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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

RELATED CORRESPONDENCE

August 20, 1984

DOCKETED
USNRC

'84 AUG 23 P4:54

Peter B. Bloch, Esq., Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Herbert Grossman, Alternate Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Walter H. Jordan
Administrative Judge
881 W. Outer Drive
Oak Ridge, TN 37830

In the Matter of
Texas Utilities Electric Company, et al.
(Comanche Peak Steam Electric Station, Units 1 and 2)
Docket Nos. 50-445/2 and 50-446/2 02-2

Dear Administrative Judges:

Enclosed is the "Testimony of Doyle Hunnicutt Regarding the T-Shirt Incident." Mr. Hunnicutt's testimony is being provided, by agreement of counsel, to supplement the deposition of Mr. Cummins, Tr. 54,048. By submitting this testimony, the Staff does not waive its objection as to the relevancy of testimony addressing the Staff's responses to allegations or incidents concerning harassment and intimidation of QA/QC personnel at Comanche Peak. To the contrary, the Staff believes that the Board now has a sufficient record to rule that Mr. Cummins' deposition and Mr. Hunnicutt's testimony are outside the scope of the issue before the Board and should be stricken from the record as irrelevant in accordance with the attached "NRC Staff Motion To Strike Testimony of Doyle Hunnicutt and James E. Cummins."

The Staff has no additional direct testimony on the subject of intimidation at this time. As has been discussed among the parties and the Board, Mr. Ippolito has a technical review team at the CPSES site following up on allegations of deficiencies in construction of the plant's hardware, including a number attributed to a breakdown in the Applicants' QA/QC program. While Staff counsel had been advised that the review team would direct its efforts to a review of hardware and advised the Board and parties of that understanding, (13,605B-606B, 13,609B-611B), there is a possibility the review may be broader than originally represented to Staff counsel. Mr. Ippolito's plan currently schedules completion of

8408270179 840820
PDR ADDCK 05000445
PDR

DSO

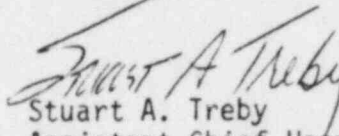
the review team's activities and issue of a report for the latter part of September 1984. The Staff is committed to providing a copy of the issued report upon issuance to the Board and parties.

Further, as has been discussed among the parties and the Board, the Commission's Office of Investigation has opened a number of investigations into allegations by Applicants' personnel of harassment and intimidation. The Board has stated its expectation that it will be advised of the status of relevant OI investigations before it closes the record on the subject of intimidation.

In addition, certain enforcement actions are outstanding between the Applicants and the Commission. The Staff intends to keep the Board and parties advised of any developments in this area.

In the event information becomes available in any of the areas discussed above which warrants being made a part of the record on this issue of intimidation, the Staff shall file an appropriate motion with the Board.

Sincerely,



Stuart A. Treby
Assistant Chief Hearing Counsel

Enclosures: As stated

cc w/encls: Service List

reports. I participate in direct evaluation of activities related to reactor construction, various testing and verification activities, and various supervisory responsibilities.

Q4. What was your involvement in the events of March 8, 1984, now referred to as the "T-shirt incident"?

A4. At approximately 11:00 a.m. on March 8, 1984, J. Cummins and D. Kelley, the Senior Resident Inspectors at CPSES called me at the Region IV office in Arlington, Texas. They reported that an anonymous caller just called and stated that he wanted to relay information to the NRC concerning an event taking place at CPSES. Both Kelley and Cummins were on telephone extensions in the Resident Inspector's Office (Operations) at CPSES. Kelley and Cummins stated that the caller had stated that CPSES management personnel and B&R security personnel were going through desk drawers and files in the electrical and mechanical quality control office in the safeguards building.

The caller had stated to Kelley and Cummins that the caller was concerned that some inspectors were being detained by the licensee. The caller requested that an NRC representative come to the safeguards building, according to Kelley and Cummins. I instructed Kelley and Cummins to not go to the safeguards building until discussions between myself and other NRC management personnel were held, and if other information was conveyed to Kelley and/or Cummins, to notify me. At that time, from the information I had,

I believed it was a management-labor problem and not something affecting health and safety of the plant.

About 11:45 a.m. on March 8, 1984, C. Oberg, an NRC reactor inspector at CPSES, received an anonymous telephone call from an individual and shortly thereafter a visit from an individual who did not disclose his name. Both the telephone caller and the the individual who visited Oberg expressed concern about management personnel going through their personal effects and records, that is, going through the desks of personnel in the Safeguards Building. Both individuals (assuming they were different people) informed C. Oberg that the cause of CPSES management's action was the wearing of certain T-shirts by QC inspectors. These T-shirts reportedly bore a statement referring to "nit-pickers" and/or "picking nits". This information was relayed to me by C. Oberg about noon on March 8, 1984 by telephone.

I discussed the telephone information with E. Johnson, my NRC Branch Chief in Region IV, and we initially determined that the NRC should be alert to the concerns of the individuals, but to remain outside the actual dispute arena between CPSES management and the persons involved in the T-shirt incident. I then instructed Cummins, Kelley and Oberg to remain available but to not participate in the ongoing event between CPSES management and the T-shirt personnel. Following my telephoned instructions, E. Johnson, R. Denise, Director, Division of Reactor Safety and Projects, Region IV and I discussed the telephoned concerns, what should (could) be accomplished by NRC involvement,

and who should be the NRC person(s) actually involved with the T-shirt and CPSES management personnel. After this initial discussion, the three of us (Denise, Johnson, and Hunnicutt) went to the office of P. Check, Deputy Regional Administrator, and further discussed the entire available information and the options available to us.

P. Check informed us that B. Clements of TUGCO had telephoned him that morning to tell him of the incident with the T-shirts. Clements had also indicated there had been some damage done to electrical wiring which might concern these inspectors. The four of us determined that there had been no indication so far that NRC regulations or a threat to health and safety of anyone was involved. However, it was decided that it would be advisable to monitor the events in order to gain more knowledge of what was happening.

Therefore, about 12:30 p.m. to 1:00 p.m. I instructed D. Kelley to go to the administrative building and make a reasonable attempt to meet with the T-shirt personnel. Also, if possible to take photographs of the T-shirt personnel wearing the T-shirts to aid in determining the extent of the overall management-inspector concerns. D. Kelley was instructed to obtain personal permission from anyone wearing a T-shirt prior to taking the camera in the area (room) where these personnel were sequestered. Kelley was also instructed to go to the Safeguards building and attempt to find and photograph electrical wiring which appeared to have been damaged. Although it did not appear that NRC involvement was called for, I wanted more information to make certain the actions of the morning were indeed an internal CPSES personnel matter.

About 1:30 p.m. on March 8, 1984, D. Kelley called me and informed me that he had been to the administrative building and that the eight QC inspectors had been escorted to the site exit by CPSES personnel. He informed me that he had not been able to take any pictures of the T-shirt personnel. Kelley also informed me that he had found one wire which appeared to have some scratch marks, but no other indications of damage. He had attempted to take a picture of this wire (To my knowledge this film has not yet been developed). Based on this information, I believed that there was nothing significant here in the area of safety.

- Q5. What was your involvement in the events of March 9, 1984, concerning the material taken from the QC inspectors who wore the T-shirts?
- A5. Sometime during the afternoon of March 8, 1984, P. Check informed me that CPSES management had taken documentary material from the desks of the QC inspectors. He indicated that this information had come from B. Clements of TUGCO. There were subsequent discussions involving myself, Johnson, Denise and Check as to what the NRC should do concerning this material. Finally, on the afternoon of March 9, 1984, J. Cummins was instructed by me and E. Johnson (who had been instructed by R. Denise) to request that CPSES management turn over custody of the materials taken from desks, lockers, or other locations during this incident to the NRC. As I understand from subsequent discussions with R. Denise, the reason for taking custody of the materials was based on prudence. That is, while there was nothing to indicate that NRC involvement was warranted at

the time, there existed the possibility that later events might involve the NRC. Therefore, it was decided to acquire the materials against that possibility. J. Cummins telephoned me shortly thereafter and informed me that he had received a box of papers and had secured this box of materials in the NRC trailer at CPSES.

On March 12, 1984, J. Cummins informed me by telephone that someone from CPSES had retrieved the papers. I told them to get the papers back. We at the Region believed it was prudent that once we had accepted responsibility for the papers, we should maintain that responsibility. Less than half an hour later, J. Cummins informed me he had gotten the papers back, and that they were secured in the NRC trailer.

On March 13, 1984 in accordance with oral instructions from Richard P. Denise, I completed a physical inventory of each of the eight packages of material that were identified by a name attached to each package of material. The packages were returned to the box and a copy of the physical inventory (Attachment 1) was placed in the box with the materials. Several days later a copy of the physical inventory was requested by, and given to, R. Tolson, TUGCO, by J. Cummins with prior telephone approval from me.

(Subsequently, I received a memo from R. Denise dated April 20, 1984 (Attachment 2) instructing me to take certain actions with regard to the papers. I carried out these instructions a few

days later, except for item number 6. Rather than write the narrative as called for, I communicated the information to R. Denise orally. The documents were eventually returned to A. Vega, TUGCO, as noted in the letter dated August 6, 1984, from R. Bangart, NRC, to M. Spence, TUGCO (Attachment 3)).

Based on my review of the documents, I determined that they contained nothing which would raise health and safety concerns with the NRC. I discussed the inventory and nature of the documents with E. Johnson, who agreed with my determination.

- Q6. Describe your participation in the NRC interviews with the QC inspectors on April 5, 1984, beginning with the decision to conduct the interviews.
- A6. On or about April 2, 1984, R. Denise requested that I make up a list of interview questions and interview some or all of the eight QC inspectors involved in the T-shirt incident. The purpose of these questions was to provide the NRC with a better understanding of the events of March 8, 1984, and to help determine whether there should have been NRC involvement. On or about April 3, 1984, J. Cummins and myself made up a list of eight questions that we deemed appropriate to cover the areas related to the CPSES-inspector problem. A copy of this list of questions was given to NRC management (J. Gagliardo, R. Denise, and E. Johnson) for their input or concurrence. No additional questions or suggested changes were received by me from any of the NRC management personnel listed.

On April 5, 1984, I selected three of the T-shirt personnel at random, and with the assistance of J. Cummins, I interviewed these three QC inspectors individually between 1:00 p.m. and about 4:00 p.m. on April 5, 1984. The answers to the questions were somewhat parallel from the three inspectors chosen. No additional QC inspectors involved in the T-shirt incident were interviewed because the first three gave fairly consistent answers, the same set of questions was used for each interview (we were interested in the basic information and had no desire to test anyone or have any trick questions), it was possible that the QC inspectors had discussed parts of the questions with the other QC inspectors, and if necessary we could still interview those still on site (One had terminated and left the Glen Rose, Texas area - one was in Unit 2, but readily available and the other three who had not been interviewed could be interviewed whenever NRC requested that any or all be made available for our interview.)

A summary of the discussion with each individual was immediately prepared by me.^{*/} Copies were made available to R. Denise and J. Gagliardo and possibly other NRC personnel within Region IV. No copies were made available to anyone outside of Region IV, even though no interviewee made any request that the information be safeguarded in any manner.

^{*/} Copies of the questions and the summaries of the answers have been previously marked for identification as Cummins #1 through #4 (Deposition of James E. Cummins, July 17, 1984; Tr. 54,045) and bound into the record.

PROFESSIONAL QUALIFICATIONS
OF
DOYLE M. HUNNICUTT

UNITED STATES NUCLEAR REGULATORY COMMISSION

Mr. D. M. Hunnicutt is Chief, Reactor Project Section A, Reactor Project Branch 1, Region IV, U. S. Nuclear Regulatory Commission, Arlington, Texas. Mr. Hunnicutt has held this position in Region IV since July 1983, and in the course of his responsibilities he has reviewed, approved, and performed inspections and investigations of nuclear facilities under Region IV jurisdiction. In this position, he was responsible, from July 1983 to present, for the supervision of the project inspectors who inspect Comanche Peak Steam Electric Station, Units 1 and 2.

Mr. Hunnicutt earned a Bachelor of Arts degree in chemistry from Adams State College, Alamosa, Colorado, in 1952. He earned a Master of Science degree in engineering (Major: Nuclear Engineering) from the University of Washington, Seattle, Washington, in 1965. He is a licensed Professional Engineer in General Engineering in the state of New Jersey. He is a registered Professional Engineer in Nuclear Engineering in the state of California.

3/13/87

Attachment 1

Inventory of Material removed from
Safeguard Building on 3/8/84

Inspection Report No. PCV-1-0029357 - 2 sheets
" " " E-1-0029344 - 1 " + continuation sheet

Wayne W. Hitchcock - suspension folder
hand written notes -

yellow sheet
2 - 3x5"
1 - 4x6"

NCR No. E-83-03156

PET # 1315 12-2-83 by Prain Shole (?) (2 pages)

Office memo - Post Const Insp of Electrical Equip +
Recovery QI-QP-11.3-4 2/25/84
R/E R.E. Hanson

D.T. Oliver - suspension folder
RFIC

Request for info or clarification

(No. QC EE-183	5/5/81)
" EF-1680	10/9/80
EE-162	2/16/81
EE 9830 at top	
EE-297	7/14/81
EE-304	7/23/81
EE 306	7/23/82
EE 308	"
EE 301	"
EE 201	7/15/81
EE 199	7/1/81
(straight yellow) EE 210	9/15/81
" " EE 206	8/13/81
EE 241	3/8/82
EE 246	3/15/82
EE 250	3/29/82
EE 248	3/17/82
Request No. 25033	3/30/82
EE 282	6/15/82

Request No. 25033 3/30/82

EE 282 6/15/82

Oliver (continued)

QCEE - 290	4/30/82
351	6/31? 7/10/82
346	9/16/82
(Grand)	9/8/82
315	8/4/82
346	9/8/82
288	6/29/82
305	7/23/82
346	9/8/82

Blank forms

Green cover loose sheets OIQP 11-3-29 Electrical Separation
" " 31 " Equipment ^{Storage} Maintenance
" " 37 Epa placement tags for
Remediation Spills
RFI+C 31865 12/1/83
3 pages handwritten written notes.
B+C message 2/2/84
3 sheet JB w/ fly Secway various DCA#
yellow page in tablet - top line E-84-00388
712 GEBQ26
Handwritten info - white sheets 1-17
yellow " (18-27)
brown file folder 8903/1072A Km. 83
Bkg inventory list " "
Inspection rpt ID No. T12/EBA38
Electrical Separation Deficiency Report 39. Also 810'
w/ sticky note T/1 Q.C. 2/29/84
Beige file folder 8903 1076A
Bkg inventory list " "
Electrical Separation Deficiency Report also 810
ID 00720

A. Ambrose
Suspension folder

Inspection Reports No. EC-1-0006220 + 1 sheet attached
1-0004906 + 1 sheet

- 4902 "
- 6038 "
- 6637 "
- 4909 "
- 4908 "
- 4711 "
- 4708 "
- 4709 "
- 4710 "
- 4707 "
- 4706 "
- 4705 "
- 6169 "
- 4752 "
- 4845 "
- 6167 "
- 4856 "
- 4855 "
- 4854 "
- 4809 "
- 4808 "
- 4806 "
- 4786 "
- 4784 "
- 4785 "
- 4787 "
- 4782 "
- 4783 "
- 4853 "
- 6567 "
- NCR No. 83-03145
- 4753 "
- 4750 "
- 4751 "
- 4717 "
- 4714 No attachment

Handwritten note - I was here - where were you?

A. Ambrose

inspection report EC-1-0004713 No attached
6168 with attached
6166 "
6164 "
6163 "
6161 "
6162 "
4712 No "
4716 attachment
4715 "

DCA No. 14028 Rev. 1
17, 167 Rev 3

10/5/82 (2 pages)
9/9/83 (11 ")

Barton model 152

Level "B" transmitter

Req FSI-00108A

12 stapled pages

Lan Davis - suspension file

Inspection Report

E-1-0019960 with attachment
on back side
sheet 4 =

EEI-18/attachment 2

E-1-0000670 11/23/83

calls installed

No. EW140606 11/23/83

"

140665 11/23/83

" 664 11/23/83

" 492 11/23/83

" 491 "

490 "

manila (large) file folder 8903/0855A w/2 sheets
fly inventory list & electrical separation deficiency report
plow 810 Area 5G-1

"

8903/5416A w/2 sheets

plow 810 ~~Area~~

8903/3321A w/5 sheets

8903/3328A w/2 "

8903/2805A w/2 "

Bruce Hearn - 4 suspension files

IR's file

DCA No. 14,625 3 pages

NCR No. E-84-00507 2/14/84

(two copies) Electrical Separation & Efficiency Report EI-0013495
Class IE lighting system installation QI-QP-11.3-25 Rev 18(27)
Telephone Conversation Record 2/13/84
Inspection Report No. E-1-0014234 1/14/84

14218 "

14227 "

14216 "

14215 "

14217 "

Unit 1 (3 sheets) G+H/MAP/EL/ Location

NCR No. E 8300662 3/12/83

663 "

3 different GTN 62584 - Conduit index 1 page

NCR No E 8301581 COPY No DATE

hand written 4x6 page

3 different electrical separation deficiency reports

two hand written tablet pages (Rev 208)

two page telephone list (internal EXT)

9 pages of cable & raceway info & schedule

red cover NOTE Book

3 hole binder w/ insp reports, RFI+C, inspection sheet, Elec
Separation Def reports

suspension folder w/ Dugs

2323-EL-0942 G+H

DCA# 13623 Rev 1 page 3 of 5

QC Inspection Report 9/19/83, 9/27/83, 9/27/83 -

" " torquing & spacing of Hilti's with hand
written info on back.

Design Change authorization DCA No. 17,831 6/23/83 (3 pages)

Surveillance & insp of BOP installations Relative to Safety Related +

Associated Items 11/23/83 QI-QP-19.5-1 Rev. 2

two Electrical Separation deficiency report ID# 0110A + 0107

Component Mod Card VOID

DCA No. 15476, Rev 1 (2 pages)

CMC - 2..

Bruce Horne

buy No. DCA#18259 page 2 of 2
Sofpender Blk; Unit 1 2323-E1-0912

Jack Little
suspension folder
(six pages) date & convey schedule 2323-E1-1700

Mr. Barfield

Suspension folder

Inspection Report

no # (2 sheets)

E-PCV-1-0023022	(7 pages)
23085	(5 ")
24647	(9 ")
25060	(5 ")

12 pages of Cost Construction Deficiency List
IR 23057 (6)

4 pages of PCDL

23 pages Electrical Equipment Pamphlet

8 pages " " "

Copy IEEE Std 336-1980

12 pages PCDL

NCR

E84-00248 1/25/84

249 "

133 1/14/84

037 1/5/84

100 1/12/84

3286 12/20/83

Duplicate copies of 3235 12/13/83 + 1 page

3212 12/9/83 "

3211 " "

exp 3202 " "

3202 " "

Call log C24605142

NCR No E84-00629 2/23/84 + "

6605 2/14/84

637 2/24/84 + "

641 " "

7095 2/29/84

597 2/22/84

604 2/22/84

Duplicate copy 600

PCDL

Room Work notification Serial # EC-1426

" " " D-306 (7 pages)

" " " 9/19/83 (6 ")

DRAW EL-1702-02

PCDL ser 873

E. Snyder

supervision folder

RF II + C

10 different

NEHA info sheet

MCC 13 pages

operation sheet 2 "

Sketch of el penetrations

Kellums Conduit Pier Support Strips (10 pages)

Interface memo 12/20/83 from Bursley to BKR PC

Calc^u tray info 5 sheets

DCA Review 3 "

12/16/77

Hour Number Legend for Schematics - ABC-DEFG-HI
Construction Procedure 35-1195-CCP-14, Rev 3 7/13/7.

" " " " ECP-8 Rev 4 10/19/7.

NCR No. E 84-007095 2/29/84 + 1 sheet

Office memo 2/28/84 Post Construction Inspection
of El equip + Enclosure QI-QP-11.3-40

Newspaper articles (2)

Qty Ckts list ESB2 & ESB1 (7 pages)

A & B train Qty Ckts

Unit I G+H / MAP / EL / Location 3 pages

" II 2 pages

Inst of close limit switches (2 pages)

auth # 1479

2040

~~6501~~

3364

3388

3462, Rev 7

3464, Rev 16

4178, Rev 16

4418, Rev 2

5071, Rev 1

5169

5323

5499

5562

5850, Rev 1

5941

6501

DCA 6706 Rev-3
 Auth No. 6727
 DCA 6814 Rev 3
 auth No 7545
 7896
 8671, Rev-0
 DCA 10464
 11713 Rev-1
 12123
 12998
 13026 R1
 13438 Rev 1
 13559 Rev 1
 14201
 15054 Rev 2
 15098
 15518
 15838

Raychem Nuclear Splicing Kit (4 pages)
 " " " " Installation Instructions

DCA 5830 Rev 1
 9695
 9751 Rev. 5
 9985 Rev. 3
 11804 Rev. 1
 11245 Rev. 2
 11658 Rev. 1
 11702

Cable Reel Description Code (10 pages)
 Draw No. FSC-00177
 Liquidtight Conduit fittings (1 page)



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

APR 20 1984

Attachment 2

✓ MEMORANDUM FOR: D. M. Hunnicutt, Team Leader, RIV Task Force
FROM: Richard P. Denise, Director, Division of Reactor Safety
and Projects
SUBJECT: B&R QC INSPECTOR MATERIAL IMPOUNDED BY NRC AT CPSES

Regarding the subject material, please take the following actions:

1. Reproduce two copies, keep parts of copies segregated according to inspector.
2. Send one copy of material to RIV, Arlington, Attention: W. Brown. Mr. Brown is committed to have the material available for review by Mrs. J. Ellis on May 7, 1984.
3. Retain the present copy of the material at the SRIC office.
4. Send a copy of the relevant material to each QC inspector. Transmit by a letter signed by you; copy of letters to me. For those not available on site, send to last address.
5. Have your inventory typed and copied. — Copies to W. Brown and me.
6. Prepare, as best you can, a short narrative of events related to these files, include date when acquired, how acquired, TUGCO or B&R access, copies sent to others, etc., up to and including return of copies to QC inspection. Send copy to me and W. Brown.

Thanks

Richard P. Denise, Director
Division of Reactor Safety
and Projects

cc:
J. T. Collins
R. L. Bangart
W. Brown

8-6-84

Attachment 3

Dockets: 50-445
50-446

Texas Utilities Electric Company
ATTN: M. D. Spence, President, TUGCO
Skyway Tower
400 North Olive Street
Lock Box 81
Dallas, Texas 75201

Gentlemen:

Following the "T-shirt incident" in March of this year, J. E. Cummins of our office obtained copies of the documents that were collected by your staff from the desks and/or files of involved persons within your organization. This letter documents the fact that our copies of the subject documents were returned to your Mr. Tony Vega on July 20, 1984.

For your information, Region IV reproduced additional copies of the subject documents and made one copy available to CASE and presently retains one copy.

Sincerely,

Original
Richard L. Bangart

Richard L. Bangart, Director
Region IV Comanche Peak Task Force

cc:
Texas Utilities Electric Company
ATTN: B. R. Clements, Vice
President, Nuclear
Skyway Tower
400 North Olive Street
Lock Box 81
Dallas, Texas 75201

Texas Utilities Electric Company
ATTN: H. C. Schmidt, Manager
Nuclear Services
Skyway Tower
400 North Olive Street
Lock Box 81
Dallas, Texas 75201

D/RIV: RB
RLBangart, nh
8/1/84
NRR: JCF
Tippolito
8/1/84