade/ level A inspector in the discipline to which the employee is presently assigned. _____
 - B. Has sufficient certifications to be classed as a grade/level B inspector in the discipline to which the employee is presently assigned. _____
 - C. Has sufficient certifications to be classed as a grade/level C inspector in the discipline to which the employee is presently assigned. _____
 - D. Has sufficient certifications to be classed as a grade/level D inspector in the discipline to which the employee is presently assigned. _____
 - E. Trainee. _____

III. Dependability:

- A. Was not available for work for 80 or fewer hours of scheduled work for any reason (exclusive of vacations) in the past twelve months.
- B. Was not available for work for more than 80 hours of scheduled work for any reason (exclusive of vacations) in the past twelve months.

EMPLOYEE RATING

To rate the employee, circle the numerical score at the right-hand margin that corresponds to the response that most accurately describes the employee's approach to his job. Ratings should be done on the most objective basis possible, and supervisors should under no circumstances allow personality or other facts not related to the employee's actual job performance to play any role in these ratings. Ratings on CPSES seniority and attendance (nos. 4 and 5) should be verified by checking the employee's current personnel file. When the employee has been rated in each of the following aspects of job performance the employee's total rating score should be recorded in the space provided at the end of the rating section and in the appropriate space in the upper right-hand corner of the first page of this form.

1. Application of Appropriate Inspection Acceptance Criteria
 - a. Demonstrates extraordinary knowledge of and proficiency in applying appropriate inspection acceptance criteria. 3
 - b. Demonstrates acceptable level of knowledge of and proficiency in applying appropriate inspection acceptance criteria. 2
 - c. Occasionally indicates lack of sufficient knowledge of and/or proficiency in application of appropriate inspection acceptance criteria. 1
 - d. Frequently indicates a lack of acceptable knowledge of and/or proficiency in application of appropriate inspection acceptance criteria such as to necessitate retraining. 0

2. Quality of Documentation
 - a. Consistently produces written reports that are highly accurate, neat, and thorough. 3
 - b. Majority of written reports are accurate, neat, and thorough. 2
 - c. Accuracy, neatness, and/or thoroughness of written reports is sometimes lacking. 1
 - d. Written reports are usually inaccurate, incomplete, and/or untidy. 0

3. Cooperation
 - a. Enthusiastically accepts new assignments and cooperates with supervision and coworkers. 3
 - b. Generally willing to accept new assignments and to cooperate with supervision and coworkers. 2
 - c. Occasionally resists new assignments and/or occasionally does not cooperate with supervision or coworkers. 1
 - d. Frequently resists new assignments and/or generally refuses to cooperate with supervision and/or coworkers. 0

- 4. CPSES Seniority
 - a. Five years or more 3
 - b. Three years or more but less than five years 2
 - c. One year or more but less than three years 1
 - d. Less than one year 0

- 5. Attendance
 - a. Missed 40 hours of scheduled work or less for any reason (except vacations) during the past 12 months. 6
 - b. Missed more than 40, but not more than 80, hours of scheduled work for any reason (except vacations) during the past 12 months. 4
 - c. Missed more than 80, but not more than 120 hours of scheduled work for any reason (except vacations) during the past 12 months. 1
 - d. Missed more than 120 hours of scheduled work for any reason (except vacations) in the past 12 months. 0

TOTAL RATING SCORE: _____

QUALITY ENGINEERING ROF RATING FORM

NAME: _____ ROF Category Rank: _____
Badge No.: _____ Categories: I _____
Discipline: _____ II _____
III _____
Rating Score: _____

Supervisor Completing This Form Date: _____

Reviewing Supervisor Date: _____

INSTRUCTIONS

This form is comprised of two parts. In the first part, the employee is to be categorized according to security clearance, level of certification, and dependability factors. In the second part, the employee is to be evaluated on knowledge and application of appropriate specifications and standards, quality of documentation, cooperation, CPSES seniority and attendance, assigning the appropriate number of points to the employee for each rating factor. All Rating and Reviewing Supervisors should note that this form presumes that the employee being rated shares the strong commitment to quality that is critical to the QA/QC program at Comanche Peak. Any employee whose commitment in this regard is subject to doubt should be brought immediately to the attention of senior management so that an assessment of the need for immediate termination can be made.

IDENTIFICATION OF EMPLOYEE CATEGORIES

Please identify the category most clearly applicable to the employee by checking the most accurate response for I, II and III below. It is essential that category identifications be done accurately for each employee. After this part of the rating form is completed, therefore, all information should be verified by checking the employee's current personnel file. Once the appropriate categories have been identified and verified, the letter of the response checked for I, II and III below should be recorded in the appropriate space in the upper right corner of the first page of this form.

- I. Security Clearance:
 - A. Employee has not been denied clearance for for unescorted access to Unit 1. _____
 - B. Employee has been denied clearance for unescorted access to Unit 1. _____

- II. Certifications:
 - A. Has sufficient certifications to be classed as a grade/ level A inspector in the discipline to which the employee is presently assigned. _____
 - B. Has sufficient certifications to be classed as a grade/level B inspector in the discipline to which the employee is presently assigned. _____
 - C. Has sufficient certifications to be classed as a grade/level C inspector in the discipline to which the employee is presently assigned. _____
 - D. Has sufficient certifications to be classed as a grade/level D inspector in the discipline to which the employee is presently assigned. _____
 - E. Trainee. _____

III. Dependability:

- A. Was not available for work for 80 or fewer hours of scheduled work for any reason (exclusive of vacations) in the past twelve months.
- B. Was not available for work for more than 80 hours of scheduled work for any reason (exclusive of vacations) in the past twelve months.

EMPLOYEE RATING

To rate the employee, circle the numerical score at the right-hand margin that corresponds to the response that most accurately describes the employee's approach to his job. Ratings should be done on the most objective basis possible, and supervisors should under no circumstances allow personality or other facts not related to the employee's actual job performance to play any role in these ratings. Ratings on CPSES seniority and attendance (nos. 4 and 5) should be verified by checking the employee's current personnel file. When the employee has been rated in each of the following aspects of job performance the employee's total rating score should be recorded in the space provided at the end of the rating section and in the appropriate space in the upper right-hand corner of the first page of this form.

1. Application of Appropriate Standards
 - a. Demonstrates extraordinary knowledge of and proficiency in applying appropriate specifications and standards. 3
 - b. Demonstrates acceptable level of knowledge of and proficiency in applying appropriate specifications and standards. 2
 - c. Occasionally indicates lack of sufficient knowledge of and/or proficiency in application of appropriate specifications and standards. 1
 - d. Frequently indicates a lack of acceptable knowledge of and/or proficiency in application of appropriate specifications and standards, such as to necessitate retraining. 0

2. Quality of Documentation
 - a. Consistently produces written reports that are highly accurate, neat, and thorough. 3
 - b. Majority of written reports are accurate, neat, and thorough. 2
 - c. Accuracy, neatness, and/or thoroughness of written reports is sometimes lacking. 1
 - d. Written reports are usually inaccurate, incomplete, and/or untidy. 0

3. Cooperation
 - a. Enthusiastically accepts new assignments and cooperates with supervision and coworkers. 3
 - b. Generally willing to accept new assignments and to cooperate with supervision and coworkers. 2
 - c. Occasionally resists new assignments and/or occasionally does not cooperate with supervision or coworkers. 1
 - d. Frequently resists new assignments and/or generally refuses to cooperate with supervision and/or coworkers. 0

- 4. CPSES Seniority
 - a. Five years or more 3
 - b. Three years or more but less than five years 2
 - c. One year or more but less than three years 1
 - d. Less than one year 0

- 5. Attendance
 - a. Missed 40 hours of scheduled work or less for any reason (except vacations) during the past 12 months. 6
 - b. Missed more than 40, but not more than 80, hours of scheduled work for any reason (except vacations) during the past 12 months. 4
 - c. Missed more than 80, but not more than 120 hours of scheduled work for any reason (except vacations) during the past 12 months. 1
 - d. Missed more than 120 hours of scheduled work for any reason (except vacations) in the past 12 months. 0

TOTAL RATING SCORE: _____

QA/QC ADMINISTRATIVE SUPPORT PERSONNEL ROF RATING FORM

ROF Category Rank: _____

NAME: _____
Badge No.: _____
Discipline: _____

Category: _____

Rating Score: _____

Supervisor Completing This Form

Date: _____

Reviewing Supervisor

Date: _____

INSTRUCTIONS

This form is comprised of two parts. In the first part, the employee is to be categorized on the basis of dependability. In the second part, the employee is to be evaluated on knowledge and application of appropriate procedures and instructions, quality of documentation, cooperation, CPSES seniority and attendance, assigning the appropriate number of points to the employee for each rating factor. All Rating and Reviewing Supervisors should note that this form presumes that the employee being rated shares the strong commitment to quality that is critical to the QA/QC program at Comanche Peak. Any employee whose commitment in this regard is subject to doubt should be brought immediately to the attention of senior management so that an assessment of the need for immediate termination can be made.

CONFIDENTIAL

IDENTIFICATION OF EMPLOYEE CATEGORIES

Please identify the category most clearly applicable to the employee by checking the most accurate response below. It is essential that category identification be done accurately for each employee. After this part of the rating form is completed, therefore, all information should be verified by checking the employee's current personnel file. Once the appropriate category has been identified and verified, the letter of the response checked below should be recorded in the appropriate space in the upper right corner of the first page of this form.

Dependability:

- A. Was not available for work for 80 or fewer hours of scheduled work for any reason (exclusive of vacations) in the past twelve months. _____
- B. Was not available for work for more than 80 hours of scheduled work for any reason (exclusive of vacations) in the past twelve months. _____

EMPLOYEE RATING

To rate the employee, circle the numerical score at the right-hand margin that corresponds to the response that most accurately describes the employee's approach to his job. Ratings should be done on the most objective basis possible, and supervisors should under no circumstances allow personality or other facts not related to the employee's actual job performance to play any role in these ratings. Ratings on CPSES seniority and attendance (nos. 4 and 5) should be verified by checking the employee's current personnel file. When the employee has been rated in each of the following aspects of job performance the employee's total rating score should be recorded in the space provided at the end of the rating section and in the appropriate space in the upper right-hand corner of the first page of this form.

1. Application of Appropriate Procedures and Instructions
 - a. Demonstrates extraordinary knowledge of and proficiency in applying appropriate procedures and instructions. 3
 - b. Demonstrates acceptable level of knowledge of and proficiency in applying appropriate procedures and instructions. 2
 - c. Occasionally indicates lack of sufficient knowledge of and/or proficiency in application of appropriate procedures and instructions. 1
 - d. Frequently indicates a lack of acceptable knowledge of and/or proficiency in application of appropriate procedures and instructions such as to necessitate retraining. 0

2. Quality of Documentation
 - a. Consistently produces written reports that are highly accurate, neat, and thorough. 3
 - b. Majority of written reports are accurate, neat, and thorough. 2
 - c. Accuracy, neatness, and/or thoroughness of written reports is sometimes lacking. 1
 - d. Written reports are usually inaccurate, incomplete, and/or untidy. 0

- 3. Cooperation
 - a. Enthusiastically accepts new assignments and cooperates with supervision and coworkers. 3
 - b. Generally willing to accept new assignments and to cooperate with supervision and coworkers. 2
 - c. Occasionally resists new assignments and/or occasionally does not cooperate with supervision or coworkers. 1
 - d. Frequently resists new assignments and/or generally refuses to cooperate with supervision and/or coworkers. 0

- 4. CPSES Seniority
 - a. Five years or more 3
 - b. Three years or more but less than five years 2
 - c. One year or more but less than three years 1
 - d. Less than one year 0

- 5. Attendance
 - a. Missed 40 hours of scheduled work or less for any reason (except vacations) during the past 12 months. 6
 - b. Missed more than 40, but not more than 80, hours of scheduled work for any reason (except vacations) during the past 12 months. 4
 - c. Missed more than 80, but not more than 120 hours of scheduled work for any reason (except vacations) during the past 12 months. 1
 - d. Missed more than 120 hours of scheduled work for any reason (except vacations) in the past 12 months. 0

TOTAL RATING SCORE: _____