


2/22/87

SWORN STATEMENT OF



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BE IT REMEMBERED that on the 22nd of January, 1987, beginning at 6:30 p.m., at Holiday Inn, Highway 35, Bay City, Texas, before R. Patrick Tate, a Certified Shorthand Reporter and Notary Public in and for the State of Texas, County of Harris,  appeared and under oath answered the questions propounded to him as follows:

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STATEMENT TAKEN BY: Don Driskell, Chief Investigator, NRC Region IV.

ALSO PRESENT: Les Constable

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 7(C)
FOIA- 93-642

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EXHIBIT 4
PAGE 1 OF 101 PAGE(C)

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MR. DRISKILL: For the record, this is an interview of [REDACTED] who is currently self-employed.

THE WITNESS: I'm not employed, but I'm looking for a job. I'm unemployed.

MR. DRISKILL: Okay. We will just say who is currently unemployed. The location of this interview is the San Antonio Room at the Holiday Inn, Bay City, Texas.

Present at this interview are [REDACTED]

G. L. Constable of the NRC and myself Donald E. Driskill.

As agreed, this interview is being transcribed by a court reporter, Mr. Pat Tate. The subject matter of this interview concerns South Texas Project.

[REDACTED] would you please stand and raise your right-hand? Due you swear that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God.

THE WITNESS: I do.

MR. DRISKILL: Thank you.

1 Thereupon,



2

3 having been duly sworn, was examined and testified upon his
4 oath as follows:

5 EXAMINATION

6 By Mr. Driskill:

7 Q I guess we originally met one another on the
8 evening of November the 6th, 1986, when provided
9 us with some information and his concerns relative to the
10 South Texas Project.

11 During the course of that particular interview,
12 you made some statements relative to your belief that as a
13 former employee at South Texas Project, you believed the --
14 an environment exists there which discourages employees
15 bringing forth technical concerns. Is that correct?

16 A Yes.

17 Q And I think we've had several discussions since
18 that particular evening, during which time you reiterated
19 your concern that that type environment exists?

20 A Uh-huh.

21 Q How long were you employed at South Texas
22 Project?

23 A Since

24 Q Until when?

25 A Until middle of

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1 Q And by whom were you employed when you worked
2 there?

3 A ESI, and ECI, Ebasco Services and Ebasco
4 Constructors. In other words, I worked for a certain time
5 in Ebasco Services and then Ebasco Constructors, back to
6 ESI, back to ECI, depending on my assignment on the job.

7 Q Had you worked for Ebasco or either of the Ebasco
8 organizations prior to coming to South Texas Project?

9 A Never.

10 Q Have you worked in the nuclear industry
11 previously?

12 A Yes.

13 Q May I ask you to give us a brief description of
14 your credentials relative to the work you did while you
15 were at South Texas Project?

16 A Say that again, I'm sorry.

17 Q Your qualifications for --

18 A Oh, my qualifications. I have a

19  And *TC*

20 after that, I worked in Canada on a nuclear power plant, I
21 used to work -- was assigned to Ontario Hydro, the utility.

22 I was a contract employee for Ontario Hydro and
23 after that I worked for another consulting company in
24 Canada; which was not nuclear job, it was a fossil job and
25 refinery job, but that was a short time.

TC
W. W. ...

1 After that, I worked on -- worked for Bechtel
2 Canada, then I worked for Bechtel United States in Ann
3 Arbor, Michigan, and I was the -- well, I was the senior
4 engineer, then I was the group leader, and then I was
5 the -- call it acting staff consultant for Ann Arbor office
6 of Ann Arbor Power Division of Bechtel Power Corporation,
7 for all four divisions. I represented Ann Arbor Power
8 Division for pipe supports and pipe stress design,
9 engineering, in the home office.

10 Q Okay.

11 A And I provided my services to wherever the
12 project or wherever the chief engineer wanted me to work.

13 Q I see.

14 A After that, I worked on -- for about a year, I
15 worked on as a consultant for another company in New York,
16 which was also partly a nuclear project and partly
17 non-nuclear related, and then I came to work at South Texas
18 Project.

19 Q I see. So you have a considerable amount of
20 experience with engineering in general and with nuclear
21 power construction projects?

22 A Yeah. I mean, this is all I have done basically
23 in engineering, and you know, designing, construction, I
24 even worked as a quality assurance engineer on the South
25 Texas Project.

1 Q Well, I was going to ask you what types or job
2 titles did you have while you were employed at South Texas
3 Project?

4 A All these years I have had titles like Senior
5 Design Engineer, Project Control Engineer, working directly
6 with the construction manager, project manager; I was also
7 well, I told you staff consultant, acting staff consultant
8 for pipe supports.

9 I had people work for me who can stress analysis,
10 who also did design of pipe supports; I worked in the home
11 office in Midland as a senior design checker, initially,
12 for Midland Project, for nuclear power class 1, 2, 3 pipe
13 supports and what have you.

14 And -- well, I have worked, you know, basically
15 since I worked for Bechtel, you know, everything was power,
16 I also worked for power corporation, for Bechtel. So and I
17 have had jobs you know were I was responsible for after the
18 Three Mile Island, I was responsible for evaluating on
19 Dresden, and Palisades, for Consumers Power, I was assigned
20 by Bechtel to evaluate the effects of 7914 and 7902
21 bulletins which were issued after Three Mile Island in the
22 light of the existing plants which Bechtel had designed and
23 planed or had been licensed.

24 So I had been given that assignment when I was in
25 Ann Arbor and that was very learning experience for me

1 because, you know, even though I was not allowed to go into
2 the plant, you know, I had people go out, bring the
3 information and then I was engineering-wise--

4 Q You have to talk a little bit more slowly so he
5 can understand you.

6 A Well, basically I was involved in the evaluation
7 as to what do we have to do fix or to bring the plant or do
8 we have to fix anything.

9 Q Yes.

10 A Number one. If we have to fix, what do we have
11 to fix and what do we do about it; make a presentation,
12 representation, to Consumers Power on a management level.
13 And I worked directly for the engineering manager for
14 Bechtel power in Ann Arbor and that was my assignment,
15 to go and make a presentation, make an evaluation, submit
16 it to Bechtel management to take it to the Consumers Power
17 utility.

18 Q What was your initial job when you came to South
19 Texas Project?

20 A For about three weeks, I had really been assigned
21 to a small bore pipe supports design effort.

22 Q Small bore pipes?

23 A Well, small bore pipe support design efforts.

24 And that's where I was initially assigned when I came and
25 joined South Texas Project.

1 Q And you were only in that job for approximately
2 three weeks?

3 A About three weeks.

4 Q Was there some problem there?

5 A No, the problem was this. I felt that I was
6 being under-utilized in my assignment, whatever they gave
7 me, what they had hired me, what they had told me when I
8 came for an interview, and what they had assigned me was --
9 I didn't think that was something I was going to continue
10 doing.

11 So I approached to my superiors, my supervisor,
12 and I went to the top man of Ebasco engineering on the
13 site, and I said, "Well, if this is what you want me to do,
14 I mean, I'm -- I don't think this is what I came here for.

15 "I have other job opportunities, I would like to
16 take that. And unless you have a better job, then you,
17 know."

18 Q What did he say?

19 A He made me the lead mechanical engineer. He
20 promoted me. He realized in about couple of weeks later,
21 he said "Well, just hold on."

22 And he promoted me. No money increase, but he
23 said, "Yes, I know, I realize that."

24 And then I was the lead mechanical office
25 engineer for Ebasco.

1 Q Over what? Did they only have one of those?

2 A Yeah, only one job for that. Yeah, there was
3 only one, you know, the next -- that's like you're the lead
4 mechanical office engineer, that's only one job, one title,
5 one position for that. So they promoted me and put me into
6 that situation.

7 Q How long were you in that position?

8 A Oh, I was there for 14, 16 months. I could have
9 stayed there if I wanted all the time. But I requested
10 that I should be transferred out to a construction
11 assignment rather than an office engineering type, or you
12 know, whatever.

13 So I figured that I should -- for my career
14 advancement, I should go into the construction end and my
15 experience, again, was not being utilized, number one;
16 number two, my job was to look at all the procedures, the
17 construction procedures, construction site procedures,
18 administrative site procedures, quality control procedures,
19 and see that I provide the engineering input. And I was
20 the man from mechanical to say yeah or nay whether what
21 should happen or not, how the project is going to be
22 constructed. And I found --

23 Q Let me ask you one question. Did you come here
24 about the time they began construction again after Ebasco
25 came in?

1 A No, I joined in [REDACTED] So I got this job, 7C
2 I guess, [REDACTED] I was a lead mechanical engineer.

3 Q I'm trying to remember --

4 MR. DRISKILL: Perhaps Les, you might recall.
5 They stopped work while they took Brown & Root off the
6 project and brought Bechtel in, they spent a year, 18
7 months.

8 MR. CONSTABLE: I don't remember when they
9 started.

10 MR. DRISKILL: Re-assessing the status of the
11 project?

12 THE WITNESS: That was behind, that was already
13 done, when I came --

14 Q (By Mr. Driskill) Okay. I was just trying to --

15 A As far as I remember, when I came, there was no
16 stoppage of work of anything of that nature. Everything
17 was--

18 Q Did you have any problems when you came here in
19 and took that lead mechanical engineering position with
20 Ebasco, did you have any problems with the procedures
21 and --

22 A Lots of problems.

23 Q Were you able to improve those procedures?

24 A Well, initially, yes. See, what happened -- this
25 is what I was getting at. I'll go to my boss and I will

1 say, "Well, here is the way I think the installation of
2 NSSS or installation of piping or installation of pipe
3 supports, this is how a procedure ought to be, based on my
4 previous experience, and I think it's a good construction
5 practice."

6 And at times, they said, "No, this is not how we
7 do it. We do it this way."

8 I said, "Well, you're the boss."

9 You know, initially, you know I had no choice
10 other than the fact I said well -- but I think I would, you
11 know, I was a new employee; they didn't know me, you know,
12 so many other things. And I said, "Well, but I" -- I went
13 and -- what I did, every time I did something like, I put
14 it in writing.

15 I made some kind of notes or so that they would
16 retrieve that, they would keep it on the job. You know, so
17 whatever recommendation I made, I put it over there
18 somehow. Most cases, maybe I missed a few.

19 But as the time went on and we were more involved
20 in the code interpretation in the utility of the ASME Code
21 as it applies to the nuclear power plants, I had a very big
22 problem.

23 And my problem was personality plus inadequacy
24 and incompetence of my superiors. My immediate supervisor
25 was an electrical engineer, at least that's what he told

1 me.

2 Q Who was this?

3 A [REDACTED] His boss was the top man on the 7C
4 jobsite in engineering was Maxie Bedford, who was a civil
5 engineer. Anybody in between, John Martin who was Unit 1
6 resident engineer was a civil engineer; Unit 2 resident
7 engineer, and these are the people who are above my level
8 in an organization, they were all either civil or no
9 engineering background or electrical.

10 Every time we talked about a subject, they would
11 invite me in to attend the meeting, they would want me to
12 take the responsibility of doing something but then they
13 would handcuff me by saying, "This is not how we do it."

14 And this was happening very many times, like six
15 or seven months afterwards. So one time I had to take this
16 avenue, and I said [REDACTED] I disagree with it; however, 7C
17 since you are my boss and you will take the responsibility
18 for this action, I will go ahead and sign my concurrence on
19 not approval, my concurrence" on one of the design change
20 documents or something.

21 But I said, "I want you to be fully aware, I'm
22 doing it only because you are telling me to do it. I
23 disagree with that."

24 He didn't like it, of course, because that's not
25 normally, you know. 7C

1 But there was nothing else I could do because,
2 you know, I have nobody else to go to.

3 So that was the beginning. And I think it was
4 sometime in middle of [REDACTED] fortunately it went to Bechtel,
5 that design document, and I was able to talk to the Bechtel
6 engineering on the other side who was supposed to approve
7 or disapprove that document, and see that they understand I
8 guess they -- some of the people who I worked with in
9 Bechtel knew my background even before I came to this job
10 because I used to work for Bechtel.

11 And they say, well, and they agreed with what I
12 was saying so they disapproved that document, which even
13 though I had a concurred and signed off and my boss had
14 signed off.

15 So when it was disapproved and it came back, it
16 really upset my boss. He says, called me in and he said
17 "Well, here, this is disapproved. And tell me why."

18 And I said, [REDACTED] I'm not here to find faults
19 with anybody, I'm not here to show that I know more than
20 you do or somebody else.

21 "I'm only trying to provide you the benefit of my
22 experience, however little it is. If you want to use it."
23 And I mean that's all I'm doing, really.

24 And so we had a good discussion and I guess we,
25 we made an understanding at that point that [REDACTED]

1 would not -- basically I said [REDACTED] if you want me to do
2 my job what you have hired me for, you do not understand
3 ASME Code that relates to the nuclear power plant. You do
4 not understand the installation requirements, the NRC
5 requirements, for the installation of nuclear NSSS and
6 components. And if we are going to write these procedures,
7 we expect the construction craft out there to follow these
8 procedures, and still comply with ASME Code requirements
9 and NRC requirements, and if we ever want to hope to get a
10 license for this plant, we must take these steps. And
11 these steps should be outlined in these procedures clearly
12 enough so that people do not misunderstand them."

13 He said, "Okay, I'm going to let you do that."
14 But I think that's what he told me, but I don't think
15 that's what was happening, though.

16 Now, since that day onwards, whenever I make a
17 recommendation or make a correction or I call it
18 correction, but a recommendation as to why we should
19 re-align our procedure to meet with the ASME Code
20 requirements in some cases, or specification requirements
21 which were laid down by design engineer, which is Bechtel,
22 or the requirements which I think NRC is going to look for
23 one of these days along the line, there are certain
24 bulletins which you have to follow which is listed in the
25 design specs.

1 And I said to do that, he would say, "Well, okay
2 go ahead and make those changes, on the paper."

3 He'll then go and say, well, his boss, who was
4 Maxie Bedford and other people will say -- see, before, he
5 used to say, "I don't want you to do that this way."


6 But since that discussion I had with him, then he
7 will say but "That's how he," somebody other than Bill
8 Cameron wants it this way.

9 And basically the end result was the same. "This
10 is how he wants it, this is how this gentleman from this
11 office of Ebasco wants it" or whatever.

12 I felt that really I wasn't making any progress.
13 Maybe I was having good relationship with my immediate
14 boss, but I didn't feel that I was still being utilized, or
15 more importantly, that we had the procedures to do the job
16 right.

17 Q The bottom line was that they were not accepting
18 your recommendations or implementing your suggested
19 improvement of --


20 A Well, it was not just my recommendation. It was
21 I think imperative that we be in compliance with the
22 requirements we have laid out by Federal Charter by ASME
23 Codes and whatever, we do those things.

24 It was not  requirements, I was merely
25 telling him what those requirements are since they were not


1 aware of them.

2 Q Okay.

3 A So I was not telling them what I feel -- felt, I
4 was telling them what they had to do.

5 The result of that is, and I don't want to
6 continue this very, you know, the result of that is that I
7 made several recommendations to the QC procedures -- as a
8 matter of fact, the result of all these, call it my
9 objections to their way of doing business, was, they would
10 take me to all code meetings with Bechtel, you know, my --
11 Maxie Bedford would and quality assurance manager,
12 Mr. Clyde Hohn, at that time used to be, he said, "I want
13  to go with me in that meeting to represent
14 engineering."

15 In other words, they were telling me on the
16 surface they agreed with me or they couldn't disagree with
17 me, I don't know which one was it, but they couldn't, they
18 couldn't just -- they were saying, "Okay, let's go to the
19 meeting, go this way," they were making all kinds of
20 frivolous attempts to tell me that, hey, they believe what
21 I was telling them but they were not still following what
22 they should have been doing.

23 So several times we had this meetings and then
24 one time, I said, I said,  it's really not working. 7C
25 You want my suggestions, if they're wrong, if they're not

1 good, if they're improper, if they're not in accordance with
2 the code requirements, tell me, I will admit my mistake,
3 and I will change it; I have no problem."

4 "But if they are not incorrect, if they are in
5 line with what the codes and other regulations we have to
6 follow, then why are they not being taken into account?"

7 And of course the normal answer was, "Well, this
8 is how Mr. So-and-so wants it, this is how Mr. So-and-so
9 wants it, he's the one who has to answer the questions to
10 NRC, he's the one going to answer to NRC, he's the one to
11 answer to ASME, whatever."

12 And then that point I said, "Please transfer me
13 to an outside construction job where I can look after
14 just" -- see I had a much bigger sphere of responsibilities
15 and I could see things much better where I was.

16 And I thought, "Well, why should I worry so much
17 when they don't want to worry about it. Sooner or later
18 they have to. But if they don't want to take the advantage
19 of my experience, well, I have tried."

20 So I made the effort to request "Please transfer
21 me out."

22 Then they didn't want to transfer me out. They
23 said, "No, we've got to finish these procedures, we've got
24 to finish these NSSS installation, reactor vessel, coolant
25 pumps systems, cooling pipes, hot leg, cold leg."

1 And they said, "Unless you finish all that we can't led you go." 7C

2
3 I said, "Fine, I'm not -- I even -- the only
4 reason I'm asking for a transfer is because I don't feel
5 that you need me anymore in this position. I'm not asking
6 to leave, but I feel that you don't need my expertise
7 anymore in this position.

8 "I'm saying if you still want me to work for
9 Ebasco, I'm willing to take a lesser job," because that was
10 the first thing he said. He says, "Well, you won't be the
11 lead engineer anymore."

12 I said, "Fine, no problem. I don't have to be a
13 lead engineer. I don't have to be the boss. I'm just
14 fine. As long as you don't take my pay down, I'm just
15 fine. I'll be very glad to work for somebody else; no
16 problem."

17 And that took me a few months, before he finally
18 agreed that, "Okay, well, you know" -- but I had to finish
19 all that procedure writing and, you know, basically
20 developing all the procedures for installation of NSSS and
21 piping and pipe supports, basically the mechanical ASME
22 related work in terms of procedures and standards. But
23 merely what I was doing, for example --

24 Q Were these things that had not yet been done that
25 you were writing procedures for or were you rewriting

1 procedures that they already had?

2 A No. The procedures had been written prior to my
3 joining Ebasco, in some cases. Some of the procedures were
4 brand new. I originated them or I was responsible to
5 originate those procedures.

6 The procedures which we were reviewing and
7 changing, the reason for that was to be in compliance with
8 the design specs which had not been issued when they had
9 re-issued the procedures prior to when I was involved in
10 this.

11 In other words, they were design specs not
12 finalized. So my part of my assignment was to go after
13 Bechtel design engineering to get the specs finalized. So
14 my job was to review the specs and see and comment to
15 engineering of Bechtel to see that those specs were
16 something which Ebasco could live up to and provide the
17 construction in the field, because I worked for the
18 contractor.

19 So that was part of my job. Of course, to do
20 that, I had also the responsibility to prepare procedures
21 and bring them in line with the changing specs, or QC, QA
22 requirements, which I think were not very, you know, they
23 were not done at that point for whatever reasons, or they
24 had not taken into account some of the areas which they
25 were right, probably they didn't need one.

1 Initially when they -- I don't know whenever the
2 time frame would be. But for example, they had no
3 procedures for installation of pipe supports, I think
4 sometime in late February, March, of '83.

5 You know, they didn't have any procedures because
6 they were not installing code class pipe supports. They
7 had no procedures for installation of reactor coolant pump.
8 They had no procedures for installation of reactor coolant
9 piping.

10 Q Reactor coolant piping?

11 A For Unit 2. They had -- Brown & Root I think
12 had, if I remember correctly, Brown & Root had already
13 installed or had done some work, work, we only had to do
14 the final pass on the valves and what have you.

15 So there were areas which we were merely patching
16 up to make the procedure and finish the job. But once you
17 do that, the administrative procedure allowed for reviewers
18 which were different from Bechtel, from Ebasco, from, you
19 know, in NSSS cases, Westinghouse.

20 So they had asked me that I should review the
21 procedures and if I find something, I should re-adjust it
22 and correct it.

23 I mean they didn't have to tell me that, but that
24 was obvious. For example, hydro testing procedures, I
25 started, I initiated that procedure. There was no

1 procedure when I had the job. There never existed in the
2 job.

3 There was no procedure for fabrication of piping,
4 NTP stamp, you know, of ASME, there was no procedure on the
5 site when I had that job. I had to initiate originate that
6 procedure for this project, for Bechtel -- for Ebasco.

7 So I guess what I'm saying there are procedures
8 which I had to originate, there were procedures which I had
9 to review and comment, there were procedures which I just
10 had to see if they were all right.

11 So this is, this gave me an opportunity to review
12 the installation sequencing, if anything else, the
13 installation requirements, the compliance with the code and
14 what have you, in a very, you know, kind of a narrow, you
15 know, I had the opportunity to review those things.

16 So I was very familiar with what -- if these are
17 the procedures craft is going to follow, if these are the
18 procedures QC and QA would monitor us on construction based
19 on those procedures, auditing, we were going to miss the
20 quality to be built into the design and construction of
21 this plant. And that's what was my concern. That's why I
22 recommended what I did.

23 Q Did their failure to accept your recommendations
24 result in installation of piping which does not meet ASME
25 codes or --

1 A Well, I really cannot answer that question,
2 because at that point, I was not in a position to go out
3 and review those things.

4 When I was in the office engineering position, I
5 really had no -- I had no access; I had no -- I could not
6 go out and -- because I knew, if these are the procedures
7 we are following, then this is what they must be doing.
8 But I could never verify that at that time.

9 So I can't tell you whether what happened during
10 those months, or what the -- how the installation took
11 place.

12 Q But as I have understood what you said, some of
13 these procedures were inadequate?

14 A They were incomplete; we did not have procedures
15 for certain areas.

16 Q But didn't you say some of the others that you
17 made recommendations in order to align them with certain
18 codes --

19 A Right.

20 Q -- and requirements?

21 A Right.

22 Q And so I take it then that they didn't meet those
23 codes?

24 A I would agree with you.

25 Q And so if they would not accept your

1 recommendation to change them in order to come into
2 compliance with the codes, and that those procedures were
3 followed in the field, as they existed at that time,
4 then --

5 A It would.

6 Q -- result in installation of various things which
7 did not meet the code requirements?

8 A Right. Anybody who would read those procedures
9 and would have the knowledge of understanding of, you know,
10 what is being said, what we just said, yes, that's the
11 obvious result would be. All I'm saying is I had no time
12 to go out and verify that at that point.

13 Q But if they followed --

14 A Yes.

15 Q You have to assume that they follow those
16 procedures?

17 A Exactly. Well, that's also not true, they
18 don't -- they did not always follow those procedures, but
19 that's normal on, you know, I mean -- that's normal to
20 certain extent. People do not always follow all the
21 procedures, all the time.

22 You know, that's why we have QA and QC
23 organization to monitor that

24 Q Let me ask you, I see that you brought some
25 papers with you. Do you have any sorts of examples of

1 where you felt certain procedures were not in compliance
2 with codes or requirements?

3 A I don't have copies of the procedures, no. I
4 don't have anything here which -- which refers to any
5 procedure as such, because those procedures and those
6 changes can be looked at the job.

7 MR. DRISKILL: Do you have any questions about
8 that?

9 MR. CONSTABLE: Couple of questions.

10 You mentioned that some procedures, if I
11 understood you correctly, that some procedures that were
12 actually needed to install equipment had not been prepared.

13 Do you have any examples, titles of procedures
14 that --

15 THE WITNESS: Yes, well, for example, I can think
16 of one very unique example. I think we were involved in
17 the Unit 1 -- Unit 1 was involved in the installation of I
18 think they call them -- they're on the cold leg or the hot
19 leg, I don't know which one, but I think there involved in
20 the -- let's see see what they call that name. They are
21 lateral supports for -- they go around the reactor coolant
22 pump piping, and they are lateral supports. And then there
23 are big heavy shoes at the bottom on the elbow like the --
24 at the bottom there.

25 There was no procedure whatsoever when we were

1 attempting to do the installation of that particular item.
2 As a matter of fact, I think there was a -- there was a --
3 I don't know if it was a work stoppage or something had to
4 be done to stop that work at that point, I don't know
5 exactly what means somebody used at that point.

6 But I do remember one thing, Westinghouse was
7 very unhappy and Westinghouse manager at that point was
8 Bill -- I don't remember his last name, but Bill and I --
9 Bill called me because my -- well, went through the chain
10 of command and it came to me. And I was told to go and
11 look into that so we could kind of -- because Bill had
12 called Bechtel, quality assurance manager, and said, "If
13 Ebasco doesn't stop doing this, then I have to issue stop
14 work on NSSS in Unit 1."

15 But before he was doing that, he had called my
16 boss and my boss called me and said, "Well, hey, go and
17 talk to Bill and see what the problem is." And I had very
18 lengthy discussions with Bill. He's the Westinghouse
19 manager on the site at that point.

20 I said "Bill, I think I can resolve the problem
21 by stopping work and correcting it," and I took the steps
22 and recommended to not to go into the areas where he
23 figured or he felt that it was necessary to have to stop
24 work.

25 I said, "That's your prerogative, you are

1 obviously -- you have to make that decision based on what
2 we have. But I don't think" -- at least at that point we
3 realized we did not have a procedure, sort of laid out,
4 where we could say that, "Yes, this is what our procedure
5 is in the installation of that particular work."

6 But you know, I had to kind of say that, well, we
7 would prepare a procedure and then continue installation.
8 And that's the kind of avenue.

9 MR. CONSTABLE: What time frame was this,
10 approximately?

11 THE WITNESS: It has to be sometime in, you know,
12 latter part of [REDACTED] back in third quarter -- I mean third
13 or fourth quarter of [REDACTED] have to be somewhere in that -- I
14 don't know. 70

15 MR. CONSTABLE: And this example, what you're
16 telling, me if I understand you correctly, is that they
17 attempted to install these supports and shoes without a
18 procedure. It didn't work, the work was stopped, maybe not
19 due to an official stop work but the work was stopped and
20 then a procedure was developed in order to install it, is
21 that --

22 THE WITNESS: Only because -- only because at
23 that point, it was -- let's say at that point they took my
24 recommendation.

25 MR. CONSTABLE: Yes, I understand that.

1 THE WITNESS: At that point. That's how -- we
2 could stop from happening that, because I was able to go to
3 the manager of Westinghouse and explain to him that I will
4 prepare the procedure in this fashion and we'll coordinate
5 with you, we'll say to go to -- basically, yes. At that
6 point, I was able to make that happen. Yes.

7 MR. CONSTABLE: Are you satisfied now that those
8 supports are correctly installed to the best of you your
9 knowledge?

10 THE WITNESS: I have had no -- I have not -- I
11 did at that point what I was supposed to do, what I did.
12 But I have never have gone back to look at whether what was
13 happening or not.

14 MR. CONSTABLE: Maybe -- Let me rephrase the
15 question, perhaps. Are you satisfied that the procedure
16 that was developed was an adequate procedure to cause these
17 hangers or supports to be installed correctly, or do you
18 know?

19 THE WITNESS: I know the procedure on paper was
20 adequate.

21 MR. CONSTABLE: Okay. I understood what you said
22 earlier, that you didn't necessarily get out into the plant
23 to see how it was actually installed?

24 THE WITNESS: Right.

25 MR. CONSTABLE: Do you have any other examples

1 like this, or maybe I should say any other examples where
2 something was installed without a procedure, where it
3 really needed one in order to make the installation
4 correct?

5 THE WITNESS: Let me think. I wasn't thinking --
6 in those areas.

7 MR. CONSTABLE: I'm looking for possible examples
8 of an installation that is not correct, you know, where
9 that perhaps it was installed incorrectly simply because
10 the workers didn't have the appropriate guidance. You
11 mentioned --

12 THE WITNESS: I would like to make a comment here
13 which I think probably the way I feel and that's the only
14 answer I can give you. See, when some of those things were
15 happening and it's kind of a, it's more personalities than
16 technical ability at that point which was dictating in the
17 management style who does what and why.

18 In other words, there were a lot of other folks
19 in Ebasco at different levels who felt the same way as I
20 did. But they were all overrode in light of who knows what
21 or whatever, and we were told that this is the way it's
22 going to be.

23 So we really had to take the attitude at that
24 point, well, you're my boss, you're the one who is going to
25 answer the questions. And really my belief at that point

1 was I have adequately done my job. I have notified my
2 supervisor, I have given him the benefit of my experience,
3 and he has told me not to talk to him, not to do this, not
4 to do that.

5 So if I disobey, let's say, at that point, there
6 are several things can happen. But one of the things would
7 happen is that I felt that he will learn; my superiors or
8 my superiors, will understand and will learn as we go based
9 on some of the times I have been in the past, that I have
10 worked for people who did not understand what I was saying.

11 They did not have the experience of that
12 particular subject. And if I just let them think for, or
13 just sleep on it for a few days, as long as the work
14 doesn't get going in the field, they have come back to me
15 in the past and said, "Well, hey, I think you had a point
16 there. Let's sit down and talk about it." And I really
17 felt that probably would happen.

18 MR. CONSTABLE: I understand what you're saying,
19 is there are some success stories and that people learned
20 as it went along that you were correct in your observations
21 and recommendations.

22 What I'm looking for is examples where perhaps a
23 right specifications didn't get in procedures that might
24 have led workers to improperly installing or building
25 something or, you know, examples like that, of potentially

1 defective equipment.

2 THE WITNESS: Well, okay, not at that point but
3 if I may take you a little farther in time, I would
4 probably explain one of the area which I was exposed to.
5 And --



6 Q (By Mr. Driskill) That's one of the things I
7 wanted to do. I know that when we talked in, I guess,
8 sometime early December, on the telephone at length and I
9 made some notes and at that particular point in time, you
10 related some examples --

11 A Right.

12 Q -- of various things. And that I made notes of
13 and so I wanted to try to go over those. And there are
14 probably a lot of other things in addition to what we
15 talked about in probably 30 minutes on the telephone. But
16 what -- when you left the job as the lead engineer, what
17 position did you take, or were you given?

18 A They had offered me a couple of other jobs but I
19 said no, this is not what I really -- I don't think this
20 will do any good to you or me.

21 But then my job was not working out. I had a
22 yearly evaluation done by my boss and he evaluated me as

23  But in my observation or my experience I think I
24 was doing  So I said, "Well,
25 if that's what you can do" -- he says, "Well, you're doing

1 it;

2 [REDACTED] you know, something
3 [REDACTED]
4 of that affect.

5 And I said, "Well, [REDACTED] I'm always willing to
6 learn, I'm willing to follow the advice of my supervisors
7 or whatever, I am always willing to do that.

8 "But if you don't want me to tell you my opinion
9 or my -- what I feel should be in that area, then I really
10 am not -- you know, doing my job, which my job is.

11 "So I guess I'm doing that because that's my
12 job."

13 And I can remember a very unique incident and
14 that I think just for a couple of minutes; what happened
15 was they had, they wanted to design a sprinkler fire
16 protection system for one of the buildings on the site, a
17 temporary facility building.

18 And the word came down through the levels come to
19 me, that this is mechanical, piping, pipe supports, that
20 was my responsibility; that, "You will design it."

21 I reviewed the requirements for what I had to do
22 to meet the American Insurance Company, Nuclear Insurance
23 or whatever the company name was, and to meet the
24 obligations which HL&P had already committed to various
25 parties, Texas -- I don't know if FLC is involved in that,

1 but there were certain regulations which I looked into and
2 I said, "Okay, this is what we have to have."

3 So I decided that and my recommendations was at
4 that point, "I am not qualified to design that fire
5 protection system."

6 So I went to my boss and I told him that, "I'm
7 not the person who should design this because I have no
8 experience in doing it."

9 "In my experience, this is always done by
10 somebody who has these, these, these, qualifications. And
11 I don't have that. Do you still want me to do this?
12 However, I would like you to know I can do it; I will read
13 the specs; I will read the National Fire Protection
14 Association's code; I will read the other data; and I would
15 be able to come up with a reasonable design.

16 "I can do that, if that's what is desired.
17 However, I've never done it before."

18 They didn't like that at all.

19 I said, "Well, sorry, but that's the way I feel."

20 I said, "I have told you what I think should be
21 done when I know something and I'm also going to tell you
22 what I don't know something, I'm going to tell you that
23 also."

24 And I guess -- I just a few days after that, we
25 formally, I formally kind of requested that, you know, "I

1 think really you really don't understand what I'm trying to
2 tell you. I'm not trying to, you know, throw spears at
3 anybody or I'm not trying to do any of those things. I'm
4 merely trying to tell you the best of my ability.

5 "And I think it's not working so let's just move
6 on."

7 And I was moved into a job, just a field
8 engineering job on the outside, in the BOP area, you know
9 where there is no nuclear other than ECW system, there is
10 no code related work or, you know, it's -- basically they
11 wanted me to kind of be side tracked into an area where I
12 would have no involvement in, I mean I can go out and look
13 for something but if I have other work to do, I won't have
14 time to look at any safety related systems.

15 And that's what I was saying, that I would like
16 to make a comment, this comment is that I really had no
17 time for, over a year, year and-a-half after I left my job,
18 to go out and look at some of these things which -- when I
19 was involved in, because, you know, to do that would be --
20 means I would be going into an area where I'm not supposed
21 to be, administratively I'll be doing something wrong.

22 And I really had no time -- I really had no
23 reason to, either. I thought, "Well, I'm not the only one
24 working here. I mean, there are" --

25 Q Yeah.

1 A There are other people working.

2 Q You don't have to take the responsibility for the
3 entire plant on your shoulders?

4 A That's right. So I said I mean, "Hey, I'm not
5 the only one here. So I really didn't pursue those things
6 so I can't give you a --

7 MR. CONSTABLE: Okay.

8 THE WITNESS: But there are reasons that, since
9 there are other procedures have been changed and received
10 and, you know, I was a user now rather than writer now, I
11 have a fairly good idea what, what -- but not as good an
12 idea from when I was in that job.

13 And -- oh, there were several times I have
14 recommended when I was a user to procedures, that you
15 missed it, or did you miss it? And there was always a
16 re-alignment of procedures going on. In my opinion, that
17 was like craft was totally confused.

18 They didn't know what procedure, what ref., what
19 day, what ICN, which is a change to a procedure in the
20 interim, has to apply to a particular task.

21 So my recommendation in 1983, February, had been,
22 rather than have an Ebasco procedure for construction, a
23 Bechtel procedure, WPPQCI, and an administrative procedure
24 for Ebasco, an administrative procedure for Bechtel, a QC
25 procedure for Ebasco, a QA procedure for Ebasco, a QC

1 procedure for Bechtel, a QC/QA procedure for Ebasco and
2 Bechtel, separately; and another procedure for HL&P,
3 my recommendation was maybe not in writing at that point,
4 that was like in February or March of '83, specifically the
5 procedures which I was originating, brand new, why not
6 write one Site STP procedure. If we are all working on the
7 same job and we are all interested in getting the job done
8 right why do we have to have company procedures, why don't
9 we have one procedure.

10 Of course I was told to shut up and don't ever
11 talk about that. So that's what I did. That's some of the
12 things which I can tell you. But the result is today, or
13 several years after I made the recommendation, those
14 procedures were in fact combined into SSBs which you have
15 now on the job.

16 MR. CONSTABLE: You were ahead of your time.

17 THE WITNESS: Well, I don't know if I was ahead
18 of my time. But I can only tell you what happened.

19 Q (By Mr. Driskill) During one of our discussions,
20 you made some comments that indicated to me that you felt
21 that individuals were retaliated against at STP for
22 bringing up safety concerns. You said that --

23 A Okay, now --

24 Q -- based on your experience, that people were put
25 into positions where they had to ask for transfers, they

1 were asked that -- they felt like they had to resign.

2 A Let me say it this way. Yes. However, I can
3 talk more effectively about myself and that's what I would
4 like to talk about, if that's -- you know, rather than
5 saying I know about several cases, yes.

6 But I think I can talk more -- I can answer my
7 question relating to myself. I am myself in that category.
8 So to answer your question: Yes, I know of other employees
9 but I certainly know this employee who had to go through
10 that.

11 Q Well, you said -- as I said, this conversation
12 took place in early December, I believe, and you said that
13 at that time, you said "Six months ago that you were a
14 quality assurance engineer."

15 A Yeah, as a matter of fact --

16 Q And that you had found deficiencies in quality
17 documents relating to welds, piping, valves, material
18 traceability and code requirements.?

19 A Yes.

20 Q And that you made an effort to discuss these with
21 your boss?

22 A Yes, definitely.

23 Q And that he apparently was not willing to
24 discuss these deficient conditions with you or he didn't
25 want to bring those formally to his attention. Is that

1 right?

2 A Yeah. Well, let me -- let me show you some of
3 the pieces of paper I have which will give you some of the
4 answers, and I will explain as I go along. On September
5 23rd, 1985, I wrote a letter, an interoffice correspondence
6 to John Martin, who was the top engineer for Ebasco. I
7 would like you to read it and see what I said.

8 Q Essentially this document dated September 23rd,
9 '85, to John Martin, indicates that you did not feel that
10 based on your educational background and work experience,
11 that you were being utilized in a position where you were
12 able to --

13 A Benefit the job.

14 Q -- benefit the job. And essentially you were
15 asking for a transfer into the quality assurance
16 department, stated that you had discussed this with
17 Gary Clark the resident engineer of Unit 1. Was this
18 particular request granted?

19 A Yes.

20 Q It was? What led you to write this particular
21 letter to Mr. Martin; what kind of problems?

22 A Well, no, there were no problems when I wrote
23 that letter. The reason I requested a transfer to quality
24 assurance department of Ebasco was that the Ebasco quality
25 assurance site supervisor, I think -- what would be the

1 second man in command for Ebasco, so that would be site
2 quality assurance supervisor, since he and other folks in
3 the quality assurance department had worked extensively and
4 very closely when I was a lead mechanical office engineer
5 in putting the procedures and reviewing those things
6 together, they had become familiar with my -- my abilities
7 to do a good job; and they felt very strongly -- and
8 quality assurance manager; and they felt that that I would
9 be an asset to their organization, and I was not being
10 utilized to my experience of whatever, and I had no
11 opportunity to career advancement in that position at that
12 points.

13 So I felt, so I discussed first with my immediate
14 supervisor who was Gary Clark and I said, "Well, I don't
15 think" -- I'm sorry, Gary Clark was not my immediate
16 supervisor. But he was the unit manager -- our unit boss.

17 And I said, "If you feel and agree with me, Gary,
18 then I would like to use that wording like I did on my
19 letter."

20 And he said, "I agree with you, that you really
21 would be an -- you know."

22 By the way, he agreed with a lot of things which
23 I -- Gary Clark and I used to talk about some of the things
24 which I had been recommending on the resolution of NCR's,
25 resolution of SDR's, which were issued on the jobsite.

1 That was part of my job when I was working for Gary Clark.
2 My responsibility was to answer SDR's.

3 Q So you did work for Gary Clark?

4 A Oh, yeah, but, I mean, he was not my immediate
5 supervisor.

6 Q I understand.

7 A And so since I was doing those things and in the
8 analyses and evaluation and recommendations, what I was
9 providing to Gary Clark and the Unit 1 superintendent for
10 bringing some of the issues were why QA from Bechtel was
11 writing a lot of SDR's, or I think they call them SDR's for
12 Ebasco. But change documents where due to surveillance and
13 say, "Okay, look, you have these deficiencies."

14 And my recommendation in most cases was -- there
15 were a few cases where the supervisor of construction
16 should have been more aware of, but in most cases, there is
17 nothing they could have done. This is how the procedure
18 conflicted with the other procedure.

19 So either they could follow procedure "A" or
20 procedure "B," unless they had the time and the know-how to
21 read both procedures, apply everything together, maybe
22 sometimes three or four or five procedures, the
23 construction really had a disadvantage in coming up with
24 some of the things which quality assurance organization
25 would find out.

1 So this was another reinforcement of my further
2 belief which was stated couple of years ago, '83, we really
3 need to combine these procedures into one document so that
4 the construction is fully aware of what is expected for
5 this particular assignment from them.

6 Then QC organization is fully aware what they
7 have to look at and how they have to document it. And I
8 think we really will benefit the job, save money for the
9 people. And so Gary Clark agreed with me and I think we
10 really had hardly any disagreements with Gary Clark.
11 However, Gary Clark could not do anything for me at that
12 point. So we led to this request for transfer.

13 Q Was the request granted?

14 A Yes.

15 Q And you did go to work --

16 A For quality assurance.

17 Q -- in quality assurance?

18 A I was, I think, just a few days after this.

19 Q Okay. What kind of work did you do in quality
20 assurance --

21 A Okay.

22 Q -- when you received that transfer?

23 A I was assigned to N-5, code data report
24 preparation. That's the N-5 group was just forming up.
25 And so I was assigned to that group as a quality assurance

1 engineer.

2 Q Now, that is a document review organization?

3 A No. No. N-5 is a code data report which
4 constructor of a nuclear power plant has to fill out and
5 submit to NRC. We are the design documents or the design
6 organization for applying for an operating license.

7 N-5 is the first code data report which anybody
8 on the jobsite has to prepare. The only other data reports
9 which are prepared prior to that are prepared by vendors,
10 which are NF's and NPT's, N-1's and N-2's and so forth.

11 Q Okay.

12 A So that's the first document a constructor of a
13 nuclear power plant has to prepare to say, "Hey, I have
14 this constructed this plant, these systems, in accordance
15 with the design documents, whoever the design engineer is,
16 and in accordance with the ASME code and meeting these
17 quality assurance requirements of -- you know, of ASME
18 Section III and all other pertinent sections and other NRC
19 bulletins and whatever."

20 That's the first document you have to have for the
21 owner -- after N-5 comes N-3 then comes N-1, that's when
22 you take it to the NRC and say, "This is how we built the
23 plant, license us."

24 Q Okay.

25 A In my opinion, that's very important document.

1 That's very valuable document for the owner. So again, I
2 feel, anyway, I felt, the reason I was accepted and granted
3 that transfer also was that they really believed that I
4 would be useful to them in preparation of that document, to
5 go along with the code requirements of ASME and what have
6 you.

7 Q Uh-huh. So what kind of problems did you run
8 into when you got there?

9 A Well, I wish you didn't ask me that. But --
10 well, what happened was, once I was assigned into that
11 group, well, the group itself was really part of the
12 quality assurance group, you -- in other words, there was
13 not a new group; it was just, you know, couple of guys were
14 put together to you just do this, you know, prepare, get
15 ready for N-5 report.

16 But they were really all under the umbrella of
17 quality assurance, which is quality assurance site
18 supervisor, you know, there was nothing outside like, you
19 know.

20 Q Let me ask you a couple of quick questions about
21 that particular group. Who was in charge of the N-5 group?

22 A At that time, Bill Pardee.

23 Q Okay. And did the supervisors change while you
24 were there?

25 A Yeah. Well, Bill Pardee was in charge, but I was

1 assigned to work for [REDACTED]

2 Q How do you spell the last name?

3 A Let me see if I can find. Here.

4 Q [REDACTED]

5 A Right.

6 Q Okay. So [REDACTED] was your immediate
7 supervisor.

8 A Uh-huh, and I was assigned to work on N-5 data
9 reports.

10 Q Data reports?

11 A Right, code data reports, data reports. So of
12 course, well, they assigned me, they gave me the assignment
13 to start looking and work on ECW system. And --

14 Q Was that emergency cooling water?

15 A Essential cooling water.

16 Q Essential cooling water?

17 A Right, if I remember. Okay. So they said,
18 "Well, you know" -- well, they had a procedure, they had
19 written a procedure prior to my getting there in that
20 group, in that department, and first thing I did -- well,
21 first thing they asked me to do was to review that
22 procedure not for making any comments, but primarily to --
23 "This is what you have to follow, because you are now in
24 our group and this is what you have to do," which is
25 perfectly all right with me.

1 And I said, "Yes, that's what I would do."

2 So when I reviewed that procedure so I know what
3 I'm expected to do, I found there were various areas of
4 concern in the procedure which I was being told to follow.

5 Q Such as what?

6 A Well, they didn't meet the -- they didn't meet
7 Section NA-8,000 parameters. They didn't meet in some
8 areas -- well they didn't meet code -- they didn't -- they
9 didn't clearly identify what you must do to prepare a good
10 N-5 code data report. They did not do that in that
11 procedure at that time, what I was given to follow.

12 MR. DRISKILL: Before we go too far, I will let
13 Les come in here because he understands that a lot better
14 than I do and --

15 MR. CONSTABLE: I was getting ready to jump in.
16 You have a stack of papers there. Perhaps if they provide
17 your examples, we should go through them. Do you have a
18 copy of the procedure you're referring to that you were
19 following?

20 THE WITNESS: No, I don't --

21 MR. CONSTABLE: How about just a title of it?
22 Can you give a title number or something that would
23 characterize it so we could find it?

24 MR. CONSTABLE: It was a preparation and
25 documentation of N-5 -- whatever the -- let me think what

1 the procedure now is so that I can translate that.

2 MR. CONSTABLE: And this was in effect, I assume,
3 just after you got on board in the QA organization in
4 October of '85, approximately?

5 THE WITNESS: Right. Exactly, just after.

6 MR. CONSTABLE: Okay. That helps document it in
7 space and time.

8 THE WITNESS: Right. Whatever the document at
9 that time was, I think it was -- I just remember that --

10 MR. CONSTABLE: That may be enough to find it.
11 Let's proceed on.

12 THE WITNESS: So what was happening was, I'm just
13 thinking maybe I can -- well, I can't remember now. But
14 there was --

15 MR. CONSTABLE: Let me just ask a series of
16 questions and maybe we'll lead into it. You say the
17 procedure didn't really meet the code requirements insofar
18 as how a review of these N-5's was to be done. Can you say
19 in what way they were defective specifically and do you
20 have examples there?

21 THE WITNESS: Yes. Well, I have examples of what
22 I found, what I deficiencies I found in the performances of
23 my duties.

24 MR. CONSTABLE: Okay.

25 THE WITNESS: And then of what I did about it and

1 what I -- where I got from there. I guess that's what I
2 have --

3 MR. CONSTABLE: Just to help me understand where
4 we're going in this, I assume you identified these
5 deficiencies to your management. Did they take action on
6 your recommendations and change the procedure to make it
7 acceptable?

8 THE WITNESS: Well, they believed that they did.
9 However, I would like to show you a few examples, couple of
10 them.

11 MR. CONSTABLE: That's exactly what we want.
12 Show us the examples where they didn't.

13 THE WITNESS: Okay. I would like you to read
14 this letter and see what, and my comment on the bottom in
15 red.

16 MR. CONSTABLE: Okay. I have a letter here dated
17 March 20, 1986. The heading says, "Ebasco Constructors
18 Incorporated;" it's to a Mr. L.E. Davis, from -- I'm not
19 sure how to pronounce this right, R.W. Zaist, Z-a-i-s-t,
20 construction manager. Does this number uniquely identify
21 that letter?

22 THE WITNESS: Yes.

23 MR. CONSTABLE: Okay. The unique identification
24 number for the letter is ST-EY-YS-06246.

25 MR. DRISKILL: Okay. It's 7:40. We'll take a

1 quick break for some refreshments.

2 (Discussion off the record.)

3 MR. DRISKILL: It's 7:50. We'll go back on the
4 record. Les, you want to go ahead and discuss that letter
5 that we were discussing prior to the break?

6 MR. CONSTABLE: This letter describes the
7 transition of ASME code responsibilities, and says that the
8 new installer who modifies or completes code work which was
9 previously performed by Brown & Root, that the new
10 installer shall be responsible for that work and
11 as-constructed drawings shall be prepared by Bechtel to
12 show the change in responsibility.

13 The letter goes on to state that review of design
14 drawings indicate that the drawings do not yet comply with
15 the above requirements. Then you have a note at the bottom
16 of this page; it's a personal note that I believe you just
17 penned on it?

18 THE WITNESS: Yes, that's just for my record
19 keeping.

20 MR. CONSTABLE: It says, "No response received
21 from ESI Management or BEC Management." As of when, as of
22 now or --

23 THE WITNESS: As of the date I left the job site.

24 MR. CONSTABLE: Which was September of --

25 THE WITNESS: 

1 MR. CONSTABLE: What involvement with this letter
2 did you have?

3 THE WITNESS: This letter, let me --

4 MR. DRISKILL: Did you identify that problem
5 that's described in that letter?

6 THE WITNESS: Yes. That's how the letter came
7 about. As part of my responsibility in the N-5 group,
8 which I was now working in, one of the requirements for
9 compliance with the ASME Code Section III is that
10 constructor must certify on the N-5 code data report as to
11 what did he install physically out there in the field. And
12 he only can take responsibility for that installation.

13 However, during the research which I had to do to
14 find out who installed what component in a system, because
15 I was aware that Brown & Root had installed certain
16 components on this project, I discovered, because of my
17 research, that there was an agreement made and signed by
18 HL&P management, Bechtel management, Ebasco management, and
19 Texas -- and Texas Department of Labor & Standards, and
20 that agreement was made and approved by the management as
21 stated in the letter, January 25th, 1986.

22 In addition to that, I found, I discovered, this
23 was a revision from an earlier agreement made by the same
24 parties, which was sometime in '82 or '83.

25 Q (By Mr. Driskill) What was this agreement?

1 A That agreement -- one of the requirements for
2 that agreement is exactly what this letter states, that
3 when the new installer, Ebasco, modifies or completes code
4 work, which is ASME code work, which was previously
5 performed by Brown & Root, the new installer shall be
6 responsible for that work, and as-constructed drawings
7 shall be prepared by Bechtel to show the change in
8 responsibility.

9 And of course, I don't have the document with me,
10 but when I discovered that document, and it had such a
11 great impact on the my existing current assignment because
12 that deals with the N-5 code data report preparation, I had
13 no choice but to identify it to my higher level and request
14 clarification.

15 Q Are you saying that it's impossible based on the
16 records that exist to identify the company that installed
17 some components or parts or pieces?

18 A This is not what the letter -- this is not what
19 the agreement I'm referring to.

20 Q Okay.

21 A The agreement portion what I'm referring to, the
22 agreement where, if I recall, there are three phases of
23 that agreement, which Texas Labor Department, with other
24 bodies agreed, whatever work was done, installed by Brown &
25 Root and was accepted in compliance with all the

1 requirements for a nuclear power plant, Brown & Root shall
2 prepare a document and certify that prior to Ebasco or
3 Bechtel taking over the project.

4 That was one agreement which Brown & Root had to
5 agree to. And there was an agreement which I saw that
6 Brown & Root had agreed to that. There was another piece
7 of that same agreement which said, "If some work which was
8 previously performed by Brown & Root and had to be reworked
9 for whatever reasons, design change or whatever, the new
10 installer, Ebasco, shall be responsible for that work."

11 And to identify that who is responsible for which
12 portion of the work, Bechtel was given the responsibility
13 to modify the as-built drawings, or rather not modify but
14 rather make it known to the public out there, 10,000 people
15 working, this is the responsibility of Ebasco; this is the
16 responsibility of a previous installer, so that the
17 controls can be established to control the quality of the
18 work performed by Ebasco craft and Ebasco management can
19 take responsibility for that work. That, in my evaluation,
20 was the reason for that agreement.

21 Q Okay. And how did what you found, how did that
22 agreement impact on what you were finding?

23 A Okay. The agreement impacted my direct work to
24 make a N-5 code data report for what I was given, let's say
25 ECW system. There was a lot of work which was done by

1 Brown & Root. There was a lot of piping which was buried
2 by Brown & Root. There was a lot of piping which was
3 buried in the concrete areas.

4 The only thing I could see in 1986 when I was
5 trying to put that together was paper. And I needed to
6 know for sure if this work was finally completed and
7 accepted in accordance with the code requirements and
8 whatever by Brown & Root or was it finally accepted and
9 done by Ebasco.

10 I had to identify that very clearly, who had the
11 responsibility for N-5 code data report. If I cannot
12 establish that, I will be incorrectly preparing an N-5 code
13 data report. And that's why I had to -- I did what I had
14 to do.

15 MR. CONSTABLE: Okay. You wrote this letter then
16 that someone else signed.

17 THE WITNESS: Right. Well, I was asked since I
18 had discovered the problem and I had talked to my
19 supervisors and their supervisors and they had agreed at
20 that point that this was an issue which needed to go on a
21 management level, top management of Ebasco to top
22 management of Bechtel, that's why the construction manager
23 of Ebasco wrote the letter to the construction manager of
24 on site to Bechtel. And I -- I chose the words to describe
25 what the specific problem I see at that point in

1 accomplishing Ebasco's scope of work.

2 Q (By Mr. Driskill) You are saying that the
3 documentation that existed was inadequate to determine who
4 the installer was for certain work?

5 A In some cases -- no, that's not what I'm saying.
6 In some cases, by an extra research one can determine who
7 installed what. In cases where there was a modification
8 done to a previously installed component of any kind, that
9 revision could have been done by Brown & Root or by Ebasco.

10 We do have the documents saying, let's say, that
11 it was done by Brown & Root, let's say. The question was
12 was it finally accepted and was that -- should the
13 particular component in question be the responsibility of
14 Brown & Root, so I don't have the put it on my Ebasco's N-5
15 data report or should I include it here? I guess that was
16 the real question we had to answer.

17 MR. CONSTABLE: I understand the question. Were
18 there any repercussions out of your writing this letter?

19 THE WITNESS: I don't know if just this letter,
20 but I do no one thing, there were other factors but just a
21 few days after that, I was removed as a quality assurance
22 engineer. I was sent back to engineering. I was
23 transferred back from ESI to ECI. I did not request that
24 transfer back to engineering or whatever, I was just told.
25 After a few days, I don't know, maybe ten, fifteen,

1 whatever.

2 MR. CONSTABLE: Do I understand you correctly
3 that what you really said in that letter is you really
4 couldn't do the work you were assigned?

5 THE WITNESS: Yes, I couldn't -- I could guess, I
6 could do more research, spend more time and possibly could
7 come up with maybe answer, but I could not clearly identify
8 who has the responsibility for that installation.

9 Secondly, why should Ebasco, since I worked for
10 Ebasco, take the responsibility for a piece of work which
11 may or may not be the responsibility of Ebasco if Bechtel
12 would have done its job as agreed by the management of
13 those companies, I would not have to spend the time and
14 money to do the research, I would be very sure who has the
15 responsibility, and my N-5 data report would be very clean
16 because I would be able to say, "Here is the document which
17 says this is whose responsibility it is and here is why I
18 say what I say."

19 So it would be, it would be best for the project
20 to either comply with the agreements which were made or,
21 you know, has to be some solution.

22 MR. CONSTABLE: Okay.

23 Q (By Mr. Driskill) Do you remember what
24 particular area of you were looking at when you discovered
25 this problem?

1 A ECW system in whole.

2 MR. CONSTABLE: I understand that issue well
3 enough that we could look into it. Maybe we could go on to
4 another subject.

5 THE WITNESS: Okay.

6 Q (By Mr. Driskill) How long did you work in this
7 N-5 group?

8 A Well, like I said, I think I was transferred out
9 of QA, let's say, end of March. So like this letter was
10 written on 20th, so maybe I was transferred out on 22nd --
11 I mean 27th or 28th of March. So I was there from, I guess
12 from somewhere in October '85 to March of '86.

13 Q Did you discover or find any other problem areas
14 while you were in the N-5 group?

15 A Yes, this was a very unique problem which I did
16 not discuss or which was not aware to a lot of people who
17 were doing this work in my group because this was a serious
18 enough problem which I felt that I should discuss it with
19 my boss and his boss first.

20 Q Did any of your bosses make any comments which
21 made you believe that they agreed that there was a problem
22 there?

23 A Oh, yes. The quality assurance site supervisor
24 and my immediate boss was there, too. And he says to
25 rephrase that, you know, and making it that, "Hey, boy, did

1 we miss the boat" or something like that. And, "Boy, did
2 we -- we should have been more careful and so forth."

3 And then I added, I said, "What is even more
4 important than just knowing that this is not being done, we
5 in our procedures, which is what we have to follow, which I
6 have to follow, does not address this." And that's the
7 real reason why I wanted to highlight that to my boss,
8 that, "Hey, it really doesn't address the problem."

9 Q So Pardee and Staymates and those individuals --

10 A Pardee had already gone away at that time when I
11 identified. Pardee was moved into other another area. Now
12 we had another gentleman who was the boss at this time.

13 Q His name was what?

14 A His name is Mitch Mulder.

15 Q Who was the individual that this letter was
16 addressed to? L.E. Davis, he was the --

17 A He's the Bechtel construction manager.

18 Q Okay. He was a construction manager. Okay. My
19 question a few minutes ago was: Did you identify any other
20 problem areas that you recall that you have a concern
21 relative to while you were in the N-5 group?

22 A Yes. Primarily as part of my responsibility was
23 to prepare a good N-5 code data report. To accomplish
24 that, the code requires that, you know, it doesn't tell you
25 how to do it but it says what you have have to have in that

1 document so NRC can take a look at it if they want to or he
2 and I can take a look at it if they want to or whoever.

3 What was the design for that component or system
4 for which that N-5 data report is being submitted? What
5 was the design document, that's No. 1. So you have to have
6 a drawing or something to say this is how it's supposed to
7 look like, this is how you install it.

8 Then the code requires the installer to certify
9 that he installed it in accordance with that design
10 document and applicable ASME code requirements.

11 To prove that, that installer has done their job
12 appropriately as he certificating, there should be quality
13 control documentation in the vault saying, "Yes, we do have
14 everything done appropriately."

15 Thirdly, or fourthly, whichever, if you need to
16 know whether the equipment or the materials used in the
17 installation of the components being certified as N-5 were
18 purchased and manufactured in accordance with the ASME code
19 requirements. I guess some of these factors were not
20 incorporated into the procedure which I was being told to
21 follow in the preparation of N-5 code data report.

22 Q So essentially you could not document complete
23 traceability --

24 A Right.

25 Q -- relative to the items you were being asked to

1 certify on your N-5?

2 A Prepare that. So when I asked those questions in
3 those areas, I was given various answers depending on the
4 kind of question I was asking at that point, and some of
5 the answers were, "Well, this is not your job. You do not
6 look and verify whether material is traceable or not. Or
7 you do not look and verify whether this document meets or
8 agrees with that document or not."

9 In other words, remember I only got in the group
10 so late and they had been doing this work for quite a few
11 months. And suddenly, this documentation which I was
12 reviewing now was prepared several years ago, several
13 months ago.

14 So I was finding things which should have been
15 done or should have been caught by a lot of people who had
16 initialed those documents; quality control inspector who
17 really physically looked at the things; his supervisor who
18 signed the document; quality records review group, who was
19 responsible to review the document is filled out; several
20 other entities and, you know, departments who were
21 involved, NDE records were supposed to be reviewed by NDE
22 people, and they should have reviewed that the information
23 on the QC inspection report matches with the NDE PT report,
24 or RT report, let's say, or the results are in compliance
25 with the documentation.

1 I mean, normally, this is -- you know, one person
2 cannot do N-5 normally does not do those kind of things, in
3 my opinion. However, since no N-5 data report had been
4 prepared for Bechtel or Ebasco for STP, I felt that it was
5 my responsibility to prepare the first N-5 data report as
6 accurately as was physically possible. So I tried to do --
7 I tried to look into the areas to make sure that the N-5
8 data report which I put my name on to that I was the
9 preparer of that report meet all those requirements as
10 humanly possible.

11 MR. CONSTABLE: I'm a little confused by what
12 you're saying. You say that the people had been working in
13 this area for some time before you got there?

14 THE WITNESS: Right.

15 MR. CONSTABLE: And yet you're saying you
16 prepared the first one?

17 THE WITNESS: Yes. They had been working -- they
18 had been reviewing what they have to do. They had come up
19 with a procedure which they thought would be the one to
20 follow. That's the procedure which was approved by all the
21 layers of management on the job site prior to my getting in
22 that department.

23 MR. CONSTABLE: Okay. I understand. You're
24 saying they worked in procedure development and planning
25 and getting ready to start what you actually started?

1 THE WITNESS: Yeah, they were doing the same
2 things what I got started to do when I got there; however,
3 the only difference is, when they said, "This is how we do
4 it; this is how we want you to do it," since I was new, I
5 had to kind of understand what I was being told and what
6 documentation I could find in project vaults and project
7 systems, so I could -- I could say, "Okay, yeah, this meets
8 the requirements and this is okay." I would like to point
9 out a couple of examples. I have a code data report.

10 MR. CONSTABLE: Can you describe it for the
11 record so that we could retrieve that on site if we needed
12 to?

13 THE WITNESS: Yes. It is a code data report
14 called NPP-1.

15 MR. DRISKILL: Whose document is that, Ebasco?

16 THE WITNESS: No, this is not an Ebasco document.
17 This document, NPP-1, was prepared by Southwest Fab &
18 Welding Company, Houston. This is in a series of code data
19 reports, this is one of the data reports which has to be
20 prepared for Class 1, 2 and 3 piping components.

21 MR. CONSTABLE: Okay. Does this document have a
22 unique identifier on it.

23 THE WITNESS: Yes. It is called a serial number.
24 And the serial number of this, six serial number of the
25 document I would like you to refer to is 37115.

1 MR. CONSTABLE: And I see that that refers to the
2 essential cooling water system?

3 THE WITNESS: Yes. Okay? And okay, 37115.

4 Generally -- I take that back. NPP-1 code data
5 report is a document prepared by the fabricator of pipe
6 spools. And he certifies that the materials used in the
7 making of that pipe spool are in accordance with the ASME
8 code requirements; his A&I's certifies that all the quality
9 control procedures and quality assurance procedures were in
10 compliance with the ASME code, and ASME Committee has to
11 approve, after a code survey, for NPP report. In other
12 words, NPP stamp.

13 NPT stamp is given to an organization after ASME
14 Committee has reviewed their -- just like Ebasco had to go
15 through for NA stamp in accordance with the code
16 requirements; Southwest Fab had to go through a system to
17 get NTP stamp so they could provide components to South
18 Texas Project to be installed by Ebasco or Brown & Root.
19 So this is a very important document in terms of the code
20 requirements.

21 MR. CONSTABLE: Okay. Continue on.

22 THE WITNESS: So what happened was, when I was
23 reviewing each components involved in my ECW system, I
24 found that -- in this particular case, I found that this
25 document was -- was signed by a QC organization -- let's

1 call it QC inspector, and identified what the NPP-1 was
2 prepared for.

3 And he inspected it as part of our receiving
4 inspection procedure, and then that document is used when
5 installer takes that equipment out and installs it to
6 verify that in the interim, there were no changes made to
7 that hardware.

8 You know, the weld was not burned off or by
9 mistake or whatever, or any of the changes did not happen,
10 and if they did happen, they were identified back to this
11 document, because this is the document prepared by outside
12 of Ebasco. Ebasco cannot unilaterally or any company
13 unilaterally change this document unless they do some
14 modifications to it.

15 Now, to do that, and to be one hundred percent
16 sure that what we received from an outside Southwest Fab,
17 let's say, the preparer of NPP-1, is what Ebasco installed
18 out there, so I could put it on my N-5 data report that
19 this is what we have out there in the field.

20 Now, I would like to remind you that N-5
21 certifies that this is how we installed this system; that's
22 what the installer is going to certify.

23 To do that, I thought it would be a good idea for
24 me to get familiar with the system. And I said, "Well, I
25 will do a little more than I'm supposed to do right now."

1 I took a walk outside, and I said, "Let me read and let me
2 verify is this information the same in the field, because
3 it must be." Otherwise, we have breakdown in our system,
4 documentation; whether the document which QC prepared is
5 inaccurate or incomplete, or we installed a wrong
6 component, or a combination of the two.

7 The only way you can verify and be very sure that
8 you have exactly what you installed so you have exactly
9 documented on the N-5 data report is by visual inspection.
10 This was not being done by Ebasco at that time. They were
11 not willing to do that. They had been told, we had
12 requested them, I had made my views known, to do an
13 effective, most inexpensive way to prepare an N-5 data
14 report would be for the preparer of the data report so
15 there are no questions that I have to believe whether John
16 said this or Jack said this; whoever is the preparer of the
17 data report, to verify, in fact, the hardware is out there,
18 what we are saying on the N-5 data report. That's what I
19 believe, this is what I recommended. But I was told, "No,
20 we have QC organization who has done that, we do not think
21 it is necessary, whatever."

22 But then I wanted to do some spot checking. I
23 wanted to kind of make myself comfortable that in fact we
24 had the documentation telling us what is out there. But in
25 so many cases, I found that was not true.

1 MR. CONSTABLE: And this is one of those cases?

2 THE WITNESS: This is one of them.

3 MR. CONSTABLE: Describe in what way what you
4 found in the field was not what was supposed to be
5 installed.

6 THE WITNESS: Basically what it says here, which
7 is verified on a certain date, December 24, 1984, by -- I
8 can't read the name.

9 MR. CONSTABLE: We can find the document. What
10 we need is for you to describe what was found and your
11 personal note on there that might be not on the document
12 that we might find.

13 THE WITNESS: There -- this document says --
14 there should be an NPT cloverleaf plate welded on to that
15 serial number 37115. I did not find that plate which
16 signifies that that is a code class component, certified in
17 accordance with ASME Section III.

18 There is a NPP-1 for it somewhere in the system
19 out there in the vault, but when you are looking at the
20 physical component in the field, if you see a cloverleaf
21 NPT-1 or NPT-2 or NPT-3 stamp, either engraved or welded or
22 whatever the code system procedures are established, it
23 signifies very important feature of that component, that
24 that component met all the ASME code requirements when it
25 was manufactured or fabricated.

1 MR. CONSTABLE: So as far as you know, then, that
2 seal is not on that system even now?

3 THE WITNESS: No, I don't know that. All I can
4 say is that when I looked at it, which would have been --

5 MR. CONSTABLE: See that's something we can check
6 and that's what we're looking for. We can go and look for
7 exactly that.

8 THE WITNESS: Right. And I've given you the
9 serial number and that way you can go right to the point,
10 right to the document and to the hardware and whatever.
11 However, when I looked at this -- when I was involved in
12 the process of my work, my assignment on this system, I did
13 not find it, and this is why I made a note in the field,
14 "No code data plate on hardware. Why?"

15 MR. CONSTABLE: Very good, I think I understand
16 that clearly.

17 Q (By Mr. Driskill) Did you report this to your
18 supervisor or to anyone?

19 A I think I went to -- I think I had somebody with
20 me when we looked at it. I had either a QC or -- see, this
21 was not my job, I was not supposed to do that. So I kind
22 of -- I didn't want to do something well, you know,
23 administratively I'm, you know, "Why am I doing this?"

24 So I have somebody else with me to say, "Okay.
25 I'm just helping him or her." So I think I let him or her

1 carry it on to see why it was not there. And I merely made
2 my own notes saying that it was not there.

3 Q (By Mr. Driskill) Do you have other instances of
4 findings of this sort?

5 A Well, I found another one of exactly the same
6 scenario for another serial number.

7 Q What's the document number that you have there?

8 A Okay. This is again, this is a serial number of
9 the NPP-1 is 37697.

10 Q I'm just trying to find how I can retrieve that
11 particular document?

12 A If I go and look for serial number 37697, NPP-1,
13 you can find it.

14 Q Is it a three inch flange?

15 A Yeah. And this is one of the examples, and to
16 answer your question, I don't know if it was ever corrected
17 or not.

18 MR. CONSTABLE: I understand. But like I say,
19 that's the kind of issue we're trying to find is where
20 something isn't as it should be that he we can go out and
21 look and see.

22 THE WITNESS: Right.

23 MR. CONSTABLE: And this other example is exactly
24 the same, no data plate is on the hardware.

25 THE WITNESS: Right.

1 MR. CONSTABLE: And you have a note here that
2 says "Repeated three times"?

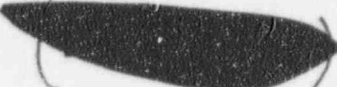
3 THE WITNESS: I guess what I said over there, I
4 looked at some other -- I had made a list of -- you know, I
5 had -- I guess when I was working on the system, I said
6 let's take two or three spools here, two or three spools
7 here, and just spot check it. I wasn't really checking --
8 I didn't have time to do that.

9 MR. CONSTABLE: Okay. Just trying to make sure I
10 understand fully what you saw.

11 THE WITNESS: Right. Okay? So I just made a
12 note that there were three other cases I found but I did
13 not go into the detail. I just found that this was
14 repeated, that no data plate available on hardware three
15 more times.

16 MR. CONSTABLE: Okay. Let's go on to the next
17 subject. I think I understand that one well.

18 THE WITNESS: Okay. Well, I would like to define
19 that document review assignment. Part of my job in the N-5
20 group, as we were told, not just me but basically the whole
21 group, let's say, and so many -- because we found a lot of
22 areas of concern in the documents we were looking at.

23  who was my immediate supervisor, 7c
24 agreed with me one hundred percent. Let's call it 99.9
25 percent, you know what I mean. He and I would make reports

1 like this, and this is a copy of one of the reports, which
2 he and I jointly prepared, since he was my supervisor from
3 him to Bill Pardee at that time was the his supervisor.
4 And this is a report as of November 1, 1985.

5 And as you see, all these, all this -- this is
6 like an internal notifying the supervisor as to what the
7 problems we are finding. As you can see -- and you can
8 see -- especially I would like to point out your attention
9 to the areas or the sentences which are highlighted, to
10 give you some idea what kind of problems we were finding.

11 MR. CONSTABLE: Are these examples of problems?

12 THE WITNESS: Yes.

13 MR. CONSTABLE: Okay. So actually --

14 THE WITNESS: That's what we found.

15 MR. CONSTABLE: -- all of the issues are
16 important here, you're just identifying a few?

17 THE WITNESS: Right, which were more -- which
18 were I think -- which had to be corrected, there are some
19 which are cosmetic.

20 MR. CONSTABLE: I understand that. To your
21 knowledge, when you identified these problems, to your
22 knowledge were they taken care of?

23 THE WITNESS: Well, let me say this: We
24 continued -- I continued to identify them to my boss. My
25 boss did what -- you have this document in your hand. He

1 wrote it down or whatever. But I think in the long run,
2 which is sometime in February or March of '86, we were
3 really told, "This is not you guys' job, we have other
4 people doing it. So you just don't have to -- you don't
5 have to keep identifying this."

6 And they had moved Bill Pardee away; they had
7 removed [REDACTED] as a supervisor; they had demoted him
8 because [REDACTED] would not quit identifying these
9 problems to his boss. 70

10 Q (By Mr. Drickill) Were there other people in
11 that group besides yourself that were identifying problems
12 to Staymates?

13 A No, there was one -- well, there were -- I think
14 there were two more employees but one was secretary. But I
15 think [REDACTED] and I were the major contributors to the areas
16 which we were concerned with. 70

17 Q Okay. And you think that he was demoted because
18 of these memos?

19 A Oh, I know that, he was, because then -- he was
20 demoted and that's when Mitch Mudler took over. So now [REDACTED]
21 [REDACTED] worked just like I did in that group. 70

22 Q Was he told that's why he was demoted?

23 A I don't know.

24 Q The document, would you have any objection if
25 perhaps tomorrow I came to your house and made a copy --

1 and got that and made a copy of that particular document?

2 A You're welcome to.

3 MR. CONSTABLE: I think that would help us, you
4 know, in reviewing some of these issues. You know, we
5 could go to -- I don't know if they have a place in town
6 that Xeroxes things, but if we could make copies for our
7 use back in the office, it would be very helpful.

8 THE WITNESS: This is over there available, if
9 you just look for it, hopefully.

10 MR. CONSTABLE: I understand that. Just what I'm
11 saying is that in preparing for a review, sometimes it's
12 better to have copies in the office and in this case, you
13 have highlighted some interesting issues that, you know, it
14 would help our people focus on, you know, what the issues
15 are.


16 MR. DRISKILL: I can assure you that we will make
17 every effort and I don't see any reason why we shouldn't
18 be -- nobody will know where we got these documents or even
19 see the documents that we have.

20 THE WITNESS: I have nothing to hide. I mean,
21 this is a document which was sent to John Martin, file. So
22 I hope this was somewhere in the file.

23 MR. DRISKILL: But these sort of personal
24 correspondence things don't end up in a vault somewhere and
25 oftentimes those file cabinets for administrative things

1 which that would probably been considered get thrown in the
2 trash or get destroyed later on and they don't exist unless
3 somebody hangs on to them.

4 MR. CONSTABLE: And your explanatory comments
5 that you have handwritten on these also would not be on the
6 copy we might find in the vault.

7 THE WITNESS: I guess not. But I think this is
8 the beginning of the problems which we identified. But
9 then we did not stop.  I can say that much, no
10 that he agreed with me and we did not stop -- I mean, he's
11 a co-worker now, he's not my boss. So we consulted with
12 each other, and we continued identifying our concerns to
13 the management; saying that there are areas which must be
14 looked at which must be either corrected or something
15 should be done to resolve the problem, prior to certifying
16 an N-5 code data report.

17 MR. CONSTABLE: Do you know if he still works on
18 the site or not?

19 THE WITNESS: No, sir. He was -- he left the job
20 site before I was told to leave.

21 MR. CONSTABLE: Okay.

22 MR. DRISKILL: Do you know where he is today?

23 THE WITNESS: I don't know where he is today.
24 But I know where he went when he left Bay City.

25 MR. DRISKILL: Where?

1 THE WITNESS: He went to California, to his -- he
2 was from California, I understand.

3 MR. DRISKILL: Do you know where, San Francisco,
4 Los Angeles?

5 THE WITNESS: No, I don't know -- I mean, you
6 know, I didn't -- but he was let -- well, I better not say
7 that. He left the job site before I was told to leave.

8 MR. CONSTABLE: Okay.

9 Q (By Mr. Driskill) Okay. Do you have some other
10 documents that relate to this time you spent with the N-5
11 group?

12 A Well, actually all these documents are for that
13 time. There's such a short time I was in the QA
14 Department. And some of these things were later on issued
15 or at least there was a very serious attempt made, and an
16 SDR No. B-212 at least was prepared. I don't know if it
17 was ever issued because I was no longer in the QA
18 Department. So again, I had no access to this. You're
19 welcome to it.

20 MR. CONSTABLE: You have a comment on here saying
21 "It may be buried." What are you referring to?

22 THE WITNESS: Well, what I was referring to is
23 that that particular spool may be buried in the ground so
24 there was no way you or I could go today without digging up
25 to verify if this deficiency still exists or has it been

1 corrected, maybe. So because I said I don't know for sure.

2 MR. CONSTABLE: Okay. This particular deficiency
3 is on Page 4 of 5, it's the first deficiency and you're
4 referring to spool No. EW1213, and FW0043. Will that
5 uniquely identify it so someone could find it?

6 THE WITNESS: You may need this information --
7 well, just a minute. Excuse me. Yes, EW1213, field weld,
8 0043, will give you where to go to find that information.

9 MR. CONSTABLE: Okay.

10 THE WITNESS: I would like to point out a note
11 which was put in here.

12 MR. CONSTABLE: Okay. This is on top of Page 5
13 of 5 on SDR No. B-212. As a result of the deficiencies
14 noted above, BEC QA has classified this SDR as a severity
15 level one due to the significant and repetitive
16 non-conformances which affect hardware and for which
17 previous corrective actions have been ineffective.

18 Q (By Mr. Driskill) Who put that note in there?

19 A I don't know who. I just --

20 Q Found the document?

21 A This is something which was to me a step in the
22 right direction, that somebody was attempting to do what we
23 have been fighting for. But I was already out of the QA
24 Department, I was already other things. So --

25 MR. CONSTABLE: Okay. And you've also circled

1 below that it talks about block eleven recommended actions,
2 you circled Item No. 4, which states, "Investigate the
3 reasons the SDR wasn't issued in accordance with SQAP-02,
4 and provide results." Why did you circle that?

5 THE WITNESS: The reason I circled that -- I
6 would like to point out this paragraph.

7 MR. CONSTABLE: Okay. This paragraph is on Page
8 2 of 5 of the same document, near the bottom of the page,
9 "Prior to Ebasco's certifying the code data report, the SQR
10 supervisor shall perform final review of the documentation
11 package to assure that all required QA records have been
12 provided for code items and sign the system/subsystem
13 release attachment 3.6. Upon review acceptance by SQR,
14 Ebasco shall certify the code data report and the package
15 shall be submitted signature" -- I'm sorry, did I read that
16 wrong? "And the package shall be submitted signature on
17 the code data report."

18 THE WITNESS: In other words, this procedure
19 QAI-19 Rev. 3, paragraph --

20 MR. DRISKILL: 13-1.

21 MR. CONSTABLE: 13-1.

22 THE WITNESS: -- was the requirement which the
23 project is supposed to comply to. This is merely a
24 restatement of reinforcing what that has to be done.
25 Repeatedly it was pointed out to the management, I was

1 told, since I was not there, you know, I was only there for
2 a short time, I was told by other members in the group and
3 whatever, that this is not -- this is not a new problem
4 because some of these problems which I identified,
5 somebody, and I'm not sure this was Ron Staymates, made a
6 special note to identify -- and I did not work in QA in
7 August of '85.

8 MR. CONSTABLE: Okay. You're pointing out that
9 it had been previously identified by somebody.

10 THE WITNESS: Else.

11 MR. CONSTABLE: And apparently the proper
12 corrective action had not been taken?

13 THE WITNESS: Because on November 1, '85, we were
14 still going back and identifying the same problems on the
15 same subject and we were still writing memos hoping to
16 correct the problem.

17 MR. CONSTABLE: Is this the document you
18 previously described to us?

19 THE WITNESS: Yes.


20 MR. CONSTABLE: The November 1st, 1985 document
21 to W. Pardee from R. Staymates. And we'll get a copy of
22 this?

23 THE WITNESS: Yes.

24 I would like to point out another document which
25 I think is more -- it's an interoffice memo rather than

1 just a intergroup memo. So this -- as I showed you the
2 document which was prepared on November 1, you see this
3 document was prepared sometime in December.

4 MR. CONSTABLE: Let me identify the document for
5 the record. It's on Ebasco interoffice correspondence
6 letterhead; its date is 12-9-85; the file reference is
7 STP-N-5-0014; it is to J. Narron, N-a-r-r-o-n, and it's
8 from W. Pardee. Go ahead.

9 THE WITNESS: Okay. From November 1, every week
10  would write to Bill Pardee identifying various problems 7C
11 in the documentation, so that we could prepare N-5 code
12 data reports.

13 To complete the work, we had either to correct
14 the documents which are underlying, to prepare the N-5, or
15 we cannot prepare the N-5 document, correct document,
16 correct N-5.

17 But for whatever reasons, we were -- I was being
18 told and, I'm saying everybody else in the group, you know,
19 I was not individually being told, as a group, we got to
20 get the N-5 data reports out. We got to meet the schedule.

21 Q (By Mr. Driskill) Who was telling you this?

22 A Bill Pardee, through his boss and it was coming
23 down trickling down to us, that we have to prepare these
24 data reports to meet our schedule.

25 Q Even though you didn't have the sufficient data

1 to prepare them?

2 A Well, we believed we didn't have what we needed
3 to do, but that doesn't matter. This is where the problem
4 was, that here we have to prepare that and we cannot do it
5 and we tell them why we cannot do it, and then so the
6 reason was so we finally approached, [REDACTED] and 7C
7 myself, approached Bill Pardee and we said, "Look, we have
8 a problem. We have been sending these kind of memos to you
9 here, what have you done with it? "

10 MR. CONSTABLE: That's the November 1st memo
11 you're referring to?

12 THE WITNESS: Right. So in December, we -- when
13 asked him, "What have you done with all these things we
14 have been providing you in writing?" I don't remember what
15 he said but the bottom line is, he said "I'm now in the
16 process of preparing a report to my boss." His boss was
17 Jim Narron. So this is a document which I guess is a
18 summary of all these various reports we had been preparing
19 to identify what kind of problems we have had. I would --

20 MR. CONSTABLE: Does this accurately reflect the
21 problems that you had pointed out?

22 THE WITNESS: Yes.

23 MR. CONSTABLE: Okay. And I notice on this
24 correspondence dated December 9th, that you have written
25 the comment to this, "No written response/direction was

1 ever provided.

2 THE WITNESS: That's correct.

3 MR. CONSTABLE: So to the best of your knowledge,
4 this letter was never answered?

5 THE WITNESS: I never saw any response. I never
6 read --

7 MR. CONSTABLE: Response of any kind?

8 THE WITNESS: Right.

9 MR. CONSTABLE: No letter. You also didn't
10 necessarily see the problems being correct and to your
11 knowledge they weren't corrected?

12 THE WITNESS: Well, I knew they were not
13 corrected because we were told not to correct them. They
14 were -- they were going to be corrected by appropriate
15 departments and groups in the organization.

16 MR. CONSTABLE: I understand that, but what you
17 have there is a good summary, then, of the issues as you
18 see them?

19 THE WITNESS: Right.

20 MR. CONSTABLE: And if we can have a copy of
21 that, that will help us quite a bit. Go ahead.

22 THE WITNESS: As late as March, and February of
23 '86, I was still working on EW system. I had personal
24 memos written to my immediate boss, Mitch Mulder, and I
25 have copies of those memos I wrote asking him for his help

1 to do my job.

2 MR. CONSTABLE: Okay. This first memo you have
3 handed me, I'm trying to think how to describe this.

4 THE WITNESS: This is a like a three part memo.
5 This is a three part memo, and it says from me, this is
6 from me to him, this is the subject.

7 MR. CONSTABLE: To Mitch Mulder?

8 THE WITNESS: Right.

9 MR. CONSTABLE: And the subject is N-5 CDR4
10 EW0101?

11 THE WITNESS: Right.

12 MR. CONSTABLE: And the date is March 21, 1986?

13 THE WITNESS: And there's one more here from
14 February 4th.

15 MR. CONSTABLE: Another one February 4, 1986, and
16 still another February 17, 1986. All on the same subject?

17 THE WITNESS: Right. Basically asking for a
18 direction related to what we had said in December of '85.

19 MR. CONSTABLE: Yes. Attached to these three
20 small copies, you have Xerox copies. Are these extra
21 copies that perhaps we could have? Is this a copy of this?

22 THE WITNESS: Yes, I think so. You are welcome
23 to have any copies you want, I mean.

24 MR. CONSTABLE: We will just make the copies
25 tomorrow, probably be easier.

1 THE WITNESS: Fine, no problem. So I was still
2 asking for the same kind of direction, do you or do you not
3 feel that we need to correct these problems now or should
4 we wait for somebody else to correct them as we have been
5 told? But the problems were still not being resolved.

6 MR. CONSTABLE: Okay. I understand what you're
7 saying. Good. I think what he's said we can just take
8 these copies or make copies.

9 THE WITNESS: Okay. So what happened when all
10 these things were not being properly addressed in my
11 opinion, we still hadn't produced the single, the very
12 first, N-5 code data report.

13 Q (By Mr. Driskill) For the ESW?

14 A For any system. Because I was the one who was
15 supposed to prepare the very first one. In accordance with
16 the schedule laid out, my system was the one which was
17 supposed to be first. And I had identified these areas so
18 I still hadn't completed any.

19 Q And you were beginning to get a lot of pressure
20 to hurry up and finish it?

21 A Right.

22 Q Without receiving answers to the problems you
23 pointed out?

24 A I wrote the memo, very clearly on March 21st,
25 '86, to my boss, copy to Jim Narron, this is to remind you

1 that I had requested information, see attached memos, which
2 we just talked about, and have not yet received any
3 response whatsoever. I still need this information to meet
4 my scheduled deadlines 3-31-86.

5 I only had ten days to finish the N-5 code data
6 report for that system, EW0101, and I had been asking for
7 information -- well, since November of '85. So I
8 requested, "Please, provide the information and then please
9 respond how can I expedite preparation N-5 for EW0101
10 system.

11 I thought that was this only way I was
12 identifying the problems in the proper channel of command
13 and I think I was doing what I was supposed to do. But
14 then I was being told by my boss, and various other,
15 "You're just not doing your job. You're just not doing
16 your job. You're just finding ought these problems, nobody
17 else has any problems."

18 MR. CONSTABLE: But no one else had produced an
19 N-5?

20 THE WITNESS: No, sir, nobody on the jobsite had
21 ever produced any code data report on that date when I
22 wrote this memo.

23 MR. CONSTABLE: So even as of the time you left,
24 there had been no N-5 forms completed?

25 THE WITNESS: No, sir, I'm not saying that.

1 MR. CONSTABLE: Maybe I'm misunderstanding.

2 THE WITNESS: I'm saying as of March 21, '86,
3 when I requested and with what I just read in the memo,
4 there was no code data report N-5 prepared by anybody in
5 Ebasco.

6 MR. CONSTABLE: Right.

7 THE WITNESS: And the reason why nobody had
8 prepared any was because we did not have in the group the
9 required clarifications, information, direction to do that.
10 However, there were other group co-workers with me in my
11 group. Myself and Ron Staymates were primarily the two
12 employees who were kind of not dropping the subject of
13 finding the problems, because we were not looking for
14 problems, we were merely trying to do the job which we were
15 assigned to.

16 But for one reason or the other, when we find the
17 problem, bring it to our higher level and no response as to
18 which way we should go, they started telling me
19 specifically because Ron had already been transferred by
20 that time, I was the one left now, that you get the report
21 prepared you are not doing your work, you are not doing
22 your job, you are -- whatever.

23 I said, "Well, sir, I am willing to do it. I can
24 finish it, but here is what I requested from you. What do
25 you want me to do?"

1 And then no meaningful response coming back, I
2 was beginning to get more pressure that you just are not
3 doing your job. So I went and took the opportunity to
4 go and talk to Mr. Jim Narron, who was Mitch Mulder's boss,
5 and these copies he was getting the copies -- no, he was
6 not getting copies until March 21st. ne

7 Then I wrote this, I sent him these copies along
8 with the other documents. And I requested that I would
9 have a meeting with him to resolve this problem, so I can
10 meet the schedules laid out for me by my boss.

11 During the course of discussions with Jim Narron,
12 I was told that, "you are the only one who is finding the
13 problems; nobody else in the group has any problem." I had
14 the same comment which you just asked me, did they produce
15 any N-5 data report by then? So I said, "Jim, has there
16 been any code data report prepared by anybody?"

17 He says, "No, we are waiting, you are the first
18 one who were supposed to prepare one. That was supposed to
19 be the sample so everybody could look at it then we could
20 follow it up."

21 I said, "I'm very glad to hear that, but I cannot
22 do it." And why? Then few days later, I was told by my
23 boss, Mitch Mulder, that "Jim wants to see you."

24 I said, "Okay." Went to saw him, I talked to
25 him. And of course this was a continuation of this little

1 conversation we had a few days earlier. And I told him, I
2 said," I cannot, I will not prepare an incomplete or
3 inaccurate N-5 code data report. If that's what you want
4 me to do, you have to give me as my supervisor, as my
5 superior, in writing, that it is okay to prepare an
6 incomplete, inaccurate, maybe, complete, N-5 code data
7 report."

8 Two or three days after that, I was transferred
9 out of QA Department.

10 MR. CONSTABLE: Do you know of subsequent to your
11 leaving have they completed any N-5 forms?

12 THE WITNESS: I have not seen any. I had heard
13 that they did.


14 MR. CONSTABLE: Do you know roughly when they
15 might have finished the first one; how long after you left?

16 THE WITNESS: This is only my guess, but I can
17 say very probably, I don't know for sure, that until about
18 May or later part of May, '86 -- let me see one more thing
19 here. I will say sometime until about end of May they
20 still hadn't. But again, I'm merely guessing this because
21 some of the other related subjects kind of tell me that
22 they hadn't. But I'm not sure about that.

23 MR. CONSTABLE: Okay.

24 MR. DRISKILL: Let's stop and take a break. The
25 time is 8:57.

1 (Recess.)

2 MR. DRISKILL: The time is 9:00 o'clock and
3 we're going back on the record. And we're going to try to
4 briefly cover a few things here that  and I had discussed RC
5 on the telephone some time back.

6 Q (By Mr. Driskill) I think we touched on them
7 earlier on. I underlined some things from my notes that I
8 had taken during our telephone conversation that you had
9 talked about when you were during the time you were
10 employed at STP. You identified problems with quality
11 documents relative to welds, piping, valves, material
12 traceability and code requirements, were those some of the
13 things that you were showing us some of the memos and stuff
14 had been had prepared?

15 A Right.

16 Q So those would be covered in that sort of thing?

17 A Right.

18 Q Okay. You made efforts to discuss these things
19 with your boss and you didn't feel that they were, that
20 they were making an effort to resolve the problems that you
21 were identifying?

22 A Right.

23 Q And I think that that's one of the issues that
24 you pointed out. You continually wrote the memos
25 requesting that they provide you some response to these

1 problem areas or --

2 A Some direction.

3 Q -- some direction?

4 A Or whatever --

5 A Resolutions of these things.

6 MR. CONSTABLE: To the best of your knowledge,
7 that information was never provided to the folks preparing
8 N-5 data forms; is that a true statement?

9 THE WITNESS: Which information?

10 MR. CONSTABLE: The questions that you have
11 raised that you were not getting answers to.

12 THE WITNESS: Well, yeah, there was -- some of
13 the information existed in bits and pieces several other
14 places. And we were being told, you can't go spend time
15 looking in those places so there's no way you're going to
16 get it.

17 Q (By Mr. Driskill) So just certify it and let it
18 go?

19 A Just go ahead and let --

20 Q Okay. Do you believe that that's the way these
21 certifications were prepared, without somebody going out
22 and finding the documentation they needed to properly
23 certify it as you would have?

24 A As long as I was in the QA Department, myself, I
25 did not do that. I don't know if other people were doing

1 that.

2 Q I asked you what do you believe now? Are you
3 concerned that perhaps some of these were N-5 data reports
4 were prepared without that being done?

5 A I do know one thing. That N-5 code data report
6 preparers did not make every effort they should have done
7 to verify the information on the N-5 data report. That I
8 can say on my whatever little experience I have with that.

9 Q Okay. I think in our telephone conversation you
10 also indicated you had identified some sort of problem
11 relative to the hydro systems, some, apparently some
12 document indicated that the system was complete, however
13 you had a problem with it in that there were hundred of
14 punch lists items outstanding. You were asked by, I
15 believe, Jim Narron to go ahead and sign off the N-5. Is
16 that something that was documented in that?

17 A That's part of those memos which I wrote.

18 Q Okay. We've got the documentation on that. And
19 you told us earlier, soon after your conversation with
20 Narron, you were transferred to the Engineering Department.
21 You indicated that soon after you went to the Engineering
22 Department, you began identifying same types of problems.
23 Are you talking about problems with respect to welds, weld
24 adequacy, piping, valves, material traceability and code
25 requirements, that sort of problems in documentation?

1 A When I was transferred from QA back to
2 engineering, I was given the assignment back to resolve the
3 SDR's and to work with somebody else. And I was also asked
4 to look into two or three specific areas of piping and pipe
5 supports. And was asked to say well, since you know
6 about -- there was -- there was an SDR or -- I don't recall
7 what it was; the context. But this is what happened.

8 There are ASME code cases, and to construct and
9 certify an installation, if an installer uses one of those
10 code cases, the design engineer or the designer of the
11 plant has to reaffirm those and apply them to a particular
12 project. And I would like to point out this statement
13 here. This statement says that this code case shall expire
14 on November 20th, 1981, unless previously annulled or
15 reaffirmed.

16 MR. CONSTABLE: Okay. Let me identify this as a
17 code case ASME boiler pressure vessel code case N-225. And
18 in the heading, it refers to a meeting of September 15,
19 1978, approved by counsel, November 20, 1978.

20 THE WITNESS: And it says on that that unless you
21 reaffirm it, you cannot use this code case for any further
22 after that date. So in some contexts, and I don't remember
23 the exact area of why I got into this, I asked a question,
24 "Has this code case N-225 or other code cases been -- have
25 been invoked for STP, for use? "

1 And I called the QA Department people thinking
2 they would have this document certified or something
3 available, and I could not find one. And then they said
4 well, this is the job of Bechtel Engineering and they have
5 done that.

6 And I said, "Yes, if they do that, that also
7 says -- and this is even in the document, that if you use
8 that code case, any code cases, and if the material is
9 supplied, manufactured or fabricated using that code case,
10 that must also be annotated on those quality documents,
11 including the design specification."

12 Now, in some cases, this particular -- I wish I
13 remembered what it was, either an SDR or some -- I was
14 asked to do something and was something which I just
15 stumbled on to, and they said, "Well, you don't have to
16 worry about that. This is not something which we asked to
17 you do."

18 We kind of -- I mean I'm not saying the exact
19 words, but something to that effect. And I said, "All I'm
20 asking is to find out if in fact these design
21 specifications have been revised and ASME Committee has
22 been approached for permission to apply these code cases to
23 STP, because if they haven't been, then we are issuing
24 design change documents hoping they have been, they may not
25 be."

1 And that means at the time of preparation of N-5,
2 I just came from N-5, I know they're not doing it over
3 there or at least that's -- that's what I believed.

4 Then I said, "We're going to be again creating
5 another problem of not using the procedures outlined by
6 ASME Committee for building and certifying N-5 data
7 reports." It's not something -- it's in black and white.

8 Q (By Mr. Driskill) Essentially this problem was
9 never resolved, then, as far as you know?

10 A I have no idea whether it was or not.

11 Q Okay. Let me just, we're in. Out to get through
12 with everything and I want to touch on some other areas
13 here. The system turnover criteria. You indicated that
14 you felt there was a problem with that?

15 A Well, I think that problem more relates to not so
16 much as technical because I was really removed from a
17 technical standpoint in that assignment. It is more from
18 turning over an incomplete operable system to the client,
19 the owner, knowing that there are various incomplete items
20 on a system.

21 And if you know that you have not completed this
22 system in its entirety, you may have documented or written
23 down what is not completed, you should not be turning over
24 the system or HL&P, as the owner, as the manager of the
25 project in the interests of saving money and getting the

1 job done right, should not accept that start up system
2 prior to its completion.

3 Q But they were?

4 A But they were.

5 Q Did they know that they were incomplete?

6 A Yes.

7 Q Okay. Let me ask you about another area. You
8 indicated that you believe that there's a lack of QA
9 documentation relative to valves and pipe welding. And you
10 indicated that was large bore pipe support installation, or
11 perhaps that's another area?

12 A I mean if I said that, that was wrong, lack of --
13 I don't think it's wrong. I would say it's what we have
14 been talking about.

15 Q Okay. Another thing you indicated was that
16 apparently Ebasco was not turning over pipe supports with
17 the system because they would have problems with --

18 A They were not complete.

19 Q That what?

20 A Pipe supports were not complete. They were not
21 completed.

22 Q That was part of the turnover problem?

23 A Well, what they were doing, they were turning
24 over systems in pieces, parts, and specifically pipe
25 supports, they were not turning over for any system because

1 they were incomplete. They knew that. It's not
2 something --

3 Q Okay. Let's go to another one. Traceability of
4 flow elements. You indicated someone told you that they
5 are not safety related. And you think that they are
6 critical to the system performance.

7 A Any instruments, flow elements, flow orafices,
8 valves, control the system, the steam, the water, the whole
9 system is controlled by, measured by, positioners, valves,
10 operators, solenoid valves, these are the controlers for
11 how you control the system from lack of cooling, lack of
12 heating, whatever.

13 These are very critical components in any system,
14 whether safety related or not. They should be given, and
15 they are given in my experience on other jobs or other
16 places, extra importance and we take extra care even on a
17 fossil job to make sure they are properly calibrated, they
18 are properly documented, and they are properly installed
19 and verified the installation.

20 In my opinion, this was not being done what a
21 good instrumentation system would allow you to do. Now, I
22 was not in instrumentation so I had no real direct, I could
23 not go in unless I charged into somebody's office and said,
24 "Hey, you need to do it right." I just merely mentioned
25 that there are areas which I would be concerned as being

1 involved in the, you know, in the installation of these
2 components which I mentioned.

3 Q I wanted to document this and I'm sure that Les
4 will take a look and this and see if this is an area that
5 there may be a problem. One other thing I wanted to relate
6 just to the record just so I've got it down correctly,
7 you indicated you went to a dinner party. And during the
8 course of the dinner party apparently there were a lot of
9 STP employees there. And you were apparently standing in a
10 corner with a guy talking to him about problems at work and
11 he was talking to you. Do you remember that particular
12 instance that you told me about?

13 A Yes.

14 Q Would you briefly relate that?

15 A He simply -- we were just talking about like
16 everybody else, it happens even though I don't work at STP
17 now, whether I go to a party somebody they work there, they
18 start talking how it's going, general, you know, shop talk,
19 you know, after work.

20 Q When you originally started talking to him, did
21 you know the individual?

22 A No, I had never met him before. I went to
23 somebody's friend's house and I had never met him.

24 Q During the course of the conversation, did he
25 identify to you what his job was?

1 A No.

2 Q Didn't you tell me that you thought he said he
3 was a team leader in the SAFETEAM?

4 A Oh, he said afterwards, when I had already said
5 that I don't think there's no -- we were talking about
6 there are problems, Ron Staymates was there. So we were
7 talking to Ron and I, there are problems

8 MR. CONSTABLE: Do you know the individuals name?

9 THE WITNESS: No, I don't know the name. But as
10 a matter of fact, I never saw him at the jobsite, either.
11 But I don't know whether he worked in Houston or where.
12 But we just, we were just talking and, you know, I didn't
13 know, because Ron and these fellows and they were having
14 dinner and you know and whatever.

15 And we were just talking and I said, "There's
16 really no need to go to a SAFETEAM because, you know, there
17 is not going to be any advantage to talk to people because
18 if they are going to look at us as finding problems and not
19 as trying to solve problems, I think it's very
20 unprofessional on their part." And I was merely speaking
21 from my experiences with my QA.

22 Q (By Mr. Driskill) Did he tell you that if you
23 went to the SAFETEAM, they would probably just file your
24 complaint away and just try to get rid of it?

25 A I don't know if those exact words, but something

1 to that effect, that it's probably, "You're probably" --
2 "You're probably right, or you're probably not going to
3 get a" -- you know, something to that -- I don't know what.

4 Q But he indicated that they probably wouldn't
5 resolve your problem to your satisfaction?

6 A Well, not only that, but they would probably not
7 be --

8 Q Predisposed to look into it?

9 A Yeah, or whatever. And then I said, "Well, I
10 have always felt that way because of what I have seen. I
11 have never gone to SAFETEAM. I have never talked to
12 anybody from SAFETEAM." And that's when the person
13 identified himself that he is in SAFETEAM and he is working
14 for SAFETEAM and he is with them. And I discontinued the
15 conversation at that point.

16 Q I recall you telling me, though, that he made a
17 statement to you if you -- when he made that statement he
18 told you, "If you ever said I said that, I will say you're
19 lying."

20 A To be honest with you, I don't even have his
21 name. Like, you know, normally you remember when somebody
22 says that, and I said -- and he was -- he -- I have not
23 seen him and this was -- this was, by the way, at the time
24 when I was in QA. So and we were very familiar with some
25 of the problems we were finding.

1 MR. CONSTABLE: Can you describe in any way
2 perhaps his -- how the person looks? Was there anything
3 distinguishing about the individual that might help us
4 identify him if somebody knew SAFETEAM members?

5 THE WITNESS: It was such a short, like a flash,
6 you know, like, you know -- see, we were there like several
7 people there and we just never really -- I didn't know he
8 was who he was or what his job was or when his -- now I
9 would have known --

10 MR. CONSTABLE: Sometimes when you're talking
11 with people, you might notice something that would
12 uniquely, you know, identify them, some feature. And I
13 just thought you might recall.

14 Q (By Mr. Driskill) Got one or two more things let
15 me ask. You don't know the person?

16 A I mean I don't know but I'm saying is I really
17 had no idea.

18 Q You indicated that there was an individual that
19 lived in your neighborhood who was an HL&P manager. And
20 that you had discussed some of your problems.

21 A I didn't know that until I was already out of QA.

22 Q But you recall having talked to him and him
23 telling you not to say anything about these problems.

24 A He told me he was going to take care of the
25 problems, and he was going to do something about it. And

1 then I was removed from QA.

2 Q After that, you think he may have had something
3 to do with it?

4 A Your guess is as good as mine.

5 Q The individual's name is Tom. You said that's
6 all you recall at the time?

7 A Right. And like I say, I talked to him hoping to
8 say, identifying it to the right individuals and higher
9 level individuals might help solve the problem.

10 MR. CONSTABLE: You say he lived near you?

11 THE WITNESS: I didn't know that at the time when
12 I was talking to the man. After I was already out of QA, I
13 was already in engineering, then one day I found out that
14 he lived in my neighborhood. I didn't know that. I'd been
15 living there for so long, I never knew that he lived there.

16 MR. CONSTABLE: On the same street as you?

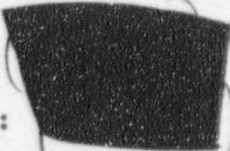
17 THE WITNESS: Well, it's one street down.

18 MR. CONSTABLE: What's the name of the street; do
19 you recall?

20 THE WITNESS: What is the same street when you
21 turn?

22 MR. CORDER:  The main road in?

23 THE WITNESS: I live on this street here, so -- 7C

24 MR. CORDER: 

25 THE WITNESS:  Maybe. I don't know if

1 he lives there. And I saw him there one day and he's
2 working on car, all this stuff, so I figured he lives there
3 and all that. But I don't know when I talked to him.

4 Q (By Mr. Driskill) Let me ask you a quick
5 question here. We discussed briefly on the telephone
6 business about a standard deviation report. You said that
7 it was written over and over to show a deficiency in
8 quality documentation and that you felt that that
9 particular SDR perhaps should have been escalated to an NCR
10 perhaps a 50.55(e) at the time. You said that Cadrone had
11 suppressed this because it may have been a 50.55(e) and they
12 manipulated the individual who wrote it. I'm just reading
13 from my notes here.

14 A Maybe not those words, but I have that right here
15 in the SDR which we have already gone over. So if you
16 go --

17 MR. CONSTABLE: We went over it, but you didn't
18 say particularly that someone suppressed it.

19 THE WITNESS: It was -- this is the note, this
20 note here. I identified that to you earlier.

21 Q (By Mr. Driskill) Is this the SDR or is this
22 talking about another SDR?

23 A No, this is talking about something else. This
24 is the SDR which I said I felt good when this came about.
25 Now realize, this was signed on May the 8th '86. I was no

1 longer in QA.

2 MR. CONSTABLE: Okay.

3 Q (By Mr. Driskill) Was this other SDR ever issued
4 to your knowledge?

5 A As far as I know, again, when I was in QA, it was
6 not. And after that, if it was, I don't know.

7 MR. CONSTABLE: This other SDR, did it identify
8 the same issues as are in this one?

9 THE WITNESS: Only more detailed, identifying
10 more detailed problems.

11 Q (By Mr. Driskill) Do you know where we can find
12 it or was it -- was it ever issued, or was it just a draft
13 SDR? Do you know who wrote it?

14 A I know who wrote it. Ron Staymates did the
15 research in finding the areas, yes.

16 Q Okay. That's all we need to know.

17 MR. CONSTABLE: Thank you.

18 Q (By Mr. Driskill) You indicated you found one
19 instance where Class 3 piping flange that you were
20 reviewing a documentation which had already been removed by
21 the A&I?

22 A I have already gone over this.

23 Q You showed him an error. Okay. Fine.

24 A That's the one, I've already identified that to
25 you.

1 MR. DRISKILL: Okay. I think we've covered
2 everything I had on my piece of paper.

3 MR. CONSTABLE: I have no more questions.

4 MR. DRISKILL: For the sake of time, we kept you
5 a little more time than promised. I apologize. I want to
6 say before I make my closing remarks that I sincerely
7 appreciate the time you've taken with us, and hope that if
8 we have any of these things that we would like to clarify
9 that we can get back to you later on, perhaps on the
10 telephone or something like that and discuss it, okay?

11 THE WITNESS: Okay.

12 Q (By Mr. Driskill) Okay. Have I or any other NRC
13 representative here threatened you in any manner or offered
14 you any rewards in return for this statement?

15 A Nobody has offered me any job, if that's what you
16 meant by that.

17 Q But you haven't been threatened in any way?

18 A No, I don't think so.

19 Q Have you given this statement freely and
20 voluntarily?

21 A Yes. It's all here.

22 Q Is there anything further you would like to add
23 for the record?

24 A Only one request. I have taken this time only in
25 the hope that we have a good quality workmanship and

1 documentation prior to having such a useful piece of
2 construction out there that we can produce electricity and
3 all that, is good quality and it's done right.

4 MR. CONSTABLE: I promise you we're going to look
5 into the issues you've identified.

6 THE WITNESS: That's all I want.
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1 THE STATE OF TEXAS:


2 COUNTY OF HARRIS:

3
4 I, R. Patrick Tate, CSR #1730 and Notary Public
5 in and for the State of Texas, certify that the facts as
6 stated in the caption hereto are true; that the proceedings
7 indicated were had before me, and the same were thereafter
8 reduced to typewriting by me or under my direction.

9 I further certify that the above and foregoing
10 transcript as set forth in typewriting is a full, true and
11 correct transcript of the proceedings had at the time
12 indicated.

13 In testimony whereof, witness my hand, this 24th
14 day of January, 1987.

15
16
17 My Business address is:
18 1712 Esperson Buildings
19 Houston, Texas 77002
My current certification
expires: 12-31-88


R. Patrick Tate, CSR #1730
Notary Public in and for
the State of Texas
My Commission Expires: 10-27-89